

FACULTY HANDBOOK



TEXAS
STATE UNIVERSITY[®]

The rising STAR of Texas

From the President

Dear Colleagues:

As part of an Emerging Research University, Texas State faculty members are essential to our efforts to establish a record of excellence. Faculty engage in important research, scholarship, and creative activity, both individually and collaboratively. At the same time, Texas State maintains its reputation for exceptional teaching in a student-centered environment. Your actions help retain and graduate our students, engage them in research, and heighten their positive campus experience. As a member of Texas State faculty, you are our students' most important resource for success. I congratulate you for your dedication to your students, your discipline, and your University.

The Faculty Handbook is meant to facilitate the tradition of self-governance that is the heart of academic life. It addresses vital elements of the university's culture such as academic freedom, voting systems, grievance processes, and ethics. In order to ensure your success as a Texas State faculty member, the Faculty Senate and Office of the Provost and Vice President for Academic Affairs continuously collaborate to compile and update the information contained in this handbook. Please take time to review its contents, and feel free to inquire about areas where you have questions or suggestions.

I thank you for your commitment and dedication to education. Together we will continue to enhance the contributions and reputation of Texas State University.

Sincerely,

Denise M. Trauth
President

Dr. Barbara Ann Melzer

Chair, 54th Faculty Senate

Professor, Department of Physical Therapy



This issue of the Faculty Handbook is dedicated to the memory of our good friend and valued colleague, Dr. Barbara A. Melzer (1950 – 2013). During her many years of teaching, scholarship and service at Texas State University, Barbara gained the respect and affection of colleagues and students alike through her consummate professionalism, her encouraging presence, her sense of humor, and her caring thoughtfulness.

*- you've gone to darks -
and gone: the world that aching always
leaves, beside us slows to speak such drift,
sweet scroll of days. Shallows, cloudbank,
river path - we wanted, waited, with thinking
thought we'd save them. Desire, its need,
is all and all, is sound: its whites are breaths
we dove-like dream as breeze, as songs,
with song to coax you back from harm.*

The Faculty Senate is grateful for having had the privilege of working closely with Barbara and knows that the entire university has benefited greatly from Barbara's enormous grace, generosity and unfailing dedication to service.

Preface

This handbook is intended to be a guide for faculty at Texas State University. Although it does not purport to be a comprehensive, self-contained policy document, it provides a wide range of up-to-date information on significant university policies, procedures, and activities.

Approved departmental, college, and university policies or *Rules and Regulations* of the Board of Regents, Texas State University System, govern in the event of conflict with the provisions of this handbook.

This handbook is intended as a source of information about university faculty policies, but it is not a contract. The University may change its policies at any time without formal notice.

Texas State University, to the extent not in conflict with federal or state law, prohibits discrimination or harassment on the basis of race, color, national origin, age, sex, religion, disability, veterans' status, sexual orientation, gender identity or expression.

TABLE OF CONTENTS

Mission Statement

Shared Values

University Goals

Faculty Handbook

Faculty Senate Handbook Committee

San Marcos

Texas State University

Official Policies and Procedures

Academic Freedom, Responsibility, and Tenure

Due Process

 Non-reappointment and Denial of Tenure of Non-tenured Faculty

 Discretionary Nature of Promotion

 Non-reappointment of Non-tenured Faculty or Denial of Promotion to Faculty Who

 Allege Violation of Academic Freedom or Discrimination

 Termination and Due Process Procedures

 Suspension

 Summary Dismissal

 Hearing Tribunal Process

 Review by the President

 Appeal to the Board

 Grievances

 Faculty Member

 University Ombudsman

 Informal Resolution and Mediation

 Filing a Grievance

Equity and Access

Academic Planning and Financial Exigency

 Termination of Faculty under Special Circumstances

 Academic Planning

Academic Governance

 Introduction

 Board of Regents

 President

 Provost and Vice President for Academic Affairs

 College Deans and College Councils

 School Directors, Department Chairs, and Faculty

Appointments, Evaluation and Promotions

 Departmental Policy

 Annual Evaluation of Faculty

 Evaluation, Tenure and Promotion

- Retention, Performance and Merit
- Failure of Non-tenured Faculty to Meet Expectations
- Failure of Tenured Faculty to Meet Expectations
- Tenure and Promotion Review
 - Eligibility for Tenure
 - Eligibility for Promotion
 - Review Process
 - Communication of Information about Denial of Tenure or Promotion

- Salary Increases
 - Equity Studies
 - Budget
 - Channels of Communication
 - Committee System

- Faculty Senate

- General University Policies Affecting Faculty Members
 - Abandoned and Unclaimed Personal Property
 - Absences
 - Acceptance of Money from Students
 - Alcoholic Beverages
 - Appropriate Use of Information Resources
 - Commencement
 - Copyrighted Computer Software
 - Fair Use of Copyright Material
 - Curriculum Changes
 - Departmental Rules and Regulations
 - Drug Free Workplace
 - Tobacco Free Workplace
 - Other State Employment and Outside Activities
 - Ethics Policy
 - Faculty Access to Academic Personnel Files
 - Faculty Earned Royalties
 - Copyright and Patent Policy
 - Faculty Authored Teaching Materials
 - Faculty Meetings
 - Faculty ID Cards
 - Faculty/Staff Check-Out Procedures
 - Family Educational Rights and Privacy Act and Texas Open Records Law
 - Graduate Faculty
 - Information Security
 - Network Usage
 - Religious Holidays

Leaves

- Development Leave
- Faculty Fellowship
- Emergency Leave
- Family and Medical Leave
- Jury Duty
- Military Leave
- Parental Leave
- Sick Leave
- Additional Paid Leaves

Additional Personnel Policies

- AIDS Policy
- Sexual Misconduct Policy
- Nepotism Policy
- Orientation
- Political Activities
 - Individual Rights
 - On-Campus Policy and Regulations

State Assistance with Lawsuits

- Indemnification

Summer Employment

Travel

Work Life and Employee Assistance Program

Mother-Friendly Worksite Program

Unpaid Faculty Members

Activities Associated with Research

- Associate Vice President for Research and Federal Relations (AVPRFR)
- Sponsored Programs
- Research Enhancement Grants
- Commercialization and Industrial Relations
- Cost of Research
- Intellectual Property
- Misconduct in Research
- Financial Conflicts of Interest
- Human Subjects
- Animal Welfare
- Bio-hazardous Materials and Bio-safety
- Export Controls

Policies Relating to Teaching

- Academic Workload

- Advising Undergraduate Students

 - Academic Advising

 - Personalized Academic and Career Exploration (PACE)

- Credit by Examination
- Distance and Extended Learning
 - Distance Learning
 - Correspondence Study
 - Extension Study
 - Study Abroad
- Texas State Academic Honor Code
- Confidentiality
- Disruptive Behavior
- Final Examinations
- Grades
- Grade Reporting
- Office Hours
- Student Attendance Policy
- Syllabi
- Public Access to Course Information
- Records Retention
- Tutoring Policy
- International Office

Faculty Recognition

- Alumni Teaching Award
- Piper Professor Award
- Everette Swinney Faculty Senate Awards for Teaching Excellence
- Presidential Excellence Awards
- Presidential Seminars
- Regents' Professor
- Regents' Teacher Award
- University Distinguished Professor
- Emeritus Faculty
- Distinguished Emeritus Faculty

Policies Governing Salary and Benefits

- Flexible Benefits Program (TexFlex)
- Deferred Compensation Plan
- Insurance
- Retirement
 - Teacher Retirement System of Texas
 - Optional Retirement Program
 - Phased Retirement Plan
- Paycheck Distribution
- Social Security and Benefit Replacement Pay
- 403(b) Tax Deferred Account
- Unemployment Insurance
- Workers' Compensation

Support Services

- Alumni Association
- Bookstore
- Dining on Campus
- Academic Development and Assessment
- Testing, Research, and Evaluation
 - Research Support
 - Testing Services
 - Faculty Test Scanning and Scoring
- Faculty Announcements
- Fundraising and Vending
- Keys to University Buildings
- Albert B. Alkek Library
- Instructional Technologies Support
- Lyndon B. Johnson Student Center
- Mail
- Catsweb
- Parking Regulations
- Professional Societies
- Records
- Telephones
- Recreation Opportunities

Appendices

- Constitution of the Faculty Senate of Texas State University
- Standing Rules of the Faculty Senate
- Faculty Senate Committees and Charges

Mission Statement

Texas State University is a public, student-centered, Emerging Research University dedicated to excellence in serving the educational needs of the diverse population of Texas and the world beyond.

Shared Values

In pursuing our mission, we, the faculty, staff, and students of Texas State University are guided by a shared collection of values. Specifically, we value:

- An exceptional undergraduate experience as the heart of what we do;
- Graduate education as a means of intellectual growth and professional development;
- A diversity of people and ideas, a spirit of inclusiveness, a global perspective, and a sense of community as essential conditions for campus life;
- The cultivation of character and the modeling of honesty, integrity, compassion, fairness, respect, and ethical behavior, both in the classroom and beyond;
- Engaged teaching and learning based in dialogue, student involvement, and the free exchange of ideas;
- Research, scholarship, and creative activity as fundamental sources of new knowledge and as expressions of the human spirit;
- A commitment to public service as a resource for personal, educational, cultural, and economic development;
- Thoughtful reflection, collaboration, planning, and evaluation as essential for meeting the changing needs of those we serve.

University Goals

- Goal 1:** Promote academic quality by building and supporting a distinguished faculty.
- Goal 2:** Provide opportunities for a public university education and contribute to economic and cultural development.
- Goal 3:** Provide a premier student-centered, educational experience that fosters retention and success.
- Goal 4:** Enrich our learning and working environment by attracting and supporting a more diverse faculty, staff, and student body.
- Goal 5:** Develop and manage human, financial, physical, and technological resources effectively, efficiently, and ethically to support the University's mission.

THE FACULTY HANDBOOK

With the consent of the Faculty Senate, the Office of the Provost and Vice President for Academic Affairs, authorizes the posting of the Texas State Faculty Handbook (14th Edition) and any revisions of it. The official electronic version is maintained on the homepage of the Office of the Provost and Vice President for Academic Affairs.

The Provost's Office will enter any substantive changes in the handbook after receiving the written concurrence of the faculty senate. The Provost's Office will post non-substantive corrections and updates after the senate has received a minimum of two weeks prior written notification of the changes. As revisions are made, a citation link to the revised text will be added to the Revision Log in the Appendices, to chronicle changes and provide a link to the revised text. Annually by September 1, the Provost's Office will update the handbook index to reflect changes that occur between full revisions, and it will archive the current edition of the handbook electronically.

The faculty senate appoints the handbook committee, on which the senate relies to monitor changes and updates to the handbook and biennially conduct a full review of its contents.

THE FACULTY SENATE HANDBOOK COMMITTEE

The first Faculty Handbook was published in 1964-65. In 1972, the Texas State [Faculty Senate](#) created a permanent handbook committee on which the senate relies to monitor changes and updates and to determine when a full revision is warranted. The faculty senate extends its thanks to all past and present faculty members of the handbook committee and to everyone who contributed time and effort to completing the Texas State University Faculty Handbook.

Dr. Patricia Pattison, Handbook Committee Chair	Professor, Finance and Economics	McCoy College of Business
Dr. Rebecca Bell-Metereau	Professor, English	College of Liberal Arts
Dr. Mary Ellen Cavitt	Professor, Music	College of Fine Arts and Communication
Dr. David Easter	Professor, Chemistry and Biochemistry	College of Science and Engineering
Mr. Terrence Edwards	Librarian, University Library	Alkek Library
Dr. John McLaren	Associate Professor, Criminal Justice	College of Applied Arts
Ms. Tammy Renee Rainey	Senior Lecturer, Health and Human Performance	College of Education
Mr. Chris Russian	Associate Professor, Respiratory Care	College of Health Professions

Dr. Eric Schmidt	Professor, Counseling, Leadership, Adult Education and School Psychology	College of Education
Dr. Ruth Taylor	Professor, Marketing	McCoy College of Business Administration

SAN MARCOS

The City of San Marcos, Texas is located between the State Capitol of Austin and the Alamo City of San Antonio. San Marcos' desirable location allows residents to enjoy both small city convenience and big city connections. Three of the nation's 10 largest cities are located within 200 miles of this vibrant, fast-growing town. San Marcos is the County Seat of Hays County, the 15th fastest-growing county in the United States. Hays County has an annual growth rate of 5.3% and San Marcos, 4.5%. BusinessWeek magazine named San Marcos as one of the "Top 10 Places to Raise Children," and CNN/Money.com reports that Hays County ranks third in the nation for job growth in the last decade. San Marcos accounts for the majority of the growth.

As a major tourist destination, San Marcos welcomes visitors to this beautiful community. Located at the gateway to the Texas Hill Country, San Marcos has historic places to visit, a variety of places to stay, and the best shopping in Texas. With 11 million visitors coming annually to the Tanger and Prime Outlet malls, San Marcos is ranked as one of the top tourist destinations in Texas. The crystal clear, spring-fed San Marcos River provides a refreshing playground for swimming, canoeing, kayaking, tubing and camping. Dramatic scenery, clear water, a mild climate and abundant recreational opportunities combine to make San Marcos a wonderful place to live and work.

Residents and visitors also enjoy the many live music and performing arts venues in San Marcos and the surrounding area. With San Antonio to the south, Austin to the north, the beautiful Texas Hill Country to the west and the Texas Gulf Coast to the east, central Texas offers abundant recreation, entertainment, and special events. Sports lovers can participate in year-round outdoor activities or choose from the area's college and professional sports teams. Additional cities located in the surrounding area include the following: New Braunfels (www.ci.new-braunfels.tx.us/), 18 miles south of San Marcos; Buda (<http://ci.buda.tx.us/>), 18 miles north of San Marcos; and Wimberley (www.wimberley.org), 15 miles west of San Marcos. San Marcos is located only 26 miles from Austin and 45 miles from San Antonio.

San Marcos' economy is strong with growth driven by comparatively low taxes, affordable cost of living, desirable location, excellent quality of life, and abundant available commercial, industrial and retail sites. Local businesses are expanding, and retail and manufacturing prospects are seeking sites in the area. The outlet malls—the cornerstone of the area's retail growth—have achieved higher-than-predicted sales, and, as a result, San Marcos' sales tax revenue has risen significantly. The quality of life attracts residents from all over the United States, so the number of residential homes being built is increasing every year. The cost of living in San Marcos is lower than the national average, and Hays

County's unemployment rate is lower than the state unemployment rate. San Marcos is home to the main campus of Texas State in a setting that is outstandingly beautiful among Texas universities.

THE UNIVERSITY

Texas State was created as the Southwest Texas Normal School by the twenty-sixth legislature in 1899 and first opened its doors to students in the fall of 1903. In 1923, the name was changed to Southwest Texas State Teachers' College, thus continuing emphasis on the initial teacher-training function. Since World War II, the school has steadily broadened its mission. Name changes to "College" in 1959 and "University" in 1969 reflect the evolution into a general-purpose institution. In the fall of 2003, the University underwent its most dramatic name change, to Texas State University–San Marcos, and in 2013 it was shortened to Texas State University. Forty-six academic departments, schools, and programs and several academic centers and institutes are organized into nine colleges to offer a wide and varied academic regimen to a diverse student body. The undergraduate curriculum is a blend of foundation courses in science and the humanities, with specialized training in particular areas of concentration. The graduate curriculum includes masters in all colleges and doctoral programs in several disciplines. Texas State University is a member of the Texas State University System.

In 2011, the U.S. Department of Education granted Texas State University official recognition as a Hispanic Serving Institution (HSI). To receive the HSI designation, an institution must have an enrollment of undergraduate full-time-equivalent students that is at least 25 percent Hispanic. Texas State surpassed the 25 percent Hispanic undergraduate enrollment level in September 2010. “We are proud that our enrollment reflects the true changing face of Texas. We have achieved this important outcome because of the efforts of many individuals across the University, and I sincerely appreciate those efforts,” said Texas State President Denise Trauth. This designation makes Texas State eligible to apply for grants under the HSI program that allows schools to expand and enhance educational opportunities, academic offerings, program quality and institutional stability for Hispanic students. Funds may be used for scientific or laboratory equipment for teaching, construction or renovation of instructional facilities, faculty development, purchase of educational materials, academic tutoring or counseling programs, distance learning programs, teacher education, student support services and related activities and purposes.

The physical plant is extensive. In addition to the main campus and Aquarena Center, the University owns a separate driver-education facility and a Horticulture Center on the outskirts of San Marcos, a recreational facility on the Blanco River about fifteen miles from San Marcos near Wimberley, and over 500 acres of farmland in the southern and southeastern part of Hays County. These tracts are supplemented by the management and use of a 3,385-acre tract of ranch land known as the Freeman Ranch.

Information regarding the Texas State Master Plan 2006-2015 is available at these websites: <http://www.vpfss.txstate.edu/cmp/> and <http://www.fss.txstate.edu/cmp-update/>

OFFICIAL POLICIES AND PROCEDURES

Official academic policies and procedures are contained in the TSUS Board of Regents' [Rules and Regulations](#), [Academic Affairs Policy and Procedures Statements](#) (AA/PPS), [University Policy and Procedure Statements](#) (UPPS), the *Faculty Handbook*, and other university publications. Policy and procedural changes that may occur in the interim between editions of these publications are distributed electronically to the faculty by the Provost and Vice President for Academic Affairs (referred to as "Provost").

ACADEMIC FREEDOM, RESPONSIBILITY, AND TENURE

Academic Freedom

Faculty members at Texas State University enjoy full academic freedom, including the following rights:

1. to conduct research freely and to publish the results;
2. to discuss freely the subject matter of their area of specialization in the classroom;
3. to speak, write, or act freely as private citizens in community, state, and national affairs;
4. to have full due process (as later defined) if the University should seek to terminate their employment. This applies to tenured and untenured faculty if the University should seek to terminate their employment before the end of the contract period.

Academic Responsibility

At the same time, faculty members must assume the following responsibilities imposed by their profession:

1. maintain competence in their fields,
2. execute assigned academic duties conscientiously,
3. avoid letting their exercise of the freedoms noted above interfere with performance of their academic responsibilities,
4. avoid classroom focus on controversial material unrelated to course subject,
5. avoid appearing to represent the University when acting as private citizens,
6. give adequate notice if they wish to resign or take leave.

Academic Tenure

Only full-time service in the academic ranks of professor, associate professor, and assistant professor may be counted toward fulfillment of a required probationary period. The maximum probationary period prior to the awarding of tenure is six years, so that when tenure is granted, it comes with the seventh contract. Tenure-track faculty, who are not to be tenured will, at the end of the sixth year, be terminated with one year's notice.

Neither leaves of absence nor part-time appointments count as part of the probationary period, but up to three years of full-time teaching experience at the rank of assistant, associate, or full

professor with an appointment in a tenure-track or tenured position at other colleges and universities may count. The following chart shows how such prior service affects the maximum length of the probationary period at Texas State:

Credited years of prior service	Maximum probationary prior service	Notice of non-reappointment must be given no later than the end of:
0	6	6 th year at Texas State
3	3	3 rd year

DUE PROCESS

Due process policies are outlined in the Regents’ [Rules and Regulations](#), Chapter V, Section 4.27 (non-reappointment and denial of tenure), 4.31 (discretionary nature of promotion), and 4.5 (termination and due process procedures).

Non-reappointment and Denial of Tenure of Non-tenured Faculty

When continuing faculty members (non-tenured, full-time faculty who hold a traditional academic rank of assistant professor or above) are not to be retained or who have been notified that tenure has been denied, it is the responsibility of the administration, acting on the recommendations of the personnel committee, director/chair, and college dean, to see that they are given notice as follows: Continuing faculty in their first contract year at Texas State must be officially notified in writing by March 1st if they are not to be reappointed, and those in the first semester of their second year by December 15th. For continuing faculty in the second semester of the second year, or in a third or subsequent year, written notice shall be given not later than August 31st that the subsequent academic year will be the terminal year of appointment.

Although the [Rules and Regulations](#) of the Board of Regents require that persons in the third or subsequent year be notified no later than August 31st of that year, the University has customarily given notice no later than May 31st. The University intends to continue its customary practice whenever possible.

Discretionary Nature of Promotion

The academic promotion of a faculty member is discretionary on the part of the President, the Chancellor and the Board of Regents. Faculty members who are not recommended for promotion shall not be entitled to a statement of reasons for the decision against the recommendation. However, supervisors are encouraged to offer suggestions for a program of professional development in teaching, scholarly or creative work, and leadership or service that may enhance the likelihood of promotion in the future.

Non-reappointment of Non-tenured Faculty or Denial of Promotion to Faculty Who Allege Violation of Academic Freedom or Discrimination

In non-reappointment of non-tenured faculty or denying promotion to faculty, administrative officers need not give reasons; however, they may not deny reappointment to non-tenured faculty members or deny promotion to faculty members for exercising their academic freedom or rights guaranteed by the laws or constitution of the state of Texas or the United States. If non-tenured faculty members believe that they have been given non-reappointment notices or contracts or were denied promotion for illegal reasons, they may submit to the President of Texas State their written allegations that the decision not to reappoint or to deny promotion constitutes a violation of a right guaranteed by the laws or constitution of the state of Texas or the United States.

If such allegations are made, the University President will appoint a hearing officer to adjudicate the issue.

Termination and Due Process Procedures

Tenured faculty members shall not be terminated without a showing of good cause following reasonable written notice and opportunity for a fair hearing. In cases of good cause where the facts are admitted, summary dismissal may follow. In cases where the facts are in dispute, the President will appoint a special hearing tribunal whose membership, including its chair, shall be composed of faculty whose academic rank is equal to, or greater than, that of the faculty member whose termination is proposed.

Under the provisions of the Board of Regents' [*Rules and Regulations*](#), good cause includes but is not limited to the following: (1) failure to work efficiently or effectively; (2) insubordination; (3) serious professional or personal misconduct, examples of which include (a) commission of a misdemeanor involving moral turpitude or a felony; (b) failure to secure and maintain federal, state, or local permits required in the discharge of teaching, research, or other professional duties, including failure to maintain appropriate documentation; (c) willful destruction of university property or violent disruption of the orderly operation of the campus; (d) violation of the system's ethics code, including acceptance or solicitation of gifts that might tend to influence the discharge of one's professional responsibilities; (e) stealing and publishing as one's own the intellectual property of another; (f) misuse or misappropriation of state property, resources, funds, including funds held by another faculty member as part of official duties; (g) sexual harassment as defined in the Regents' [*Rules and Regulations*](#); (h) racial harassment as defined in the Regents' [*Rules and Regulations*](#); (4) professional incompetence and/or neglect of professional duties; (5) mental or physical disablement of a continuing nature adversely affecting to a material and substantial degree the performance of duties or the meeting of responsibilities to the institution, or to students and associates; (6) illegal use of drugs, narcotics, or controlled substances; (7) and intentionally or knowingly violating any Board or administrative order, rule, or regulation.

Suspension

The President may, for good cause, suspend an accused faculty member pending immediate investigation or speedy hearing as provided when the continuing presence of the faculty member poses a danger to persons or property or an ongoing threat of disrupting the academic process. An employee who is suspended or discharged from a particular duty or job at the University may be suspended or discharged from all other duties or jobs in the University for the same or other good cause. The President shall, as soon as possible, notify the Vice Chancellor and TSUS Office of General Counsel of the Texas State University System of any such actions.

Summary Dismissal

In cases of good cause where the facts are admitted by the faculty member, summary dismissal may follow.

Hearing Tribunal Process

In cases of dismissal of tenured or non-tenured faculty, the accused faculty member shall be informed in writing of the charges which, on reasonable notice, will be heard by a hearing tribunal whose membership, including its chair, shall be appointed by the President from members of the faculty whose academic rank is equal to or higher than that of the accused faculty member. At such a hearing:

1. The hearing tribunal shall not include any accuser of the faculty member. The faculty member may challenge the alleged lack of fairness or objectivity of any tribunal member, provided such challenge is made prior to the submission of any evidence to the tribunal. The faculty member shall have no right to disqualify such member from serving on the tribunal. Each such challenged member shall determine whether he or she can serve with fairness and objectivity in the matter. In the event the challenged member chooses not to serve, the President shall appoint a substitute.
2. The faculty member shall have a right to attend the hearing; confront and cross-examine adverse witnesses; present relevant evidence and witnesses on his or her own behalf; testify or choose not to testify; and, be assisted or represented by counsel. The hearing shall be closed although the faculty member may request that it be open to the public. Notwithstanding a faculty member's request, the tribunal may close all or a portion of a hearing to deliberate or if it appears likely that privacy interests of others are relevant and could be affected by an open hearing.
3. The University, through a representative and/or through counsel, shall have the right to attend proceedings; present witnesses and evidence against the faculty member; and, cross-examine the faculty member (if the faculty member testifies) and his or her witnesses.
4. The hearing tribunal, by a majority of the total membership, shall make written findings on the material facts and a recommendation of the continuance or termination of the faculty member's tenure as well as any supplementary suggestions it may have concerning the case.

The original of such findings, the recommendation, any supplementary suggestions, and the record of the hearing shall be delivered to the President and a copy thereof sent to the faculty member. Any minority findings, recommendations, or suggestions shall be distributed in the same manner.

5. A stenographic or electronic record of the proceedings will be taken and filed with the President, and such record shall be made accessible to the faculty member.

Review by the President

Following receipt of the recommendations of the hearing tribunal, the President shall review the record, plus any additional written briefs the parties wish to submit, and render a decision, stating his or her reasons thereof in writing and communicating the same to the faculty member. The President may recommit the matter to the same tribunal to hear additional evidence and/or reconsider its findings, recommendations, or suggestions, if any. The original findings, recommendations, and suggestions of the hearing tribunal, a transcript of the hearing, any briefs submitted, and the decisions, recommendations, findings, and suggestions of the President shall be delivered to the Board.

Appeal to the Board

Upon written request by the faculty member, received in the System Administrative Office within thirty (30) calendar days of the faculty member's receipt of the President's decision, the Board shall review the record before it. Such request should specifically address any defects in procedure or substance which require reversal of the President's decision. The President may submit a written response to the request for review. By a majority of the total membership, the Board may approve, reject, or amend any decisions, findings, recommendations, and suggestions before it, or recommit the matter to the President for reconsideration or the hearing of additional evidence. The Board shall notify the faculty member in writing of the reasons for its decision.

Grievances

The Faculty Grievance Policy as addressed in [AA/PPS 04.02.32](#) supports the right of the faculty to grieve wages, hours, conditions of work, promotion denial, or the non-renewal or termination of employment. Faculty who believe they may have a viable grievance may approach the University Ombudsman for consultation and assistance in mediation to informally resolve grievances without resort to, or prior to, the formal hearings process addressed below. Allegations of sexual harassment or other forms of rights discrimination are addressed in [UPPS 04.04.42](#) and [UPPS 04.04.46](#).

Faculty Member

The grievance policy defines a faculty member as a person employed full-time by Texas State whose duties include teaching, research, administration, or the performance of professional services. It does not include department chairs/school directors, or a person who holds faculty rank but spends the majority of his or her time engaged in managerial or supervisory services.

University Ombudsman

The Ombudsman is a neutral person with whom faculty members can voice concerns, evaluate situations, organize thoughts, and identify options. Since the ombudsman keeps no records identifying faculty members, the Ombudsman can offer a good first step for faculty who don't know where else to turn or how to proceed. The Ombudsman adheres to the principles outlined in the Code of Ethics and Standards of Practice advocated by the International Ombudsman Association:

Independence: The Ombudsman is independent in structure, function, and appearance to the highest degree possible within Texas State. The Ombudsman is independent of the University's formal administrative structure and strives to consider all sides of an issue in an impartial and objective manner. The Ombudsman cannot impose solutions, but identifies options and strategies for resolution of disputes.

Neutrality and Impartiality: The Ombudsman, as a designated neutral, remains unaligned and impartial. The ombudsman strives to promote procedural fairness in the content and administration of Texas State's practices, processes, and policies. The Ombudsman does not engage in any situation that could create a conflict of interest.

Confidentiality: The Ombudsman holds all communications with those seeking assistance in strict confidence, and does not disclose confidential communications unless given permission to do so, except as required by law, or where, in the judgment of the ombudsman, there appears to be imminent risk of serious harm.

Informality: The Ombudsman, as an informal resource, does not participate in any formal adjudicative or administrative procedure related to concerns brought to his/her attention. The Ombudsman provides information relating to university policies and procedures and facilitates the resolution of problems and grievances through informal investigation and mediation, but does not replace or supersede other university grievances, complaint or appeal procedures.

Informal Resolution and Mediation

Faculty members must make a bona fide effort to resolve an issue collegially by discussing their concerns with their director/chair and dean. If this does not prove satisfactory, faculty members may consult with the faculty Ombudsman. The Ombudsman serves as a confidential, neutral, informal and independent resource for faculty concerns and conflicts at Texas State. As an independent resource for problem resolution, the Ombudsman works to ensure that all members of the faculty are treated equitably and fairly. The Ombudsman can provide confidential and informal assistance to help resolve issues related to both the workplace and academic environments.

Filing a Grievance

If informal resolution is neither possible nor satisfactory in the judgment of the concerned faculty member, the faculty member may file a formal grievance pursuant to procedures described in [AA/PPS 04.02.32](#), paragraph 4.

Equity and Access

Faculty members alleging discrimination may seek redress through the [Office of Equity and Access](#). Equity and Access will follow its processes for review and investigation.

ACADEMIC PLANNING AND FINANCIAL EXIGENCY

Termination of Faculty under Special Circumstances

If, in the judgment and discretion of the Board of Regents, reductions in legislative appropriations for faculty salaries; governmentally mandated reductions in faculty positions; significant loss of enrollment; consolidation of departments or other reorganization; dropping of courses, programs, or activities for educational or financial reasons; or financial exigency makes such action advisable, the employment of a faculty member who has been granted tenure or of any other faculty member before the expiration of the stated period of his or her employment, may be terminated in accordance with the provisions of Chapter V, Section 4.6 of the Board of Regents' [Rules and Regulations](#).

Academic Planning

Academic disciplines ebb and flow over time as student career choices and the educational predilections of the society change. Inevitably, the size of the full-time-equivalent faculty allocated to a department or program will fluctuate, expanding in periods of growth and contracting in periods of retrenchment. The Provost customarily has the responsibility of adjusting departmental faculty size appropriately during such routine periods of growth or decline, so that in the long run all departments are treated equitably, and the educational goals of the institution are achieved.

Tenured faculty may not be arbitrarily dismissed as a result of these routine periodic adjustments to departmental full-time equivalent (FTE) faculty. Thus, the Provost must insure that each department maintains a healthy balance between tenured and untenured faculty; if too few are tenured, there can be no departmental continuity; if too many are tenured, the department loses flexibility.

ACADEMIC GOVERNANCE

Introduction

Within limitations imposed by state and federal legislative and executive authority, Texas State, like other public universities, does conceive, recommend, and execute its own educational policies. The power to govern the institution rests primarily with the Texas State Board of

Regents, which is responsible for operating the university. Practically, though, the duties of governance are largely delegated to and shared by administration and faculty. Through a complex system of hierarchical administrative offices, advisory councils, ad hoc and permanent committees, and elected and appointed faculty bodies, governance in one way or another involves every member of the University community. It is the responsibility of all administrators and faculty members to familiarize themselves with and participate in the process of governance. The following paragraphs identify the major components of this process at Texas State.

Board of Regents

[The Board of Regents](#), a nine-member panel appointed by the governor, is responsible under state law for general control and management of the universities in the Texas State University System: Lamar University, Sam Houston State University, Sul Ross State University, Texas State University, Lamar Institute of Technology, Lamar State College – Orange, Lamar State College – Port Arthur, and Sul Ross State University Rio Grande College. A board committee of three members has specific responsibility for this university. Regent approval is required for most formal pieces of business transacted by the University: hiring, promotion, tenure, curriculum changes, budgeting, building programs, etc. Since so many substantive decisions require Regent ratification, the role of the administration and faculty in governance is essentially recommendatory.

The President

The Board of Regents meets regularly four times a year. Much of the responsibility for conducting the day-to-day operation of the institution is delegated to the Texas State University President and his or her [administrative staff](#). The President is appointed by, and serves at the pleasure of, the Board of Regents. In 1988, for the first time, the Board of Regents appointed a search committee composed of Regents, faculty, administration, students, alumni, and community members to screen and recommend candidates for the presidency. The President has discretionary powers to promote effective administration of the institution and deal with issues that may arise between board meetings.

By virtue of these injunctions, the on-campus organizational structure referred to above is in essence an extension of the Presidential Office. The President has legal authority to approve or reject recommendations on matters that ultimately require explicit board approval and to make binding final decisions on recommendations involving subjects that do not require board action. To facilitate informed decision-making on a broad spectrum of complex issues, the President relies on two administrative/governance groups to provide information, opinions, and advice: [the President's Cabinet](#) and the University Council.

The President's Cabinet—composed of the Provost and Vice President for the division of academic affairs, the Vice Presidents representing all other divisions, Presidential fellow, special assistant to the President, and athletic director—is the primary advisory group to the President. It meets weekly to deal with major issues, make recommendations on policy, set goals, launch programs, and coordinate implementation of programs and plans.

In addition, the Provost systematically solicits suggestions on faculty governance by meeting monthly with the faculty senate in the President's academic advisory group (PAAG).

Much of the authority to conduct business and develop recommendations granted the President is delegated throughout the administrative structure. At Texas State, the administrative structure is divided into six categories: Academic Affairs, Finance and Support Services, Information Technology, Student Affairs, University Advancement, and Athletics. Each of these divisions of the University is headed by a Vice President or Director.

A complete list of Presidential councils and committees is available at <http://www.txstate.edu/roster/>.

Provost and Vice President for Academic Affairs

The Office of the Provost was created at Texas State University in 2004. Simply stated, a Provost is the chief academic officer of a college or university. The functions of the Vice President for Academic Affairs were merged into the title of Office of the Provost and Vice President for Academic Affairs. One Associate Provost, four Associate Vice Presidents, and three Assistant Vice Presidents are on the Provost's staff.

The academic administration-consisting of the Provost, college deans, school directors, and department chairs-is responsible for providing effective academic leadership, securing an accurate evaluation of instruction, scholarly and creative activity, service, and maintaining a high level of faculty morale. The Provost represents Texas State in academic matters before the Coordinating Board and the accrediting organization, the Southern Association of Colleges and Schools and Schools Commission on Colleges (SACSCOC), supervises the development of curriculum (new courses and program proposals), oversees recruitment of faculty, and presides at commencement. In addition, the Provost designs the University's academic calendars, sets the examination schedule, orients new faculty, and administers salary notices and renewal of appointments. The Provost is also charged with supervision of budgeting within the division, allocation of staff positions, administration of the process of tenuring and promoting of faculty, and a number of other matters relating to the academic process.

The Provost is advised by the Council of Academic Deans (CAD), composed of the ten Deans, Associate Provost, Associate Vice Presidents, Chair of the Council of Chairs (COC), ex officio, and Chair of the Faculty Senate, ex officio. CAD meets weekly to consider matters pertaining to faculty, programs, budgets, and a wide spectrum of academic issues. Academic Affairs division policies are created by this council. CAD meets once each semester with the senate to discuss academic policy matters of mutual interest.

College Deans and College Councils

The academic segment of the University, administered by the Provost, is subdivided into ten colleges: Applied Arts, McCoy College of Business Administration, Education, Fine Arts and Communication, Health Professions, Liberal Arts, Science and Engineering, University College, Honors College and the Graduate College. The chief academic and administrative officers of

colleges are deans, all of whom hold academic rank. The college deans monitor the various academic activities of the departments and programs within the college: instruction; scholarly and creative activity; service to the University; recruitment, retention, and promotion of faculty; budget; development of curriculum, etc. The college deans have the ultimate responsibility to see that students are properly counseled; they supervise school directors and department chairs in the drawing of degree outlines, delegate the preparation of degree audits, and certify students for graduation.

Each dean presides over a college council (composed of all associate and assistant deans, school directors, department chairs and, in some colleges, program directors and faculty representatives as well), which meets weekly to discuss common problems, establish college policy, and prepare recommendations on university matters. College deans are selected by the Provost and the President from a list of candidates identified by a search committee composed of faculty and administrators. That committee, appointed by the Provost, advertises the position, screens applicants, interviews candidates, and ultimately recommends the top prospects to the President. See [AA/PPS 04.01.04](#), Dean and Chair Hiring.

School Directors/Department Chairs and Faculty

The director or chair of an academic school or department (future reference will be “chair”) occupies a unique position within the University hierarchy. Each chair is a leading faculty member who, as a member and representative of the faculty and the department at large, must articulate departmental aspirations, standards, and points of view to other groups inside and outside the University. In addition, the chair is chief executive of the department, responsible for implementation of departmental, college, and university policy. Thus, the chair is an administrator whose participative managerial leadership largely determines the direction and quality of the academic program and the routine administrative business of the University. Through the department chair, faculty and administrative interests and points of view must be reconciled, to ensure the spirit of collegiality so essential to a healthy academic institution.

The appointment of the department chair is the prerogative of the Provost and the President. When recruitment of an academic department chair is required, a search committee, with a majority of its members from the affected department, advertises the position, screens applicants, interviews candidates, and ultimately recommends several prospects to the Provost and President. The Provost and President normally secure the preference of the department members, especially the tenured faculty, before extending appointment to a chair or an interim chair. See [AA/PPS 04.01.04](#), Deans and Chairs Hiring.

Much of the routine academic business of the University is transacted or supervised by the department chair. The chair must preside at departmental meetings, maintain departmental records, record faculty absences, assign faculty offices, plan and supervise departmental registration, schedule classes, see that textbooks are ordered, hire student employees, allocate travel money, etc. In short, it is the chair's duty to see that the department's routine business is transacted efficiently and expeditiously. Such routine matters are important to faculty, so the chair should carefully coordinate planning with the department at large.

The department chair does not make important departmental policies or personnel decisions on a unilateral basis. Rather, the chair relies heavily on the advice of the departmental voting faculty, as defined in the constitution of the faculty (see Appendices) and the departmental personnel committee (PC). Voting personnel committee members are tenured faculty members who hold academic rank in a department at a rate of 50% or more and who do not hold an administrative appointment outside of their college; have at least one year of service at Texas State since the official start date of the faculty appointment; and have taught eight sections of courses at the college/university level. Tenured faculty members who hold academic rank in a department at a rate of 50% or more and who do not hold an administrative appointment outside of their college are expected to serve on the personnel committee as non-voting members until they have met the remaining requirements. The personnel committee will make recommendations to the chair on all matters involving personnel: hiring, termination, granting of tenure, promotion, recommendations of merit salary adjustments, and similar issues.

Faculty preferences on these matters may be determined either by consensus or ballot depending on the circumstances; however, upon any issue, a formal ballot vote must be taken if one or more members of the group so requests. In such balloting chairs do not vote, even to break ties. All personnel decisions shall be reached by secret ballot. The chair is obligated to ascertain the advice of the faculty, but not compelled to follow it. The decisions of the chair are overriding within the department; although if the faculty's decisions are overruled, an explanation must be given. If a chair denies explanations to either faculty group, representatives of the relevant group may discuss the matter with their college dean and then the Provost. If the chair disagrees with proposals where a formal faculty opinion has been reached, the chair must forward those recommendations verbatim to the appropriate members of the administration, although the chair may attach additional comments as well.

In addition to conferring with the voting faculty and personnel committee, the chair should see that all faculty are fully informed of departmental and institutional policies, consulted on issues that affect them, and accurately apprised of developments and decisions that bear upon their status at the University. Through departmental meetings, memoranda, email, individual conferences, fall orientation sessions, bulletin boards, etc., the department chair has a prime responsibility to ensure that communication between faculty and administration is prompt, accurate, and effective.

APPOINTMENTS, EVALUATION AND PROMOTION

Personnel matters-the recruitment, retention, and promotion of faculty-constitute one of the most important subjects on which the department chair and personnel committee must prepare recommendations. The chair is the central recruiting officer for the department and must take initiative to see that it is staffed to meet both short and long-term curricular and programmatic needs. These personnel needs should reflect the strategic planning goals of the department. In consultation with the personnel committee, the chair also should see that faculty are recruited in such a way as to maintain a reasonable balance among the subfields within the discipline, to secure diversity in the geographical origin of terminal degrees, and to satisfy the objectives of the University's equity and access policy, [UPPS 4.04.03](#).

Texas State University is committed to an inclusive education and work environment that provides equal opportunity and access to all qualified persons. Texas State, to the extent not in conflict with federal or state law, prohibits discrimination or harassment on the basis of race, color, national origin, age, sex, religion, disability, veterans' status, sexual orientation, gender identity or expression.

The procedure for appointment of new faculty is initiated at the departmental level. A request for replacement of an existing vacancy or creation of a new faculty position requires consultation with the personnel committee and approval of the department chair, college dean, and Provost. Once the position is approved, the chair, with the approval of the dean, director of Equity and Access and the Associate Provost, appoints a committee charged with recruiting and screening applicants. After recruiting, screening, and interviewing candidates, this committee recommends final appointment to the administration. The President makes the final recommendation to the Board of Regents, who authorize all appointments. Temporary faculty may be employed under an emergency hire provision, with the advertising and posting requirements waived, with approval of the director of Equity and Access and the Associate Provost. See [AA/PPS 04.01.01](#), Faculty Hiring.

Texas State issues two general types of appointments to non-tenured faculty: "continuing" and "temporary."

Continuing faculty include those persons hired in a traditional academic rank (senior lecturer, assistant professor, associate professor, or professor) with the clear understanding that they may be rehired for one or more additional years. Continuing faculty may be hired on either a "term" or "tenure" status. Subject to university policies on the nature and length of the probationary period and the applicability of prior service (see above under "Tenure"), faculty on tenure track may be reemployed on a yearly basis and may eventually be considered for and awarded tenure. Eligibility for reappointment is contingent on satisfactory annual evaluations during the probationary period. Initial employment on a tenure-track contract does not, however, guarantee that tenure will be given; rather, it indicates merely that tenure is possible. With the exception of term appointments, continuing faculty must be given appropriate notice as provided under "Termination of Non-tenured Faculty," previously discussed *supra*, if their appointment is not to be renewed. Faculty awarded tenure, and subsequently reappointed, continue to be subject to annual reappointments based on successful annual reviews. Tenured faculty are also subject to post-tenure review, which is part of the regular annual performance evaluation process. The post-tenure review process, more specifically outlined in [AA/PPS 04.02.10](#), guides decisions concerning the renewal or non-renewal of tenured faculty. Any faculty member who has received three negative annual performance evaluations under this post-tenure review may be considered for dismissal or other appropriate disciplinary action.

Term appointments may be renewed annually up to a maximum of five years per term if the faculty member's performance has met expectations and if renewal is in the best interests of the department. Therefore, eligibility for reappointment is contingent upon satisfactory annual performance evaluations during the term period. Term appointments are generally limited to faculty hired in clinical, research, and faculty of practice appointments, in addition to senior lecturers. Senior lecturers may be appointed for a specific term, not to exceed three years. For

term limitations, appointments, ranks and other particular matters specifically concerning clinical faculty and research faculty employment, see [AA/PPS 04.01.22](#), Clinical Faculty Appointments, [AA/PPS 04.01.21](#), Research Faculty Appointments, and [AA/PPS 04.01.23](#), Faculty of Practice Appointments. A faculty member may be reappointed to one or more additional terms, contingent upon continuity of funding, the individual's evaluations, and departmental need.

Temporary faculty, generally referred to as adjunct faculty, include lecturers and part-time faculty at any rank hired for a one-semester or one-year appointment, on a per course or other basis. Since the appointments for temporary faculty are for an explicit, well-defined and limited time period, they simply expire; no separate notice of termination is required, nor will it be provided.

Each fall, the department chair will submit to the personnel committee a list of faculty whose status will require formal action during the year:

1. those eligible for one-year, contracts,
2. those eligible for a new term,
3. those eligible for tenure, and
4. those eligible for promotion who wish to be considered.

In addition, the chair should inform faculty as to what vacancies will need to be filled for the following year due to resignations, retirements, expiration of term appointments, etc. If the chair inadvertently omits the name of any faculty member eligible for tenure or promotion, the faculty member's name may be added for consideration by any member of the personnel committee upon demonstration that the individual meets the minimum criteria set forth below. Also, faculty members may petition the personnel committee for consideration if they feel that they meet policy requirements for tenure or promotion, even though their chair has not submitted their names to the committee. On the other hand, the personnel committee need not consider a faculty member who is technically eligible for tenure or promotion under institutional rules, but who chooses not to be put forward. For further detail see [AA/PPS 04.02.01](#), Development/Evaluation of Tenure-Track Faculty.

All recommendations on personnel matters involving faculty originate with the departmental personnel committee. Personnel committee members have the responsibility of evaluating the candidate's professional qualities, their ability or promise as teachers and scholars and their contributions or potential service as university citizens. Members may submit documents in support of any candidate's professional qualifications; such evidence will be made a part of the record. Members must be present to vote. A simple majority of members voting is sufficient to recommend the granting or denial of appointment, reappointment, tenure, or promotion. No member is required to vote on a recommendation. Chairs preside at these meetings but they do not vote, since they submit their own independent recommendations.

After the formal vote is taken, the appropriate form, [Attachment B](#) (including a statement prepared by the personnel committee reflecting its action), is completed and signed by the department chair and a representative of the personnel committee. The chair is responsible for seeing that the comments accurately reflect the rationale for recommending the candidate for

tenure and promotion. If the chair does not concur with a recommendation of the personnel committee, the chair nonetheless will process the form and forward all required supporting documents along with the chair's own recommendation.

Personnel committee deliberations on personnel matters are confidential. Therefore, personnel committee members must refrain from discussing such matters with persons who are not members of the personnel committee. The chair alone is responsible for initially informing individual faculty members of departmental decisions affecting their status.

The department chair will promptly inform the affected faculty member of all recommendations prepared by the chair and the personnel committee with regard to the faculty member's position at the University. In the case of tenure, promotion, or reappointment of non-tenured personnel, this information will be formally conveyed in writing to the faculty members within three class days, and a copy of the letter will be placed in their personnel file. If higher administrative authority does not concur with the recommendation of the department concerning a faculty member, the appropriate administrative officer will communicate such action in writing to the faculty member involved and the personnel committee via the chair. See [AA/PPS 04.02.32](#), Faculty Grievance Policy. Candidates denied tenure or promotion who allege violation of academic freedom or discrimination against a protected status may present the allegation to the President and request a hearing as provided for in Chapter V, Section 4.44 of the Board of Regents' [Rules and Regulations](#).

When reappointment is denied a continuing faculty member on a tenure-track or term appointment, a letter from the appropriate administrative officer will be written according to the policy of due notice specified above under "non-reappointment of non-tenured faculty." If promotion, without a tenure decision, is denied, supervisors are encouraged to offer specific, written suggestions for a program of professional development in teaching, scholarly, or creative work, and service that may enhance the likelihood of promotion in the future.

The academic administration (college dean, Provost, and President) shares with the department chair and personnel committee the responsibility for hiring, advancing, and terminating faculty. As noted above, the personnel committee evaluates the faculty member's professional qualities and performance. In addition, the administration judges the faculty member's worth to the institution generally.

Departmental Policy

Each department will have a policy regarding the evaluation of faculty. The policy will include a definition of criteria and appropriate instruments and sources for information, and it will specify the relative importance assigned to various criteria for each major decision affecting faculty. Sources may include a combination of evaluations suitable to the department, such as a self-evaluation by the faculty member; evaluations by administrators, peers, and students; evaluations from those outside the department and from other sources. Each policy will provide for anonymous student evaluation of the teaching of all faculty at least once a year. Each policy will provide an explicit description of the level of performance necessary to meet departmental expectations.

In addition, each policy will provide the opportunity for faculty members to review and add written comments to their own annual evaluations before they are placed officially in departmental personnel files or sent forward for performance and merit considerations or other actions. This policy will be developed by a departmental committee that includes representatives from the non-tenured and tenured faculty, and it must be approved by the departmental personnel committee, chair, college dean, Provost and the TSUS Office of General Counsel. The departmental chair is responsible for providing all faculty with a copy of the policy and assuring that it is fully implemented. The policy must be reviewed, revised if necessary, and re-approved every three years.

Annual Evaluation of Faculty

All faculty will be evaluated annually by their academic department or school. See [AA/PPS 04.02.10](#), Performance Evaluation of Continuing Faculty and Post-Tenure Review. The performance evaluation covers the preceding calendar year and must be completed by March 1st. The purposes of annual faculty evaluation are to provide for self-development; to identify, reinforce, and share the strengths of faculty; to extend opportunities for continuous professional development; and to strengthen the role of faculty members within their departments. The evaluation also provides information that may be used in tenure and promotion recommendations, the award of merit raises, and in decisions regarding the retention of faculty or tenure itself. This annual evaluation of faculty is a responsibility of faculty governance, a duty shared by departmental chairs and departmental personnel committees.

Evaluation, Tenure and Promotion

Specific guidelines for evaluating tenure-track faculty are found in [AA/PPS 04.02.01](#), and policy and procedure for tenure and promotion are found in [AA/PPS 04.02.20](#). Laws of the State of Texas concerning the evaluation of tenured faculty are found in Education Code, Section 51.942, which is appended to [AA/PPS 04.02.10](#) as [Attachment 1](#).

Retention, Performance and Merit

The annual departmental evaluation of faculty serves as the basis for decisions regarding the retention of faculty and salary increases. In evaluating performance, the departmental personnel committee, chair, and college dean will consider the faculty member's contributions in the context of departmental, college, and institutional needs and the faculty member's past performance and career path. Faculty who meet or exceed departmental expectations as determined by the annual evaluation will be eligible for reappointment.

Failure of Non-tenured Faculty to Meet Expectations

If a faculty member is on an extended-term contract, failure to meet departmental expectations will cause the department to consider whether reappointment is warranted. If the department, acting through the personnel committee, determines that a non-tenured faculty member is not to be retained, it will give appropriate notice to the chair. The chair is responsible for

communicating the decision to the faculty member. If the faculty member is to be retained, the chair will provide the faculty member with specific written suggestions for improvement.

Failure of Tenured Faculty to Meet Expectations

After the regular annual evaluation of faculty is complete, if the department process finds in the first instance that a faculty member may have failed to meet departmental expectations, the post-tenure review process continues. More specifically outlined in [AA/PPS 04.02.10](#), this process guides decisions concerning the renewal or non-renewal of tenured faculty appointments. Any faculty member who has received three negative annual performance evaluations under this post-tenure review may be considered for dismissal or other appropriate disciplinary action.

Tenure and Promotion Review

Tenure and promotion decisions are based on judgments. The criteria for tenure and promotion, found in [AA/PPS 04.02.01](#) and [AA/PPS 04.02.20](#), Tenure and Promotion Review, and policies developed at the department and college level must assure that tenure and promotion are granted based on clearly documented evidence of high quality teaching, sustained peer-reviewed scholarly/creative activity and service. The department and college policies should specify the level of performance expected and clarify the requirements for documenting performance in teaching, scholarly/creative activities and leadership/service, including expectations for collegial contributions to the University community. High quality teaching is a necessary but not sufficient achievement upon which to base tenure and promotion.

Effective in the fall semester 2013, colleges must establish and implement a policy and procedure statement for the process of external review of scholarly/creative activity for candidates for full professor. Colleges are also strongly encouraged to establish a policy and procedure for external review for candidates for tenure and promotion to associate professor.

For faculty being reviewed for tenure, the evaluation will consider all the candidate's accomplishments, but should emphasize the time period from the initial date of appointment to tenure track at Texas State.

For faculty being reviewed for promotion, the evaluation will consider all the candidate's accomplishments but should emphasize the time period from the last promotion to the present.

The department will provide each faculty member a copy of the department and/or college criteria for tenure and promotion. The chair and/or members of the personnel committee should counsel the candidate about including relevant materials and organizing supporting documents.

Eligibility for Tenure

Typically, the probationary period prior to the awarding of tenure is six years. Faculty who have outstanding records may apply for tenure without prejudice before the end of the six-year probationary period.

At the end of the sixth year, the faculty member must either be awarded tenure or terminated with one year's notice. Faculty members whose rank is below associate professor must apply for promotion to associate professor at the same time they apply for tenure. A faculty member may not be tenured by default or because of failure to recognize that the time for tenure or promotion has arrived.

Suspension (or tolling) of the tenure clock is possible upon formal request in order to accommodate one or more of the following situations: a) childbirth or adoption; b) dependent care (including children, parents, spouses, or other dependents); c) the faculty member's own illness or other personal emergency; and/or d) the inability of the institution to provide agreed upon facilities for the faculty member's research. The rules regarding tolling of the tenure clock are found in Chapter V, Section 4.241 of the Board of Regents' [Rules and Regulations](#).

Chairs/directors, deans, and chief academic officers shall ensure that all faculty members, tenure and promotion or other reviewing committees, and outside letter writers are informed that the criteria for tenure do not change when service has been excluded from a faculty member's probationary period.

Eligibility for Promotion

It is expected that a faculty member who meets the criteria for tenure will also meet the criteria for promotion to associate professor. An untenured faculty member whose rank is below associate professor must also apply for tenure at the same time he or she applies for promotion.

Assistant, associate and full professors must hold the terminal degree or be adjudged by the personnel committee and administration to be in a critical area where the terminal degree is not necessary. If an individual does not have the recognized terminal degree, the maximum rank that will normally be attained will be assistant professor. Exceptions may be considered only for those individuals with exceptionally long service who have established a record of teaching, scholarly/creative activities and service that clearly exceeds the requirements for promotion.

Faculty normally serve five years in rank before being eligible for promotion. The year in which the promotion is reviewed will count as one of the years in rank. An outstanding record of leadership and service is normally expected for promotion to full professor; a sustained level of effective service is necessary for promotion to associate professor. Candidates must verify and sign all applicable forms, provide documentation that supports their application for all criteria, use the official Texas State Vita [[Form 1A](#) or [1B](#)], and follow and adhere to the published timeline for the tenure and promotion process. Please consult [AA/PPS 04.02.20](#) for additional information regarding the process.

Review Process

At each applicable stage of the review process, the personnel committee, chair, college review group, and dean are responsible for providing evaluative remarks that include a statement showing how each candidate's qualifications specifically meet or exceed the departmental and college criteria for tenure and/or promotion from their respective perspectives.

If the chair is being considered for tenure or promotion, a personnel committee member chosen by the group will preside. Personnel committee members will not vote on their own promotions or be present when they are being considered, and, with the exception of College Review Groups, associate professors will not vote on the promotion of a colleague to full professor. Likewise, if assistant professors or instructors are on the personnel committee, they will not vote on the promotion of colleagues to a higher rank.

Full professors who are members of the department's personnel committee will vote by ballot first to approve or disapprove candidates for full professor. Once this vote is completed, both full and associate professors will convene to vote on candidates for tenure and promotion to associate professor. Members must be present to vote.

Within three class days of the decision by the chair, the chair will notify the candidate of the action. The following two decisions require written notification:

1. If the candidate is denied by either the personnel committee or the chair but not both, the application is forwarded to the college review group.
2. If the candidate is denied by both the personnel committee and the chair, the application is denied.

Providing that the denial of promotion does not result in a terminal contract, the chair/director at the candidate's request, will schedule a meeting with the candidate to discuss the department's evaluation. Reasons for denial of promotion will be explained. The candidate will be advised in creating a program of professional development to enhance the likelihood of future promotion.

Within three class days of the completion of action by the review group and the dean, each candidate will be notified by the dean of the status of his/her application for tenure and/or promotion. The following two decisions require written notification.

1. If the application is denied by either the review group or the dean but not both, the application is forwarded to the Provost. Notification to the candidate must specify whether it was the review group or the dean who denied the application.
2. If the candidate is denied by both the review group and the dean, the application is denied. Providing that the denial of promotion does not result in the terminal contract, the chair/director, at the candidate's request, will schedule a meeting with the dean and the candidate to discuss the college's evaluation. Reasons for denial of promotion will be explained and the candidate will be advised in creating a program of professional development to enhance the likelihood of future promotion.

Detailed guidelines governing the responsibilities of the personnel committee, chair, college review group and dean—including rules for review meetings, voting, and communication of recommendations—are provided in [AA/PPS 04.02.20](#).

The Provost will formulate a recommendation to the President on each candidate, and the President will make the final recommendations to the Chancellor and Board of Regents.

Candidates who are denied promotion or tenure may grieve the decision by following the procedures discussed in [AA/PPS 04.02.32](#), Faculty Grievance Policy.

Communication of Information about Denial of Tenure or Promotion

Each person in the review and evaluation process has a professional responsibility to treat information that evaluates another's work as confidential. All votes in the process must be kept confidential.

Faculty members who are denied tenure are not entitled to a statement of the reasons upon which the decision is based (Chapter V, Section 4.27 of the Board of Regents' [Rules and Regulations](#), Texas State University System).

Providing that the denial of promotion does not result in the terminal contract, faculty members should be informed regarding the reasons for denial by the responsible administrator, whether it is the chair, dean, or Provost. It is the responsibility of the candidate to request a meeting to determine the reasons for denial.

Salary Increases

Unless otherwise mandated by the Texas legislature or by the Board of Regents, Texas State faculty salary raises, other than those related to promotion, will be based on merit. This system is based in language found in the biennial state General Appropriations Act, which indicates increases shall be awarded on the basis of merit and performance in accepted activities. Merit salary adjustments are based on the chair and personnel committee's review of faculty accomplishments during the preceding three years. As soon as possible after legislative funding becomes available, the Provost will announce the institution's decision regarding the distribution of money to be spent on merit, promotions, equity, and new faculty positions.

Departments and colleges are explicitly required to provide written criteria regarding salary increases and to specify procedures approved by the deans and Provost; therefore, definitions, standards, and evaluation methodology vary across campus. Faculty members uncertain about their eligibility for salary increases can best seek clarification by reading the appropriate departmental and college policy documents and by discussing their status with their chair and dean. See [AA/PPS 04.01.50](#), Procedures for Awarding Faculty Merit Raises.

Any faculty member denied a merit increase will be counseled personally by the department chair who will provide specific reasons for denial and suggestions for improvement. Faculty who are dissatisfied with the chair's final merit recommendation may appeal to the college dean and shall be afforded an opportunity to meet with the dean to offer information in support of their position; if the dean upholds the chair, he or she shall be required to explain why. The decision of the dean is final.

Appeals of salary decisions may be made through the normal faculty grievance procedure as described in Chapter V, Section 2.15 of the Board of Regents' [Rules and Regulations](#).

Equity Studies

Texas State is committed to maintaining a faculty salary system that fairly compensates faculty members for their services. More information on the Faculty Salary Equity Study can be found in [AA/PPS 04.01.51](#). There are no requirements as to when the University must initiate faculty salary equity studies.

Budget

Beginning with fiscal year 1976, the University instituted a budgeting system that permits participation by faculty and academic administrators in the allocation of money for the following year. Under this system, requests for both salary and operating money originate at the departmental level. Each department can request, and must justify, funding at several possible levels.

As the department's primary account manager, the chair consults with the personnel committee and has responsibility for developing and monitoring the departmental budget and any other budgets supporting specific programs, as well as insuring operation within approved budgetary constraints. The chair has responsibility for monitoring the department's ongoing expenditures, including maintenance and operation funds and any applicable fee accounts.

Each spring, the Budget Office initiates preparation of the budget for the next fiscal year. The chair reviews and updates the unit's budgets. The primary purpose in reviewing budgets at the account manager level during budget development is to ensure accuracy, including maintenance and operation (M&O) allocations and salaries. Further reviews and approvals come from the dean, Provost, and Budget Office, and the President makes final budget allocations with approval of the Board of Regents.

When funding is available, a request for new funds cycle is initiated, beginning with recommendations made by chairs and their departments. Typically, these requests are limited to non-faculty funds only, including staff and initiatives needing increases in M&O funds that are pegged directly to strategic plans. Further reviews and recommendations are made by the dean, college budget committee, and Provost's Office, before the President's cabinet ultimately allocates new funds.

Pending available funding, requests for funding new faculty positions are solicited through a new faculty position authorization cycle. Departments and chairs make and prioritize requests, which are reviewed by the dean, who submits a prioritized list of requests for the college to the Provost, who consults in turn with the President in approving new positions.

Funding for new programs, including resources for new faculty, equipment, staff and facilities, is requested at the time the new program proposal is submitted for review and approval. These tentative budgets may be revised during the proposal approval process. Funding for some

aspects of a new program must be requested during the new faculty position authorization cycle or during the request for new funds cycle.

Channels of Communication

Individual faculty members have a stake in university policy and are expected to participate in the policy-making process. The faculty role, inherent in the nature of our system, is recommendatory. Faculty members may suggest policy recommendations or react to the proposals of others through their department chairs, faculty senators, or members of a university committee studying the subject at issue. Suggestions can be handled more expeditiously if they are submitted in writing. When faculty members submit a written proposal to a high-level administrative official, they should provide all intermediate administrators with a copy. Likewise, when faculty members seek to discuss a policy matter with a high-level administrator, they should inform others in the reporting line of their intent and the subject to be discussed. The purpose here is not to restrict in any way the freedom of faculty members to advance their points of view; rather, it is to ensure that good communication exists. Thus, faculty and administrators alike are expected to heed the injunction of the American Association of University Professors (AAUP), that all channels of communication be well understood and open to scrutiny.

Committee System

In addition to the hierarchical offices and attendant councils described above, Texas State has permanent and ad hoc committees charged with developing recommendations on various subjects of special or continuing interest. Faculty and administrators should always coordinate policy recommendations with the appropriate committee. Some committees are appointed directly by the President, but most are appointed by the faculty senate upon recommendations submitted each spring by the committee on committees. All faculty committee reports are routed through the senate to insure proper distribution of information. Faculty members interested in particular committee assignments should fill out the Faculty Senate Preference Poll sent out each spring or contact the chair of the committee on committees. Each fall, committee assignments for the year are published in the Roster of Councils, Committees and Teams, which is available to the entire faculty at <http://www.txstate.edu/roster/>. Committees appointed by the faculty senate have been placed in one of four categories: academic policies, quality of life, faculty affairs, and resources. A faculty senator is assigned to coordinate the activities of the committees within each category. Faculty Senate Committee functions and memberships can also be accessed on the faculty senate website.

Faculty Senate

A faculty senate, based on proportional representation by college and elected by the faculty, is charged by the Faculty Senate Constitution (see Appendices) to “make recommendations to the administration concerning general university policies and procedures.” The senate is obligated to consider any recommendation submitted to it in writing by any member of the faculty. The Senate is authorized to communicate directly with the President; even if the normal channels of communication become clogged or inoperative, faculty recommendations can still be submitted

for high-level, on-campus consideration. In addition, the senate evaluates and ranks applications for developmental leaves, conducts the selection process for the institution's Piper award nominees and the recipients of the Everette Swinney Faculty Senate Excellence in Teaching awards.

Faculty senate serves as a clearing house for faculty committee reports, supervises faculty elections, appoints such standing bodies as the committee on committees and the faculty handbook committee, creates ad hoc committees to study special issues, etc. The chair of the faculty senate sits as an *ex officio* member of the council of academic deans, the board of the alumni association, and numerous other committees. The senate posts its minutes on its [website](#). Faculty senate meetings are open to the public and are held in J.C. Kellam, Room 880 at 4:00 on Wednesdays of the long semesters and once a month during the summer.

GENERAL UNIVERSITY POLICIES AFFECTING FACULTY MEMBERS

Abandoned and Unclaimed Personal Property

Abandoned and unclaimed personal property discovered on campus shall be turned over to the University Police Department or materials management for safekeeping. Property shall be considered abandoned if it appears from the circumstances under which the University comes into possession of the property that the owner has thrown it away or has voluntarily left or lost it without an intent or expectation to regain it.

The University Police will make every reasonable effort to identify and return the property to the owner. The owner may obtain his or her property from the University Police Department after providing proper identification. After 120 days, the University Police may dispose of the unclaimed property or take the unclaimed property to the University warehouse to be sold as a part of normal surplus property sale. Procedures for disposing of property can be found in [UPPS 05.01.20](#), Abandoned and Unclaimed Property.

Absences

Faculty members are to meet classes at every regularly scheduled period. Anticipated absences from class meetings because of illness or other cause must be reported as soon as possible to department chairs so that they can either obtain a substitute or convey the faculty member's directions to the class. Faculty members absent because of their own illness or illness in the immediate family must complete a leave approval form even though no classes were missed. The form is available in departmental offices. Detailed procedures on how to account for sick leave usage are outlined in the University Leave Policy, [UPPS 04.04.30](#). Faculty members absent for more than three consecutive days must submit a physician's excuse or written statement acceptable to the department chair. They should also consult the Human Resource Office concerning possible problems relative to extended absence. Chapter V, Section 4.821 of the Board of Regents' [Rules and Regulations](#) authorizes absences only under the following situations:

- Professional meetings when, in the judgment of the President or a designee, attendance at such a meeting would contribute to the improvement of teaching or scholarship;
- Personal or immediate family illness;
- Family emergency;
- Specific assignments of the President of short duration (the Board of Regents discourages specific assignments that will cause a faculty member to be absent from assigned classes);
- Special circumstances where the President considers such absences to be for valid reasons and in the best interests of both the faculty member and the University.

Faculty members are authorized to be absent, and will be granted paid funeral leave, for the purpose of attending funerals of the faculty member's spouse, or the faculty member's or spouse's parents, brothers, sisters, grandparents, grandchildren or children. Absences for other emergencies may be authorized by the Provost as provided in [UPPS 04.04.30](#), University Leave Policy. Faculty must notify the department chair as soon as possible so that the chair may make appropriate arrangements for classes.

In unusual cases (e.g., extended jury duty), the department chair will make appropriate arrangements to see that class meetings and other duties are covered. The individual absent will suffer no loss of salary.

Absences due to other types of leaves are covered in the section on "Leaves."

Faculty members absent because of professional necessity requiring state approved travel should complete the regular travel request form.

State and federal regulations require the University to keep a record of vacation and sick leave accrual and absences of each employee, and the reasons for employee absences-whether from sickness, vacation, holiday, other paid leave, or leave without pay. Such records shall be available for public inspection in keeping with the provisions of the Texas Public Information Act.

Acceptance of Money from Students

Faculty members shall not, without approval of the President or a designee, collect from students any fees or charges to be expended for university purposes or sell books, notes, materials or instructional supplies to students. Faculty at the rank of lecturer or above, and other instructional personnel as designated by the University President, may not accept pay from students for extra instruction or teaching of students registered in the University. With prior written approval of the department chair, teaching assistants and instructional assistants may accept pay from students for extra-class instruction or coaching but only in courses or sections of courses with which they have no instructional connection.

Alcoholic Beverages

At any on-campus event where alcoholic beverages are to be consumed, prior approval must be secured through the office of the dean of students and from the director of the University Police.

At least ten working days prior to the event, a request for approval must be submitted to the dean of students to ensure proper planning, appropriate notification, scheduling of facilities, and coordination. The University's Alcoholic Beverage Policy is in [UPPS 05.03.03](#).

Appropriate Use of Information Resources

Access to Texas State information resources is a privilege, not a right, and all users are subject to the provisions of [UPPS 04.01.07](#), Appropriate Use of Information Resources. In accepting any Texas State computer account (username, NetID, or any other access ID) the user agrees to abide by applicable Texas State University and System policies and legal statutes, including all federal, state, and local laws. These include all policies that address the usage of Texas State computer accounts and Texas State information resources. These also include policies and statutes that prohibit harassment, plagiarism, or unethical conduct, or that pertain to theft, copyright infringement, software license violations, attacks on networks and computer systems, and other computer-related crimes. Texas State reserves the right at any time to limit, restrict, or revoke access to its information resources and to take disciplinary and/or legal action against anyone who violates these policies or statutes. Usage is subject to security testing and monitoring, and it affords no privacy guarantees or expectations except as otherwise provided by applicable privacy laws.

Commencement

Graduation ceremonies are held in December, May, and August. Each faculty member is expected to attend at least one graduation ceremony each year in suitable regalia. Academic regalia may be secured for a nominal rental fee or purchased at cost from the University Bookstore.

Copyrighted Computer Software

While conducting university business or using university facilities, you may neither use nor provide for use of software in any manner that violates license agreements. You are responsible for discerning and complying with software copyright restrictions, regardless of how the software was obtained.

Fair Use of Copyright Material

The Copyright Act, Title 17, United States Code provides a number of specific guidelines for proper use of copyrighted materials in classrooms, musical performances on campuses, and library copying. [UPPS No. 01.04.27](#), Intellectual Property: Ownership and Use of Copyrighted Works, is a summary of the Copyright Act. Advice regarding the applicability of copyright law to specific situations may be sought from the TSUS Office of General Counsel.

Curriculum Changes

Faculty members initiate requests for course additions, deletions, and changes according to the procedures and timelines published in [AA/PPS 02.01.01](#). Proposals for new programs (majors,

minors, degrees, etc.) and the modification or deletion of old programs also originate with the faculty and are discussed in [AA/PPS 02.01.10](#) and [AA/PPS 02.01.11](#). Because procedures for both internal and external approvals may change from time to time, faculty members wishing to initiate curriculum changes should consult their department chairs or school directors.

Departmental Rules and Regulations

Departments may adopt additional rules and regulations pertaining specifically to that department so long as they do not conflict with general university and system policies. In fact, departments are required to develop their own policies on several subjects, including faculty evaluation, tenure and promotion, and performance and merit.

Drug Free Workplace

In accordance with the Drug Free Workplace Act of 1988, the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all university workplaces. A university employee who violates this prohibition is subject to disciplinary actions up to and including discharge. See [UPPS 04.04.45](#), The Drug Free Workplace.

The Board of Regents' [Rules and Regulations](#), Chapter V, Section 4.51 states that a faculty member who, by a preponderance of evidence is found to have illegally possessed, used, sold, or distributed any drug, narcotic, or controlled substance, whether the infraction is found to have occurred on or off campus, shall be subject to termination, suspension or other discipline as determined by the University President or the President's designee. That an employee is charged in a criminal case, or is found "not guilty" therein, shall not be construed as prohibiting administrative enforcement of these [Rules and Regulations](#). If, in the judgment of the President or the Board of Regents', the best interests of the students, component, or Texas State system so dictate, the employee may be immediately removed from contact with students and other employees, pending resolution of disciplinary proceedings.

Tobacco Free Workplace

The University prohibits smoking and the use of all tobacco products on all university property including the following:

- a. All buildings and vehicles owned, leased, or under the supervision of the University;
- b. All outdoor grounds including athletic and recreational fields, golf course, parking garages and lots, Sewell Park, University Camp, and Freeman Center; and
- c. All outdoor stadia and grandstands for athletic and recreational fields.

Artists or actors who participate in authorized performances which require smoking or the use of another tobacco product as part of artistic productions are exempt from this tobacco policy. Participants in academic research projects involving tobacco products are exempt from this tobacco policy if approved by the institutional review board on human subjects and the Provost and Vice President of academic affairs.

Further information regarding the tobacco policy and its enforcement is found in [UPPS 04.05.02](#).

Other State Employment and Outside Activities

Chapter V, Section 4.83 of the Board of Regents' [Rules and Regulations](#) specifies the Regents' policy; following is a summary of that policy:

Faculty members should not be discouraged from accepting appropriate appointments of a consultative or advisory capacity with government agencies, industry, or other educational institutions as long as such activities do not conflict with the faculty member's work at the University. Conflict of interest must be avoided in all instances of outside employment. A conflict of interest is defined as any outside employment or activity, as determined by the President, that interferes or conflicts with the employee's Texas State duties and responsibilities, and includes as a minimum the situations described in [UPPS 01.04.02](#), Ethics Policy; [UPPS 02.02.07](#), Researcher Conflicts of Interest in Research and Sponsored Program Activities.

Any faculty member who seeks to engage in remunerative employment or consulting shall notify and obtain written permission before beginning such outside employment or consulting. Guidelines are found in [UPPS 04.04.06](#).

Ethics Policy

The Board of Regents has adopted a comprehensive ethics policy, published in Chapter VIII of the Regents' [Rules and Regulations](#). Texas State adopts the Regents' policy and the University's ethics policy and incorporates its provisions into [UPPS 01.04.02](#).

Faculty should refer to these documents for information related to travel expenses and allowances; conflicts of interest; our code of ethics; benefits, gifts and honoraria; political activities; use of official authority; dual office holding; and training in ethics.

Faculty Access to Academic Personnel Files

Individual faculty members may examine their personnel files at any level. The official, original files (application, appointment, promotion, and other employment related documents) are maintained by the Faculty Records Office in the Office of the Provost. Additional files, which vary in content and may be incomplete, are kept by the department chair, college dean, and the Human Resources Office. Faculty members desiring to review their files should contact the appropriate office so that a representative can arrange for a mutually convenient time to examine the file. The procedures to gain access to these files contain safeguards to ensure that material is neither removed nor added. See [AA/PPS 04.02.31](#), Faculty Access to Academic Personnel Files.

Faculty Earned Royalties Copyright and Patent Policy

System policies regarding copyrights and patents are outlined in Chapter III, Sections 11 and 12 of the Board of Regents' [Rules and Regulations](#). In general, these rules indicate that the

University claims no ownership of fiction, popular nonfiction, poetry, music compositions or other works of artistic imagination that are not institutional works. Copyright of a work commissioned by the University or a "work made for hire" (as defined by federal copyright law) shall be held by the University. Copyright of all materials, including software, that are developed with the significant use of funds, space, equipment, or facilities shall be held by the University. Copyright ownership of all material that is developed in the course of, or pursuant to, a sponsored research or support agreement shall be determined in accordance with the terms of such agreement, or, in the absence of such terms, the copyright shall be held by the University.

There are several University policies related to copyrights that faculty need to be familiar with:

Board of Regents' [Rules and Regulations](#), Chapter III, Section 11, Copyright Policy; [AA/PPS 02.03.30](#), Faculty Authored Teaching Materials; [UPPS 01.04.26](#), Intellectual Property: Inventions, Discoveries and Patents (IDP); and [UPPS 01.04.27](#), Intellectual Property: Ownership and Use of Copyrighted Works.

Faculty Authored Teaching Materials

Faculty members who wish to require for use in the classes they teach any textbook, notebook, manual or other materials, written or prepared by a member of the University faculty, and for which a charge is to be made, must obtain authorization to do so. See [AA/PPS 02.03.30](#), Faculty Authored Teaching Materials.

The request submitted to the department chair will include:

1. Request for Authorization to Prescribe Materials Authored by Faculty Members of Texas State for Class Use Form, [Appendix A](#) and
2. a copy of the materials to be approved.

The deadline for submission of requests for materials to be used during the fall semester will be July 1st, for materials to be used during the spring semester will be November 1st, and for materials to be used during summer sessions will be April 1st.

Authorization to use materials will be for only one fiscal year, September 1st to August 31st, and approval must be renewed.

Following action by the department chair, the request and accompanying materials will be forwarded through the school dean to the Provost. Following action by the dean and the Provost, the faculty member will be furnished a copy of the request form indicating approval or disapproval and the materials will be returned to the faculty member.

Additional information regarding Faculty Authored Teaching Materials can be found under Office of Commercial and Industrial Relations, [Policy and Procedure](#).

Faculty Meetings

Meetings of all university faculty are called by the President, Provost, or one of the Vice Presidents. General faculty meetings are normally held once each year. In addition, the faculty senate may call meetings, either on its own initiative or on the written petition of ten percent of voting members of the faculty. College meetings are called by deans of the respective colleges at their own discretion, and departmental meetings are the responsibility of the department chair or department personnel committee. All faculty meetings will be scheduled events that members of the faculty should attend unless meeting times conflict with their primary educational tasks.

Faculty ID Cards

Your BobcatCard is your official university photo ID, which is required for verification purposes at various facilities throughout campus. Photo ID cards are used for privileged authorization, library use, door access, and optional purchasing and banking functions on and off campus.

The TX State ID Services office is located on the second floor of the LBJ Student Center next to University Bookstore, in room 2-9.1.

Faculty/Staff Check-Out Procedures

A Separation Checklist and Employee Separation form must be completed by all terminating faculty and staff members. Appropriate administrative heads are charged with the responsibility of initiating the "separation checklist" as required depending on when the terminating faculty or staff member is leaving campus, but no later than two weeks prior to the individual's termination date.

After the department initiates the checklist, the terminating employee shall hand carry it to the Human Resources Office for clearance. Human Resources will check for "holds" at other university offices and provide information and forms for insurance and retirement plan benefits. After clearing Human Resources, the employee shall take the checklist to payroll (in JC Kellam building) as the final step in the check-out process. See [UPPS 04.04.50](#), Separation of Employment and Interdepartmental Transfers.

Family Educational Rights and Privacy Act and Texas Open Records Law

The Family Educational Rights and Privacy Act of 1974 (20 U.S.C.A., Section 1232g), also known as "FERPA" and as the "Buckley Amendment," protects students' and parents' rights to educational records and restricts rights of others to student educational records. The Texas Open Records Law (Chapter 552, Texas Government Code) defines the people's right of access to information maintained by governmental agencies.

Students' grades may not be posted in any manner that identifies the student or makes the student's identity easily traceable. Grades or other educational records should not be released to unauthorized persons. In case of doubt, refer inquiries to the TSUS Office of General Counsel.

Access to Student Records Pursuant to the Family Educational Rights and Privacy Act of 1974 can be found in [UPPS 01.04.31](#).

The Graduate Faculty

Faculty nominations to the graduate faculty originate in the department. Each department and college has established membership criteria. These criteria have been approved at the departmental and college level with external review by the graduate faculty review group and approval of the dean of the graduate college. The graduate faculty representative, department chair and college dean have the responsibility to see that these standards are met. Their recommendations are forwarded to the dean of the graduate college for action. Notification of appointment will be received from the dean of the graduate college.

Core doctoral, associate doctoral, and regular graduate faculty may be nominated for terms up to five years. Adjunct doctoral and adjunct graduate faculty may be nominated for terms up to three years. Associate graduate faculty and adjunct graduate faculty lacking a terminal degree are appointed for one semester or summer term to teach specific courses or serve on a specific master's committee, but may be appointed for up to one year with proper approval. Faculty appointment must be approved through the appropriate channels prior to the teaching of any graduate level courses or serving on any graduate committees. Persons who are not members of the Graduate Faculty may not offer instruction for graduate credit.

Application information for membership on the graduate faculty is available in department offices and the Office of the Graduate College. See [AA/PPS 04.01.30](#), Nomination and Evaluation Procedures for Graduate Faculty.

Information Security

Employees are not allowed to violate the security of other users on any system which has access to the Texas State computer network. If employees attempt or succeed in such actions, they can lose network access privileges. They may be disciplined, suspended, or discharged and also be subject to prosecution.

If issued an account (username, NetID) for access to the network, an employee is responsible for any actions that take place in the account. An employee must not give anyone else access to his or her account. Employees should report any suspected violations of network security to the IT Security Office as soon as possible. [UPPS 04.01.01](#), Security of Texas State Information Resources, provides additional information.

Network Usage

The University's Technology Resources Department is charged with overall responsibility for proper deployment and management of a fully monitored and protected network communication service, including all infrastructure elements, network address assignments, and radio frequency (RF) spectrum usage. Users of the campus network may not alter, extend, or retransmit network services in any way. Employees are prohibited from attaching or contracting with a vendor to

attach equipment such as routers, switches, hubs, firewalls, or wireless access points to the University network without prior authorization from technology resources.

Religious Holidays

Faculty members wishing to observe religious holy days other than those appearing on the University holiday schedule must notify in writing the department chair who must date and acknowledge the notice. The religious holy day must be as defined by Section 51.911 of the Texas Education Code. The faculty member and the chair should arrange the most appropriate way to cover affected classes.

The Texas Education Code, Section 51.911, prohibits discrimination by an institution of higher education against a faculty member who is absent from work for the observance of a religious holy day and gives proper notice of that absence. Proper notice is defined as providing a list of religious holy days to the department chair and giving advance notice to students of classes to be canceled.

Students who are absent from classes for the observance of a religious holy day are allowed to take an examination or complete an assignment scheduled for that day within a reasonable time after the absence if the student notifies the instructor of each class the student would be absent for a religious holy day. Students should make every attempt to contact the faculty member at least two weeks in advance of the anticipated absence.

Notification forms for planned absences may be obtained in the [Dean of Students Office](#). Completed forms must be delivered by the student personally to the instructor of each class; the instructor will sign and date the form, thus acknowledging notification. If the forms cannot be delivered, the student must send one to the instructor of each class by certified mail, with a return receipt requested.

A student who is excused shall not be penalized for the absence, but the instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination within a reasonable time. See [UPPS 02.06.01](#), Student Absences for Religious Holy Days

LEAVES

Development Leave

The 60th Legislature of the State of Texas authorized a developmental leave program "as part of the plan of compensation for the faculty." Subsequently, the Board of Regents authorized each university to implement a faculty developmental leave program pursuant to the provisions of *Texas Education Code, Chapter 51, Subchapter C*. A tenured faculty member is eligible to apply for a developmental leave with (1) at least six years of service at this University, at least two of which must be consecutive and (2) at least six years of service since his or her last development leave, and (3) submitted report(s) from previous leave(s) as required. Faculty may apply for a supplemental grant award that, pending available funding, may be awarded and used

to support a second semester of a full-salaried research leave. Generally, applicants request developmental leaves in order to maintain their academic effectiveness, undertake research or publish the results of research previously conducted, or undertake activities designed for self-improvement. Developmental leaves are not available to support completion of an advanced degree.

Faculty members may request the leave for one academic year at half of their full regular salary, or for one-half academic year at their full regular salary. Recipients must sign a legal agreement to serve one full year at Texas State after completion of the leave. In most cases, when development leaves are granted, the departments involved assume the faculty members' loads. If a department is unable to absorb the workload, the Chair, Dean and Associate Provost will negotiate a solution. Typically, a temporary per-course faculty member is appointed. Faculty senators are not eligible.

Application forms and full details can be found in [AA/PPS 04.02.02](#), Faculty Development Leaves. The required forms must be submitted to the chair of the faculty senate by October 1st of the year prior to the leave. The faculty senate recommends applicants for developmental leave to the administration in order of merit.

Faculty Fellowship

Texas State encourages the participation of faculty in distinguished national and international fellowship programs, such as Guggenheim Fellowships and Fulbright Scholar Fellowships, and will facilitate such activities to the extent possible. In this regard, it is our intention to hold faculty harmless with regard to any benefits and/or salary loss during the period of the leave. Texas State will provide sufficient salary (50% minimum) or other arrangement so that benefits are maintained and remuneration to the faculty is, as nearly as feasible, equivalent to the faculty member's normal rate of pay.

[AA/PPS 04.01.32](#), Management and Funding of Faculty Fellowship, provides guidelines to deans, chairs, directors, and faculty who are interested in applying for fellowships that require Texas State support.

All information regarding the type of leaves described below can be found in the University Leave Policy, [UPPS, 04.04.30](#).

Emergency Leave

Emergency leave with pay at Texas State may only be granted for non-injury and non-illness related reasons and must be approved by the Provost. No more than five working days per fiscal year, excluding funeral leave, jury service, and subpoena orders, may be granted for emergency leave.

Family and Medical Leave

Under the Family and Medical Leave Act (FMLA), faculty members may take up to 12 weeks of leave in a rolling 12-month period for their own serious illness, birth or placement of a child for adoption or foster care, or care of an ill child, spouse, or parent. To qualify, you must have worked at least 1,250 hours during the 12 months before the leave begins and have worked for the State for at least 12 months. FMLA leave is unpaid leave. However, while taking FMLA leave you must concurrently use all your eligible sick leave and vacation. Leave for birth or placement of a child must be taken within 12 months of birth or placement.

FMLA provides job protection and entitles you to continue receiving the same health benefits as active employees. If you do not return to work from the leave for at least 30 days, you will owe Texas State for the amount it paid for those health benefits while you were gone. This is waived if you do not return because of a “serious health condition” or some other factor beyond your control.

Two additional leave entitlements under FMLA extend to family of military personnel:

- Qualifying exigency leave allows leave for certain activities if an eligible family member on active duty with the regular Armed Forces is deployed to a foreign country or with the National Guard or Reserves in support of a contingency operation. Activities include military events and ceremonies, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, and post deployment activities.
- Military Caregiver Leave allows up to 26 workweeks of leave in a 12-month period to care for a service member with a serious illness or injury incurred in the line of duty.

To request leave, you must submit a Request for Family and Medical Leave to your department chair and a Certification of Health Care Provider form to Human Resources. Forms are available from Human Resources.

Jury Duty

Employees are entitled to serve on a jury without any deduction from wages. Employees shall receive paid leave for the period of time they cannot be at work in order to fulfill their jury duty obligation. Employees are expected to report to work as soon as they are excused from jury duty. A copy of a summons or official statement by the judge, county clerk, or other official is required.

Military Leave

A leave of absence with full pay shall be provided to any state employee called to active duty for a state emergency with the state’s National Guard by the governor of Texas. An employee who is a member of the state military or any reserve branch of the U.S. Armed Forces that is called to federal active duty during a national emergency is entitled to an unpaid leave of absence after exhausting fifteen days of paid military leave.

An employee absent from the University for the purpose of attending normal training periods as a member of a reserve or state military unit or duty authorized by proper authority shall be on leave of absence with full pay. Such paid leaves shall not exceed fifteen working days per federal fiscal year. Unused leave will carry over to the next federal fiscal year up to a maximum of 45 days. Employees will receive a pay differential if their military pay is less than their university pay.

Employees on a less than twelve-month appointment should attempt to schedule absences for military service during periods when they are not under contract for university service.

Parental Leave

Up to twelve weeks of parental leave may be taken for the birth of a natural child or the adoption or foster care placement with the employee of a child under three years of age. The leave period begins with the date of birth or the adoption or foster care placement. Employees with less than a total of twelve months of state service or who have worked fewer than 1,250 hours in the twelve months immediately preceding the start of leave are eligible. Parental leave is unpaid, although you must use all applicable sick leave concurrently. However, sick leave may only be taken for the period of time a health care provider certifies the employee is unable to work.

Males and females may use up to six weeks of sick leave for adoption regardless of whether the child is actually sick at the time of adoption. Males may use sick leave in conjunction with the birth of a child only if the child is actually ill, or to care for his spouse while she is recovering from labor and delivery.

A request for parental leave will be submitted in writing to the employee's department chair together with a corroborating statement from a doctor (if applicable) on an Application for Leave Approval form. The department chair will forward the request for approval to Human Resources via the dean and Provost.

Sick Leave

Faculty members appointed in benefits-eligible positions (50% FTE or more) earn sick leave and must report sick leave taken even if no classes were missed. Reporting is required by the State of Texas ([Texas Government Code 661.203](#)).

Faculty must report sick leave for the actual time missed from carrying out their normal, negotiated workload responsibilities, including teaching, research and scholarly/creative activities, and service. Sick leave taken must be recorded in hours, including partial day absences.

The specific procedures for faculty to use in reporting sick leave are prescribed in [UPPS 04.04.30](#), University Leave Policy, Section 04.10, Sick Leave Procedures, and Section 16, Record Keeping Procedures.

Questions regarding the use and recording of faculty sick leave should be directed to the appropriate department chair or school director.

Additional Paid Leaves

Faculty members may also qualify for other paid leaves listed below. Details on eligibility, limits and procedures to request leave are outlined in [UPPS 04.04.30](#), University Leave Policy, and assistance is also available from Human Resources.

ADDITIONAL PERSONNEL POLICIES

AIDS Policy

The Human Resources Office will provide each faculty member with the educational pamphlet developed by the Texas Department of State Health Services entitled “HIV, AIDS and the Workplace.” The pamphlet will be provided to new faculty on the first day of employment and to all faculty members annually.

Faculty members with HIV/AIDS who become unable to fulfill their regular job responsibilities may request an accommodation for the disability by filing a request with the Office of Disability Services. The Director of Disability Services will determine whether the employee is eligible for accommodation. For more information about HIV/AIDS policies, refer to [UPPS 04.04.60](#), Workplace Accommodation, and [UPPS 07.09.01](#), Management of Acquired Immune Deficiency Syndrome (AIDS) on Campus.

Sexual Misconduct Policy

The University does not tolerate sexual misconduct. The term sexual misconduct includes but is not limited to sexual assault, sexual exploitation, sexual intimidation, sexual harassment, domestic violence, dating violence, and stalking. Specific definitions, reporting policies and protocols, procedures for investigating sexual misconduct, and possible sanctions are outlined in Chapter V, Section 3.3 of the Board of Regents’ [Rules and Regulations](#).

Nepotism Policy

Each appointment of an employee at the University, whether on a full-time or part-time basis, shall be made solely with regard to the special fitness of the appointee subject to applicable statutes and subject to the provisions of [UPPS 04.04.07](#), Nepotism and Related Employment, and Chapter V, Section 2.2 of the Board of Regents’ [Rules and Regulations](#).

In accordance with the prohibition of Government Code, Chapter 573, no person related to any member of the Texas State Board of Regents within the second degree of affinity or within the third degree by consanguinity shall be eligible for appointment to any office, position,

employment, or duty with the University when the salary, fee, or compensation of such appointee is to be paid, either directly or indirectly, out of public funds of any kind. Even if the appointment of a person would not be prohibited by Government Code, Chapter 573, the President must approve in advance the employment of any person related within the second degree of affinity or the third degree of consanguinity to another employee under the following circumstances:

1. such employment causes one relative to have direct supervision over the other; *or*
2. such employment causes one relative to have authority over the salary or other terms of employment of the other.

The following list defines the relationships specified in the Regents' Policy:

Affinity, first degree: spouse, spouse's mother, father, son, and daughter;

Affinity, second degree: spouse's grandparents, grandchildren, brother and sister;

Consanguinity, first degree: mother, father, son, daughter;

Consanguinity, second degree: grandparents, grandchildren, brother and sister;

Consanguinity, third degree: great grandparents, great grandchildren, uncle, aunt, nephew, and niece.

Orientation

All faculty members new to the University and those who become eligible for benefits must attend a half-day orientation prior to the start of fall term. This session is coordinated by the Provost's Office and Human Resources and includes information about the many benefits, options, and opportunities associated with employment.

All new tenure-track faculty members must also attend an additional half-day session, sponsored by Academic Development and Assessment, which provides information and resources relevant to the promotion and tenure process. Throughout their first year, new tenure-track faculty members are expected to attend monthly workshops offered through the program for excellence in teaching and learning.

All new adjunct faculty, i.e., those new faculty who are not tenured or tenure-track, are expected to attend a two-hour orientation emphasizing teaching and student services.

All faculty members are expected to attend departmental and college meetings, and the University convocation and annual general faculty meeting. New faculty members can access important information at <http://www.ada.txstate.edu/newfaculty>.

Political Activities Individual Rights

It is a cardinal principle of academic freedom that a faculty member may, without University censure, speak, write, or act freely as a citizen (see "Academic Freedom"). In addition, the Constitution of the State of Texas (Article XVI, Section 40) and the First Amendment to the

United States Constitution provide that state employees "shall not be barred from serving as members of governing bodies of school districts, cities, towns, or other local governmental districts; provided, however, that such state employees . . . shall receive no salary for serving as members of such governing bodies." Thus, faculty members could hold a non-remunerative office concurrently with their employment at the University. If elected to a remunerative office, however, faculty members would have to resign their position at Texas State, or resign the office, or refuse to take pay for the office, or (if tenured) apply for a leave of absence. In pursuing political activities, faculty members need to be cautious that they do not create the impression that they are officially representing the University, and that they do not neglect their contracted duties at the University.

On-Campus Policy and Regulations

When on campus performing their duties as teachers, scholars, and advisors of students, faculty members are representatives of the University. Hence, if they wish to invite a political candidate, office holder, or campaign representative to speak to their classes, faculty members are required to notify their Chairs. If they wish to organize political meetings on campus, they must coordinate with the Dean of Students and observe University rules for such meetings.

State Assistance with Lawsuits Indemnification

The Civil Practice and Remedies Code (Section 104.001), provides that the State of Texas is liable for and will pay damages, court costs, and attorney fees adjudged against state employees where the damages are based on an act or omission by the employee in the course of his or her employment with the state.

The Texas Tort Claims Act (Civil Practice and Remedies Code, Chapter 101) provides that individuals may hold the state liable for property damage, personal injury, or death when caused by the negligence or wrongful act or omission of state employees acting within the scope of their employment, arising from motor vehicle or motor-driven equipment operation or from a condition or use of tangible property.

The state's liability under this Act is limited to \$250,000 per person and \$500,000 for any single occurrence for bodily injury or death, and \$100,000 for any single occurrence for injury or destruction of property.

Information regarding claims against the University can be found in [UPPS 01.04.01](#).

Summer Employment

Summer employment is not included in a faculty member's contract. Summer teaching may or may not be available to individual faculty members, depending upon departmental needs and funding. Summer teaching assignments, which are made by the department chair, will conform to the following institutional policies:

1. Preference will be shown to people with terminal degrees.
2. Usually no more than one summer term will be available to teachers without terminal degrees.
3. Persons who resign are eligible for summer teaching assignments, but those on terminal contracts are not. In addition, departments will be guided by policies as may have been agreed upon by the chair, their personnel committee, and the respective college dean.
4. Salary for summer teaching is determined by the monthly rate in the long-term contract and the number of classes taught.
5. A maximum of eight credit hours may be taught within one summer term.

Travel

Faculty members are urged to participate in professional meetings to the fullest possible extent as representatives of the University. All departments have travel budgets that are administered in accordance to the following guidelines:

1. The responsibility of assigning travel prerogatives to members of the department will be on the chair who shall consult with the voting faculty.
2. Upon depletion of the travel budget, reimbursement will not be allowed unless prior approval is obtained.
3. Faculty members who are not on the University payroll at the time of a trip may be reimbursed only if they return to their duties.

Travel applications and policies are found on the [University Travel](#) website.

Work Life and Employee Assistance Program

The University provides a comprehensive Work Life and Employee Assistance program to faculty members. The EPA, called [Bobcat Balance](#), includes up to five counseling sessions per person per issue at no charge. Also included are resources to help locate child care, elder care, legal assistance, financial counseling, routine daily living needs and more. Eligible dependents include your spouse or live-in partner and children who meet the definition of eligibility for the health insurance program. More details are available at www.worklife.txstate.edu or contact Human Resources.

Mother-Friendly Worksite Program

Texas State is designated by the State of Texas as a mother-friendly worksite by providing an environment supportive of nursing mothers. Several rooms have been renovated to provide private space for the purpose of expressing milk. A list of the rooms and other educational resources are available at www.worklife.txstate.edu or contact the Work Life Coordinator in Human Resources.

Unpaid Faculty Members

Occasionally, individuals may become associated with the University as unpaid faculty to perform various instructional or supervisory functions deemed mutually beneficial. The recommendation to establish such an affiliation originates at the departmental level but must be approved by the college dean and the Provost. Additional information can be found in [AA/PPS 04.01.03](#).

ACTIVITIES ASSOCIATED WITH RESEARCH

Associate Vice President for Research and Federal Relations (AVPRFR)

The AVPRFR is dedicated to enhancing the academic environment of Texas State by promoting and supporting research, commercialization, and sponsored program activity. Other office functions include assuring compliance with federal, state, system, and university regulations such as those concerning the use of human subjects in research, the ethical use and care of animals, import and export control, intellectual property, and contract negotiation.

Texas State encourages faculty and authorized professional research staff to actively pursue grant and contract activity for projects undertaken to further the mission of the University. When the University accepts a grant or contract from an external sponsor, the University assumes responsibility for the proper performance of the stated project, for the fiscal management of the funds received, and for accountability to the sponsor. Since the institutional responsibility for meeting these obligations is vested in the principal investigator (PI), only certain employees are authorized to be PIs for sponsored projects: full-time tenured/tenure-track faculty; full-time research faculty; or certain directors of research centers and/or institutes, or full-time staff members.

Any exceptions should be approved by the appropriate academic dean in consultation with the Office of Sponsored Programs (OSP). The PI is responsible for exercising diligence to charge against the project only expenses that are reasonable, allowable, and allocable, and making sure that all revenues and expenses are accounted for in the University accounting system. While awards for successful projects are made to the University, the PI is responsible for the management, execution, and completion of the project, including submission of all required reports.

Sponsored Programs

OSP assists faculty and staff to prepare grant proposals for research, teaching, and other professional activities. Pre-award functions include assisting faculty, staff, and proposal coordinators to prepare budgets and forms, check agency and Texas State guidelines, and prepare for submission, usually electronically, complete proposals. The post-award functions of the office include fiscal management comprised of budgetary transaction, cost feasibility, sponsor billing, accounts receivable, effort reporting, financial reporting, and other compliance activities.

Research Enhancement Grants

Texas State's Research Enhancement Program is an internally funded grant competition intended to encourage and provide support for faculty research and other creative activities. All tenured and tenure-track faculty are eligible to apply for Research Enhancement funds. Final recommendations for funding of Research Enhancement Grants are made by the University Research Committee via the Faculty Senate.

For further information regarding Research Enhancement Grants visit the [Research Enhancement Program website](#).

Commercialization and Industrial Relations

The [Office of Commercialization and Industrial Relations](#) (OCIR) was established by combining Technology Commercialization, the Center for Research Commercialization and the Institute for Environmental and Industrial Science and its centers. The mission of the OCIR is to coordinate the University's commercialization and industry activities, to enhance and promote its applied research and development activities, assist in the capture of commercial research and development funding, to enhance the University's entrepreneurial platform, and to provide resources for the support and enhancement of "education with relevance".

Responsibilities of the OCIR are as follows:

- Assist faculty and staff to coordinate industrial activities to enhance the applied research and establish formal working relations with partners.
- Assist university researchers with invention disclosures, patent filing, market analysis, and licensing agreement negotiations.
- Manage and coordinate the University's incubator/accelerator facilities, Patents, Option and License Agreements, Industrial Sponsor Research Agreements, and Material Transfer Agreements.
- Support and encourage local economic development by giving preference to licensing to Texas companies by encouraging faculty start-up activities and create new ventures in Texas.
- Develop relationships with venture capital firms and individuals, technology assistance organization, and other external persons.
- Establish and manage relationships with university researchers, licensees, potential licensees, entrepreneurs, venture capitalists, and government entities.

Cost of Research

Texas State expects external sponsors to pay the actual costs of conducting the sponsored project, including both the direct and the indirect cost obligations incurred by the University in the conduct of a project. The direct costs - those costs that are clearly identified with and benefit a specific sponsored project - include salaries, fringe benefits, equipment, supplies, travel and other expenses. The Facilities and Administrative costs (F & A) (indirect costs) are those institutional research infrastructure costs that cannot be readily attributed to an individual project or monitored on an individual basis and include facilities and administrative costs such as building and equipment use, operations, maintenance and utilities, departmental and sponsored

projects administration, and capital improvements. Each sponsored project is expected to pay a proportional share of these research infrastructure costs, based on the F & A rate that is negotiated between Texas State and the U.S. Department of Health and Human Services.

Intellectual Property

The development, ownership, management, use and marketing of intellectual property developed at the University are governed by the Texas State University System, Regents' [Rules and Regulations](#), Section III, paragraphs 11 and 12. Intellectual property (IP) is any invention, creation, discovery, scientific or technological development, computer software, or other form of expression of an idea arising from the activities of personnel. The development, ownership, management, use and marketing of intellectual property developed at the University are governed by [UPPS 01.04.26](#), Intellectual Property. Faculty are required to disclose to the Office of Commercialization and Industrial Relations (OCIR) any invention made by using university resources or funded under a contract or grant. As a condition of employment, the faculty member assigns all right and title to such inventions to the University upon acceptance of employment.

Note that the system policy does not apply to faculty-authored written or visual work (except computer software) produced in the author's professional field, and the creator owns such faculty-authored work. When intellectual property results from work at the University, the creator must disclose in writing their inventions and discoveries to the OCIR. Additional information regarding the process of invention disclosure is available through OCIR. OCIR, in coordination with the University Intellectual Property Committee, handles technology licensing and other technology transfer.

Misconduct in Research

Scholars and research personnel of the University are expected to adhere to the highest ethical standards for all research and scholarly work. It is the responsibility of every research investigator to maintain the integrity of research projects by keeping accurate, permanent and auditable records of all experimental protocols, data, and findings. Misconduct in research and other scholarly activity is absolutely incompatible with the standards of the University, and all allegations of such behavior will be handled promptly. See [AA/PPS 03.01.13](#), Addressing Allegations of Misconduct in Academic Research and Scholarship.

Financial Conflicts of Interest

All faculty conducting funded or unfunded research for or on behalf of Texas State must file an annual Financial Interest Disclosure. Each person completing a Financial Interest Disclosure must list all significant financial interests and those of his/her immediate family and all interests in or affiliation with any financially interested company, including those of his/her family members as defined in [UPPS 04.04.07](#), Nepotism and Related Employment.

At a minimum, Financial Interest Disclosures must be updated annually. In addition, researchers must file an updated disclosure when changes to researcher financial interests present a conflict or potential conflict with a new or current funding source. A current Financial Interest

Disclosure must be on file in the Office of Research Compliance for faculty initiating new sponsored programs research activity, regardless of the source of funding. See [UPPS 02.02.07](#), Researcher Conflicts of Interest in Research and Sponsored Program Activities.

Conflicts of Commitment may arise when faculty participate in certain outside activities or employment that conflict with their primary research commitment to the University and to its research mission. See [UPPS 02.02.08](#), Conflicts of Commitment in Research and Sponsored Program Activities.

Human Subjects

The University bears responsibility for complying with federal, state, and local laws and gives assurance that it will comply with the Texas Department of State Health Services regulations for the [Protection of Human Research Subjects \(45 CFR 46\)](#). Faculty, staff, and graduate students who propose to engage in any funded or unfunded research, training, or teaching involving human research subjects must have prior review and approval of that activity by Texas State's [Institutional Review Board \(IRB\)](#). It is Texas State policy that the IRB, not the faculty researcher, decides whether a protocol meets the criteria for exemption. When a faculty member notifies OSP of a pending research proposal, they must indicate if human subjects are involved. In most cases, IRB applications are not required at the proposal submission stage but will be required before awarded grant funding is released. Information about the review process, required forms, submission deadlines, and meeting dates are available on the ORC website.

Animal Welfare

Texas State has the responsibility to ensure that research and academic activities involving living vertebrate animals follows federal and state regulations and guidelines, including those established by the USDA, the Public Health Service, and university policy. Faculty who propose to engage in any funded or unfunded research, training, or teaching involving living vertebrate animal research subjects must have prior review and approval of that activity by the [Institutional Animal Care and Use Committee \(IACUC\)](#). When a faculty member notifies OSP of a pending research proposal, they must indicate that animal subjects are involved. In most cases, IACUC applications are not required at the proposal submission stage but will be required before awarded grant funding is released. No grant funds will be released before the IACUC has approved the protocol. Information about the review process, required forms, submission deadlines, and meeting dates are available on the ORC website.

Bio-hazardous Materials and Bio-safety

Researchers who are planning projects involving bio-hazardous materials that will result in the generation of bio-hazardous waste should contact the [Office of Research Integrity and Compliance \(ORC\)](#) and [Environmental Health, Safety and Risk Management \(EHS&RM\)](#). EHS&RM is responsible for picking up and disposing of bio-hazardous waste, and will assist researchers in developing proper disposal and inventory records and posting requirements, and

will work with PIs to develop and implement waste minimization procedures. These requirements apply to both funded and non-funded research. Projects involving the use of recombinant DNA must be reviewed and approved by the Institutional Biosafety Committee. Information about the review process, required forms, submission deadlines, and meeting dates are available on the ORC website.

Export Controls

“Export controls” refers to the group of federal regulations that control the conditions under which certain types of information, technologies, and commodities can be transmitted, both within the U.S. and abroad. While most Texas State research and technology development is exempt from U.S. export control laws, these regulations may present potential complications to the conduct of research and academic activities when these activities involve any technology, software or technical data transmittal to any non U.S. citizen, whether here in the U.S. or abroad. Information regarding export controls can be found on the ORC website.

POLICIES RELATING TO TEACHING

Academic Workload

Academic loads at the University are calculated on the basis of "workload credits." One workload credit is defined as one semester credit hour of organized undergraduate instruction or the equivalent. Three workload credits are typically earned for teaching one organized undergraduate course or for performing some equivalent activity. Additional workload credits may be earned, at the discretion of the chair for teaching large classes, graduate classes, or laboratories; supervising interns, student teachers, and thesis students; and conducting scholarly projects. Full-time faculty must earn at least nine workload credits to comply with state statutes. At Texas State University the normal long-semester workload for full-time faculty is twelve semester credit hours per semester (twelve workload units). For most tenure-track faculty at Texas State, this twelve workload unit standard is fulfilled by teaching three classes (9 workload credits) and conducting research, creative or grant activity at a level that warrants the awarding of three workload credits. In summer, teaching two courses (six to eight credit hours per term) is considered full-time.

At Texas State, the department chair, subject to the approval of the college dean, determines a faculty member's professional responsibilities for each semester. Each academic unit is responsible for creating a policy that delineates academic unit-specific workload, including the teaching workload credits for each course, lab, and individual instruction and any applicable assignments and/or adjustments. Chairs are responsible for assuring that individual faculty members' workloads comply with the University's workload policy and that faculty obligations are fairly distributed among faculty members within the department. In meeting this responsibility, chairs should attempt to match the needs of the department and the University as outlined in the department's goals for teaching, scholarly/creative activity, and service, with the individual professional goals of each faculty member, recognizing that these goals are likely to change over the course of a faculty member's career.

Department chairs file a preliminary and final workload report each semester. Each faculty member will receive a copy of his or her final workload report for each long semester, after the Internal Workload Credit Report has been distributed to deans and chairs. In addition, the chair will distribute a copy of all the departmental workload reports, or a summary report, to the departmental personnel committee. For more information about workload, refer to [AA/PPS 04.01.40](#), Faculty Workload.

Advising Undergraduate Students Academic Advising

Students will be in contact with academic advisors from their first semester at Texas State through graduation. Many departments provide advising in their fields for advanced students, but first-year students with fewer than 16 hours of college credit earned since high school graduation will be advised in the core curriculum initially.

Personalized Academic and Career Exploration (PACE)

First-year students begin their educational journey in the PACE Center, Texas State’s advising program committed to personalized academic and career exploration.

In the PACE Center, first-year students will find four programs designed to enhance the climate for success:

1. Academic advisors will help them select the right classes for their major, build a class schedule customized to their academic and personal needs and develop a plan for educational success focused on graduation.
2. Career counselors will provide individual and small-group assistance to clarify career interests and help students develop the résumé they need to make a successful transition to the professional world.
3. Students will become engaged in their majors and connect to mentors and peers as they develop networking skills essential to career success.
4. Each student’s transition to Texas State will be enhanced through our University Seminar program, where they will meet new friends, discover campus support networks and receive mentoring from one of our exceptional teachers.

For more information go to www.pace.txstate.edu/.

Each college at Texas State also has an advising center staffed by professional advisors who can help keep students on track academically after two semesters or if they are not entering as PACE students.

College	Location	Phone
College of Applied Arts	AG 201	512.245.1490
McCoy College of Business Administration	MCOY 115	512.245.1993
College of Education	ED 2143	512.245.3050
College of Fine Arts and Communication	OM 110	512.245.1932

College of Health Professions	HPB 207	512.245.3506
College of Liberal Arts	FH 322	512.245.1852
PACE Advising Center	UAC 120	512.245.7223
Round Rock Campus	Avery 201	512.716.4001
College of Science and Engineering	CENT 202	512.245.1315
University College	UAC 120	512.245.2218

It is recommended that students see an advisor each semester, but they should plan to visit their advising center prior to the beginning of registration. Academic advisors have the knowledge and skills to advise students on curriculum and degree plans, and they can also refer them to other resources on campus such as tutoring and computer labs. Students should see an advisor as appropriate for answers to questions about academic matters such as the following:

- courses to take for a specific major
- classes requiring prerequisites or special approvals
- calculation of GPA
- decision to drop a class
- advice on registering for the next semester
- requirements for admission to a certain major or program
- applying for graduation

However, a successful advising relationship is two-sided. Both the student and the advisor have responsibilities. The advisor is responsible for offering advice and information, whereas the student is responsible for making timely decisions based on that information.

Credit by Examination

Recognizing that individuals occasionally attain college-level proficiency independent of organized classes, many departments afford students the opportunity to earn credit by examination. Students must be currently or formerly enrolled at Texas State in order to take an exam for credit, and, upon passing the exam, receive a grade of "CR," which is not used in calculating the cumulative GPA. Further information can be found in the [Undergraduate Catalogue](#) in the "Admissions" section.

Distance and Extended Learning

The Office of Distance and Extended Learning is Texas State's home for courses and programs offered through correspondence, extension, and study abroad. This office also provides information on Texas State's distance learning programs, courses, initiatives, and resources to our community of distance learners and educators. The office sponsors the Award for Excellence in Online Teaching.

Faculty who currently teach online or are interested in additional information should go to the [Distance and Extended Learning website](#). This website is a resource of information for faculty, including information on distance learning policies, principles of good practice for electronically delivered courses and programs, accepted quality standards for online education, opportunities for professional development, and the Award for Excellence in Online Teaching.

Correspondence Study

Correspondence study courses are developed by the faculty with the production support of the [Office of Distance and Extended Learning](#). All correspondence faculty must be approved by the sponsoring department chair and college dean prior to course development and follow university standards and established best practices in the development of course content. Correspondence courses are generally taught online through the Teaching Resource and Collaboration System (TRACS).

Correspondence study courses are all taught out of load. The faculty member receives payment for developing courses as well as for teaching. Payment for teaching a course is based on the number of assignments and exams the faculty member grades.

Extension Study

Extension courses are taught both on and off campus. Normally these courses are for three credit hours and, unlike correspondence study, are held at the client or academic department's request and at the location of their choosing. Faculty members earn a stipend for teaching the course, usually based on the number of students enrolled.

Extension courses may begin at any time and may take as few as three weeks to complete, depending on the class schedule and coordinating board rules. Contact hour and accreditation requirements must be met. Extension retains a percentage of all fees collected. Contact the [Office of Distance and Extended Learning](#) for more information (512-245-2507).

Study Abroad

The Study Abroad Office assists in the implementation of all study abroad courses and programs, whether offered for extension or resident credit, as stated in [AA/PPS 02.01.20](#). The Study Abroad Office receives a fee for its services. Anyone interested in developing a new study abroad course or program should contact Study Abroad (512-245-1967). All new courses/programs are subject to Board of Regents' review and subsequent approval.

Deadlines for such courses/programs are usually more than a year prior to the scheduled group departure, to allow for review to be completed. They are as follows:

<u>Semester Offered</u>	<u>Deadline for Feasibility Proposal</u>
Summer Program	March 1 st (the year before)
Winter Break Program	September 1 st (the year before)

The Study Abroad Office is located at Thornton International House, 344 West Woods Street. For more information please visit <http://www.studyabroad.txstate.edu>.

Texas State Academic Honor Code

As members of a community dedicated to learning, inquiry and creation, the students, faculty and administration of our university live by the principles in this Honor Code. These principles require all members of this community to be conscientious, respectful and honest.

WE ARE CONSCIENTIOUS. We complete our work on time and make every effort to do it right. We come to class and meetings prepared and are willing to demonstrate it. We hold ourselves to doing what is required, embrace rigor, and shun mediocrity, special requests, and excuses.

WE ARE RESPECTFUL. We act civilly toward one another and we cooperate with each other. We will strive to create an environment in which people respect and listen to one another, speaking when appropriate, and permitting other people to participate and express their views.

WE ARE HONEST. We do our own work and are honest with one another in all matters. We understand how various acts of dishonesty, like plagiarizing, falsifying data, and giving or receiving assistance to which one is not entitled, conflict as much with academic achievement as with the values of honesty and integrity.

Faculty who suspect student violation of the Honor Code should consult [UPPS, 07.10.01](#). For more information please visit <http://www.txstate.edu/honorcodecouncil/>.

Confidentiality

Faculty members must maintain professional confidentiality with both colleagues and students. Instructors should not divulge information such as the grades, academic weaknesses, or personal problems of a student to anyone except a person with a professional interest in both the student and the information. Except as authorized by university policy and law, no confidential information should be divulged without the student's consent.

Disruptive Behavior

Civility requires all members of the community to act in ways that encourage and promote intellectual growth. Examples may include healthy debate, avoidance of classroom disruptions, willingness to listen, attentiveness, participation, respect for diversity, and a positive attitude towards learning. If a student behaves in a manner that the instructor considers disruptive, the student may be requested to leave the classroom. If the student does not leave voluntarily or in case of an emergency, the instructor shall call the University Police Department.

If an instructor seeks to suspend a student from class for more than one class period, (the class period in which the disruption occurred), the instructor must obtain approval of the department chair and dean of the college for an interim class suspension. An interim class suspension will be for the day of the initial incident and up to two additional class days. Within one class day of issuing an interim suspension, the faculty member must present the matter to the Assistant Dean of Students for Student Justice. The office will handle the matter as expeditiously as possible, using the procedures in the Texas State Code of Student Conduct, [AA/PPS 02.03.02](#).

Final Examinations

Final examinations will be given by all faculty members and taken by all students. The chair and faculty member must concur on alternate methods of evaluation.

Finals will be administered according to the published schedule. Individual students with conflicts or serious problems may take a final at an alternate time if they secure permission from their instructor. Faculty who wish to change the time of a final for an entire class may do so with permission from their chair and college dean.

Grades

Grades are indicated by the following symbols: "A," excellent work; "B," good; "C," average; "D," passing; "F," failure. Under special circumstance the following additional grades may be granted: "I," incomplete (student must complete the work within one year or the grade automatically becomes an "F"); "W," (a) withdrawn passing or (b) when students leave a class or this university under extremely unusual circumstances and, through no fault of their own, fail to withdraw officially; "F," withdrawn failing; "U," not participating and failing; "CR," where credit only is given for the course; "P" (progress), a temporary and non-punitive grade given in selected courses where the required clock hours necessary for completion extend beyond the regular semester or sessions.

Grade Reporting

Faculty members submit semester grades on final grade rosters directly to the registrar electronically, by the date established by the Registrar's Office. The published time and date must be followed without exception.

Changes of grade must be made on the appropriate form, either typed or in ink, and must be approved by the faculty member, department chair and college dean. The registrar will accept the change only from the dean's office. The form for reporting a change of grade is available from each departmental office.

Office Hours

Faculty members are expected to keep regular office hours suitable to meet with, confer, and counsel students. Office hours should be chosen for convenience of students and should be posted. Normally, it is expected that full-time faculty members maintain a minimum of five hours of office time per week and that faculty should be available for student conferences at other times by appointment.

Student Attendance Policy

The instructor should check the roster on the first few class days and ask students in the class whose names are not on the roster to inquire in the Registrar's Office to determine the course or section they should be attending. A faculty member should not allow students to remain in class if their names do not appear on the roster. Class rosters are final after the twelfth day of classes

during a semester, and a final roster is issued after all adds and drops have been made. No course changes can be made after this time. (A student may drop a course but may not add a course after the announced deadline).

The University has no mandatory class attendance requirements, but the University encourages regular, punctual attendance in all classes. A department or faculty member may establish an attendance policy. The faculty member will insure that students are fully informed of the policy in effect and sanctions for excessive absences. Special rules apply to students who are absent for the observance of a holy day or military service. See Absences for Religious Holy Days, [UPPS 02.06.01](#).

Syllabi

Faculty members must provide or electronically post a written course syllabus each semester and file a copy with the department chair and electronically on the University website (see below [HB 2504](#)). Such syllabi should include the purposes and objectives of the course, a list of required and recommended readings, calendar of major exams and project due-dates, times and location of office hours, and policies regarding student absences, grades, writing deficiency, etc.

If these policies are revised during the semester, faculty are expected to ensure that all students are made aware of any changes, by distributing a revised syllabus or amendment to the syllabus. Faculty are encouraged to include a policy statement regarding accommodations for students with disabilities.

Public Access to Course Information

Each institution of higher education in Texas, other than a medical and dental unit, is to make available certain course information to the public on the institution's Internet Web site, according to [Texas House Bill 2504](#). In addition, the University must post information about work-study opportunities and departmental budgets. This information must be:

1. accessible from the institution's internet website home page by use of not more than three links;
2. searchable by keywords and phrases;
3. accessible to the public without requiring registration or use of a user name, password, or other user identification;
4. available not later than the seventh day after the first day of classes for the semester or other academic term during which the course is offered; and
5. updated as soon as practicable after the information changes, at least once for every semester in which the course is offered.

This website provides useful information and demonstrates the University's commitment to accountability, transparency and open communication with students, parents, legislators, the public, and all stakeholders. On this website, you will easily find:

1. for each undergraduate classroom course offered for credit by the institution, a syllabus and a curriculum vita for the instructor of record;
2. for each academic department, a departmental budget report;
3. for work-study employment opportunities, a link to current job openings; and
4. for each undergraduate classroom course, summarized end-of-course student evaluations of faculty.

To review Texas State's compliance with this initiative, please visit: [HB 2504 Web Site: Texas State University](#).

Records Retention

The University is required to comply with the Records and Retention Schedule as certified by the State of Texas. Faculty should be familiar with the requirements related to curriculum and teaching records.

Typical records include: Syllabi; course descriptions; course outlines; course summaries; course requests and proposals; curriculum approval lists; lists of classes by term; bibliographies; reading lists; course announcements; handout materials; and related documentation and correspondence. This series includes course material presented in electronic form, such as TRACS.

The most current and certified records schedule can be found at:
<http://www.library.txstate.edu/about/departments/records/records-management/rrs.html>.

Tutoring Policy

Faculty members may not accept pay for extra instruction or teaching of students registered at Texas State University. With written approval of the department chair, graduate or undergraduate assistants may accept pay from students for extra class instruction or coaching only in courses or sections of courses with which they have no instructional connection.

International Office

[International Office](#) staff assists departments and prospective international faculty in obtaining the appropriate immigration authorization for employment at Texas State. Because of government regulations regarding status issues, wage requirements, and employee qualifications, it is important to contact the office discussing employment with international prospects. In addition to advising and processing of immigration concerns, they provide other services such as recruitment and orientation of international students. They also provide temporary housing, verification and dependent invitational letters, and campus and local informational materials. The contact number is 512-245-7966 and email address is: international@txstate.edu.

FACULTY RECOGNITION

Alumni Teaching Award

The Alumni Association honors faculty with this award, first given in 1989. Outstanding teachers are nominated by members of the University community and are selected by a committee composed of the President and immediate past President of the alumni association, President of the University, chair of faculty senate, director of alumni affairs, and two members at-large of the Alumni Association Board of Directors.

Piper Professor Award

The Minnie Stevens Piper Foundation annually honors ten professors in Texas colleges and universities for outstanding achievement in the teaching profession. Each award includes a certificate designating the recipient as a "Piper Professor" and an honorarium.

The purpose of this award is to give recognition to teaching rather than to research, publication, or administration. The University is permitted to submit one nomination each year. The foundation encourages wide participation in the selection of nominees. The faculty senate coordinates the nomination process. The nomination deadline is usually in late November with presentation of the award in May. See [AA/PPS 02.04.21](#), Piper Professor Award Recognition.

Everette Swinney Faculty Senate Awards for Teaching Excellence

Each year the faculty senate recognizes the top three Piper Professor nominees with its own excellence in teaching awards. Each award includes a certificate and an honorarium.

Presidential Excellence Awards

The Presidential Awards for Excellence in Service, Excellence in Scholarly/Creative Activities, and Excellence in Teaching are awarded through the Texas State faculty awards program.

These awards are intended to recognize and reward superior service, provide models of excellence for fellow faculty, and encourage all faculty to continue improving their service activities, scholarly/creative activities, and teaching skills.

An Associate or Assistant Vice President will chair each university committee, with selection for awards beginning in early spring and recommendations due to the Provost by May 1st. The Provost will review the committee's selection and forward recommendations to the President.

The awards are presented to the University level recipients at the fall general faculty meeting. Criteria for the awards and additional information can be found in [AA/PPS 02.04.20](#), Presidential Awards for Excellence in Service, Scholarly/Creative Activities, and Teaching.

Presidential Seminars

The Presidential Seminars provide faculty members the opportunity to present their scholarly or artistic efforts to colleagues and to be recognized for significant accomplishment. Projects considered for selection are limited to those that are currently in progress or have been completed in the recent past. Faculty members may nominate themselves or other faculty members. Nominations should be submitted to the Presidential seminar committee early in the fall semester. Each honoree presents a lecture or other appropriate demonstration. Each is honored at a reception following the seminar and receives a plaque and honorarium. See [AA/PPS 02.04.20](#), Presidential Seminar.

Regents' Professor

Upon the recommendation of the Chancellor, the Board of Regents, from time to time, may bestow the title of "Regents' Professor" upon a very select number of tenured faculty members who have demonstrated the following:

1. Excellence in teaching and exceptional dedication to students;
2. National or international distinction and acclaim for academic achievement or scholarship; and,
3. Notable contributions and commitment to their Component institutions and communities.

Upon retirement, a Regents' Professor shall automatically receive *Emeritus* faculty status. Guidelines for this award are found in [AA/PPS 02.04.10](#), Honorary Faculty Titles and Emeritus Faculty.

Regents' Teacher Award

The purpose of the Regents' Teacher Award is to reward outstanding performance in their roles as teachers, as evidenced by their dedication, skill, and knowledge of curriculum. Nominees must be full-time faculty members with at least five consecutive years of teaching experience at Texas State.

University Distinguished Professor

Faculty whose performance in teaching, research, and service has been exemplary and recognized at the state, national, and international levels may and who have held the rank of full professor for at least five consecutive years at Texas State University will be eligible to receive this award. Guidelines for this award are found in [AA/PPS 02.04.10](#), Honorary Faculty Titles and Emeritus Faculty.

Emeritus Faculty

The President is authorized to bestow the title of professor emeritus or associate professor emeritus upon retirement of a faculty member. Faculty members are required to have served at the University in the rank of professor for at least ten years or associate professor for at least fifteen years. The President is also authorized to bestow an appropriate emeritus title upon other

retired ranked faculty provided that the faculty member has served the institution for a cumulative total of at least fifteen years. See [AA/PPS 02.04.10](#), Honorary Faculty Titles and Emeritus Faculty.

The conferring of these titles is not automatic upon retirement but shall be based upon individual distinction, exceptionally high-quality service, and outstanding contributions to the University.

Distinguished Emeritus Faculty

Nominations for distinguished emeritus status are made to the President by the Provost after consultation with the Council of Academic Deans. Upon the President's recommendation, the Board of Regents may bestow the title of Distinguished Professor Emeritus upon a retired member of the faculty or in anticipation of the retirement of a faculty member, effective upon retirement. Faculty members are required to have served at the University in the rank of professor for at least ten years or associate professor for at least fifteen years. The title of distinguished emeritus faculty is awarded only to extraordinary faculty members who have made major contributions in teaching, scholarly/creative activities, and or service. See [AA/PPS 02.04.10](#), Honorary Faculty Titles and Emeritus Faculty.

POLICIES GOVERNING SALARY AND BENEFITS

Flexible Benefits Program (TexFlex)

Eligible faculty may participate in the State of Texas Flexible Benefits program (TexFlex), which allows you to set up a reimbursement account for healthcare or dependent day care expenses. Contributions are payroll-deducted before federal income and social security taxes are calculated.

Eligible health care expenses include co-payments for doctors or prescriptions, glasses, contacts, orthodontic care, and much more. Eligible dependent care expenses include your child's day care, after-school care, summer day camps, or adult day care for elderly or disabled dependents. Contact Human Resources for additional information.

Deferred Compensation Plan

The State of Texas 457 Texa\$aver Plan is voluntary and allows faculty to save pre-tax or Roth after-tax dollars from salary in addition to the regular retirement plan (TRS or ORP). The IRS sets a maximum on the calendar year contributions.

Withdrawals are only allowed if you separate employment, turn 70 1/2, die, or qualify for a financial hardship. Loans may be allowed under certain conditions.

Investment products include mutual funds, a fixed interest account and a self-directed brokerage account. All vendors are approved by the Employees Retirement System (ERS) of Texas. For more detail and instructions on how to enroll, contact Human Resources.

Insurance

Texas State offers several group insurance plans for employees and eligible dependents. Regular faculty members with an FTE between 75% and 100% are eligible for the basic insurance plan the first day of their employment. Texas State pays 100% of the premium for the employee-only health, \$5,000 term life and \$5,000 accidental death and dismemberment insurance. Texas State also pays 50% of the cost of dependent health coverage for these faculty members.

Regular faculty members with an FTE between 50% and 74% and qualifying graduate students are eligible for the same basic insurance plan the first day of the month following their 60th day of employment. Texas State pays 50% of the premium for employee-only health, \$5,000 term life and \$5,000 accidental death and dismemberment insurance. Texas State also pays 25% of the cost of dependent health coverage for these faculty members.

Employees may purchase any optional coverage without enrolling in a health plan. These include dental, life insurance, short- and long-term disability, and accidental death and dismemberment. Details about insurance plans may be found at <http://www.ers.state.tx.us/> or by contacting Human Resources.

Retirement

Faculty are accorded a number of privileges after retirement. These currently include a faculty identification card, library privileges, use of the University dining service, a free faculty parking permit, continued eligibility for university group health and life insurance, and use of internal mail service. Retiring faculty are honored appropriately at the time they leave university service.

Teacher Retirement System of Texas

All university faculty members working at least half-time and for at least four and one-half months are required to become members of a retirement program. All such faculty will automatically become members of the Teacher Retirement System (TRS) of Texas, unless (1) they have previously elected the Texas Optional Retirement Program (ORP) and are eligible to continue in the Optional Retirement Program, or (2) are eligible and apply for ORP by completing all required forms within the ninety calendar day election period.

The Teacher Retirement System is financed through an employee payroll deduction of 6.47 percent of the annual salary. Appropriate payroll deductions are made monthly. The University contributes an additional 6 percent to the system. On August 31st, accounts are credited with a 2 percent interest based on the average balance in one's account for the fiscal year. Further information may be obtained from the Human Resource Office or from the Teacher Retirement

System of Texas, 1000 Red River Street, Austin, Texas, 78701 (Telephone: 512-397-6400 or 800-223-8778) or on the [TRS website](#).

Optional Retirement Program

All full-time faculty members are eligible to participate in ORP depending on previous eligibility. The optional program requires a monthly payroll deduction based on 6.65 percent of the faculty member's gross salary. The employer contribution to the program is 6.46 percent of the faculty member's gross salary. Participants prior to 9/1/95 receive 8.5%. Eligible faculty members selecting the optional program must do so within ninety days from the date of eligibility or automatically become a member of TRS. This choice is a lifetime decision and cannot be changed later. Also, faculty members who are ineligible on the date of employment and later become eligible will have ninety days from their date of eligibility to indicate their desire to change from Teacher Retirement System to Optional Retirement Program.

The vesting period is one year and one day of participation. Eligible investments include fixed and variable annuities and mutual funds. All vendors must be approved by Texas State. Eligible faculty members who are interested in the optional program should contact the Human Resources Office for additional information and a current list of all approved vendors and representatives.

Phased Retirement Plan

All full-time tenured faculty members may request a phased retirement of employment agreement if service and age requirements are met. Service requirement is met when 1) age 65 with 10 years of service credit, or 2) age plus years of service credit totals 80. This request is subject to approval of the Chair, Dean, and Provost, and must be of mutual benefit to the University and the retiring faculty member.

Essentially, the faculty member retires and receives retirement benefits, but continues to work for the University half-time or less for pro rata compensation. Faculty who participate in the program relinquish tenure; but retain protection against arbitrary dismissal, modified membership on the voting faculty, eligibility to participate in group insurance plans, and, in general, all of the amenities afforded to regular full-time faculty. See [UPPS 04.04.51](#), Phased Retirement Plan for Faculty.

Paycheck Distribution

Faculty checks are issued on the first working day of the month, following the month worked. To ensure appropriate deductions, faculty members must complete a Form W-4 Employee's Withholding Allowance Certificate. Annual Form W-2 Wage and Tax Statement will be available electronically or in paper form in January for the preceding calendar year. The W-2 Form shows YTD earnings and withholdings for income tax and social security purposes.

Automatic deductions made from all monthly paychecks include: (1) Federal Withholding Tax, (2) Social Security and Medicare Tax, and (3) Retirement. Other optional deductions may

include insurance premiums, flexible spending account contributions, tax deferred annuity payments, 457 Plan deferred compensation contributions, parking permit fees, credit union payments, and charitable contributions.

If you would like your check automatically deposited into a checking or savings account, you may sign-up on the University's SAP Portal/Employee Self Service at <http://www.txstate.edu/sap/> or complete a paper Direct Deposit Authorization Form and return to the Payroll and Tax Compliance Office for entry, available on their website at <http://www.txstate.edu/payroll/resourcesforms/directdeposit.html>.

If you choose to receive a paper paycheck, you may opt out of the direct deposit program using the same Direct Deposit Authorization form. Paychecks may be picked up on payday at the student business services cashier's windows on the first floor of the J.C. Kellam building by presenting your Texas State ID card or driver's license.

Texas State provides you an electronic earnings statement for each paycheck. This statement may be viewed or printed by going to the University's SAP Portal/Employee Self Service at <https://ibis.sap.txstate.edu/irj/portal>. It's always best to verify that all of the information is correct. Regular faculty members may arrange to receive their nine-month salary over twelve months by contacting the Human Resource Office and completing the necessary application forms before the first day of class of each academic year.

Social Security and Benefit Replacement Pay

The University participates in the Federal Social Security and Old Age and Survivor Insurance program. Contributions to social security are set by law and are paid by both employer and employee.

Senate Bill 102, 74th Legislature (1995) eliminated the state paying the 5.85% portion of the employee's social security contribution for individuals hired September 1, 1995, and later. Faculty members who were employed by the state on 8-31-95 and who have not had a break in service of more than 30 days are eligible to receive benefit replacement pay (BRP). BRP is equivalent to 5.85% of base salary in effect on 10-31-95 (not to exceed \$965.25 per calendar year), plus an amount equal to the retirement contribution paid by the faculty member on the BRP.

Return-to-work retirees are not eligible for BRP.

403(b) Tax Deferred Account

A 403(b) tax deferred account (TDA) is a voluntary supplemental savings plan that allows a faculty member to save pre-tax dollars. Some vendors also offer a Roth TDA with after-tax contributions, but earnings are tax free.

The IRS sets a maximum contribution amount per calendar year. Withdrawals are only allowed upon separation of employment, age 59 ½, death, total disability, or qualified financial hardship.

Interested faculty members should contact the Human Resources Office for additional information.

Unemployment Insurance

Unemployment Insurance is a form of insurance that provides modest unemployment benefits to qualified jobless workers. All university employees are covered by unemployment insurance; however, eligibility for unemployment insurance benefits is not automatic. For example, some benefits may be denied individuals for voluntarily quitting work without good cause, for misconduct, or for failure to apply for and accept suitable work. Jobless individuals whose last employer was the University should check with any one of the offices of the Texas Workforce Commission located throughout the state to determine the proper procedure for receiving unemployment insurance benefits.

Workers' Compensation

Workers' compensation is a form of insurance that provides financial compensation and medical benefits for physical injuries and occupational diseases that arise from, or in the course of, employment. All university employees are eligible for these benefits at no cost. Faculty members should report all injuries to their chair immediately regardless of whether or not loss of work time or medical expenses is involved. The chair will prepare and send the required reports to the workers' compensation claims coordinator in Environmental Health, Safety, and Risk Management. The claims coordinator will file the required reports with the State Office of Risk Management, which administers the State Employees Workers' Compensation program. To preserve your legal right, you must meet two conditions:

1. Report your injury or illness to your chair as immediately as possible, but not later than 30 days after it occurs;
2. File a claim within one year of the date the injury or illness occurred.

Benefits under this program are paid at a rate of less than full salary beginning with the eighth calendar day or after all accrued sick leave has been exhausted, whichever is later.

SUPPORT SERVICES

Alumni Association

All students who graduate Texas State University are eligible to become members of the Texas State [Alumni Association](#). The association strives to maintain a relationship with the former students by keeping them in touch with the interests and activities of their fellow graduates and the University.

The director may be reached at 512-245-2371, 888-798-2586. The office is located in J.C. Kellam, Suite 380, 601 University Drive, San Marcos, TX 78666.

Bookstore

In addition to its primary function of serving students by stocking and making available for sale text books and supplementary materials required in courses, the [University Bookstore](#), located in the LBJ Student Center, offers a variety of services to the faculty member. A faculty member makes requests through the department for books and supplementary materials that students are expected to purchase. The department submits orders for these items to the bookstore.

Publishing companies prefer that department chairs or individual faculty members order their desk copies of books and materials directly from the publishers. In emergencies, a desk copy can be purchased from the Texas State bookstore and refunded when a replacement is received from the publisher. If the book is returned too late to be marketable, the faculty member only receives the market wholesale value for the book.

The University Bookstore offers a minimum ten per cent discount to all faculty members. All faculty members, from graduate teaching assistants through professors and including retired faculty, are entitled to the discount, but laboratory assistants or laboratory instructors are not. When requesting a discount or cashing a check, the faculty member should present the University identification card to the bookstore employee. In most cases, the bookstore will be able to order for faculty members merchandise not normally stocked.

Dining on Campus

Faculty are welcome to eat in any dining hall or restaurant on campus. Information about hours of operation and locations of dining facilities can be found at <http://www.dineoncampus.com/txstate/>.

Academic Development and Assessment

The Office of Academic Development and Assessment encourages and provides support for academic improvement through faculty development and academic assessment initiatives. The mission of the development and assessment office is to improve teaching and learning through planning outcomes and monitoring achievements as well as by developing strategies for enhancing the quality of education. The office provides opportunities for faculty development by sponsoring programs and activities related to the full range of faculty responsibilities including teaching, research, and other scholarly activities. The office coordinates and conducts new faculty orientation sessions; teaching and learning programs; academic development workshops and seminars; and satellite and electronic presentations for faculty in a variety of subject areas. Staff also provides assistance in curriculum and instructional design and assessment.

Academic development and assessment facilitates ongoing improvement in student learning and instructional effectiveness through academic assessment. The office provides guidance for academics assessment activities through student learning outcomes evaluation and academic program review.

The Office of Academic Development and Assessment serves as the University liaison with the Fulbright program. For information, visit <http://www.ada.txstate.edu/>.

Testing, Research, and Evaluation Research Support

The [Testing, Research, and Evaluation Center](#) (TREC) offers support to faculty members who may need assistance on data gathering and analysis for research projects.

Testing Services

TREC administers a number of tests and maintains information on the credit by examinations, institutional examinations, Texas Higher Education Assessment (THEA), and national examinations. Detailed information on all testing services can be found at <http://www.txstate.edu/trec/>.

Faculty Test Scanning and Scoring

TREC offers test scanning and scoring services to all faculty at Texas State University. Scanning and scoring classroom exams and processing course evaluations is completed at no charge to the faculty member. Administrative and research scanning such as producing a data file, cleaning data, and running descriptive statistics may be completed for a fee.

Faculty Announcements

Official announcements to the faculty are made through memoranda, via email, and in the Human Resources Bulletin available online. Several colleges, departments, and programs periodically issue newsletters or email reporting on the activities of faculty.

Fundraising and Vending

The university is a state-owned institution and, therefore, does not permit solicitation of funds or sales on campus. Although not prohibiting a faculty member from inviting a representative of a firm to come to one's office to discuss the possible purchase of products or investments, the policy is intended to exclude from campus those who would take advantage of a captive audience to attempt to make sales. Subject to approval of the dean of students or designee, student organizations are permitted to sell tickets to raise funds for a university connected fraternity, sorority, or other club.

No faculty member may sell tickets to raise funds for personal gain. Those seeking additional information on university approval pertaining to solicitation or vending on campus should be directed to [UPPS 7.04.03](#), Solicitation on Campus.

University organizations wishing to solicit funds off-campus must have prior approval from the Vice President for university advancement and from the director of student center or a designee. Appropriate forms are available at the information desk in the LBJ Student Center.

Keys to University Buildings

The university furnishes keys to offices, storage areas, classrooms, entrance to buildings, etc., as they are needed and requested through chairs of academic departments. Care should be taken that keys do not fall into unauthorized hands. Duplication of any university key, except by the University Physical Plant, is prohibited. Duplication and/or replacement of a key must be authorized by the department chair. See [UPPS 8.02.01](#), Control of Keys to Facilities.

Albert B. Alkek Library

The [Alkek Library](#) collection includes numerous printed volumes, electronic journals, e-books, databases, microform and audio-visual materials. Alkek is a selective depository for U.S. and Texas government documents, receiving 60% of federal publications and a wide variety of state publications. Special holdings of the library include [The Wittliff Collections](#) (Southwestern Writers Collection and Southwestern & Mexican Photography Collection), home to the major papers of such notable authors as Cormac McCarthy and Sam Shepard, to the King of the Hill archives, the Lonesome Dove miniseries collection, and the largest repository of modern and contemporary Mexican photography in the U.S. The library is open over 100 hours per week during the fall and spring semesters with 24-hour extended service during final exams. An online catalog provides information on the library holdings.

Faculty members enjoy extended borrowing privileges. Most materials are circulated to faculty for one semester. Other library services of interest include a virtual reference service, interlibrary loan, library research grants, reserve services including electronic reserve, information literacy classes for individuals or groups, research consultation, services for distance learning, computer lab, laptop computer check-out, and wireless network access within the Library. Faculty members also participate in collection development. The Texas State University libraries offer access to numerous research databases including EbscoHost, ProQuest, and CSA.

Through TexShare, a statewide library resource sharing program, Texas State faculty, students, and staff can obtain a [TexShare library card](#), which grants library privileges at most colleges and universities in the state as well as many public libraries.

[Interlibrary loan](#) (ILL) is a library borrowing service available to current Texas State students and employees. ILL borrows items from other libraries that Alkek library does not own. This service is free to currently enrolled Texas State students and employees. Typical turnaround for a book is two weeks. Turnaround time for articles varies, depending on format (hard copy or electronic), but averages two to three days.

Instructional Technologies Support

[Instructional Technologies Support](#) (ITS) provides the faculty and Texas State community with instruction, leadership, and support for all phases of instructional design, development, and deployment. Classrooms are configured with computers, projectors, visual presenters, VCR's, DVD's and software appropriate to instructional goals. Graphic artists, designers, videographers, digital video producers, photographers, web programmers and specialty programmers are all available to offer assistance.

The [Educational Technology Center](#) supports the University community through the use of media technologies.

[TRACS](#) enables faculty to enhance classroom instruction or deliver distance learning by bringing their course materials, class discussions, assignments, and quizzes to the web. Students can view course and campus announcements in one location, access direct links to course web sites and groups, and view and create a personal calendar and "to do" lists correlated with individual course calendars. TRACS provides tools to build and manage course websites and online campus environments without knowledge of HTML or other programming languages.

[Adobe Connect](#)[®] is a tool that allows classes to meet, communicate, and view presentations in a real-time online environment. Sessions can be recorded so that students who cannot attend the live session can still benefit from viewing the session at a later time. Students and instructors may attend Connect sessions from any location, using any computer. All that is required is an internet connection. No special software is needed to attend a Connect session. Popular uses of Adobe Connect at Texas State University include meetings for online courses, student collaborative projects and virtual office hours.

[Camtasia Relay](#) allows users to create screencast videos with just a computer and USB microphone. All lecture classroom computers have the software pre-installed and it can be freely added to any personal computer. Once recorded, the video is automatically produced and available for viewing online. Students can also record their presentations as guests and send them to their teacher's Camtasia accounts for private review. Popular uses of Camtasia include recording of full-length lectures, mini-lectures, reviews, and student presentations.

[Turnitin](#) program allows instructors to check papers submitted electronically for improperly cited materials or potential cases of plagiarism by comparing the work against continually updated databases. Instructors sign up for an account with Turnitin and create a site within the program. Instructors give students the class enrollment ID and password, which students use to join the class. Students then submit their work to Turnitin for processing. You, as the instructor, are then able to view an originality report which details all quoted passages and allows you-and the student, if you so choose-to view the original source. This helps faculty and students maintain the principles of the Texas State honor code.

The university's three teaching theaters in Alkek, Centennial Hall, and the LBJ Student Center represent the intersection of integrated media and large classrooms. By using a diverse array of media, the teaching theaters provide a creative teaching and learning environment.

Lyndon B. Johnson Student Center

Faculty members may reserve rooms in the [Lyndon B. Johnson Student Center](#) for occasional meetings, lectures, receptions, and other special events. Information and reservation forms are available at the information center, Room 2-12.1 on the second floor or by calling 512-245-2264. Faculty may also use the recreation room and TV-stereo room upon presentation of a faculty identification card.

Mail

The two types of mail distributed by [University Mail Services](#) are U.S. mail addressed to the University and unmetered mail originating within the University. Special services, including TNT Sky Pak, United Parcel Service, Airborne, and FAX are also available. Postage is paid for outgoing mail dealing with official university business and is charged to the originating department's account.

Catsweb

[CatsWeb](#) integrates the web with many of Texas State's administrative systems and databases to deliver timely information and services. Faculty may access their individual employment history (before 2005), vehicle registration and ticket status, position vacancies, computer account information, and directory information for students, staff and faculty. The business menu allows access to the Banner student information system, degree audits, class rosters, student schedules, student transcripts, etc. Prior authorization is required for access to business menu functions.

Parking Regulations

All students, faculty, and staff are required to register with parking services and pay the appropriate fee for a parking decal or hangtag for any vehicle they park or operate on university property. Decals or hangtags must be displayed anytime a vehicle is parked on a university campus. Faculty red restricted permits can be purchased at Parking Services, on line, or by mail. Vehicle registration cards and payment must accompany all permit requests. Permits will be mailed to the faculty member's home address or the Texas State department as listed on the registration card. **Red** restricted permits are not transferable, and faculty may purchase only one permit. Registration and payment can also be made on-line at <https://parkingservices.txstate.edu/cm/aut/auth.aspx>. A complete description of the University's traffic and parking regulations can be obtained at the parking services office or found on line at <http://www.parking.txstate.edu/regulations.htm>.

Professional Societies

Local chapters of three groups directly concerned with the status and welfare of all university faculty exist at the University. The Texas Association of College Teachers (TACT) represents the interests of the professoriate before the state legislature; American Association of University Professors (AAUP) establishes standards for academic freedom and tenure; and Texas Faculty Association (TFA), an affiliate of the National Education Association, defends faculty interests

both at the University and before the Texas legislature. Although faculty are encouraged to participate in these organizations as individual citizens, they are expected to comply with the rules and regulations of the University, see the Board of Regents' [Rules and Regulations](#) Chapter V, Sections 4.74 and 4.75.

Records

In the course of their duties, faculty members often maintain records that are classified as governmental records, such as class rosters and grade reports. The information in these governmental records should be accurate and faculty members keeping them must develop procedures to insure their confidentiality and accuracy.

It is suggested that student examinations, tests, term papers, and homework be retained for two years. All records containing sensitive or restricted, confidential information must be disposed of by shredding. Please visit these websites for more information about record retention and disposal: [CUR230 – Course Records](#), and [SAD200 - Student Records, Academic Department](#)

Telephones

The offices of department chairs, administrators, and most faculty members are equipped with telephones at state expense for local personal and business calls and for toll calls involving official university business. The chair of each academic department assumes responsibility for proper use of telephones in that department and will approve monthly toll calls before payment.

According to [UPPS 05.03.10](#), Section 02.01, "An employee who places a personal toll call from a university telephone should use a credit card or bill the call to a personal telephone number."

Recreation Opportunities

Campus recreation conducts many programs on the main campus that faculty may use, including Fitness and Wellness Programs, the University Golf Club, recreational trips, and activities such as swimming, rock climbing, basketball and racquetball. Detailed information is available at <http://www.campusrecreation.txstate.edu/>. Faculty, staff, and their families may use the student recreation center. See <http://www.campusrecreation.txstate.edu/facilities/src.html>

The [University Camp](#) at Wimberley, administered by campus recreation, provides picnic and overnight facilities for faculty members and their families on a reservation basis. Limited space is available, so plan in advance and make reservations at the outdoor center in [Sewell Park](#).

The [Total Wellness Program](#), sponsored by the Department of Health and Human Performance, offers a variety of programs and services designed to meet the health, weight loss, fitness, and/or athletic goals of children, teenagers, and adults of varying fitness levels and abilities.

The [Meadows Center for Water and the Environment](#) is owned and operated by Texas State University under the direction of the River Systems Institute. Located along the headwaters of the San Marcos River and Spring Lake, the grounds have long been recognized for their natural

beauty and relaxing atmosphere. Glass bottom boat and kayak tours are offered at Aquarena Center.

APPENDICES

Constitution of the Faculty Senate of Texas State University

<http://www.txstate.edu/facultysenate/about/faculty-constitution.html>

Preamble

The faculty is the foundation of the University, providing the excellence in teaching, research and service upon which the quality and reputation of the University are built. The interests of the entire academic enterprise are best served when the faculty's expertise and skills are brought to bear in cooperative participation in the governance of the University. Specifically, the faculty senate is the primary advisory body to the President on policy matters affecting faculty.

Therefore, the faculty of Texas State University hereby establishes this Constitution in order to provide for the organization and procedures that will ensure appropriate faculty participation at all levels of university governance. This organization is based on the premise that it is desirable to have elected faculty personnel through whom the faculty as a whole can initiate recommendations for advancement of the educational mission of the University and the welfare of the University community.

It shall be the purpose of the senate to:

- Make recommendations on university policy and governance issues of concern to faculty;
- Advocate for faculty viewpoints on all issues in which faculty perceive themselves as stakeholders;
- Solicit faculty perceptions, suggestions, and recommendations;
- Seek accurate data for use in advocating positions taken by faculty;
- Promote communication among faculty, and between faculty and other university groups;
- Protect academic freedom and improve faculty salaries and working conditions; and
- Assure the opportunity for faculty participation in fiscal planning and decision-making.

I. Organization

A. Definitions

1. Faculty members are those persons who hold academic rank of lecturer or higher.
2. Faculty voters are those faculty members, exclusive of per course faculty, who hold academic rank in a department at a rate of 50% or more and who do not hold an administrative appointment outside of their college.
3. Members of the faculty senate are faculty voters, exclusive of departmental chairs and other quasi-administrators as determined by the faculty senate, who:
 - hold the rank of assistant professor or higher,
 - have tenure,
 - are paid at a rate of one-hundred percent from funds budgeted for faculty salaries, and
 - have at least three years of full-time service at this university.

B. Senate Body

The senate is a body of approximately fifteen faculty members elected by the faculty voters to represent proportionally the faculty members of each college. Prior to annual elections, the senate will calculate representation each spring based upon the number of faculty members as of the previous fall. The number of senators per college shall be determined by dividing the number of faculty members in the college by the number of faculty members in the University, multiplying the number by fifteen, and rounding to the nearest integer. No college will ever be represented by less than one senator; no more than one senator will be from any academic department; and all senators will serve the full term to which they were elected, notwithstanding subsequent calculations.

C. Officers of the Senate

1. The senate shall annually elect a chair and a vice chair from among its members and they shall serve in those same capacities at any meetings of the full faculty called by the senate or the faculty as provided in Section IV-C.
2. A secretary and other officers may be elected by the senate as it sees fit.

II. Functions

- A. Subject to the laws of the State of Texas, the authority of the Board of Regents, Texas State University System, and the authority of the President of the University, the senate may make recommendations to the administration concerning university policies and procedures.
- B. The senate shall keep minutes of senate meetings and make them available to the faculty in a timely manner.

III. Nominations and Elections

- A. No later than the first Friday of March of each year, the senate shall offer faculty members eligible to serve on the senate the opportunity to remove their individual names from the ballot. The senate will consider that those who do not remove their names have consented to be listed on the ballot and to serve if elected to the senate.
- B. No later than the second Friday of March, the senate will prepare a ballot for each college to be distributed to faculty voters. These ballots shall list the names of the faculty members eligible to serve on the senate who have consented to stand for election. A candidate receiving a majority of votes will be considered elected. If there is no majority, within five days the senate will distribute a second ballot listing those receiving the highest number of votes in the first round. The total number of nominees will be twice the number of vacancies. In the event of a tie for the last place, those in the tie shall be listed.
- C. The faculty senate is empowered to make the determination for a place on the senate should a final vote result in a tie.

- D. If a person elected to the senate is unable to serve, the candidate with the next highest number of votes shall be declared elected.
- E. Within two weeks of the senate's certification of the results of the elections, the senate shall elect the chair and vice chair by majority vote. The senate may also elect a secretary and other officers.
- F. The term of office for senate members shall be three calendar years with the term beginning and ending in April.
- G. Vacancies
 - 1. Except as provided in paragraph 2 below, the senate shall conduct a faculty election to fill any vacancies occasioned by the inability of the incumbent to serve. Such elections shall be called within two weeks of the date of such vacancy and shall be conducted in a manner consistent with the provisions of this article.
 - 2. In the event of the awarding of a faculty development leave or a regular leave, or other causes similar in nature have the effect of creating a temporary vacancy on the faculty senate, not to exceed one year, and provided that the term of the senator temporarily absent will not meanwhile expire, the senate membership existent after the vacancy is actually created shall appoint a qualified member of the faculty from the appropriate college to a temporary senate membership with full voting and other rights appertaining to the office of senator, thus filling the vacancy until the regularly elected senator shall return and resume the duties of that office. Vacancies created by resignation, or occasioned by the inability of an elected senator to complete the unexpired portion of the elected term, shall be filled in the manner provided in paragraph 1 of this article. Likewise, and again not to exceed more than one year, the senate shall fill temporary vacancies from similar effects on all committees or subcommittees under the direction or *aegis* of the senate.
 - 3. If a senator habitually misses senate meetings and otherwise neglects the responsibilities of office, the senate by two-thirds majority vote may declare that seat vacant and proceed to fill it as provided in this article

IV. Meetings and Procedures

- A. The senate shall meet at the call of the chair of the senate or three or more of its members.
- B. The senate must consider any written recommendations submitted by a faculty member.
- C. The senate, either on its initiative or on the written petition of ten percent of the faculty voters, may call meetings of all university faculty voters.
- D. In the senate, a quorum consists of one more than one-half of the membership; in meetings called under paragraph C, a quorum exists when the Faculty Senate determines that one more than twenty percent of all university faculty voters are present. All faculty members may

attend, but only faculty voters may vote. Resolutions will be adopted by secret ballot only and will become recommendations to the faculty senate.

- E. Notice must be given to the faculty at least forty-eight hours in advance of any meeting called under paragraph C, and the notice must include a statement of the issue to be considered.
- F. Voting
 - 1. A simple majority shall be necessary to pass resolutions in the senate or meetings called under paragraph C, except as otherwise provided herein.
 - 2. A secret ballot on substantive questions may be required by a vote of at least one-third of the members in attendance at either senate or full faculty meetings.
- G. Except as otherwise provided herein, procedure shall follow Robert's Rules of Order.

V. Amendment

- A. Amendments to this constitution shall be initiated by:
 - 1. The faculty senate or
 - 2. Petition of ten percent of the voting members of the faculty.
- B. Amendment procedures:
 - 1. Amendment proposals become subject to ratification procedures when the faculty senate, by a two-thirds majority, approves amendment suggestions offered by one or more of its members, or when the faculty senate, in a regular or called meeting, receives in writing a petition containing an amendment proposal offered by the requisite number of faculty members.
 - 2. The faculty senate, when in receipt of a petition seeking to offer an amendment proposal for faculty consideration, may request the petitioners, if they have not already done so, to appear before the faculty senate in a hearing on their proposal for the purpose of effecting, with the concurrence of the petitioners, language clarification or substantive changes in the petitioners' proposed amendment. Regardless of the outcome of such hearings, or whether the request for such is heeded, the faculty senate will not refuse to submit for faculty approval any legitimate petition. The faculty senate must, therefore, take official cognizance of the proposed amendment in the final language in which it is offered by the petitioners; and it must submit the proposal for ratification according to the procedures specified in the Constitution.
 - 3. The source of initiation notwithstanding, copies of formally proposed amendments must be distributed through faculty senate auspices to the faculty at least seven days in advance of their consideration in a ratifying election that must take place not less than twenty-eight days before the end of the current spring or fall semester existent when the amendment was proposed; or, in emergencies (the faculty senate to designate by a motion to this effect

passed with two-thirds of its members concurring), within twenty-one days from the date on which formally proposed.

4. An amendment to this Constitution is ratified when, by means of a secret ballot, at least two-fifths of the faculty voters cast ballots and two-thirds of those casting ballots vote in favor of the proposal.

VI. Ratification

This Constitution shall be considered ratified when, by means of secret ballot, at least one more than fifty percent of the voting membership votes to approve this Constitution.

*Ratified November 11, 1959; amended March 13, 1962; May 13, 1966; May 11, 1968; August 24, 1970; August 19, 1975; March 5, 1980; April 11, 1990, September 7, 2005.

Standing Rules of the Faculty Senate

<http://www.txstate.edu/facultysenate/about/senates-standing-rules.html>

Article I: Purpose: The standing rules may contain any provision for the regulation and management of the affairs of the senate consistent with the Constitution.

Article II: Meetings: The senate shall meet at least biweekly during scheduled semesters and at least monthly during each scheduled summer session.

Article III: Officers: The senate shall annually elect a chair, vice chair, secretary and other officers as it sees fit.

At the last meeting of the spring semester, each senator shall be provided with a written ballot listing the names of all senators. Each senator will mark the name of one senator for election to the office of chair. If no senator receives a majority of the votes, new ballots shall be distributed listing the names of the two senators who received the most votes. In the event of a tie for the last place, those in the tie shall be listed. Balloting shall continue until one candidate receives a majority. After a chair is elected, the senate shall elect the vice chair and other officers as needed, according to the same procedure.

Duties: The chair shall preside at all meetings of the senate and shall see that all resolutions of the senate are implemented. The chair shall send notice of the date, hour, place and subject matter of all meetings to each senator and liaison at least two days before the date of the meeting. The vice chair shall, in the absence or disability of the chair, perform the duties and exercise the powers of the chair. The secretary shall ensure that all votes and the minutes of all proceedings are properly recorded, and these records shall be open for inspection upon request. The secretary will maintain these standing rules. A TCFS representative shall attend every meeting of the Texas Council of Faculty Senates.

Article IV: Committees: The senate, by resolution adopted by a majority of the full senate, may designate from among its members or from among other senate constituencies such committees as it deems necessary. Appointments to non-senate committees may likewise be designated by resolution adopted by a majority of the full senate. Faculty senate committee assignments are

recommended by the committee on committees to the faculty senate, which makes the appointments with approval of the Provost. The committee on committees conducts a preference poll in early spring to solicit volunteers for these committee assignments. An effort is made to obtain balance in committees, in some cases based on college representation and in some cases based on expertise. Committee assignments are for three years unless otherwise indicated. Membership on committees is open to all faculty members who have completed one year at Texas State University. Individual committees may establish additional membership criteria specific to the committee's charge.

Each committee may bring in other faculty members, administrators, and students for consultation and advice when they see a need. Ex officio members are non-voting members unless otherwise noted. Ex officio members and staff members are recommended to the senate by the appropriate office. Non-voting ex officio members will serve as consultants for the committee.

The chair of each committee shall either be recommended by the committee on committees, and confirmed by the senate, or directly appointed by the senate. Each committee may select its own vice chair, or the senate may directly appoint one.

Student members are recommended by the associated student government, appointed by the faculty senate and approved by the VPAA. Students must meet the following qualifications:

1. Have an over-all 2.5 grade-point average prior to being appointed; have 2.25 grade point average during service;
2. Be free of any disciplinary sanction authorized by the Student Conduct Code; and
3. Be a full-time student at the time of appointment and during service, or obtain special approval from the senate.

Dean members are recommended by the council of academic deans, appointed by the faculty senate, and approved by the Provost. Chair members are recommended by the council of chairs, appointed by the faculty senate, and approved by the Provost.

All committee meetings are open to the public as required by [UPPS 01.04.04](#). Committee members who miss three consecutive meetings, or half the meetings during a year, may be replaced. The committee chair is responsible for reporting excessive absences to the senate so that a replacement can be named.

Article V: Liaisons: A faculty senate liaison shall be elected annually by the faculty voters in each department/school that is not represented by a senator, and by the professional librarians/curators.

Liaisons must have the same qualifications as a faculty senator, except that the professional librarians/curators shall be eligible to vote after one year's service and to serve as a liaison after three years. Elections will be conducted in September by the liaison from the preceding year. If that person fails to conduct the election, college senator(s) will conduct it.

Liaisons will communicate individual faculty and department/school concerns to the faculty senate. In addition, liaisons may be asked to meet with the senate from time to time, to gather information, to take informal polls, to distribute and collect faculty ballots, and to perform such other tasks as may be required to ensure effective communication between department/school faculties and the senate.

Each fall semester, a senate/liaisons meeting will be held. At this meeting communication channels will be explained, and the duties of the faculty senate liaisons will be reviewed.

Article VI: Piper Award Nominee Selection Process: The Minnie Stevens Piper Foundation annually honors professors in Texas colleges and universities for outstanding achievement in the teaching profession. Each award includes a certificate designating the recipient as a "Piper Professor" and a \$5,000 honorarium. Texas State University is permitted to submit one nomination each year and the faculty senate coordinates the nomination process.

In early September, the senate will initiate the Piper Award nominee selection process. All tenured faculty members who teach at least half-time are eligible and are invited to apply and/or to nominate a colleague for the Piper award. All departments/schools are encouraged to nominate at least one applicant and there is no restriction on the number of nominations coming from each department/school or college. Applications are due to the senate office by 5 p.m. on October 1st, or the following Monday if October 1st falls on a Saturday or Sunday.

The Piper Award Committee is charged with thoroughly reviewing all applications and selecting the three most worthy applicants to be recipients of the Everette Swinney Teaching Award. From these three, the committee will select the best single applicant to be the Texas State University nominee for the Piper Professor Award. Appointed by the senate, the committee will consist of a representative from each college, and a prior Texas State University Piper Professor.

The committee Piper Professor may not be from the same department/school as a college representative. Committee members will serve staggered three-year terms. Members may not apply for the award, or nominate a colleague, while serving on the committee. Committee members may resign their assignment in order to apply for the award by submitting a letter of resignation to the senate by September 15th. The committee is enjoined to work closely with the office of the Provost, which will provide procedural information as requested by the committee. Candidates' application portfolios are due to the VPAA by November 1st and will be sent to the Minnie Stevens Piper Foundation in late November. The chair of the Piper Award committee will assure that this process is completed, and the necessary paperwork is collected prior to the Piper Foundation deadline. The chair will make an annual report to the senate that includes any recommendations from the committee for revisions to the peer review and selection process.

Article VII: Everette Swinney Faculty Senate Excellence in Teaching Awards: Three faculty members selected by the Piper Award selection process described above will become the recipients of the Everette Swinney Faculty Senate Excellence in Teaching Award. The following fall, at the general faculty meeting in late August, the President, upon the recommendation of the

senate, will recognize each recipient of this award with a cash honorarium and an appropriate plaque.

Article VIII: Research Enhancement Awards: The Research Enhancement Program (REP) was established by the 70th Texas Legislature to "encourage and provide support for research conducted by faculty members." The legislation further provided that "REP funding should be awarded to faculty within any discipline according to campus-wide competitive peer review procedures developed at each university."

At Texas State, the faculty senate is responsible for developing and implementing these peer review procedures. To that end, a university research committee (URC) composed of one tenured or tenure-track faculty member from each college has been established. The senate appoints committee members to staggered three-year terms on the basis of their research experience and good judgment. In the spirit of the original enabling legislation, the Senate has charged the committee to use a definition of "research" that is broad enough to include all definitions of scholarly and creative activity as defined by individual departments/schools. The URC, with the approval of the senate, develops guidelines and application forms, and establishes application deadlines. During their terms, URC members are not eligible to apply for research enhancement grants.

College Research Enhancement Committees (CREC), consisting of one elected representative of each department/school in the college, shall review all proposals and rank them after thorough discussion of each proposal at a meeting chaired by the college's representative to the University research committee. CREC members are chosen for one-year terms in a department/school election conducted in early September. URC and CREC Committee members may not submit proposals during their terms.

The University research committee is enjoined to work closely with the office of sponsored programs (OSP), which is responsible for receiving REP proposals and evaluations, notifying applicants whether their proposals were successful, and assisting faculty in setting up REP grant accounts. OSP is also responsible for maintaining the REP website, which contains all REP documents and guidelines, and for coordinating the election of CREC representatives.

The director of the office of sponsored programs will serve as a non-voting ex officio member of the University research committee to provide procedural guidelines and information as requested by the committee. Final determination and apportionment of funds will be made by the senate, upon the recommendation of the committee, and notification of the results will come from the office of sponsored programs.

Article IX: Development Leave: The senate will remind faculty of the development leave application due date at least thirty days prior to the October 15th deadline. (If the 15th falls on a Saturday, the deadline will be the 14th and if it falls on a Sunday, the deadline will be the 16th.) The chair of the senate will receive applications and post them electronically within two working days following the deadline so that senators may begin the review process. Applications that are received late will not be accepted, unless it is clear, in the judgment of the senate chair, that the delay was occasioned by an administrative office. Applicants are strongly

encouraged to meet with their respective senator(s) prior to submission and/or during the review period (typically between October 20th and November 1st) to discuss their applications.

The senate, in a closed meeting, shall briefly discuss the merits of each application. Each senator will then evaluate all applications using the [Rubric for Faculty Development Leave Assessment](#). The average of all senators' ratings on each applicant will determine whether the application merits the senate's recommendation for approval. All applications will be forwarded to the Provost in ranked order and those with a composite score of 50 points or more will be recommended for approval.

The senate chair will promptly inform each candidate of the senate's decision regarding his/her application. In the event that a proposal is not recommended for approval, the letter will include representative comments from senators to assist the applicant in understanding the reasons for the decision. Except as provided above, the Senate's discussion and rankings are confidential and will not be released to other parties.

Detailed development leave application guidelines and application assessment information is available on the [Senate website](#) and in [PPS 8.02](#), which is posted on the Academic Affairs: Office of the Provost website.

Article X: Important Business: A substantively important item of business, as defined by the chair, may not be disposed of at the senate meeting at which it is introduced; final action must be deferred at least one week to allow senators time to study the issue and consult with constituents. In cases of emergency, this rule may be suspended by a two-thirds majority of the senate.

Article XI: Amendments: Upon one week's notice, the senate may alter, amend, or repeal these standing rules or adopt new standing rules by majority vote.

Article XII: Eligibility to Serve on the Senate: Pursuant to Article I, Section A, of the Faculty Constitution, no department chair/school director, assistant/associate dean (or persons holding these titles as interim appointments) shall be eligible to be elected to the faculty senate regardless of the budgetary source of their salaries. When preparing ballots each spring, senators will confirm candidates' eligibility.

Article XIII: Distribution of Agendas and Minutes: Faculty senate agendas will be electronically distributed to all faculty and any other party who requests receipt of the agendas, and minutes will be posted on the senate web page.

Preparation and distribution of agendas is the responsibility of the senate chair; preparation and distribution of minutes is the responsibility of the senate secretary. All distribution will be by email, except that the senate administrative assistant will send hard copies to those liaisons and senate committee chairs who request them.

Revised and Adopted by the Faculty Senate March 2012

Faculty Senate Committees and Charges <http://www.txstate.edu/roster/faculty-senate>

Academic Computing Committee

Reviews proposals and makes recommendations to the senate for utilization of student computing funds. May also be called on to review budgets, policies and procedures relating to the academic use of computing resources. Serves as a liaison between information technology and the University faculty via the senate.

Academic Governance Committee

Monitors and studies the system of departmental and college academic governance, including PPS's and other rules for conducting university business that impact faculty. The committee will provide an annual report on its findings and recommendations to the senate.

Academic Standards Committee

Reviews and initiates proposals that affect university academic standards, including changes in admissions requirements, graduation requirements, grade-point requirements/enrollment barriers, and probation/suspension standards, as well as proposals related to assessment, testing and advanced standing and accreditation, and makes recommendations to the faculty senate.

Adjunct Faculty Committee

Makes recommendations to the faculty senate on issues and policies that impact faculty who are neither tenured nor on tenure-track.

Budget Committee

Examines the annual budget and the financial report published by the University and reports significant facts and recommendations to the faculty senate.

Committee on Committees

Recruits able, interested faculty to serve on Faculty Senate and other University committees and each spring recommends faculty to fill open committee positions.

Curriculum Committee

Receives and evaluates all curricular requests, including program and course changes, new degree program and course proposals.

Facilities and Environment Committee

Reviews the campus master plan and monitors recommended changes and new proposals submitted to the University Facilities Committee that affect faculty or the campus environment, and reports to the senate annually.

Faculty Handbook Committee

Revises the Faculty Handbook every other year in order to keep it current with respect to new policies and procedures, recommends new handbook copy to the Academic Administration via the Faculty Senate, and coordinates the publication of a new handbook during the summer of each odd numbered year.

Library Committee

Recommends policies for the operation of the library and popularizes its resources.

Piper Selection Committee

Recommends to the Faculty Senate the Piper nominee to be submitted to the Provost. In addition, the committee also recommends to the Senate the recipients of the Swinney Teaching Award.

Retirement and Benefit Programs Committee

Makes recommendations to the Faculty Senate on issues related to retirement and benefit programs and interacts with the Texas State Human Resources Office concerning implementation of various policies and issues that impact faculty.

Suspension Appeals Committee

Hears appeals, recommends policies, administers approved policies, and recommends revisions as necessary. Each hearing will be composed of three faculty committee members, the chair or vice-chair, and student representatives.

University Arts Committee

Brings outstanding artists to the University who will contribute to the development of an appreciation of the arts.

University Lecturers Committee

Reviews proposals from departments and groups to bring outstanding lecturers to the University, and apportions funds approved for this purpose.

University Research Committee

Oversees apportionment of Research Enhancement Program funds to academic colleges. Members chair the College Research Enhancement Committee reviews of faculty proposals. Makes granting recommendations to the faculty senate as far as dedicated funds will allow.

Faculty and Academic Resources

Revised: 10/18