

# CAMPUS COMMUNITY POLICIES AND PROCEDURES



## Policy Manual Volume II

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*Celebrating a 141 year legacy*

## UNIVERSITY MISSION AND VISION

### **Mission**

HT nurtures a legacy of leadership and excellence in education, connecting knowledge, power, passion, and values.

### **Vision**

A connected world where diversity of thought matters.

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<i>Volume Number</i>	<b><i>II</i></b>
<i>Functional Classification:</i>	<b><i>Campus Community Policies and Procedures</i></b>
<i>Title/Topic:</i>	<b><i>University Campus Community</i></b>

## 2.0 INTRODUCTION

The policies provided in this Volume II pertain to all members of the University community. They were developed to describe some of the expectations of members of the campus community and to outline the policies, programs, and benefits available. We hope that your experience here will be challenging, enjoyable, and rewarding.

Huston-Tillotson University retains the right to improve, modify, revoke, suspend, terminate, or change any or all policies, procedures, rules or benefits in whole or part in this Volume II of the Policy Manual, with or without notice, and to implement such changes prior to the publication of a new Policy Manual. Only officers of the University have a right to alter policies.

The University has made this edition of Volume II of the Policy Manual as comprehensive as possible; however, it is not possible to foresee every situation that may occur. Circumstances not specifically addressed in the Policy Manual will be handled on a case-by-case basis, in accordance with established practice. Any questions regarding the information contained in this Volume II of the Policy Manual shall be referred to an appropriate senior administrative officer.

### 2.1 General Institutional Policies and Procedures

#### 2.1.1 Equal Opportunity Policy

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the University will be based on merit, qualifications, and abilities. The University does not discriminate in its educational programs, activities, employment, daily operations or admission policies on the basis of race, national origin, religion, color, gender, sexual orientation, physical ability or disability, or criteria prohibited under state and federal age discrimination statutes. In addition, sexual harassment, which includes acts of sexual violence, is a form of sex discrimination prohibited by Huston-Tillotson University and Title IX. Additionally, the University conforms to all federal, state and local laws and policies, in addition to the Family Educational Rights and Privacy Act of 1974 and amended (PL-93-380).

In addition to a commitment to provide equal employment opportunities to all qualified individuals, the University has established an affirmative action program to promote opportunities for individuals in certain protected classes throughout the organization.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Office of Human Resources. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

#### 2.1.2 Immigration Law Compliance

Huston-Tillotson University employs only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired



must also complete the form if they have not completed an I-9 with Huston-Tillotson University within the last three years or if their previous I-9 is no longer retained or valid.

Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### **2.1.3 Family Educational Rights and Privacy Act**

At the University, all academic records of students who enroll are kept in accordance with the provisions of The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99), a federal law that protects the privacy of student education records. Eligible students (those over 18 years of age) have the right to inspect and review their education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

There are some records to which the student has no right of access. These are:

1. Financial records of parents;
2. Confidential letters and recommendations written prior to January 1, 1975;
3. Those confidential letters and recommendations for which a waiver of rights to access has been assigned, provided the student is given the names of those writing letters (there are three areas in which waivers may be signed – admission, employment, and honors);
4. Doctors' and psychiatrists' records. However, these may be reviewed by the student's own physician.

Eligible students have the right to request that a school correct records that they believe to be inaccurate or misleading. If the school decides not to amend the record, the student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the student has the right to place a statement with the record setting forth the student's view about the contested information.

A school is not required to consider requests for amendment under FERPA that:

1. Seek to change a grade or disciplinary decision; or
2. Seek to change the opinions or reflections of a school official or other person reflected in an education record.

Generally, schools must have written permission from the student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

1. School officials with legitimate educational interest;
2. Other schools to which a student is transferring;
3. Specified officials for audit or evaluation purposes;
4. Appropriate parties in connection with financial aid to a student or the result of a judicial or quasi-judicial hearing;
5. Organizations conducting certain studies for or on behalf of the school;
6. Accrediting organizations;
7. To comply with a judicial order or lawfully issued subpoena;
8. Appropriate officials in cases of health and safety emergencies; and
9. State and local authorities, within a juvenile justice system, pursuant to specific state law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them.

Any employee who is found guilty of disclosing, discussing, or revealing such personal and confidential information that may be in the employee's possession, to persons who do not have a "need to know," will be subject to disciplinary action up to and including termination of employment.

At the University, information about student rights and responsibilities under FERPA is available in the Office of the Registrar. All inquiries regarding compliance may be directed to the Registrar or the Human Resources Director.

#### **2.1.4 Policy on Discrimination and Harassment**

##### **2.1.4.1 Definitions of Harassment and Sexual Harassment**

The University is committed to upholding standards that promote respect and human dignity in an environment fostering learning and professionalism. It is the policy of the University to maintain an educational and work environment free from all types of discrimination and harassment, an open environment which values and protects individual dignity and the integrity of human relationships. Accordingly, all forms of discrimination against or harassment of any member of the University community, whether based on race, color, gender, age, marital status, religion, national origin, sexual orientation, political affiliation, disability, Vietnam or disabled veteran status, or such other characteristic recognized by law as unacceptable, are prohibited. The educational process at the University is based on mutual trust, freedom of inquiry, freedom of expression, and the absence of intimidation and exploitation. Such an atmosphere of respect and regard for individual dignity among members of the academic community is essential if the University is to function as a center of academic freedom and intellectual advancement. In addition, the University has a compelling interest in assuring the provision of an environment in which learning and working may thrive. Such an environment requires free and unfettered discussion of the widest possible nature, one which encourages expression of all points of view. The University recognizes that the academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material. Assertions regarding any of the recognized characteristics listed above, however, should be directly related to the exchange of ideas, ideologies or philosophies. Any such assertions in the teaching context that are persistent, pervasive, and not germane to the subject matter may constitute sexual or another form of harassment and will not be tolerated.

##### **2.1.4.2 Legal Basis**

The following definitions of harassment are provided with reference to, and are intended to be, inclusive of the provisions of federal and local civil rights acts including Title VI and VII of the Civil Rights Act, Title IX of the Educational Amendments of 1972, the Civil Rights Restoration Act of 1988, as well as applicable state and case law.

##### **2.1.4.2.1 Harassment**

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion to the race, color, gender, gender identity, sexual orientation, age, marital status, religion, national origin, political affiliation, disability, Vietnam or disabled veteran status or such other characteristic recognized by law as unacceptable by an individual or, in some circumstances, by that individual's relatives, friends, or associates, if the conduct:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;

2. Has the purpose or effect of unreasonably interfering with an individual's work performance;
3. Otherwise adversely affects an individual's employment opportunities;
4. Has the purpose or effect of creating an intimidating, hostile, or offensive study or learning environment;
5. Has the purpose or effect of unreasonably interfering with an individual's study or learning experience; or
6. Otherwise adversely affects an individual's educational opportunities.

Sexual harassment occurs in a variety of circumstances that tend to share a common element, which is the introduction of sexual conduct or comments in the work or educational setting. Often, sexual harassment involves relationships of unequal power and contains elements of coercion, as when compliance with requests for sexual favors or sexual attention becomes a condition of employment, work, education, study or benefits. Sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal or physical behavior have a detrimental effect on a person's ability to study or work at the University. Examples of sexual harassment include, but are not limited to the following actions:

1. Physical assault, indecent exposure, physical contact of a sexual nature, or realized sexual encounters;
2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;
3. Direct propositions of a sexual nature;
4. A subtle pressure for sexual activity or a pattern of conduct intended to disconcert, distress, or humiliate through sexual comments or sexually explicit statements, question/jokes, anecdotes, or sexually explicit visual auditory material;
5. A pattern of conduct that would disconcert, distress, or humiliate a reasonable person of the same gender as the person to whom the conduct was directed. The pattern of conduct could include one or more of the following actions: unnecessary touching, unwanted staring, patting, hugging, or brushing against a person's body; remarks of a sexual nature about a person's clothing or body; remarks about sexual activity, or speculations about previous sexual experience.

#### **2.1.4.2.2 Redress of Complaints**

Complaints that may be addressed under this policy include complaints based on the conduct of University students, faculty, administrative and staff members and other persons acting in official University capacities. An individual who believes he/she has been or is currently being subjected to harassment, sexual harassment or discrimination, or who has witnessed harassment, sexual harassment or discrimination, should inform the offending party of the objectionable conduct and make it clear that such behavior is offensive to him/her. If the behavior continues, the individual or witness should address his/her concerns to the appropriate administrative official at the University as set forth below. Anyone in a supervisory capacity who has reason to believe that harassment, sexual harassment or discrimination may be occurring is required to report the conduct to the appropriate administrator or the Title IX Coordinator; failure to report may subject the supervisor to discipline.

##### Complainant

Faculty Member  
 Staff Member (including Administrative Staff)  
 Student

##### Appropriate Administrator

Dean of College/School  
 Director of Human Resources  
 Dean of Student Affairs

If the appropriate administrator is the subject of the harassment or discrimination allegations, the complainant should direct the complaint to one of the other appropriate administrators. In order to maintain a level of consistency in all investigations and dispositions at the University, the appropriate administrator, once contacted, will frequently consult with the other three individuals identified above.

Official allegations of harassment or discrimination are to be made to the appropriate administrator in writing within one hundred eighty (180) calendar days of the allegedly harassing or discriminatory event. The complaint must include the following information:

- Name, address, and telephone number of the complainant;
- Nature of the complaint;
- Date(s) and location(s) of the alleged occurrences(s);
- Evidence on which the complaint is based; and
- Redress sought by the complainant.

Prior to or at any time after the submission of a complaint, the complainant may seek confidential advice and guidance.

The appropriate administrator shall have twenty (20) calendar days in which to conduct an investigation of the complaint. The appropriate administrator may act as investigator or may arrange for another individual to act as investigator in the matter. The investigator shall be familiar with the appropriate sanctions that might be imposed against the individual against whom the complaint is made in the event that harassment or discrimination is found to have occurred. The investigator's report will be provided to a University officer or supervisor with the requisite authority to impose such sanctions.

The purpose of the investigation is to establish:

1. Whether there is a reasonable basis for believing that the alleged violation of the policy has occurred;
2. The factual circumstances surrounding the claim; and
3. The appropriate sanction to be imposed on an individual found to have engaged in prohibited conduct.

The investigator shall promptly provide the person against whom the complaint is made with a copy of the formal complaint and shall notify the appropriate University officer or supervisor of the nature of the complaint and of the identity of the parties.

In conducting the investigation, the investigator may interview the complainant, the person against whom the complaint is made, and any other persons believed to have pertinent factual knowledge. The investigator shall take steps to maintain strict confidentiality to the extent possible without jeopardizing the investigation. The parties and any notified University officer or supervisor shall maintain strict confidentiality as well. The investigation shall afford the person against whom the complaint is made an opportunity to respond to the allegations of the complaint and seek confidential advice. The investigator shall be in communication with the complainant until the complaint is resolved. The complainant shall be informed of general actions taken but shall not be informed of specific conversations held with the person against whom the complaint is made.

Upon the expiration of the twenty (20) calendar day period, the investigator shall have an additional ten (10) calendar days to produce a written report summarizing the findings of fact and providing recommendations as to the appropriate administrative action to be taken. This report will be provided to the parties involved, to the appropriate University officer or supervisor and to the President of the University. If sanctions are imposed, this report will become a part of the personnel file of the individual against whom the complaint was made.

Recommended sanctions may include, but are not limited to, written reprimand of the person against whom the complaint is made, suspension or dismissal of the person against whom the complaint is made, a change of grade or other academic record, a change of course section, a change of reporting line for an employee, or any other appropriate sanction(s) under the circumstances. Sanctions will be imposed in accordance with the provisions set forth in Volume IV, Faculty Policies; Volume III, General Employee Policies; Volume V, Administrative and Staff Policies; and Volume VII, Student Policies, as applicable. A complaint may also be brought by a person outside the University community if the alleged offense occurred with regard to application for admission as a student, to inquiry or application for employment, to bidding for contracts by individuals or company representatives, or to any other official action by a member of the University community. The appropriate administrative official to whom such a complaint should be directed will be determined by the position the individual was attempting to obtain at the University.

#### **2.1.4.2.3 Appeals**

If either party disputes the findings or is dissatisfied with the procedures or recommendations of the investigator's report, the party may appeal such findings by filing a written appeal with the President of the University within seven (7) calendar days of receipt of the written report. The President of the University will review the record of the matter and will reach a final determination as to any action to be taken within ten (10) calendar days of receipt of the appeal.

The determination of the President of the University is final. Rules governing the grievance committees of faculty, staff, administrators and students are provided in their respective volumes in this Policy Manual.

#### **2.1.4.3 Anti-Retaliation Statement**

Huston-Tillotson University prohibits retaliation of any kind against any individual who in good faith reports or cooperates with an investigation into an incident of harassment or discrimination. Initiating a complaint of harassment or discrimination will not affect a complainant's employment, compensation or work assignments or, in the case of students, grades, class selection, or any other matter pertaining to student status.

Distinguishing between harassing or discriminatory conduct and conduct that is purely personal or social without a harassing or discriminatory work or educational effect requires a determination based on all of the facts pertaining to the situation. False accusations of harassment or discrimination can seriously injure innocent people. Initiating a false harassment or discrimination complaint or initiating a harassment or discrimination complaint in bad faith may result in disciplinary action. A finding for the accused does not constitute a finding the complaint was in bad faith.

Retaliatory actions include, but are not limited to, threats or actual violence against the person or their property, adverse educational or employment consequences, ridicule, intimidation, bullying, or ostracism. HT will impose sanctions on any faculty, staff, or student found to be engaging in retaliation.

#### **2.1.4.4 Hostile Environment in Absence of Complaint**

If the University has credible notice – either direct or indirect – of possible discrimination, harassment, or sexual harassment of a member of its community or notice of a sexually hostile, harassing or discriminatory environment. In the absence of a complaint, the University will take immediate and appropriate steps to investigate or otherwise determine what occurred and take steps reasonably calculated to end any harassment and/or discrimination, eliminate a hostile environment if one has been created, and prevent harassment and/or discrimination from occurring again. Complaints involving sexual harassment by any University employee or vendor should be referred to Human Resources or the Title IX Coordinator.

#### **2.1.4.5 Sexual Misconduct**

Sexual misconduct is unacceptable and will not be tolerated at Huston-Tillotson University or institution sponsored events. Accordingly, Huston-Tillotson University urges an individual to make a formal report if that individual is the victim of sexual misconduct, has knowledge of another person being the victim of sexual misconduct or believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct. A report of sexual misconduct will be dealt with promptly. Confidentiality will be maintained to the greatest extent possible.

All members of the Huston-Tillotson University community, including but not limited to students, faculty (including adjunct faculty), staff, volunteers and independent contractors are subject to this policy.

Violators will be subject to disciplinary action that may include termination, expulsion, suspension, removal from campus, cancellation of contract, other appropriate institutional sanctions or any other means necessary to address the behavior. Prosecution by civil and/or criminal authorities may also occur.

##### **2.1.4.5.1 Definitions**

This policy defines sexual misconduct as the threat or the commission of behavior used to obtain sexual gratification against another's will or at the expense of another such as inducing fear, shame or mental suffering. Sexual misconduct includes unwanted sexual acts or actions, whether by an acquaintance, a person in the position of authority, or a stranger that occurs without indication of consent of both individuals or under threat or coercion. Sexual misconduct can occur either forcibly and/or against a person's will, or when a person is incapable of giving consent. Silence does not in and of itself constitute consent. The victim of sexual misconduct may be anyone, including but not limited to, adults, adolescents, minors, the developmentally disabled and vulnerable individuals regardless of age.

Sexual misconduct may include, but is not limited to, rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling and threat of sexual assault.

This policy does not address acts of sexual harassment which is also considered sexual misconduct, but is dealt with in a separate policy.

##### **2.1.4.5.2 Confidentiality of Information**

Huston-Tillotson University will make every effort reasonably possible to preserve the privacy of an individual who makes a report under this policy and to protect the confidentiality of the information reported. The degree to which confidentiality can be protected, however, depends upon the institution's legal duty to respond to the information reported and the professional role of the person being consulted.

##### **2.1.4.5.3 Education and Prevention**

###### **Student Educational Programs**

Huston-Tillotson University provides resources for education about and prevention of sexual misconduct. Members of the campus community are urged to take advantage of the following on-campus prevention and educational resources:

- *New student orientation;*
- *Programming throughout the year geared toward prevention; and*
- *Personal counseling in the University Center for Counseling and Consultation.*

## **Employee Training**

Sexual misconduct often takes place when there is a power imbalance. A sound sexual misconduct prevention training program prioritizes awareness directly tied to prevention, along with strategies for a proactive response once a warning sign emerges.

Sexual misconduct prevention training is required for members of the Huston-Tillotson University campus community according to the following schedule:

- *New faculty and staff, within six months of hire;*
- *All faculty, staff and volunteers who come in contact with protected persons – biennially;*
- *Key students, camp counselors and program leaders prior to performing the duties or participating in the qualifying activity; and*
- *Additional training is provided for Student Affairs staff including Resident and Peer Advisors.*

### **2.1.4.5.4 Options Following an Act of Sexual Misconduct**

## **Medical Treatment**

A person who is the victim of sexual misconduct is urged to seek appropriate medical evaluation as promptly as possible.

- *For life-threatening conditions, call 911.*

*Individuals may be treated at various medical facilities across the city. Below is the name of a conveniently located hospital.*

*University Medical Center Brackenridge  
601 East 15th Street  
Austin, TX 78701  
Phone: 512.324.7000*

## **Medical-Legal Evidence Collection**

A person who believes he/she is the victim of sexual misconduct (particularly rape, forcible oral copulation or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails interaction with police and a police report. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action.

## **Obtaining Information, Support and Counseling**

Whether or not one makes a formal report, a person who is the victim of sexual misconduct is encouraged to obtain information, counseling and support. Counselors at a variety of agencies, both on and off campus, can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling, or filing a report with authorities.

Information, support and advice are available for anyone who wishes to discuss issues related to sexual misconduct, whether or not an act of sexual misconduct has actually occurred, and whether or not the person seeking information has been assaulted, accused of an act of sexual misconduct or is a third-party.

The degree to which confidentiality can be protected depends upon whether Huston-Tillotson University has a legal duty to respond to the allegations and the professional role of the person consulted. The scope of confidentiality should be addressed by that professional person before specific facts are disclosed.

Faculty & Staff: Employee Assistance Plan (EAP) 1.800.343.3822

Students: Huston-Tillotson University Counseling and Consultation Center  
512.505.3046

Community Resources: Austin Police Department Victim Services 512.974.5000  
[www.ci.austin.tx.us/police/victim.htm](http://www.ci.austin.tx.us/police/victim.htm)

SAFEPLACE-Ending Sexual and Domestic Violence 512.267.7233  
[www.safeplace.org](http://www.safeplace.org)

National Sexual Violence Resource Center (NSVRC) 877.739.3895 Toll Free  
[www.nsvrc.org](http://www.nsvrc.org)

Rape, Abuse & Incest National Network (RAINN) 800.656.HOPE  
[www.rainn.org](http://www.rainn.org)

#### **2.1.4.5.5 Formally Reporting an Act of Sexual Misconduct**

Huston-Tillotson University has policies and procedures in place for the confidential reporting by faculty, staff and students of ethics related issues such as sexual misconduct. A person who is the victim of sexual misconduct, has knowledge of another person being the victim of sexual misconduct or believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct is urged to make a formal report to:

- The designated campus administrator;
- Local law enforcement authorities; and
- Huston-Tillotson University Campus Safety 512.505.3010

Whether or not a witness or victim elects to report an act of sexual misconduct or the warning signs of sexual misconduct to the police, he or she should make a formal report directly to:

Faculty and Staff: Human Resources Director  
900 Chicon St., Austin, TX 78702  
PH: 512.505.3015

Students: Dean of Student Affairs  
900 Chicon St., Austin, TX 78702  
PH: 512.505.3036

Or

Faculty/Staff/Title IX Coordinator

Students: 900 Chicon Street, Austin, TX 78702  
512.505.3041

Another means of confidential reporting that is available to faculty and staff of Huston-Tillotson University is the **Campus Conduct Hotline**. It is a confidential, independent call-in service that provides a simple, anonymous way for employees to alert the institution's administration of problems that are occurring within the campus community. Employees are encouraged to call the Campus Conduct Hotline if they experience or observe any of the following: Sexual Harassment/Misconduct, Discrimination, Fraud or Crime, Code of Conduct Violations, Workplace Hostility, Unethical Practices, Fraudulent Financial or Business Practices, Safety or Facility Risk Issues, Security and Internet Policy



Abuses, etc. Any complaint along with the University's response is distributed to the Chairman of the Board of Trustees.

#### **2.1.4.5.6 Policy Enforcement**

##### **Disciplinary Action**

All reported alleged incidents of sexual misconduct will be reviewed and investigated. If the evidence supports the allegation, the appropriate Huston-Tillotson University judicial procedures as described in the applicable handbook for students, faculty and staff will be initiated. Possible sanctions may include, but are not limited to, expulsion, suspension, removal from campus, cancellation of contract and/or termination. Other members of Huston-Tillotson University's community who are not subject to an explicit judicial procedure, upon a finding of a violation, shall be subject to adverse actions such as removal from campus, cancellation of appointment/contract or any other means necessary to address the behavior.

##### **Non-Retaliation**

Huston-Tillotson University prohibits retaliation against any individual who in good faith reports an incident of sexual misconduct or the possible witnessing of the warning signs of sexual misconduct. Huston-Tillotson University also prohibits retaliation against any individual who cooperates with an investigation regarding any matter covered by this policy.

##### **Improper Conduct During an Investigation**

Any member of the Huston-Tillotson University community who provides knowingly false information or who refuses to cooperate in an investigation related to this policy will be subject to disciplinary action, up to and including expulsion, suspension, termination, removal from campus, cancellation of appointment/contract or any other means necessary to address the behavior.

#### **2.1.4.5.7 Institutional Responses**

##### **Public Information**

All requests from the media, the campus community at large or the general public, for information concerning an alleged incident of sexual misconduct should be directed to the Director of University Relations, 512.505.3006. Employees of Huston-Tillotson University are not authorized to respond to any media inquiries. Failure to comply with this requirement may be subject to possible sanctions including, but not limited to, expulsion, suspension, removal from campus, cancellation of appointment/contract and/or termination.

#### **2.1.5 Statement of Tolerance**

Huston-Tillotson University is committed to promoting tolerance and understanding among its faculty, staff, and students. Our campus community reflects and is a part of a society comprising all races, creeds and social circumstances. In keeping with UNESCO's Declaration of Principles on Tolerance (Article 1, Meaning of Tolerance), we assert the following:

- Tolerance is respect, acceptance and appreciation of the diversity of our community, our forms of expression, and ways of being human. It is fostered by knowledge, openness, communication, and freedom of thought, conscience and belief.
- Tolerance is not concession, condescension or indulgence. Tolerance is, above all, an active attitude prompted by recognition of the universal human rights and fundamental freedoms of others. In no circumstance can it be used to justify infringements of these fundamental values.
- Tolerance is not only a moral duty; it is also a political and legal requirement.

- Consistent with respect for human rights, the practice of tolerance does not mean toleration of social injustice or the abandonment or weakening of one's convictions. It means that one is free to adhere to one's own convictions and accepts that others adhere to theirs. It means accepting the fact that human beings, naturally diverse in their appearance, situation, speech, behavior and values, have the right to live in peace and to be as they are. It also means that one's views are not to be imposed on others.

Attempting to assert one's viewpoint (verbally, via e-mail, or through literature) upon another may be construed as harassment. It is the policy of the University to maintain an educational and work environment free from all types of discrimination and harassment, an open environment which values and protects individual dignity and the integrity of human relationships. Accordingly, all forms of discrimination against or harassment of any member of the University community, whether based on race, color, gender, age, marital status, sexual orientation, religion, national origin, political affiliation, disability, Vietnam or disabled veteran status, or such other characteristic recognized by law as unacceptable, are prohibited. Sanctions, such as a written reprimand, suspension or dismissal, a change of grade or other academic record, a change of course section, a change of reporting line for an employee, or any other appropriate sanction(s) under the circumstances may be imposed upon an employee found to be harassing another.

### **2.1.6 Institutional Policy on Disability**

#### **2.1.6.1 Policy for Employing People with Disabilities**

Reasonable accommodation for known physical or mental disabilities of qualified persons with disabilities will be made unless the accommodation imposes an undue hardship on the University. In appropriate circumstances, such accommodation might include restructuring a job (without affecting the essential tasks to be performed), work schedule adjustments, modification or provision of equipment or devices.

Employees will be provided the opportunity to voluntarily make known a physical or mental disability. Information will be treated in a confidential manner except where managers, supervisors, medical and campus safety staff members are to be informed for the welfare of the employee, other employees or students. Medical documentation may be required of the employee to support the need for a reasonable accommodation. Such documentation shall include a specific description of the disability, its expected duration and the limitations imposed by the disability.

#### **2.1.6.2 Students with Disabilities**

See Volume VII, Student Handbook.

### **2.1.7 Consensual Relationships Policy**

It is the policy of the University that employees with direct teaching, supervisory, advisory, or evaluative responsibility over other employees, students, or student employees recognize and respect the ethical and professional boundaries that must exist in such situations. Consensual relationships, as defined in this policy, create conflicts of interest or appearances of impropriety that impair the integrity of academic and employment decisions. Such relationships also contain the potential for exploitation of the subordinate employee, student, or student employee and the possible professional or academic disadvantage of third parties, and such relationships can subject both the University and individuals to the risk of liability. Therefore, the University strongly discourages consensual relationships between supervisors and subordinates, teachers and students, and advisers and students. Should such a relationship develop, the teacher, supervisor, or adviser has the obligation to disclose its existence to an immediate supervisor and cooperate in making alternative arrangements for the supervision, evaluation, teaching, grading, or advising of the employee, student, or student employee.

This policy applies to all employees (faculty, staff, adjuncts, volunteers) and students of Huston-Tillotson University.

A consensual relationship is a mutually acceptable romantic or sexual relationship between a University employee with supervisory, teaching, evaluation, or advisory authority and an employee, student, or student employee who is directly supervised, taught, evaluated, or advised by that employee.

A conflict of interest or an appearance of impropriety arises when an individual with the authority and the responsibility to evaluate the work or performance of an employee, student, or student employee initiates, acquiesces in, or engages in an intimate romantic or sexual relationship with that employee, student, or student employee.

#### ***2.1.7.1 Reporting Responsibility***

In the event that a consensual relationship exists or begins to develop, the individual in the supervisory, teaching, or advisory position shall immediately notify his or her immediate supervisor of the relationship and cooperate with that supervisor in making the arrangements necessary to resolve the conflict of interest. Furthermore, any University employee who engages in a consensual relationship with a student, regardless of the reporting relationship, must disclose it to the Office of Human Resources.

#### ***2.1.7.2 Immediate Supervisor Responsibility***

A supervisor who is notified or becomes aware of a consensual relationship shall report it to the Office of Human Resources and take immediate steps to alter the conditions that create the conflict of interest or the appearance of impropriety caused by the relationship. In most instances, that will be accomplished by providing an alternative means for the supervision, teaching, advising, or evaluation of the subordinate employee, student, or student employee.

#### ***2.1.7.3 Failure to Report or Cooperate***

Employees in positions of authority who enter into or persist in consensual romantic or sexual relationships without reporting them, or who fail to cooperate in efforts to eliminate the conflict of interest or appearance of impropriety they present, will be subject to disciplinary action, up to and including termination. In the event that a complaint of sexual harassment or sexual misconduct is brought by the subordinate party regarding an unreported relationship, there will be no presumption that the relationship was consensual in nature.

Disciplinary actions imposed for violations of this policy may be grieved or appealed by the individual who is disciplined pursuant to existing University policies and procedures.

**For assistance:** Questions regarding this policy should be directed to the Office of Human Resources or to the Office of the Dean of Students.

#### ***2.1.8 Children or Guests in the Workplace***

Huston-Tillotson University values an atmosphere that fosters a healthy balance between workplace obligations and family matters. However, frequent recurring presence of visitors or family members during work hours is not permitted. Faculty, Staff and Students with dependent children are expected to make external arrangements for proper care of their children while at work.

The University does not permit continual presence of children who require direct supervision in the workplace in lieu of other childcare arrangements. Emergencies should be discussed with your supervisor and may be accommodated on an individual basis. This policy applies to all campus buildings, including the Residence Halls where children are not permitted.

This policy is not intended to prohibit family members, minors, and dependents from attending official University events.

## **2.2 Workplace Violence**

Huston-Tillotson University is committed to an environment safe and free from physical assault, threats, and harassing behaviors for its students, faculty, staff, and visitors and shall enforce a zero-tolerance policy with regard to acts of intimidation, threats of violence, and acts of violence in the workplace. Members of the University community will take all reports of possible workplace violence seriously. The University's emphasis will be proactive and its goals are education and training, early detection and intervention, and fair and expedient resolution.

Workplace violence is the attempted, threatened, or actual conduct of a person who endangers or is likely to endanger the health and safety of administrators, faculty, staff, students, or visitors; or any threatening statement, harassment, or behavior that gives administrators, faculty, staff, students, or visitor's reasonable cause to believe that their health and safety is at risk. Violence, threats, and harassment are always prohibited, especially whenever: 1) the act, behavior, or communication is abusive and could cause another person physical, emotional, or psychological harm; and/or, 2) the act, behavior, or communication damages or threatens damage to the University's or an individual's property or disrupts the education, work, or activities of an individual or group of people. Sexual harassment is an act which may be violent and is dealt with under a separate policy. When the act constitutes sexual harassment, the policy on harassment is used.

Employees must notify their supervisors and Campus Safety of any restraining orders against individuals (employees or nonemployees) that include the workplace. The possession of or the use of any firearm, weapon, deadly weapon or other dangerous or flammable material is strictly forbidden on the property owned or operated by the University. "Deadly Weapon" is defined to be any firearm, knife or substance or thing which, in the manner it is used, is intended to be used or threatened to be used, is known to be capable of producing death or serious bodily injury. Any University employee who is the subject of, or witness to, a suspected violation of this policy should report the violation to the Director of Campus Safety immediately.

Employees or students who engage in actions or threats of violent behavior toward other employees, students, or the public while at Huston-Tillotson University will be disciplined, up to and including termination and/or arrest. A purpose of this policy is to deal with workplace violence proactively, through education, mediation, consultation, before it escalates to the formal level of disciplinary action. Workplace violence incidents reaching the formal level will be dealt with by relevant rules, regulations, and policies.

### **2.2.1 Examples**

Examples of workplace violence include, but are not limited to, the following:

1. Threats of harm;
2. Brandishing a weapon or an object that appears to be a weapon;
3. Intimidating, threatening, or directing abusive language toward another person;
4. Stalking a campus community member or visitor anywhere on the campus;
5. Slapping, punching, or otherwise physically attacking a person;
6. Telling another person you will "beat them up", or any other words to the same effect, to intimidate them;
7. Putting your closed fist close to another's face in an intimidating/threatening manner; and
8. Using greater physical size/strength or greater institutional power to intimidate another.

### **2.2.2 Criminal Complaints of Workplace Violence**

Any individual who experiences or witnesses violence, threats of violence or harassing behavior, or who has reason to suspect that these acts or behaviors are occurring, and may be of a criminal nature, should immediately notify Campus Safety. If these acts or behaviors occur off campus, the local law enforcement jurisdiction should be contacted. If the incidents are likely to be work-related or could continue in the work place, Campus Safety is to be notified.

Campus Safety will investigate any criminal allegation or coordinate with the local law enforcement agency and provide a report(s) on the result(s) to Human Resources. Alleged behaviors that may not be criminal may still be subject to University policy and subject to appropriate disciplinary action, up to and including termination subject to applicable state statutes and contractual agreements.

### **2.2.3 Non-Criminal Allegations of Workplace Violence**

Alleged behaviors that may not be criminal may still be subject to University policy. A student, faculty, staff, or visitor may wish to request informal campus review and action. If this is the case, the individual should inform his/her supervisor, department chair or dean, Campus Safety, or Human Resources, either orally or in writing, within 30 calendar days of the last occurrence. It is not necessary to inform a direct supervisor first if an employee would prefer to discuss this matter with any of the other individuals in the positions listed above.

The supervisor, department chair or dean, or Human Resources staff will talk with the person reporting the workplace violence to get details about the events with the primary goal being to provide an opportunity to resolve the concerns through mediation, conflict resolution, and conciliation. Informal procedures at this time include, but are not limited to, separate meetings with the parties involved, joint meetings with the parties involved, and meetings of only the parties involved.

If resolution does not appear probable, referral of the complainant should be through the Huston-Tillotson University formal complaint process. Any employee can go directly to the formal complaint process if he/she so desires.

### **2.2.4 Confidentiality**

Confidentiality is important to encourage discussion on campus and is paramount insofar as it is legal and ethical. It is not guaranteed. Depending upon the facts of a case, it may be necessary for the University to take action, including consultation with others.

### **2.2.5 Retaliation**

To better ensure a safe workplace and to encourage responsible reporting of violence in the workplace, retaliation or harassment against a person making a report in good faith will not be tolerated and may subject the person engaging in alleged retaliation to disciplinary actions.

## **2.3 Health Related Policies**

### **2.3.1 Serious Disease Policies and Procedures**

Employees, faculty or students with infectious, long-term, life-threatening, or other serious diseases may continue their work or attendance at the University as long as they are physically and mentally able to perform the duties of their job or meet their academic responsibilities without undue risk to their own health or the health of other employees or students.

Serious diseases for the purposes of this policy include, but are not limited to, cancer, heart disease, multiple sclerosis, hepatitis, tuberculosis, human immunodeficiency virus (HIV), and acquired immune deficiency syndrome (AIDS). The University will support, where feasible and practical, educational programs to enhance employee and student awareness and understanding of serious diseases.

The mere diagnosis of HIV, AIDS, AIDS - related complex (ARC), or AIDS virus antibodies, or any other serious communicable disease is not, in itself, sufficient basis for imposing limitations, exclusions or dismissal. Harassment of individuals with, or suspected of being infected with, any disease is not acceptable behavior at the University and will be strictly censored. The diagnosis of the condition, as any other medical information, is confidential.

In working with faculty, employees or students diagnosed with HIV, AIDS or any other serious communicable disease, the University will proceed on a case-by-case basis with the advice of medical professionals. These factors will be considered:

1. The condition of the person involved and the person's ability to perform job duties or academic responsibilities;
2. The probability of infection of co-worker's or other members of the University community based on the expected interaction of the person in the University setting;
3. The possible consequences to co-workers and other members of the University community, if infected;
4. Possible reasonable accommodations and modifications to the individual's job or other obligations to take account of the condition;
5. Risk to the person's health from remaining on the job or in the University community;
6. Any requirements that may be imposed by any applicable state or federal law; and
7. Other appropriate factors.

Any determination with respect to an employee or student will be made following consultation with the affected employee or student, the employee or student's treating physician (if available), and such other persons as need to be involved in such a situation.

Disclosure will take place only if deemed medically advisable and legally permissible. The appropriate health department will be informed of all cases of diseases required to be reported under state or federal law.

Additional health related policies can found in Volume VII, Student Handbook.

### **2.3.2 Hepatitis B Vaccine (HBV)**

Hepatitis B Vaccine (HBV) vaccinations will be offered on a voluntary basis to all identified persons. Only Campus Safety and Health Services personnel or persons CPR/First Aid/AED certified should be required to show proof of Hepatitis B series.

Education will be provided to inform identified persons about the Hepatitis B Vaccine and how it can protect their health.

Each person will be required to sign an informed consent form prior to receiving the vaccination. Identified individuals who refuse the vaccine will be required to sign a declination.

The person will receive a schedule for follow-up injections at one month and six months. A reminder will be sent before each scheduled injection. It is each individual's responsibility to report for the injection.

### **2.3.3 Employee Drug and Alcohol Policy**

#### **2.3.3.1 Introduction and Policy Statement**

Huston-Tillotson University is committed to maintaining a safe and healthful environment for members of the University community by promoting a drug-free environment as well as one free of the abuse of

alcohol. In accordance with both the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act, Huston-Tillotson University strictly prohibits the unlawful manufacture, sale, distribution, dispensation, possession or use of controlled substances or alcohol on University property or as a part of any University sponsored activity except as noted below. Certain University sponsored events (e.g., Masked Ball Gala, receptions) may permit service and/or consumption of alcoholic beverages by persons who have reached the age of twenty-one or older as complimentary to that event. Under no circumstances should a University sponsored event or event taking place on University property have the consumption of alcohol as its primary focus. All faculty, staff and students must comply with this policy as a condition of their employment or enrollment. Faculty and staff members are prohibited from reporting to work under the influence of alcohol, chemicals, or drugs, including legally obtained prescription drugs, which impair one's ability to perform normal work activities.

#### **2.3.3.2 Violations**

Any employee engaged in such prohibited conduct, or convicted of a crime involving a workplace drug or alcohol violation, will be subject to discipline, up to and including discharge. The University will weigh all relevant facts and circumstances in reaching a decision to discipline. Without regard to, and independent of its decision to impose discipline, the University retains the right to require that an employee who engages in prohibited conduct participate in, and successfully complete, a substance abuse assistance or rehabilitation program. In addition, University employees must report in writing to the Office of Human Resources within five (5) calendar days of any drug or alcohol related arrest or conviction occurring in the workplace, in the conduct of University business, or in the employee's non-work related activities. The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with responsibility to determine violations of State or Federal criminal drug statutes.

Nothing contained in this policy statement concerning employees will be construed to limit or in any way restrict the University's treatment of drug and alcohol related incidents involving any of its employees or students.

#### **2.3.3.3 Authorized Use of Prescribed Medicine**

Faculty and staff members undergoing prescribed medical treatment with any drug that interferes with their work activity must report this treatment to their supervisor and the Office of Human Resources. Prescribed medication should be kept in its original container, which identifies the drug, date, and prescribing doctor.

#### **2.3.3.4 Pre-Employment and Random Testing**

All offers of employment in safety sensitive positions, including offers of regular or temporary employment, will be contingent upon satisfactory results of a drug test. Furthermore, the University may require drug tests on a random basis for current employees serving in those safety sensitive positions which, by definition, involve critical tasks that, if performed improperly, could result in risk or harm to others. Positions in the following departments are currently deemed safety sensitive by the University:

- Campus Safety Department;
- University Health Services (all persons who may be involved in patient care including nurses and counselors);
- Athletic Department Trainers and Coaches;
- Key Student Affairs staff including Resident Assistants;
- Commercial Drivers' License holders as required by the federal Department of Transportation regulations; and

- Individuals who operate University vehicles.

The University may change this list if positions are added or changed to include tasks involving significant risk.

#### **2.3.3.5 For-Cause Testing**

By its very nature, for-cause testing is based upon indicators of drug or alcohol usage. With this in mind, the University may request an employee, as a condition of his or her employment, to undergo drug and/or alcohol testing if the University has a reasonable belief that the employee may have violated the Drug and Alcohol policy. Such reasonable belief may be based on, but not limited to, the following factors:

- The employee exhibits physical signs of alcohol and/or illegal drug use;
- The supervisor or other University representative reasonably believes that an employee's unsatisfactory job performance, misconduct, or poor attendance may be related to drug or alcohol use;
- The employee has a work-related accident that (i) results in damage to University property or physical injury to another person, (ii) is the second or more work-related accident the employee has experienced, or (iii) if the employee seeks medical treatment, the examining physician reasonably believes the accident was related to drug or alcohol use;
- The University obtains reliable information that the employee has or may have violated the University's Drug and Alcohol policy, or that Drug and Alcohol policy violations have or may have occurred in a department or unit at the University in which the employee works.

Employees who are exhibiting physical signs of alcohol and/or illegal drug use should be reported immediately to the Office of Human Resources or Campus Safety for further investigation.

#### **2.3.3.6 Drug and Alcohol Counseling, Treatment or Rehabilitation or Re-Entry Programs**

Early recognition and treatment of drug or alcohol abuse are important for successful rehabilitation and for reduced disruption on both a personal and professional level. Huston-Tillotson University supports the earliest possible diagnosis and treatment for drug and alcohol abuse and encourages members of the campus community to voluntarily seek assistance. A variety of resources exist for drug or alcohol counseling, treatment and rehabilitation programs.

Available University resources include: Counseling and Consultation Center (512.505.3046), Health Services (512.505.3039), and Campus Ministry (512.505.3054). Employees may also contact the Employee Assistance Program (1.800.343.3822).

Students exhibiting signs of excessive alcohol consumption will be transported via Emergency Medical Services (EMS) at possible student's expense for medical attention. Refusal to cooperate with EMS personnel may result in arrest by local police/campus safety officers in order to ensure the student's health and safety and/or a conduct complaint for disorderly conduct and/or failure to comply.

It is HT policy to notify parents or guardians of students under the age of 21 when the student has been found responsible to be involved in any **second or serious** alcohol or other drug related violation of the *Student Handbook, Vol. VII 7.2.24*, federal, state, or local laws.

Numerous non-University counseling programs exist in the Greater Austin area. Other resources may include assessment, individual counseling, educational programs, materials, and referral and case management through community agencies, all of which might include a fee. Consultation with one's personal physician is advised prior to self-referral to such non-University programs.



### **2.3.3.7 Health Risks**

It is important to recognize that the effect drugs and alcohol can have on an individual cannot be predicted. Everyone's brain and body chemistry is different and, therefore, each individual's tolerance is different. Using drugs and alcohol can significantly impair the judgment and coordination of an individual and has the potential to lead to abuse, addiction, serious health problems and even death. Drugs that are legal-prescription and over the counter (OTC) medications can be just as dangerous as illegal drugs.

**Drugs:** A detailed description of the health risks associated with abuse of controlled substances can be found U.S. Department of Justice's Drug Enforcement Administration website [www.dea.gov](http://www.dea.gov)

**Alcohol:** A detailed description of the health risks associated with the abuse of alcohol can be found at the Center for Disease Control and Prevention website <http://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

### **2.3.3.8 Legal Sanctions**

Local, state and federal laws prohibit the unlawful possession, use, distribution, and sale of alcohol and illicit drugs. Criminal penalties for violation of such laws range from fines to imprisonment for terms up to and including life. Students and employees are also subject to all applicable legal sanctions under local, state, or federal law for any offenses involving illicit drugs on HT property or at HT sponsored activities/events. This information is located on the Counseling and Consultation Center, Health Services, and Title IX websites as well as in the Student Handbook.

### **2.3.3.9 Loss of Workers' Compensation Benefits**

The Texas Workers' Compensation Act may require the forfeiture of benefits or compensation otherwise payable to an employee when the use of alcohol or non-prescribed controlled drugs is the proximate cause of the employee's injury. At a minimum, the Act provides for a reduction in benefits or compensation when the employee is injured while using alcohol or non-prescribed controlled drugs.

### **2.3.3.10 Inspections**

The University reserves the right to inspect the workplace for alcohol, controlled substances, or paraphernalia relating to alcohol or controlled substances and to question any employee when it reasonably suspects that this policy or any procedure under this policy has been violated

Student drug and alcohol policies may be found in Volume VII, Student Handbook.

### **2.3.4 Smoke Free/Tobacco Free Environment**

In accordance with the City of Austin ordinance and Huston-Tillotson University Policy, smoking and tobacco use of any kind, will be prohibited on all Huston-Tillotson University owned and/or leased locations/premises; all internal and external areas, including private space within residence halls, and parking lots; all entrances and exits; and all company owned and/or leased vehicles. Additionally, the policy will be in place at all company-sponsored events – both on our premises and at external locations. Students, faculty and staff who choose to use tobacco products must do so on their regularly scheduled breaks or meal periods and off University property. No ashtrays are permitted in any indoor or outdoor area on University premises.

This policy is in effect before, during and after work hours and will apply to:

- All campus faculty, staff, students and visitors;
- Customers, vendors, clients, consultants, contractors, and all other visitors; and
- Members of committees, including HT Board of Directors.

Non-compliant, faculty, staff and students are subject to the University's established disciplinary procedures. No tobacco-related advertising or sponsorship shall be permitted on University property, at University-sponsored events, or in publications produced by the University. For the purpose of this policy, "tobacco-related" applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, or identifiable, with, those used for any brand of tobacco products or company which manufactures tobacco products. Tobacco products refer to all forms of tobacco, including but not limited to, cigarettes, cigars, pipes, water pipes (hookah), bidis, kreteks, electronic cigarettes, smokeless tobacco, snuff, chewing tobacco and any non-FDA approved nicotine delivery device.

Any employee who encounters a violator is encouraged to inform the person of the ordinance and may seek and expect the assistance of any University Campus Safety officer or unit head to enforce compliance.-

### **2.3.5 Worker's Right to Know**

The Employee Right to Know Act of 1983 defines handling procedures for working with and handling hazardous and toxic chemicals. A copy of this Act in its entirety may be obtained from the Human Resources Department. The following summarizes the provisions of the Act:

1. Provides for occupational safety and health;
2. Defines hazardous substance;
3. Defines harmful physical agent;
4. Requires employers using hazardous substances and harmful physical agents to provide employees with certain training information;
5. Requires that hazardous substances and harmful physical agents must be labeled under certain circumstances;
6. Creates a right to refuse work under conditions violating any applicable State Occupational Safety and Health Act;
7. Creates a right to refuse to work with a hazardous substance or harmful physical agent under certain conditions; and
8. Provides penalties.

### **2.3.6 Health Insurance Portability and Accountability Act (HIPAA)**

The University complies with all laws that govern employee and student medical records, their review and their dissemination.

Huston-Tillotson University will not require individuals to waive their health privacy rights as a condition for treatment, payment, enrollment in a health plan, or for eligibility of benefits.

Huston-Tillotson University will not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against an individual for exercising health privacy rights.

## **2.4 Campus Safety**

### **2.4.1 Firearms and Weapons**

As of January 1, 1996, carrying concealed handguns in the State of Texas became legal. Individuals who qualify under the State statute to carry a concealed handgun should be aware of applicable provisions of the concealed handgun law.

S.B. 11 also authorizes a private institution of higher education, after consulting with students, staff, and faculty of the institution, to establish rules, regulations, or other provisions prohibiting license holders from carrying handguns on the campus of the institution, any grounds or building on which an

activity sponsored by the institution is being conducted, or a passenger transportation vehicle owned by the institution. [S.B. 11, Sec. 411.2031 (e)].

In accordance with the S.B. 11 'opt-out' clause, Huston-Tillotson University, after consulting with our campus constituents and endorsement from the Huston-Tillotson University Board of Trustees, has elected to prohibit the carrying of concealed or open carry handguns including, but not limited to, the following areas:

- On any University property, including any building or land under the control or ownership of the institution;
- University parking lots;
- Any University vehicle, including cars, vans and buses; and
- Off campus sporting events and University sponsored activities.

An important exception to the "opt out" discretion provided in S.B. 11 to private or independent institutions of higher education pertains to S.B. 1907, which became effective on September 1, 2013 (now codified at Texas Gov't Code, §411.2032). S.B. 1907 prohibits both private and public institutions of higher education from adopting or enforcing any rule (including posting notice under Section 30.06), prohibiting or placing restrictions on a license holder from the storage or transportation of a firearm or ammunition in a locked privately owned or leased motor vehicle, on a street, driveway or parking area located on the campus of the institution.

This policy applies to all students, faculty, staff, and visitors of the University, with the exception for Law Enforcement Officers.

Prosecution will be pursued against violators of any section of this law.

Direct questions regarding this issue to the Director of Campus Safety.

#### **2.4.2 Hazing**

See Volume VII, Student Handbook.

#### **2.4.3 Clery Act (Federal Student Right-to-Know and Crime Awareness and Campus Security Act of 1990)**

The Clery Act (Federal Student Right-to-Know and Crime Awareness and Campus Security Act of 1990) is federal legislation requiring colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of post-secondary education participating in federal student aid programs are subject to it and required to provide this information.

Annual Campus Criminal Statistical Information is available from Campus Safety. The report is on the Campus Safety webpage of the University's website.

#### **2.4.4 Sex Offender Registration Policy**

The Campus Sex Crimes Prevention Act is a Federal law enacted in October 2002 that provides for the tracking of convicted, registered sex offenders who are either enrolled as students or working at institutions of higher education. The Act amended the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. Under the provisions of this Act, any person who is required to register under a State sex offender registration program must notify the State when the registrant enrolls at an institution of higher education or is employed at such an institution. Additionally, the sex offender registrant must notify the State of any change in enrollment or employment at an institution of higher learning. The State will provide a list of registered sex offenders who have indicated they are either enrolled or employed at the University to Campus Safety.

In accordance with the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (as amended by the Campus Sex Crimes Prevention Act), the University shall publish a statement in each Annual Campus Safety and Security/Crime Statistic Report where the list of registered sex offenders can be found.

The University encourages members of the campus community who wish to be informed of the identities of registered sex offenders residing in the surrounding area to contact the Texas Department of Public Safety at <http://www.txdps.state.tx.us>; (512) 424-2000; 5805 North Lamar Blvd. Austin, Texas 78752-4422; P. O. Box 4087; Austin, Texas 78773-0001.

#### **2.4.5 Emergency Response and Disaster Recovery Procedures**

Emergencies can occur at any time without warning. We are all aware of the devastation that a serious fire or natural disaster can cause. Since September 11, 2001, we must also be prepared to respond to possible outbreaks of terrorism in the United States. The main concern during any of these occurrences is the safety of everyone on campus. Terrorism, fire, natural disasters and many other lesser emergencies also can result in the loss of assets and cause an interruption in some or all activities on campus.

##### **2.4.5.1 Purpose**

The purpose of the Campus Emergency Response and Disaster Recovery Plan (CERDRP) is to establish the policy, procedure and organizational structure needed to respond, control and recover from emergencies. It is impossible to anticipate every potential major emergency or disaster situation that may be encountered by Huston-Tillotson University or the community. It is equally impossible to prepare detailed plans for all unknown incidents. Therefore, this plan adopts an "all hazards" mitigation approach to include responses to all types of emergencies, including acts of terrorism, civil disturbance, explosion, fire, flooding, hazardous material, severe weather, and utility failure. Individual units/departments (i.e., Information Technology, Business Office, Residence Life, and others) will develop emergency or disaster plans specific to their units. In the event of a major disaster or in response to a national terrorist threat, the University should be able to sustain itself for at least 72 hours to allow for resolution of the emergency, for additional supplies to arrive, or for the release of students, faculty, and staff and the closing of the facility.

##### **2.4.5.2 Policy**

The authority to declare a campus state of emergency rests with the President of the University or, in the President's absence, the Vice President for Administration and Finance. The primary responsibility for executing the CERDRP and coordination of University resources rests with the Vice President for Administration and Finance, and the Director of Campus Safety. The Vice President for Administration and Finance or a designee will serve as the CERDRP Emergency Coordinator (the Coordinator).

During a state of emergency, the Department of Campus Safety, with the President or Vice President's authorization, shall place into immediate effect the appropriate procedures necessary to meet the emergency and to safeguard persons and property. The Director of Campus Safety or a designee shall immediately consult with the President and/or Vice President for Administration and Finance regarding the emergency and the possible need for a declaration of a campus state of emergency. The Office of University Relations is the official department for all releases of information outside the University.

When this declaration is made, only registered students, faculty, and staff are authorized to be present on campus. Those who cannot present proper identification (Huston-Tillotson University I.D. card) showing their legitimate business on campus will be directed to leave the campus. Unauthorized persons remaining on campus may be subject to arrest. In addition, only those faculty

and staff members who have been assigned emergency response team duties by Campus Safety will be allowed to enter the designated emergency areas. In the event of fires, storms, or a major disaster occurring on or about the campus, or one that involves University property, Campus Safety officers will be dispatched to determine the extent of any damage to University property.

The President will appoint a Campus Emergency Response and Disaster Recovery Team (CERDRT) composed of key personnel who will implement the University's response to emergencies and disasters. The President will also appoint individual Building Emergency Coordinators whose responsibility is to notify building occupants of an occurring emergency and direct the related evacuation from the building if necessary.

### **2.4.5.3 Levels of Emergency Response**

#### **2.4.5.3.1 Level 1**

A minor department or building incident that can be resolved by the responding service unit. (Example: Facilities Management is called in to respond to a broken water pipe.)

#### **2.4.5.3.2 Level 2**

A department or building incident that can be resolved with existing University resources or limited outside help. A Level 2 incident is usually a one-dimensional event that has a limited duration and little impact on the campus community beyond those using the space/building in which it occurred. (Example: Minor chemical/fuel oil spills, building loss of heat or electricity for several hours, or a minor fire confined to a room and not involving hazardous chemicals.)

#### **2.4.5.3.3 Level 3**

Emergencies that are primarily people, rather than infrastructure-focused. In particular, many student issues can become quite complex because of varied institutional and student support responses that must be coordinated. The CERDRT may be activated. (Examples may include assaults, sexual assaults, building/office occupation, civil disobedience, hate crimes, or bomb threats.) In these situations, specific departmental/incident plans may be implemented. Outside containment resources will be solicited (i.e., APD, EMS, etc.) if events escalate beyond the containment capabilities of the CERDRT.

#### **2.4.5.3.4 Level 4**

A major emergency impacts a sizable portion of the campus and/or outside community. Level 4 emergencies may be single or multi-hazard situations and often require considerable coordination both within and outside the University. Level 4 emergencies also include imminent events on campus or in the general community that may develop into a major University crisis or a full disaster. The CERDRT will be activated. (Examples: Heating plant failure, extended power outage, severe storms, major fire, contagious disease outbreak, or domestic water contamination.)

#### **2.4.5.3.5 Level 5**

A catastrophic emergency event involves the entire campus and surrounding community. Immediate resolution of the disaster, which is usually multi-hazard, is beyond the emergency response capabilities of campus and local resources. The CERDRT will be activated. (Example: bio-terrorism, nuclear disaster or plane crash on campus, which would require State and Federal assistance.)

### **2.4.5.4 National Terrorism Advisory System**

Using available information, the alerts will provide a concise summary of the potential threat, information about actions being taken to ensure public safety, and recommended steps that individuals, communities, businesses and governments can take to help prevent, mitigate or respond to the threat.

The NTAS Alerts will be based on the nature of the threat: in some cases, alerts will be sent directly to law enforcement or affected areas of the private sector, while in others, alerts will be issued more broadly to the American people through both official and media channels.

#### **2.4.5.4.1 Sunset Provision**

An individual threat alert is issued for a specific time period and then automatically expires. It may be extended if new information becomes available or the threat evolves.

NTAS Alerts contain a **sunset provision** indicating a specific date when the alert expires - there will not be a constant NTAS Alert or blanket warning that there is an overarching threat. If threat information changes for an alert, the Secretary of Homeland Security may announce an updated NTAS Alert. All changes, including the announcement that cancels an NTAS Alert, will be distributed the same way as the original alert.

#### **2.4.5.4.2 Imminent Threat Alert**

Imminent Threat Alert warns of a credible, specific, and impending terrorist threat against the United States.

#### **2.4.5.4.3 Elevated Threat Alert**

Elevated Threat Alert warns of a credible terrorist threat against the United States.

#### **2.4.5.5 Campus Emergency Response and Disaster Recovery Team (CERDRT)**

The CERDRT will be activated in response to Level 4 or Level 5 Emergency situations or national security alert Level Red. It may be activated in response to a Level 3 emergency or national security alert Level Orange.

The CERDRT monitors emergency situations and directs University responses to resolve and respond to the emergency as quickly and with as little impact as possible. The CERDRT gathers, confirms and evaluates incident information; defines and implements tactics/actions to resolve priority situations; identifies resource needs and shortfalls; reassigns/deploys individuals in support of critical needs; issues public information reports and instructions; serves as liaison to other emergency service providers; balances various needs and requests; and provides technical and fiscal expertise as necessary. When needed, the CERDRT coordinates University efforts with the City of Austin Office of Emergency Management. The CERDRT continues to monitor and coordinate events until the emergency situation is stabilized sufficiently to allow a return to regular organizational operation. At an appropriate time, the CERDRT debriefs with each of the units involved in an emergency in an ongoing effort to improve the University's response to crisis situations.

The CERDRT consists of the President, Executive Assistant to the President, Provost and Vice President for Academic Affairs, Vice President for Administration and Finance, Director of Campus Safety, Dean of the College of Arts and Sciences, Dean of the School of Business and Technology, Dean of Student Affairs, Business Manager, Director of Information Technology, Director of Human Resources, Director of Facility Management, Director of University Relations, and Vice President for Institutional Advancement.

Based on the need for additional expertise, secondary responders may be called. They include, but are not limited to: Department Chairs, Biology Faculty, Psychology Faculty, Kinesiology Faculty, University Chaplain, Director of Food Services and the Director of Campus Support Services/Counselor.

The Vice President for Administration and Finance serves as the Campus Emergency Response and Disaster Recovery Team Coordinator (the Coordinator), unless otherwise designated by the

President. For pre-planning or short-term emergency operations, the CERDRT will establish an emergency operations center in the University Conference Room (A-L). For expected long-term emergencies, an emergency operations center will convene in the lower offices of the School of Business (A-L 101). If that space is not available, the Campus Safety offices (C-W) will be used.

The following University administrators or offices are assigned various responsibilities, as outlined, in an effort to provide a coordinated response to an emergency. In some circumstances, it may be necessary to request faculty or staff to assume temporary roles outside the normal scope of their duties, taking into consideration their abilities to carry out those temporary roles. It is understood that if any department does not have specific roles for their personnel to carry out, then those personnel will automatically become part of a “pool” of reserve personnel to assist as assigned by those coordinating the specific emergency.

**2.4.5.5.1 Administrators/Unit Responsibilities**

Provost and Vice President for Academic Affairs, Deans, and Department Chairs	Identify and resolve instructional and research issues. Coordinate necessary faculty resources. Reschedule or cancel classes as necessary.
Director of Intercollegiate Athletics	Coordinate use of gym as a staging area or temporary shelter.
Director of Information Technology	Ensure computer security. Coordinate temporary telephone, fax, and computer hookups. Provide “broadcast” capability for e-mail.
Health Services	Provide medical support and backup. Assist in providing services to those with minor injuries and provide trauma support. Coordinate with first aid services. May be asked to assist/provide on-site medical triage.
Campus Support Services	Assist employees and students in coping with trauma.
Dean of Student Affairs	Coordinate student notification and response. Liaise with parents. Coordinate housing operations including any temporary shelters.
Dining Services	Coordinate dining services for students, dislocated personnel and emergency workers.
Facilities Management	Mitigate facility and grounds damages and restore to functional level. Assist Campus Safety with creating a safety perimeter at the site of the emergency. Arrange for temporary quarters for displaced units. Provide structural evaluations and repair estimates. Post signs and notices. Provide transportation services as required.
Human Resources	Provide access to employee information and staffing procedures.
Business Office	Obtain emergency goods and services including pick-up/delivery to site of emergency. Provide printed material as directed (letters to parents, posters, temporary procedures, etc.).
Risk Management	Identify cause and scope of loss, oversee implementation of specific risk management plans, coordinate insurance link with State environmental authorities.

Campus Safety	Carry out law enforcement, crowd control, evacuation, site security, and mobile communications. Liaise with public safety agencies. Provide transportation services as required.
Director of University Relations	Provide media coordination. Act as spokesperson.

#### **2.4.5.5.2 Activation of the Plan**

The President of the University or, in the President's absence, the Vice President for Administration and Finance, declares a "state of emergency" whenever there is a threatened or actual condition of disaster or extreme peril that cannot be managed by ordinary campus procedures, Levels 3, 4 or 5 type emergencies. A "state of emergency" may also be declared in response to heightened national alerts such as Levels Orange or Red. The Coordinator will initiate the notification process and the response procedures for the primary response to campus emergencies.

For pre-planning or for short-term emergency operations, an Emergency Operations Center (EOC) is established in the Executive Board Room (V-A) for the coordination of all communications and actions. For expected long-term emergencies, the EOC will convene in the lower offices of School of Business (A-L 101). The Coordinator will notify all primary and secondary University emergency response personnel to activate the CERDRP. The emergency response personnel will then direct all University faculty, staff and students about the correct response procedures to the particular emergency which may include the designation of a meeting location for emergency personnel. Unless designated otherwise, the University Emergency Response Team will meet on the first floor of the Agard-Lovinggood building to receive their instructions.

The Director of University Relations or a designee will respond to media inquiries, issue press releases, and designate one central location for the meeting of media personnel with University representatives for the dissemination of information.

The plan is activated upon such a declaration in the following sequence:

1. If the emergency occurs during normal business hours, all designated management personnel will report to the EOC as soon as possible.
2. If the event occurs after normal business hours, key EOC personnel will be called back to the campus. A list of key faculty and staff, with appropriate phone numbers, is maintained by Campus Safety and the Office of the Vice President for Administration and Finance.
3. If the disaster is so large as to unquestionably have a profound impact on the campus, all key faculty and staff are instructed to return to campus as soon as possible.

#### **2.4.5.5.3 Emergency Plans**

##### **2.4.5.5.3.1 National Threat or Terrorism Plan**

Since September 11, 2001, Americans have been living with the threat of incidences of terrorist attack. Preparedness may lessen the damage to property and the loss of life. The University will:

1. Ensure University Emergency Response and Disaster Recovery Plan is current and disseminated to all faculty, staff and students.
2. Train security personnel on proper response.
3. Develop heightened security measures to respond to National Security Advisory System.
4. Monitor the alert status of the National Security Advisory System.



#### **2.4.5.5.3.2 Fire Plan**

Fire is the most common of all hazards. Every year, fires cause thousands of deaths and injuries and billions in property damage. Prevention and planning are keys to reducing injury, loss of life or property. The University will:

1. Meet with the fire department to discuss operations and identify the processes and materials that could cause or fuel a fire or contaminate the environment in a fire.
2. Have all facilities inspected for fire hazards and insure they meet fire codes and regulations. Ensure each building has a fire alarm or notification system to warn occupants of fire danger.
3. Keep a copy of the University insurance policy on hand.
4. Distribute fire safety information to employees and students:
  - a. How to prevent fires in the workplace or residence halls;
  - b. How to contain a fire;
  - c. How to evacuate the facility;
  - d. Where to report a fire
5. Instruct personnel to use the stairs – not the elevators – in a fire. Instruct them to crawl on their hand and knees when escaping a hot or smoke-filled area.
6. Conduct evacuation drills. Post maps of evacuation routes in prominent places. Keep evacuation routes, including stairways and doorways, clear of debris.
7. Assign a Building Emergency Coordinator for each building to monitor shutdown and evacuation procedures.
8. Place fire extinguishers in appropriate locations.
9. Train employees in the use of fire extinguishers.
10. Install smoke detectors. Check smoke detectors for proper operations as required.
11. Ensure that key personnel are familiar with all safety systems.
12. Identify and mark all shutoffs so that electrical power, gas, or water can be shut off quickly by responding personnel.

#### **2.4.5.5.3.3 Flood and Flash Flood Plan**

Floods are among the most common and widespread of all natural disasters. Most communities in the United States can experience some degree of flooding after spring rains, heavy thunderstorms, or winter snow thaws. Most floods develop slowly over a period of days. Flash floods, however, are like walls of water that develop in a matter of minutes. Flash floods can be caused by intense storms or dam failure. Although the University sits on high ground, we will:

1. Review the community's emergency plan.
2. Establish warning and evacuation procedures for the facility. Make plans for assisting employees who may need transportation.
3. Inspect areas that may be subject to flooding during heavy or prolonged rains. Identify any equipment that can be moved to a higher location.
4. Have on hand a NOAA Weather Radio with a warning alarm tone and battery backup. Listen for flood watches and warnings.

- a. Flood Watch – flooding is possible.
- b. Flood Warning – flooding is already occurring or will occur soon. Take precautions and be prepared to go to higher ground. If advised, evacuate immediately.

#### **2.4.5.5.3.4 Tornado Plan**

Tornadoes are incredibly violent local storms that extend to the ground with whirling winds that can reach 300 miles per hour. Spawned from powerful thunderstorms, tornadoes can uproot trees and buildings and turn harmless objects into deadly missiles in a matter of seconds. Damage paths can be in excess of one mile wide and 50 miles long. Tornadoes occur in any state but occur more frequently in the Midwest, Southwest, and Southeast. They occur with little or no warning. The University will:

1. Review the local tornado warning system and develop a campus tornado warning system to notify faculty, staff and students of the need to seek shelter.
2. Have a NOAA Weather Radio with a warning alarm tone and battery backup. Listen for tornado watches and warning.
  - a. Tornado Watch – tornadoes are likely. Be prepared to take shelter.
  - b. Tornado Warning – a tornado has been sighted in the area or is indicated by radar. Take shelter immediately.
3. Be prepared to shelter faculty, staff and students. Buildings that can serve as tornado shelters will be identified and marked as such. The best protection in a tornado is usually an underground area. If an underground area is not available, the following areas will be considered:
  - a. Small interior rooms on the lowest floor and without windows.
  - b. Hallways on the lowest floor away from doors and windows.
  - c. Rooms constructed with reinforced concrete, brick, or blocks with no windows and a heavy concrete floor or roof system overhead.

#### **2.4.5.5.3.5 Severe Winter Storm Plan**

Severe winter storms bring heavy ice, strong winds, and freezing rain. Winter storms can prevent students, faculty, staff and visitors from reaching the facility or campus, leading to a temporary shutdown until roads are cleared. Heavy ice and snow can also cause structural damage and power outages. The University will:

1. Keep a NOAA weather radio on location. Listen to local radio and television for severe winter warnings.
  - a. Winter Storm Watch – severe winter weather is possible.
  - b. Winter Storm Warning – severe winter weather is expected.
  - c. Traveler’s Advisory – severe weather condition may make driving difficult or dangerous.
2. Establish procedures for facility shutdown, cancellation of classes, and early release of employees.
3. Provide a backup power source for critical operations.
4. Arrange for snow and ice removal from parking lots, walkways, loading docks, etc.

#### **2.4.5.5.3.6 Technological Emergency Plan**

Technological emergencies include any interruption or loss of a utility service, power source, information system, or equipment needed to keep the facility in operation. To minimize loss of operations, the University will:

1. Identify all critical operations, including the following:
  - a. Utilities including electric power, gas, water, hydraulics, compressed air;
  - b. Alarm systems, elevators, lighting, heating, ventilation, air conditioning systems, and electrical distribution systems; and
  - c. Communication systems, both data and voice computer networks.
2. Develop a plan for backup power sources.
3. Establish a Cold Site, a location some distance away from the scene of the disaster where computing and networking capabilities can be temporarily restored until the primary site is usable.
4. Maintain off-site backup storage for recovery of lost data.
5. Establish preventive maintenance schedules for all systems and equipment.

#### **2.4.5.5.3.7 Hazardous Material Emergency Plan**

Hazardous materials are substances that are flammable or combustible, explosive, toxic, noxious, corrosive, oxidizable, an irritant or radioactive. The University will:

1. Identify and label all hazardous materials stored, handled, produced and disposed of by the University; follow government regulations that apply to the University; and obtain material safety data sheets (MSDS) for all hazardous materials on the campus;
2. Ask the local fire department for assistance in developing appropriate response procedures;
3. Train employees to recognize and report hazardous material spills and releases. Train employees in proper handling and storage;
4. Establish a hazardous material response plan:
  - a. Establish procedures to notify management and emergency response organizations of an incident;
  - b. Establish procedures to warn employees of an incident; and
  - c. Establish evacuation procedures.
5. Organize and train an emergency response team to confine and control hazardous material spills in accordance with applicable regulations;
6. Identify other facilities in the area that use hazardous materials. Determine whether an incident could affect the University; and
7. Identify highways, railroads and waterways near the University used for the transportation of hazardous materials. Determine how a transportation accident near the campus could affect operations.

#### **2.4.5.6 Emergency Notification Procedures**

For most emergency or disaster situations, the following notification procedures will be followed:

1. Fire alarms and flashing lights will be activated to notify occupants of buildings in which an emergency or disaster has occurred and evacuation is required;
2. During work hours, faculty, staff and students **will be notified by campus e-mail, campus television broadcast and cell phone notification** of emergency situations or pending emergency situations, such as severe weather or national emergency.
  - a. Supervisors will ensure that all employees in their area have read their e-mail and are aware of the situation;
  - b. Faculty will ensure that all students in their classes are aware of the situation;
  - c. The Dean of Student Affairs is responsible for ensuring students residing in the residence halls are aware of the situation; and
  - d. Campus television messaging will be coordinated by the Department of Campus Safety, University Relations and IT.
3. After work hours, faculty, staff and students **will be notified via local television and radio stations, campus e-mail and cell phone notification** on the status of the University and of any delayed openings or closures, such as in the case of severe weather or national emergency. The notifications will be coordinated by Campus Safety, University Relations and Human Resources.
  - a. Supervisors will develop a plan to contact employees to ensure they are aware of the status of the University; and
  - b. The Dean of Student Affairs is responsible for ensuring students residing in the residence halls are notified about the status of the University.

In the case of a prolonged emergency or disaster, the Director of Information Technology, in conjunction with the Director of University Relations, will coordinate to announce the status of the University on the website.

#### **2.4.5.7 Emergency Evacuation Procedures**

Emergency situations that call for evacuation of classrooms and buildings will be announced by the emergency fire alarm horns and visual alarm system (in addition to alarms, flashing lights are installed in some buildings). When these alarms sound or are seen, all persons should immediately leave the building. The following guidelines should be observed:

**ALWAYS EVACUATE.** Treat all alarms as if they warn of real emergencies. If it is found that the alarm is not being heard and/or seen in all buildings, continue with proper and complete evacuation of the building(s) in which the alarm is heard and/or seen.

**USE APPROPRIATE EXIT – DO NOT USE ELEVATORS.** Exit the building following the posted routes in the classroom and /or office complex. Alternate exit routes are also indicated on the posted routes should there be a blocked exit.

**ASSIST THE DISABLED.** All persons should be alert to the presence of disabled persons and provide assistance if needed.

**CHECK ALL AREAS ON YOUR FLOOR AND/OR IN YOUR BUILDING.** All faculty and staff are expected to help in ensuring that all areas, including the snack bar, restrooms, and lounges are evacuated. Persons who do not have a class group or laboratory to take care of should be particularly alert to the need to assist in clearing all area.

**CLOSE (BUT DO NOT LOCK) WINDOWS AND DOORS.** Remember that closed windows and doors can reduce the spread of fire and/or hazardous materials and fumes.

**TURN OFF LABORATORY GASES, EXHAUST FANS, ETC.** Turn off all sources of fuel and oxygen (air) that might feed a fire or spread fumes.

**CALL FIRE DEPARTMENT/EMERGENCY SERVICES AND CAMPUS SAFETY.** The first person(s) to discover the emergency is (are) responsible for calling Campus Safety (3010) who will contact the local fire department/emergency services. Be calm and carefully give all needed details of the specific location, type of emergency, your name, etc. The same numbers should be called for emergency medical care service and pertinent information given.

**MAKE SURE CAMPUS SAFETY AND MAINTENANCE PERSONNEL ARE AWARE OF THE ALARM.** If you do not see definite indications that Facilities personnel are aware of the alarm, notify Facilities directly (3016). Telephone, send someone, or go yourself to ensure that Campus Safety and Facilities are aware of the alarm. Give them your name and the name of the building where the alarm is occurring.

#### **2.4.5.8 Critical Functions/Responsible Units**

Various service departments throughout the campus will need to provide the following basic emergency functions. Provided below is a list of emergency functions and responsible departments.

##### **2.4.5.8.1 Communications**

The Campus Safety office is responsible for the general oversight of emergency communications including:

1. Establish an Emergency Operation Communications Center. During a city, county, state or national emergency, Campus Safety will establish and maintain communications with the City of Austin Office of Emergency Management as well as maintain communication on campus;
2. Identify the total number of portable radios available at the University and coordinate the assignment and use of radio frequencies during an emergency.
  - a. The University uses two radio frequencies that are serviced and maintained by the Federal Communications Commission (FCC);
  - b. Campus Safety has 11 hand held portable radios, 1 main-base and 1 mobile-base radio. None of these radios have telephone interface ability.
  - c. Campus Safety rents monthly air-time from an off-campus repeater. Campus Safety portable and base radios do not have battery backup;
  - d. Campus Safety does not have the capability to radio communicate or monitor any other law enforcement frequency (i.e., APD, ACC, etc.);
  - e. The Information Technology Department has no radios; and
3. Identify the number of cellular phones available at the University;
4. Coordinate with Information Technology to establish priority phones, to return the phone system to use, and to maintain a UPS (uninterrupted power supply) for the phones;
5. Coordinate with campus electricians to use portable generators to maintain radio and telephone systems;
6. Coordinate with city, county, and state agencies to establish communication links and radio frequencies to be used during emergency/disasters; and
7. Information Technology is responsible for the oversight of emergency communications related to telephone service that includes:

- a. Developing a recovery plan to maintain telephone communication at the University;
- b. Coordinating with Campus Safety to ensure essential telephone communication is maintained in an emergency. Hardware and software for the RaveAlert system should be installed in key designated areas of communications (i.e., EOC, Campus Safety, IT, as an alternative to using the existing phone network); and
- c. Setting up and supporting a “hot line” (emergency calls only designation) with Campus Safety.

#### **2.4.5.8.2 Information Technology**

The Information Technology office is responsible for ensuring the protection and recovery of computer equipment and data information as well as telephone service. Key Information Technology personnel will form a disaster and recovery team and will:

1. Restore and maintain telephone communication at the University;
2. Ensure the protection and preservation of computer equipment. In particular, any magnetic storage media (hard drives, magnetic tapes, diskettes) will be identified and either protected from the elements or removed to a clean, dry environment away from the disaster site;
3. Survey the disaster scene to estimate the amount of time required to put the facility and technology operations back into working order;
4. Relocate to the Cold Site, a location some distance away from the scene of the disaster where computing and networking capabilities can be temporarily restored;
5. Ensure that work begins to repair or rebuild the primary site;
6. Make necessary arrangements with vendors to quickly provide replacements for the resources that cannot be salvaged. The University will develop emergency procurement procedures to quickly place orders for equipment, supplies, software, and any other needs;
7. Reassemble salvaged and new components at the recovery site;
8. Restore data from backups stored in locations off-site. Backups can take the form of magnetic tape, CDROMs, disk drives, and other storage media.
  - a. Early data recovery efforts focus on restoring the operating system(s) for each computer system; and
  - b. Next, first line recovery of application and user data from the backup tapes is done.
9. Restore applications data
  - a. Coordinate with users and departments (e.g., the application owners).

The Director of Information Technology and staff will develop a detailed response and recovery plan that will ensure restoration of operations as quickly as possible with the latest and most up-to-date data available.

#### **2.4.5.8.3 Damage and Assessment Inspection**

In the event of an emergency or disaster in which buildings may be damaged, an assessment must be made prior to further use. Facilities Management is responsible for the general oversight of damage and assessment inspections. Safety assessment forms will need to be completed and turned in to the Facilities Management representative in the EOC. Whether or not there is damage, each building should be posted with inspection stickers.

1. Assessment surveys of all building damage will be initiated with a focus on utility line ruptures and structural damage sustained by buildings, as well as possible release of hazardous materials. Immediate assistance will be given to injured persons as necessary. Damage estimates will be communicated to the EOC;
2. Building Emergency Coordinators should clear all persons out of structures as soon as possible. All persons should move toward the designated Disaster Evacuation Areas;
3. Every building should be prioritized in the emergency plan from highest to lowest risk. Ranking is a function of the building's age, number of people normally occupying the structure, safety designation, containment of hazardous materials, and specific use (student housing, medical care facility, etc.) Buildings will be surveyed on that priority basis. All buildings on campus will be evaluated by responders from the outside to ascertain the degree of damage that has been sustained. Initial building entry is only to be made by facilities management employees and/or structural engineers who are trained to assess the degree of damage from engineering perspective. They will:
  - a. Examine the entire outside of the structure. Check the ground in the general area of the structure for fissures, bulged ground, or sign of slope movement;
  - b. Enter a building only if the structure cannot be viewed sufficiently from the outside or when there is suspected or reported problem such as gross non-structure distress (e.g., fallen ceiling, or badly damaged partitions visible from the outside). Do not enter obviously unsafe structures;
  - c. Evaluate the structure quickly without going into a detailed investigation. When a building's structure is questionable, it should be scheduled for a more detailed evaluation; and
  - d. Make sure exits are clear.
4. Following the evaluation process, each building will have a colored placard placed on each main door indicating the degree of damage that has been determined. Three categories/colors of signs are used:
  - a. **RED** – Building is unsafe, closed indefinitely- DO NOT ENTER
  - b. **YELLOW** – Limited entry only, designated personnel
  - c. **GREEN** – Safe to re-enter
5. Buildings that have been seriously damaged or contaminated with hazardous material spills will be posted with yellow hazardous warning barrier tape and red colored building status signs by team members. Doors will be secured to prevent re-entry by unauthorized personnel. All other structures will be color coded appropriately after the initial inspection process;
6. In an emergency or disaster, various utility lines (e.g., gas, water, and power) may be severed or severely interrupted. In this event, personnel must be dispatched to inspect, examine, or shut off valves controlling gas, water, or power.
  - a. **GAS LEAKS** - evacuate the area immediately. Do not use spark producing devices.
  - b. **VENTILATION** - If smoke or burning odor is present, evacuate the area.
  - c. **ELEVATOR** - Push the emergency button or use the telephone in the elevator to contact Campus Safety. Do not attempt to evacuate the elevator unless instructed to do so by emergency responders.
  - d. **PLUMBING/FLOODING** - If personal safety allows, disconnect electrical devices and evacuate the area.

e. **ELECTRICAL** - Call Facilities Management.

#### **2.4.5.8.4 Food Service**

The Director of Food Service is responsible for ensuring a supply of food and drinking water are available for resident students and authorized emergency response team members. Additional food may be needed for other faculty, staff, and students who may be unable to leave the campus due to the emergency or disaster situation. The supplies on hand should be sufficient for 72 hours. Additional supplies can be in route from any of our major contracted suppliers within 24 hours.

The Director of Food Service and staff will develop a detailed plan that addresses their response in various emergency situations. The CERDRT Coordinator will notify the Director of Food Service to activate the Food Service Emergency Response and Disaster Plan.

#### **2.4.5.8.5 Housing**

The Dean of Student Affairs is responsible for developing and implementing an emergency or disaster housing plan. The University occupancy at any one time is approximately 459 students living in two residence halls. About 40 percent of on-campus student residents have a primary domicile within two hours. It is thought that should a disaster occur, a very large number of those students will go to their homes. It is estimated that even with a complete disaster where all buildings are condemned, the University would be able to provide shelter for 400 to 500 students.

The University will plan for the following three scenarios:

1. Scenario 1: One residence hall is uninhabitable. The affected residents will be moved into the unaffected building.
2. Scenario 2: Neither residence hall is inhabitable. Should this occur, residents will be relocated to the following facilities until it is safe to move back into the residence halls:
  - a. Gymnasium
  - b. Student Union
  - c. Classrooms
  - d. Hallways in unaffected buildings
3. Scenario 3: No building on campus can be inhabited. In this situation, University vans and city buses will be used to transport residents to evacuation shelters until buildings become inhabitable. Blankets, pillows, and linen will be provided by volunteers from the faculty, staff and community.

The Dean of Student Affairs and staff will develop a detailed plan to address each of the scenarios described above. The plan will also address tornado notification and sheltering procedures and severe weather notification and procedures.

#### **2.4.5.8.6 Health and First Aid Services**

The Dean of Student Affairs, in conjunction with the University Health Services, is responsible for developing a health and first aid plan for emergency and disaster situations. During a prolonged emergency or disaster situation, members of the biology, psychology and kinesiology faculty should be prepared to assist in health and first aid. The University Health Services should develop and maintain a list of first aid trained faculty and staff members who can be called upon during a prolonged emergency. At a minimum, the University Health Services will:

1. Open the Student Health Center;



2. Be prepared to treat all injuries of less than a critical nature that are the result of the existing emergency. All others shall be referred to a local medical facility; and
3. Advise the Vice President for Administration and Finance on problems of sanitation, water and food supplies.

#### **2.4.5.8.7 Mental Health and Emotional Trauma Response Services**

The Dean of Student Affairs, in conjunction with the Director of Campus Support Programs/Counselor is responsible for developing an emotional trauma plan for tragic and traumatic campus and community occurrences. In the event of a major tragedy affecting many individuals, Counseling Center services can be augmented by community helping professionals. The campus counselor will be involved in the coordination of these services. The Counseling Center will offer support to members of the campus community whenever such a major tragedy occurs. Support can take several forms and may include, but is not limited to, the following interventions:

1. Individual support for those most affected;
2. Group sessions for members who are impacted by a tragic event;
3. Programs open to the community to educate and discuss experiences; and
4. Ongoing support for those whose negative reactions to the event are delayed or persistent.

Special attention will be given to those who are already at risk for, or diagnosed with, a psychological disorder as traumatic events may exacerbate their distress. Persons who have vulnerability to depression, anxiety disorders, substance abuse, or other conditions may find their functioning affected by tragic events and Counseling Center Staff will educate the community about such risks and about the availability of counseling services for those individuals. The University Chaplain will also provide support and assistance to the campus community.

#### **2.4.5.9 Emergency or Disaster Procedures**

##### **2.4.5.9.1 Medical Emergency Procedure**

1. Protect victim from further injury by removing any persistent threat to the victim. Do not move the victim unnecessarily. Do not delay in obtaining trained medical assistance;
2. Seek medical response by calling Campus Safety at **ext. 3010** to notify them of the location, nature and extent of the injury. Campus Safety will call **911** and notify the University Health Services. Always call from a safe location;
3. Provide first aid until help arrives if you have appropriate training and equipment and it is safe to do so; and
4. Send someone outside to escort emergency responders to the appropriate location, if possible.

##### **2.4.5.9.2 Fire or Explosion Emergency Procedure**

1. Alert people in the immediate area of the fire or explosion and evacuate the room;
2. Confine the fire or explosion by closing doors and windows as you exit a room. Do not lock them;
3. Activate the building fire alarm system by pulling the handle on a local fire alarm box;
4. Evacuate the building using the established Emergency Evacuation Procedure. Once outside, notify emergency responders of the location, nature and size of the fire;
5. In the event of a fire:

- a. Exit the building as soon as possible;
  - b. Crawl low if there is smoke;
  - c. Use a wet cloth, if possible, to cover your nose and mouth;
  - d. Use the back of your hand to feel the upper, lower, and middle parts of closed doors;
  - e. If the door is not hot, brace yourself against it and open slowly;
  - f. If the door is hot, do not open it. Look for another way out;
  - g. Do not use elevators;
  - h. If you catch fire, do not run. Stop – Drop – and Roll to put out the fire;
  - i. Go to a previously designated meeting place:
    - (1) **Agard-Lovinggood Building** evacuate to the parking lot on Chalmers Street.
    - (2) **Anthony and Louise Viaer-Alumni Hall** evacuate to the parking lot on Chalmers Street.
    - (3) **Mary E. Branch Gymnasium** evacuate to the parking lot on Chalmers Street.
    - (4) **Jackson-Moody Building** evacuate to the athletic field.
    - (5) **King-Seabrook Chapel** evacuate to the athletic field.
    - (6) **Dickey-Lawless Building** evacuate to the athletic field.
    - (7) **Evans Hall** evacuate to the athletic field.
    - (8) **Downs-Jones Library** evacuate to the athletic field.
    - (9) **Davage-Durden Student Union** evacuate to the student parking lots.
    - (10) **Conner-Washington Building** evacuate to the student parking lots.
    - (11) **Beard-Burrowes Residence Hall** evacuate to the student parking lots.
    - (12) **Allen-Frazier Residence Hall** evacuate to the student parking lots north of Beard-Burrowes Residence Hall..
  - j. Account for faculty, staff, and students; and
  - k. Never go back into a burning building.
6. Contact fire response by calling Campus Safety at **extension 3010** to notify them of the location and size of the fire. Campus Safety will call **911** and notify Facilities Management. Always call from a safe location;
7. If you have been trained and it is safe to do so, you may attempt to extinguish the fire with a portable fire extinguisher. If you have not been trained to use a fire extinguisher you must evacuate the area;
8. In the event of an explosion:
- a. Take shelter against your desk or a sturdy table;
  - b. Exit the building as soon as possible;
  - c. Do not use elevators; and
  - d. Check for fire and other hazards.
9. If you become trapped in debris:
- a. If possible, use a flashlight or whistle to signal your location to rescuers;
  - b. Avoid unnecessary movement so that you don't kick up dust;
  - c. Cover your nose and mouth with anything you have on hand;
  - d. Tap on a pipe or wall so that rescuers can hear where you are and
  - e. Shout out only as a last resort. Shouting can cause a person to inhale dangerous amounts of dust.

#### **2.4.5.9.3 Tornado/Severe Weather Procedure**

- 1. Alert people to move to the lowest floor available in the building;
- 2. Select the safest and most structurally sound parts of the building for safety (interior hallways or interior stairwells) that are away from glass, if possible;

3. After reaching the designated shelter, remain calm, be ready to shelter and protect vital areas of the body by kneeling down and covering your head if possible;
4. Do not leave buildings until “all clear” has been announced;
5. Remind people to stay away from all windows and glass cases; and
6. Give special assistance to disabled students and staff.

#### **2.4.5.9.4 Hazardous Materials, Biological or Chemical Threat Emergency Procedure**

A Hazardous Materials, Biological or Chemical Threat Emergency exists when:

1. A spill of hazardous materials creates a situation that is immediately dangerous to the life and health of persons in the spill area or facility; or
2. A deliberate release of germs or other biological substances occurs; or
3. A deliberate release of a toxic gas, liquid or solid that can poison people and the environment occurs; or
4. Cleanup of a spill of a hazardous material is beyond the level of knowledge, training or ability of the staff in the immediate area.

In the event of a hazardous material spill or a biological or chemical threat:

1. Alert people in the immediate area and evacuate the room or area. If an explosion hazard is present, take care not to create sparks by turning on or off electrical equipment;
2. Confine the hazard by closing doors and windows as you leave the room. Do not lock them;
3. Use eyewash or safety showers as needed to rinse spilled chemicals off people. Cover mouth and nose with layers of fabric that can filter the air but still allow breathing;
4. Evacuate any nearby rooms/areas that may be affected. If the hazard will affect the entire building, evacuate the entire building. **If there is a chance of explosion from the chemical spill, DO NOT activate the building fire alarm.** Evacuate the building manually by alerting others by voice. Take care not to turn electrical equipment on or off or otherwise cause sparks. If there is no chance of explosion, activate the building fire alarm system by pulling the handle on a local fire alarm box;
5. Contact hazardous materials response by calling Campus Safety at **extension 3010** to notify them of the location and size of the spill. Campus Safety will call **911** and notify Facilities Management. Always call from a safe location. Be prepared to spell chemical names, if known;
6. If building evacuation is required, evacuate the building using the Emergency Evacuation Procedure presented in this guide. Once outside, notify emergency responders of the location, nature and size of the spill;
7. Isolate contaminated persons. Avoid contamination or chemical exposure;
8. If possible, remove clothing from contaminated persons and wash exposed areas with soap and water. Seek medical attention; and
9. A biological attack may also occur through the mail. See “Suspicious Package Procedures” for correct handling procedures.

#### **2.4.5.9.5 Power Outage Procedure**

1. Assess the extent of the outage in the unit's area;
2. Report the outage to Facilities Management at extension 3016;
3. Assist other building occupants to move to safe locations. Loss of power to fume hoods may require the evacuation of laboratories and surrounding areas;
4. Implement the unit's power outage plan. Evaluate the unit's work areas for hazards created by power outage. Secure hazardous materials. Take actions to preserve safety and health. Take actions to preserve research;
5. Turn off and/or unplug non-essential electrical equipment, computer equipment and appliances. Keep refrigerators and freezers closed throughout the outage to help keep them cold;
6. If needed, open windows (in mild weather) for additional light and ventilation; and
7. Release of faculty, staff and students during an extended power outage is decided on by the President.

#### **2.4.5.9.6 Criminal Activity, Civil Disobedience or Violence Emergency Procedure**

1. Attempt to remove yourself from any danger;
2. Notify Campus Safety by calling **extension 3010**. Try to call from a safe location if possible;
3. If possible, provide the following information:
  - a. Location of crime;
  - b. Nature of crime and specifics (number of people involved, any weapons, etc.);
  - c. Any injuries;
  - d. Description of suspect(s) (height, weight, sex, race, clothing, hair color etc.);
  - e. Direction of travel of suspects; and
  - f. Description of any vehicles involved in the crime.
4. **DO NOT** pursue or attempt to detain suspects.

#### **2.4.5.9.6.1 Lockdown Procedure**

This is the highest state of readiness activated when violence is occurring or is imminent on campus, or any other situation deemed by Administration and/or Campus Safety to warrant a lockdown of the campus. A "Lockdown" is the temporary sheltering technique and may last 30 minutes to several hours. It is utilized to limit campus community exposure to known or reported armed or similarly dangerous individuals. When notified, members of the campus community will enter securable areas, lock all doors and windows, not allowing entry or exit by unauthorized person(s) until the lockdown mode is no longer in effect. .

#### Activation of campus lockdown:

1. Campus Safety is responsible for declaring a lockdown. Faculty, staff and students **will be notified by campus e-mail, megaphones and campus television broadcast**. Campus Safety shall immediately notify 911;
2. Any student, staff or faculty who observes or suspects a dangerous situation shall immediately notify Campus Safety;

3. Conditions which may require a campus lockdown, may include but are not limited to:

- a. Individual has a gun/weapon on campus; or
- b. Individual with a gun/weapon is en route to campus; or
- c. Shots heard on campus; or
- d. A SWAT or SERT (Special Emergency Response Team) situation in the vicinity; or
- e. The on-campus pursuit of a dangerous suspect by Campus Safety or area law enforcement

4. Elements of a campus lockdown:

- a. All students, faculty and staff will move to a safe room, take cover and stay low;
- b. Doors and windows should be locked and opened only to students, faculty and staff seeking safety, or Campus Safety and area EMS;
- c. Students, faculty and staff will remain quiet and, if possible, shut off all non-emergency audio-visual equipment (i.e., I-pods, DVD players, etc.);
- d. Students, faculty and staff outside or in hallways will move to the closest securable room/area; and
- e. Students, faculty and staff will remain in the lockdown mode until notified by Campus Safety.

#### **2.4.5.9.6.2 Bomb Threat Procedure**

Remain calm and obtain as much information as possible from the caller. Try to write down the caller's exact words. Ask for and try to quickly obtain the following information:

1. When is the bomb going to explode?
2. Where is the bomb located right now?
3. What does the bomb look like?
4. What kind of bomb is it?
5. What will cause the bomb to explode?
6. Did you place the bomb?
7. Why?
8. What is your address?
9. What is your name?

10. Also record the following information:

- a. Exact time the call is received
- b. Information about caller including:
  - 1) Sex
  - 2) Age
  - 3) Education
  - 4) Accent
  - 5) Location of caller
  - 6) Background noise
  - 7) Speech impediments or traits

8) Caller's attitude

If possible, have someone else contact Campus Safety while the caller is still on the phone; if not possible, **NOTIFY CAMPUS SAFETY IMMEDIATELY UPON THE CONCLUSION OF THE CALL AT extension 3010**. Always call from a safe location. Provide them with the context of the threat, telephone number on which it was received, your name, room number and telephone number where you can be reached. Take no other action unless directed to by Campus Safety.

**2.4.5.9.6.3 Suspicious Package Procedure**

If a letter or package is received or observed that is unexpected, from an unknown sender or address, and/or appears to be suspicious, meaning it has some of the following characteristics:

1. Excessive postage;
2. Misspellings of common words;
3. Excessive weight;
4. Rigid envelope;
5. Foreign mail, air mail or special delivery;
6. Hand written or poorly typed address;
7. Restrictive markings such as confidential, personal, etc.;
8. An excessive amount of securing material used, such as masking tape, string, etc.;
9. Incorrect titles;
10. Oily stains, discoloration, powdery discharge, or odor;
11. Visual distractions or ticking sound;
12. Lopsided or uneven;
13. Titles but no names;
14. No return address; or
15. Protruding wires or tinfoil.

Immediately:

1. Notify Campus Safety immediately by calling **extension 3010**. Always call from a safe location;
2. Move people away from the package;
3. **DO NOT** move or open the package;
4. **DO NOT** investigate too closely; and
5. **DO NOT** cover, insulate or place the package into a cabinet or drawer.

**2.4.5.9.6.5 Nuclear Blast or Radiation Threat Procedure**

A nuclear blast is an explosion with intense light and heat, a damaging pressure wave and widespread radioactive material that can contaminate the air, water and ground surfaces for miles around. A radiation threat or "dirty bomb" is the use of common explosives to spread radioactive materials over a targeted area. It is not a nuclear blast. The force of the explosion and radioactive contamination will be more localized. If there is a nuclear blast or radiation threat:

1. Limit the amount of radiation to which you are exposed;
2. Take cover immediately, below ground if possible, though any shield or shelter will help protect you from the immediate effects of the blast and the pressure wave;
3. Quickly assess the situation; and
4. Consider if you can get out of the area or if it would be better to “shelter-in-place.”

#### **2.4.5.9.6.5 Sheltering-in-Place Procedure**

Sheltering-in-Place is the use of any classroom, office or building for the purpose of providing temporary shelter. If you receive a shelter-in-place announcement:

1. Immediately move indoors. Go into an interior room with few windows, if possible;
2. Close all windows and doors to the shelter and seal as best you can using towels, clothes, or paper. Turn off fans, air conditioning and forced air heating systems;
3. If there appears to be air contamination within the shelter, place a paper mask, wet handkerchief or wet paper towel over the nose and mouth for temporary respiratory protection; and
4. Continue to follow the instructions given by the response authorities.

#### **2.4.5.10 Plan Summary**

One measure of an organization’s strength is its ability to respond well in an emergency. Since not every scenario can be predicted, an emergency response plan must be able to quickly adapt to events as they unfold. This plan designates areas of responsibility and defines for the University the administrative framework necessary to respond to emergency situations. The University response needs to be quick, professional, supportive, and meet the emerging demands of any emergency crisis situation.

Because this document provides broad guidelines rather than specific procedures, it is imperative that each unit create its own emergency response plans for situations that may develop under its purview and which incorporate these guidelines. While all units at the University should develop individual unit response plans, the following units **must** have plans in place to respond to emergency situations:

1. Information Technology;
2. Student Affairs (Residence Life, Health Services);
3. Business Office;
4. Campus Safety;
5. University Relations;
6. Department of Natural Sciences; and
7. Food Services

Finally, for a plan to be effective, faculty, staff, and students must be familiar with its contents. Unit heads are responsible for ensuring that their employees know the specifics of their unit’s plan and of the University’s plan and the Dean of Student Affairs and the Student Affairs staff are responsible for ensuring that students know what to do in emergency situations.

#### **2.4.5.11 Campus Emergency Phone Numbers**

Fire/Medical	9-911
Campus Safety	3010, 3011, 3012, or 3013

(G4S Austin 512.828.3700)

Health Services	3039
Student Information	3035
Staff/Faculty Information	3015
University Relations	3006

**Links to Local, State and Federal Homeland Security Agencies and Organizations:**

City of Austin Office of Emergency Management: [www.ci.austin.tx.us/oem/](http://www.ci.austin.tx.us/oem/)

Texas Homeland Security: [www.texashomelandsecurity.com](http://www.texashomelandsecurity.com)

[Office of Homeland Security, White House www.whitehouse.gov/deptofhomeland/](http://www.whitehouse.gov/deptofhomeland/) or [www.ready.gov](http://www.ready.gov)

[American Red Cross www.redcross.org](http://www.redcross.org)

[Centers for Disease Control and Prevention www.cdc.org](http://www.cdc.org)

[Environmental Protection Agency www.epa.gov](http://www.epa.gov)

[Federal Emergency Management Agency www.fema.gov](http://www.fema.gov)

[Health and Human Svcs, Office of Emergency Prep www.ndms.dhhs.gov](http://www.ndms.dhhs.gov)

[Federal Aviation Administration www.faa.gov](http://www.faa.gov)

[Transportation Security Administration www.tsa.gov](http://www.tsa.gov)

**2.4.5.12 Assisting Disabled Persons**

***Visually Impaired Persons***

Tell the person the nature of the emergency and offer your arm for guidance. This is the preferred method when acting as a "sighted guide" and leading a visually impaired person from the building.

As you walk, tell the person where you are and where obstacles are located. When you reach safety, orient the person to the location and ask if further assistance is needed.

***Hearing Impaired Persons***

Campus buildings are equipped with audible fire alarms that should be activated during an emergency. However, persons with impaired hearing may not receive the audible signal. Use an alternative warning system. Several methods can be used, including writing a note to tell the person the situation, the nearest evacuation route, and where to meet outside (sample script: "FIRE! Go out the rear door on your right. NOW. Meet outside on the front lawn").

– or –

Turn the light switch on and off to gain his/her attention, then indicate through gestures or in writing what is happening and what to do. **Do not use this technique with the light switch if you smell natural gas or suspect an explosive condition in the area.**

***Persons Using Crutches, Canes, or Walkers***

In evacuations, these individuals should be treated as if they were injured. Carrying options include using a two-person, lock-arm position or having the individual sit on a sturdy chair (preferably with arms), which is then lifted and carried.

***People Who Use Wheelchairs (Non-ambulatory)***



Most non-ambulatory persons will be able to exit safely without assistance if they are on the ground floor.

If you are assisting a non-ambulatory person, be aware that some people have minimal ability to move and lifting them may be dangerous to their well-being. Some individuals have very little upper trunk and neck strength.

Frequently, non-ambulatory persons have respiratory complications. Remove them from smoke and vapors immediately. Some people who use wheelchairs may have electrical respirators. They should be given priority assistance as their ability to breathe may be seriously in danger.

**NOTE:** Non-ambulatory persons' needs and preferences vary. Always consult with the person as to his/her preference regarding:

- Ways of being moved;
- The number of people necessary for assistance. If carrying a person more than three flights, a relay team will be needed;
- Whether to extend or move extremities when lifting because of pain, braces, etc.;
- Whether a seat cushion or pad should be brought along;
- Being carried forward or backward on stairs.
- Aftercare, if removed from wheelchair.

Remember to check the intended route for obstructions before transporting the individual. Delegate others to bring the wheelchair. When the wheelchair is left behind, remove it from the stairwell and place it so it does not obstruct the egress of others. Reunite the person with his/her wheelchair as soon as it is safe to do so.

### 2.4.5.13 Bomb Threat Checklist

#### BOMB THREAT CHECKLIST

**Time Reported:** \_\_\_\_\_ (am/pm) **Date Reported:** \_\_\_\_\_

**Name/Phone # of Person Receiving Threat:** \_\_\_\_\_

**Exact Words of Caller:** \_\_\_\_\_

#### Questions to Ask:

1. When is the bomb going to explode? \_\_\_\_\_
2. Where is the bomb? \_\_\_\_\_
3. What kind of bomb is it? \_\_\_\_\_
4. What does the bomb look like? \_\_\_\_\_
5. What will cause the bomb to explode? \_\_\_\_\_
6. Did you place the bomb? \_\_\_\_\_
7. Why was the bomb placed? \_\_\_\_\_
8. What is your name? \_\_\_\_\_

9. Where are you calling from? \_\_\_\_\_

**Description of Caller's Voice:**

Male \_\_\_\_\_ Female \_\_\_\_\_ Young \_\_\_\_\_ Middle Aged \_\_\_\_\_ Old \_\_\_\_\_

Accent?: \_\_\_\_\_ Attitude?: \_\_\_\_\_

Background Noise?: \_\_\_\_\_

Did the voice sound familiar? \_\_\_\_\_

If so, who did it sound like? \_\_\_\_\_

Did the caller sound familiar with the faculty? \_\_\_\_\_

In what way? \_\_\_\_\_

Other voice characteristics?: \_\_\_\_\_

Time caller hung up? (am/pm) \_\_\_\_\_

Other remarks?: \_\_\_\_\_

**2.5 Research Projects and Externally Funded Grants and Contracts**

**2.5.1 Introduction**

The purpose of this policy is to articulate and publish a statement on the role and purpose of research projects and of externally funded grants and contracts at Huston-Tillotson University. This policy sets forth the following: (1) the Mission of the University in relation to research projects and to externally funded grants and contracts; (2) the researcher's freedom to investigate and report results, without interference from the granting agency, government offices, University trustees, administration, and colleagues, or others; and, (3) the personnel policies regarding salary compensation, benefits, and consultative fees for University employees in relation to externally funded grants and contracts.

Moreover, this policy affirms that all externally funded grants and contracts awarded to Huston-Tillotson University must be in conformity with, and enhance, the Mission of the University. Further, the administration, control, and fiscal accountability of all externally funded grants and contracts awarded to Huston-Tillotson University are solely and ultimately under the supervision and authority of the University and its President, who is the chief executive officer and registered agent of the Corporation under the laws of the State of Texas.

The Mission of Huston-Tillotson University is rooted in teaching. The University was founded upon a foundation of excellence in teaching; it has established and maintained a reputation and tradition of preparing excellent teachers; and it reaffirms a heritage of modeling excellence as a baccalaureate degree-granting university of the liberal arts and sciences. The University also claims a legacy of commitment to community service and proclaims a commitment to "serve as a repository of African-American culture, traditions, and research on contemporary social issues."

At Huston-Tillotson University, research is secondary to the University's primary purpose of teaching and complementary to the University's commitment to community service. Nevertheless, the University affirms that research is vital for the life of the institution and acknowledges its function, in

part, as that of a strategy for accomplishing its Mission. As a strategy, the research function serves two roles, i.e. Institutional Research and Professional Development.

The purpose of Institutional Research at Huston-Tillotson University is to understand the on-going assessment of the effectiveness of the University to achieve its mission. Institutional Research provides for faculty and administrative officers the data and analysis needed for purposes of institutional planning, assessment, decision-making, and reporting. Methods include research studies, program evaluations, surveys, and analyses of institutional records and data. Institutional Research shall be reported in a format that includes an executive summary, raw data, comparative data, analyses, and implications for University policy and decision-making.

The University affirms that Professional Development is essential for the continuous growth of all employees of the University, for enhancing the human resources potential of the institution, and for the fulfillment of the University's Mission. In part, the Mission of the University affirms an institutional commitment to provide a program that addresses "the necessary skills, knowledge, experiences, and attitudes essential for success in the 21<sup>st</sup> century."

For members of the faculty, Professional Development includes the encouragement of their participation in research programs. In this instance, the primary purposes of research are to improve instruction; to enhance the teaching-learning process; and to facilitate the personal growth of the faculty member, as a learned scholar, as a contributor to the intellectual life of the University, as a contributor to the faculty member's professional discipline, and as a role model for students and others. The University affirms accepted principles on Academic Freedom in regard to research, teaching, and the role and responsibilities of the faculty member as an employee of the University as well as a citizen of the community.

As stated in the Faculty Handbook:

Academic freedom is both a right and a responsibility.... It is, therefore, essential that the faculty member be free to pursue scholarly inquiry without restriction and to voice and publish the faculty member conclusions regardless of their acceptance.

Guidelines, procedures, and regulations regarding the administration of research projects, externally funded grants and contracts, and compensation and benefits issues are published below. Nevertheless, the University expects that a faculty member's first priority is that of teaching the class(es) and subject(s) assigned, in conformity with the policies and practices stated in the Faculty Handbook and in compliance with the instructional expectations of the department as articulated in the class syllabus and in other ways.

## **2.5.2 Guidelines, Procedures, and Regulations**

### **2.5.2.1 Administration and Control**

All proposals for externally funded grants and contracts which are intended for administration by Huston-Tillotson University must be submitted in the name of the University; and all funded grants and contracts must be awarded in the name of the institution. The Office of Institutional Advancement under the direction of the Director of Sponsored Programs and Proposal and Grants Coordinator assists with the research, writing, and filing of externally funded grants.

Any employee of the University may elect to seek or collaborate on an externally funded grant or contract, submitted in the employees own name—or in the name of another entity—for personal, professional development, or other purposes, provided, (1) that the time commitment does not inhibit, in any way, the full exercise of the employee's responsibilities at the University, and (2) that the grant causes absolutely no financial, legal, political, or moral encumbrance to the University.

No employee of the University, or other person, may obligate the University or make a contractual agreement for the University, except with the prior written approval of the President of the University. The authority to enter into a binding agreement between the University and an external agency, organization, or individual is vested solely in the President of the University.

All proposals for external grants and contracts must be submitted to the respective unit Vice President—complete and in final draft form—at least three (3) weeks prior to the deadline for submission to the funding agency, for review and signed approval, and then submitted to the President for final approval at least two (2) weeks prior to the deadline for mailing the proposal to the funding agency.

All proposals shall include an executive summary which outlines the following: (1) the project's purpose and objectives; (2) projected staffing and request for release-time for any current employee(s) of the University; (3) budget implications for the institution for each fiscal year included in the proposal, including, (a) the projected overhead revenue for the University, (b) a detailed outline of University space and facility requirements, (c) in-kind contributions of staff, supplies, and equipment, and (d) any financial resources from the institution which are required to match the resources of the funding agency or to fulfill the purposes of the project.

A copy of all proposals which require the President's signature shall be reviewed by the Office of Institutional Advancement prior to being submitted to the President. Once reviewed and packaged for mailing, the original should be submitted to the President for his signature in a file folder already labeled, along with six (6) complete extra copies. Upon approval and signing by the President, extra copy (1) will be retained for the President's file; extra copy (2) will be forwarded to the Vice President for Institutional Advancement; and the remaining copies will be returned to the unit Vice President. Extra copy (3) is for the unit Vice President's file, and two extra copies (4 and 5) are to be retained by the unit Vice President, pending approval of the grant, at which time copy (4) must be forwarded to the Fiscal Analyst in the University's Business Office. Extra copy (5) is the office file copy of the developer of the proposal or project administrator/director. Extra copy (6) must be forwarded to the Office of Sponsored Programs. Any remaining copies represent the signed copies of the approved proposal, which then may be mailed immediately to the funding agency.

All funded grants and contracts awarded to the University are the property of the institution, not that of either the individual who developed the proposal, or the department or office which may supervise the project, or the individual identified as project administrator/director. The President retains the authority to approve or remove the project administrator/director and to approve all personnel involved in all grants and contract projects.

#### **2.5.2.2 Fiscal Accountability and Reporting**

The fiscal accountability for all externally funded grants and contracts is the responsibility of the University's Business Office in consultation with the unit Vice President and the project administrator/director.

Upon notification to the President that a proposal has been funded, the President will inform the respective unit Vice President. It is then the responsibility of the unit Vice President to inform the project administrator/director that the proposal has been funded and to submit a complete copy of the proposal—extra copy (4)—to the Fiscal Analyst. The President will also inform the Vice President for Administration and Finance and the Vice President for Institutional Advancement.

Upon receipt by the University of the funds designated for the project, or upon official notification to the Vice President for Administration and Finance of the authorization to expend funds and submit requests for reimbursement to the funding agency, the Budget Analyst will authorize the Fiscal Analyst to inform the respective unit Vice President that the implementation of the grant project may commence.

The unit Vice President will meet with the Fiscal Analyst to review the following, (1) the budget for the grant project, (2) the development of a special account in the Business Office, (3) the reporting cycle required by the funding agency, and (4) any special accounting requirements or requests relative to the grant.

It is the responsibility of the unit Vice President to supervise the preparation of all reports to the funding agency and to submit a draft copy of each report to the President, for review and signing, at least two (2) weeks prior to the deadline for the submission of the report to the funding agency.

All requests for Business Office reports to accompany the narrative report shall be submitted in writing to the Vice President for Administration and Finance at least two weeks prior to the time that the data are needed to accompany the draft report for the President.

All externally funded grants and contracts will be audited annually by the Business Office, in collaboration with the unit Vice President and the project administrator/director; and a formal and signed audit report will be prepared by the Fiscal Analyst and co-signed by the Budget Analyst. Copies will be sent to the President, unit Vice President, project administrator/director, and Vice President for Institutional Advancement.

### **2.5.2.3 Salary Compensation, Benefits, Consultative Fees, and Indirect Costs**

The Administration encourages faculty and staff to write and submit applications for grants from governmental agencies and foundations in compliance with the guidelines, procedures, and regulations outlined above. The Office of Sponsored Programs is available to assist in locating grants and preparing proposals. While the Administration will not compensate the employee for developing and submitting the proposal, all grant applications should project an adequate budget to implement the objectives of the program, provide adequate compensation for the administration of the project, and provide indirect compensation for the University. Moreover, grant applications may designate compensation for consultants, a project director, and research coordinators and program assistants which may be paid, if the grant is funded, to appropriate faculty and staff who participate in the implementation of the project.

Salary, consultant fee compensation and benefits which are budgeted and approved in an externally funded grant—including summer salaries paid from grant and contract funds—may supplement and increase the employee's salary under the following conditions: (1) that the employee requests and is granted release-time by the unit Vice President and supervisor to implement the project, in compliance with the federal government's definition of 100% of time; and (2) that the grant provides compensation to hire appropriate personnel to carry out the duties of the employee who has been granted release time to implement the project.

All grants should identify in the proposed budget indirect costs for the institution at the maximum allowable rate under the grant guidelines. A current schedule of the federally approved institutional indirect cost rate is maintained in the Business Office.

### **2.5.3 Research Involving Human and/or Vertebrate Animal Subjects**

Huston-Tillotson University is responsible for safeguarding the rights and welfare of human subjects in any research, development, and related activity and for assuring the proper care of laboratory or other vertebrate animals used in research. See Also Volume I of the Policy Manual for information regarding the Research Standards Committee (RSC).

The responsibilities of the RSC, as stated in Volume I of the Huston-Tillotson Policy Manual, include:

1. Reviewing research proposals by students, faculty, or administration in which human or animal subjects are utilized;

2. Approving or recommending modifications based on ethical guidelines of accrediting bodies or learned societies for the discipline; and
3. Reporting to the President the completion of federal, state and other reports.

Huston-Tillotson is committed to a policy of safeguarding the rights and welfare of all human and animal subjects in research. As standards for the ethical treatment of human subjects, Huston-Tillotson accepts the principles set forth by the national Commission for the Protection of Human Subjects of Biomedical and Behavioral Research in its report, Ethical Principles and Guidelines for the Protection of Human Subjects of Research (commonly known as the Belmont Report) and Title 45, Section 46 of the U.S. Code. As standards for the ethical treatment of animal subjects, the University accepts PL89-544, the Animal Welfare Act, and the National Institute of Health (NIH) Guide for the Care and Use of Laboratory Animals. As standards for research involving human organs, tissues and/or body fluids, Huston-Tillotson accepts the standards from the Belmont Report and Title 45, Section 46 of the U.S. Code (regarding the treatment of the donors and the handling of the organs, tissues, and/or body fluids). As standards for research involving recombinant DNA, Huston-Tillotson accepts the National Institute of Health Recombinant DNA Guidelines.

### **2.5.3.1 Submission of Applications for Research Involving Human Subjects**

#### **2.5.3.1.1 Projects that Must be Reviewed**

Any person wishing to conduct research involving human subjects must submit a proposal to the Huston-Tillotson Research Standards Committee. This includes faculty and staff research, graduate student projects, and undergraduate projects, including class projects.

##### **2.5.3.1.1.1 Definitions**

1. Research means a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge. Activities that meet this definition constitute research for purposes of these regulations, whether or not they are supported or funded under a program which is considered research for other purposes. For example, some demonstration and service programs may include research activities. (45 CFR 46.102 d)
2. Human subject means a living individual about whom an investigator (whether professional or student) conducting research obtains:
  - a. data through intervention or interaction with the individual
  - b. identifiable private information (45 CFR 46.102 f)
3. Intervention includes both physical procedures by which data are gathered (for example, venipuncture) and manipulations of the subject or the subject's environment that are performed for research purposes. (45 CFR 46.102 f.2).
4. Interaction includes communication or interpersonal contact between investigator and subject.
5. Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information that has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (for example, a medical record). Private information must be individually identifiable (i.e., the identity of the subject is, or may readily be, ascertained by the investigator or associated with the information) in order for obtaining the information to constitute research involving human subjects. (45 CFR 46.102 f.2)

The applicant may submit either by completing a form or by providing the information in an enumerated list according to established guidelines. All forms and detailed guidelines may be obtained from the Dean of the College of Arts and Sciences. The application should be submitted to the applicant's departmental RSC representative, or if no such representative exists, to the Chair of the RSC.

#### **2.5.3.1.2 Expedited Review**

Unless the project involves vulnerable populations (see definition below), and if it involves only minimal risk (see definition below), it may be submitted for expedited review. In this case, the departmental RSC representative may review the study and, finding no more than minimal risk to the subjects, may approve the study using a Huston-Tillotson University Research Standards Committee Response to Proposal (Human Subjects) form. If the RSC representative finds that the study involves risk to the subjects, the proposal must be submitted for committee review (see below).

##### **2.5.3.1.2.1 Definitions**

1. Vulnerable populations include minors, patients, prisoners, mentally infirm persons.
2. Minimal risk means that the risks of harm anticipated in the proposed research are not greater, considering probability and magnitude, than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests. (45 CFR 46.102 i).

#### **2.5.3.1.3 Committee Review**

If the project does not qualify for expedited review, it must be submitted for committee review through the departmental representative (the "submitting representative") or if no such representative exists, to the Chair of the RSC. The submitting representative will send copies of the proposal to the other RSC members. The RSC members will read the proposal and return comments to the submitting representative either in writing or by electronic mail. The submitting representative will then summarize the comments of the committee and, given unanimous approval by RSC members, approve the study using a Huston-Tillotson Research Standards Committee Response to Proposal (Human Subjects) form.

The submitting member must have input from a majority of RSC members in order to approve a study.

#### **2.5.3.2 Conflict of Interest**

If a member of the RSC wishes to conduct a study, that committee member may submit the study for expedited review to any other RSC member, or for committee review through any other RSC member.

#### **2.5.3.3 Denial of Approval**

If the study is deemed unethical according to the standards of the Federal Policy for Protection of Human Subjects (Title 45, Section 46 of the U.S. Code), the submitting representative will reject the proposal using a Huston-Tillotson Research Standards Committee Response to Proposal (Human Subjects) form. All objections of the RSC member(s) will be outlined on the form.

#### **2.5.3.4 Revisions and Resubmission**

If an application has been rejected, the applicant may revise the proposal and resubmit it to the submitting representative. If the submitting representative deems that all the objections outlined in the Huston-Tillotson Research Standards Committee Response to Proposal (Human Subjects) form have been answered, the submitting representative may approve the study using a Huston-Tillotson Research Standards Committee Response to Proposal (Human Subjects) form. If the submitting representative so wishes, the resubmission may be sent out for committee review.

### **2.5.3.5 Submission of Applications for Research Involving Animal Subjects**

#### **2.5.3.5.1 Projects that Must be Reviewed**

Any person wishing to conduct research involving animal subjects must submit a proposal to the Huston-Tillotson Research Standards Committee. This includes faculty and staff research, graduate student projects, and undergraduate projects, including class projects.

The applicant may submit a proposal for review by completing a Huston-Tillotson Request for Expedited Approval of Research Involving Animal Subjects form, a Huston-Tillotson Request for Approval of Instructional Protocols Involving Animal Subjects form; or a Huston-Tillotson Request for Approval of Research Involving Animal Subjects form. The application should be submitted to the applicant's departmental RSC representative, or if no such representative exists, to the Chair of the RSC.

#### **2.5.3.5.2 Expedited Review**

Unless the project involves vertebrate animals in other than purely observational research, it may be submitted for expedited review. In this case, the departmental RSC representative may review the study and, finding that the use of animals is in compliance with PL89-544, the Animal Welfare Act, and the NIH Guide for the Care and Use of Laboratory Animals, may approve the study, using a Huston-Tillotson University Research Standards Committee Response to Proposal (Animal Subjects) form.

#### **2.5.3.5.3 Committee Review**

If the project does not qualify for expedited review, it must be submitted for committee review through the departmental representative (the "submitting representative") or if no such representative exists, to the Chair of the RSC. The submitting representative will send copies of the proposal to the other RSC members. The RSC members will read the proposal and return comments to the submitting representative either in writing or by e-mail. The submitting representative will then summarize the comments of the committee and, given unanimous approval by RSC members, approve the study using a Huston-Tillotson Research Standards Committee Response to Proposal (Animal Subjects) form.

The submitting member must have input from a majority of RSC members in order to approve a study.

#### **2.5.3.5.4 Conflict of Interest**

If a member of the RSC wishes to conduct a study, that committee member may submit the study for expedited review to any other RSC member, or for committee review through any other RSC member.

### **2.5.3.6 Denial of Approval**

If the study is deemed unethical according to the standards of PL89-544, the Animal Welfare Act, or the NIH Guide for the Care and Use of Laboratory Animals, the submitting representative will reject the proposal using a Huston-Tillotson Research Standards Committee Response to Proposal (Animal Subjects) form. All objections of the RSC member(s) will be outlined on the form.

#### **2.5.3.6.1 Revision and Resubmission**

If an application has been rejected, the applicant may revise the proposal and resubmit it to the submitting representative. If the submitting representative deems that all the objections outlined in the Huston-Tillotson Research Standards Committee Response to Proposal (Animal Subjects) form have been answered, the submitting representative may approve the study using a Huston-Tillotson Research Standards Committee Response to Proposal (Animal Subjects) form. If the submitting representative so wishes, the resubmission may be sent out for committee review.



### **2.5.3.7 Submission of Applications for Research Involving Human Organs, Tissues, and/or Fluids**

#### **2.5.3.7.1 Projects that Must be Reviewed**

Any person wishing to conduct research involving human organs, tissues, or body fluids must submit a proposal to the Huston-Tillotson Research Standards Committee. This includes faculty and staff research, graduate student projects, and undergraduate projects, including class projects.

The applicant may submit by completing a Huston-Tillotson Request for Expedited Approval of Research Involving Human Organs, Tissues, or Body Fluids form, a Huston-Tillotson Request for Approval of Instructional Protocols Involving Human Organs, Tissues, or Body Fluids form; or a Huston-Tillotson Request for Approval of Research Involving Human Organs, Tissues, or Body Fluids form. The application should be submitted to the applicant's departmental RSC representative, or if no such representative exists, to the Chair of the RSC.

#### **2.5.3.7.2 Expedited Review**

Unless the project involves vulnerable populations (minors, patients, prisoners, mentally infirm persons), any study involving the collection of the following substances may be submitted for expedited review:

1. Hair and nail clippings (in a non-disfiguring manner);
2. Deciduous teeth;
3. Permanent teeth if patient care indicated a need for extraction;
4. Excretal and external secretions including sweat, uncannulated saliva, placenta removed at delivery, and amniotic fluid at the time of rupture of the membrane prior to or during labor.

In this case, the departmental RSC representative may review the study and, finding no more than minimal risk to the subjects (see definition under paragraph 2.4.3.1, above), and finding that the handling of the organs, tissues, and body parts is in compliance with the standards of the Belmont Report and Title 45, section 46 of the U.S. Code, may approve the study, using a Huston-Tillotson University Research Standards Committee Response to Proposal (Human Organs, Tissues, and Body Fluids) form. If the RSC representative finds that the study involves risk to the subjects, the proposal must be submitted for committee review (see below).

#### **2.5.3.7.3 Committee Review**

If the project does not qualify for expedited review, it must be submitted for committee review through the departmental representative (the "submitting representative") or if no such representative exists, through the Chair of the RSC. The submitting representative will send copies of the proposal to the other RSC members. The RSC members will read the proposal and return comments to the submitting representative either in writing or by e-mail. The submitting representative will then summarize the comments of the committee and, given unanimous approval by RSC members, approve the study using a Huston-Tillotson Research Standards Committee Response to Proposal (Human Organs, Tissues, and Body Fluids) form.

The submitting member must have input from a majority of RSC members in order to approve a study.

#### **2.5.3.7.4 Conflict of Interest**

If a member of the RSC wishes to conduct a study, that committee member may submit the study for expedited review to any other RSC member, or for committee review through any other RSC member.

#### **2.5.3.7.5 Denial of Approval**

If the study is deemed unethical according to the standards of the Federal Policy for Protection of Human Subjects, the submitting representative will reject the proposal using a Huston-Tillotson Research Standards Committee Response to Proposal (Human, Organs, Tissues, and Body Fluids) form. All objections of the RSC member(s) will be outlined on the form.

#### **2.5.3.7.6 Revision and Resubmission**

If an application has been rejected, the applicant may revise the proposal and resubmit it to the submitting representative. If the submitting representative deems that all the objections outlined in the Huston-Tillotson Research Standards Committee Response to Proposal (Human, Organs, Tissues, and Body Fluids) form have been answered, the submitting representative may approve the study using a Huston-Tillotson Research Standards Committee Response to Proposal (Human, Organs, Tissues, and Body Fluids) form. If the submitting representative so wishes, the resubmission may be sent out for committee review.

### **2.5.3.8 Submission of Applications for Research Involving Recombinant DNA**

#### **2.5.3.8.1 Projects that Must be Reviewed**

Any person wishing to conduct research involving Recombinant DNA must submit a proposal to the Huston-Tillotson Research Standards Committee. This includes faculty and staff research, graduate student projects, and undergraduate projects, including class projects.

The applicant may submit by completing a Huston-Tillotson University Request for Approval of Instructional Protocols Involving Recombinant DNA form; or a Huston-Tillotson University Request for Approval of Research Involving Recombinant DNA form. The application should be submitted to the applicant's departmental RSC representative, or if no such representative exists, to the Chair of the RSC.

#### **2.5.3.8.2 Expedited Review**

If the proposed project falls under Class III-E (See the Huston-Tillotson University Recombinant DNA Experiments Questionnaire), then it may be submitted for expedited review. The applicant should complete a Huston-Tillotson University Request for Expedited Approval of Research Involving Recombinant DNA form. This may be reviewed by the departmental representative. The departmental representative may decide to submit the proposal for committee review (see below).

#### **2.5.3.8.3 Committee Review**

If the project does not qualify for expedited review, it must be submitted for committee review through the departmental representative (the "submitting representative") or if no such representative exists, through the Chair of the RSC. The submitting representative will send copies of the proposal to the other RSC members. The RSC members will read the proposal and return comments to the submitting representative either in writing or by e-mail. The submitting representative will then summarize the comments of the committee and, given unanimous approval by RSC members, approve the study using a Huston-Tillotson University Research Standards Committee Response to Proposal (Recombinant DNA) form.

The submitting member must have input from a majority of RSC members in order to approve a study.

#### **2.5.3.8.4 Conflicts of Interest**

If a member of the RSC wishes to conduct a study, that committee member may submit the study for expedited review to any other RSC member or for committee review through any other RSC member.

#### **2.5.3.8.5 Denial of Approval**

If the study is deemed unethical according to the standards of the National Institute of Health Recombinant DNA Guidelines, the submitting representative will reject the proposal using a Huston-Tillotson University Research Standards Committee Response to Proposal (Recombinant DNA) form. All objections of the RSC member(s) will be outlined on the form.

#### **2.5.3.8.6 Revision and Resubmission**

If an application has been rejected, the applicant may revise the proposal and resubmit it to the submitting representative. If the submitting representative deems that all the objections outlined in the Huston-Tillotson University Research Standards Committee Response to Proposal (Recombinant DNA) form have been answered, the submitting representative may approve the study using a Huston-Tillotson University Research Standards Committee Response to Proposal (Recombinant DNA) form. If the submitting representative so wishes, the resubmission may be sent out for committee review.

#### **2.5.3.9 Record-Keeping by the Research Standards Committee**

When a member of the Huston-Tillotson Research Standards Committee approves or rejects a proposed study, that member shall retain a photocopy or electronic copy of the approval or rejection form for a period of not less than 10 years. Should a member who holds such records leave the RSC before the 10-year period elapses, the individual shall transfer the records to the acting Chair of the RSC.

Copies of any federal or state reports filed by the RSC will be sent to the Office of the President of Huston-Tillotson.

#### **2.5.3.10 Duration of Approvals**

Approvals shall be in force for a period of one calendar year from the date of approval. If the project is not completed in that period, the researcher may simply resubmit the original application with a letter indicating that the project is continuing. So long as there have been no changes in the study or in the ethical standards of the University or of the relevant discipline, the RSC member may approve the study using a Huston-Tillotson Research Standards Committee Response to Proposal (Human Subjects, Animal Subjects, Human Organs, Tissues, and Body Fluids, or Recombinant DNA) form. At this point, the approval is extended for a period of one calendar year from the date of the new approval. If the study or the relevant research standards have changed, the study may be submitted for expedited or committee review, as indicated above.

### **2.5.4 Intellectual Property Rights Regarding Research**

This policy on Intellectual Property enumerates the rights of Huston-Tillotson University regarding research under the auspices of the University. Intellectual Property is herein defined as all inventions, scientific or other discoveries, and technological advancements developed during the course of a research project that are patentable under applicable law, and/or such works of authorship that are subject to copyright law.

The University supports and encourages its faculty and staff to explore research and consortia relationships as a means to advance knowledge and technology, to improve the effectiveness of their teaching, and to provide learning experiences, internships, and employment opportunities for students. It is the objective of Huston-Tillotson University to administer all patentable inventions and copyrightable works in a manner such as to maximize their benefit to the public.

#### **2.5.4.1 Inventions**

Any invention by a University employee is the property of the University and is considered a "University invention," under the following circumstances: (a) that the invention or modification is conceived or reduced to practice by a University employee utilizing facilities owned or under the

supervision of, or made available by, the University; (b) that the invention arises from, or is related to, research work sponsored by the University, or is related to an operation or activity of the University; and (c) that the invention is not subject to a written research grant agreement between the University and a third party specifying the terms of ownership, licensing, and use of the invention.

If an invention that is conceived or reduced to practice is funded by the University and a third party jointly, or solely by a third party or parties, the ownership of the invention is determined by the terms of the written agreement between the University and the third party.

The inventor shall assign the individual's interest in the invention to the University or an assignee named by the President, except when the University's interest in an invention is released to the inventor by the President as described later in this statement. The inventor shall, not more than 30 days after the development of the invention, file a written disclosure statement with the President that includes the following information:

1. A title that is brief, technically accurate, and descriptive;
2. An abstract of the invention;
3. A statement of the background of the invention;
4. A description of the prior art that shows the novelty, utility, and non-obviousness of the invention being disclosed;
5. A list of publications, if any, in which the invention has been disclosed and occasions on which the invention was disclosed orally to others;
6. Each budget number used to defray invention related costs;
7. The signatures of each inventor and at least two witnesses who understand the invention; and
8. The date the disclosure statement is filed with the President.

The inventor shall periodically report in writing to the President the current status of progress, results of research, and development work done with respect to the invention.

The inventor, when requested by the University, will do each thing necessary, including execute legal documents and review patent prosecution papers, to assist the University in patenting and administering the invention.

The President shall review each proposed research grant or program agreement to which the University is party and which may produce a patentable invention to determine its consistency with this policy, and where major differences are found, either approve them in writing as an exception to this policy or recommend amendments to the agreement.

The President shall, at the President's discretion, apply for patents for the invention; or release the University's interest in the invention to the inventor; or dispose or retain ownership of the invention in another manner.

The University will bear the costs associated with a University invention and before disbursement of royalties are made, may recover these costs as follows:

If there is one inventor, the University shall pay the inventor a royalty of 40% of the net proceeds (the gross receipts from external users, less costs, and expenses paid or incurred by the University in connection with a University invention).

If there is more than one inventor, the University shall pay the inventors collectively 40% of the net proceeds and distribute this royalty equally between the inventors, if there is no agreement between

the inventors covering the division of their interest in the invention or work, or in accordance with an agreement between the inventors covering the division of their interest.

The University shall distribute the remaining 60% as follows: 25% to the University's general fund, and 35% to the University department or program with which the inventor is associated.

#### **2.4.5.2 Works or Authorship**

The copyright of a work authored by a faculty member is the property of the faculty member, unless the University has entered into a written agreement with the faculty member in which the faculty member has agreed to author the work for hire.

If the University enters into an agreement with a faculty member in which the faculty member agrees to author a work, the work is "a work for hire" under federal copyright law.

A work authored by an administrative employee of the University as part of that employee's assigned duties is "a work for hire" under federal copyright law.

The copyright to "a work for hire" is the sole property of the University.

The copyright of all materials (including software) that are developed with the significant use of funds, space, equipment, or facilities administered by the University, including but not limited to classroom and laboratory materials, but without any obligation to a third party or subject to a third party agreement, will be held by the University.

Creators of copyrightable material not owned by the University own the copyrights in their works and are free to publish them, register the copyright, and receive any revenues which may result therefrom.

Materials owned by the University (including software) under the terms of this policy shall not be altered or revised without providing the author a reasonable opportunity to assume the responsibility for the revision. If the author declines the opportunity to revise such material, the President will make the assignment of responsibility for the revision.

#### **2.4.5.3 Dispute Resolution**

Should a disagreement arise between a researcher and the University regarding the application of this policy or the ownership of an invention or work, a committee consisting of one person selected by the inventor or author, one member selected by the President of the University, and a third member agreed upon by the first two committee members selected, will resolve the disagreement and report the resolution to the President who will have the final word.

The University may not bring, prosecute, or defend court litigation involving a University invention or work without the prior written approval of the President.

## **2.6 Communication Policies**

### **2.6.1 Acceptable Use Policy**

This document defines a policy for acceptable use of Huston-Tillotson University's information technology. This policy applies to all users including faculty, staff, students and guest users of Huston-Tillotson University's computer networks, equipment, or connecting resources.

#### **2.6.1.1 Use of Equipment**

##### **A. Use of Equipment**

1. Only Huston-Tillotson University students, faculty, staff, alumni and authorized users are allowed to use campus technology equipment;
2. Users shall adhere to the terms of software licenses and other contracts. Persons loading software on any University computer must adhere to all licensing requirements for the

software. Except where allowed by University site licenses, copying software licensed for University use for personal use is a violation of this policy;

3. Users shall adhere to other University and campus policies, including the Collected Rules and Regulations of the University, Code of Conduct and Community Standards;
4. Users shall adhere to data access policies of the University or those established by law;
5. Users shall use University computer resources in a manner that is compliant with University policies and state and federal law;
6. The use of University equipment by individuals or organizations for activities not directly connected with an approved Huston-Tillotson University activity is prohibited; and
7. Users shall not use University technology equipment for unlawful purposes, including, but not limited to, illegal copying, installing or using of software, music, media or any copyrighted materials without a license.

The Information Technology Department reserves the right to inspect electronic information on University networks or equipment, including, but not limited to, electronic mail and personal information, which is subject to examination by the University where:

- It is necessary to maintain or improve the functioning of University computing resources;
- There is a suspicion of misconduct under University policies, or suspicion of violation of federal or state laws; or
- It is necessary to comply with, or verify compliance with, federal or state law.

#### **B. User Responsibilities**

1. Users shall respect the intellectual property rights of authors, contributors, and publishers in all media;
2. Users may not divulge any personally identifiable information to which they may have access without permission or prior consent from a Huston-Tillotson University representative;
3. Users shall protect their user ID, password, and system from unauthorized use. Users shall comply with the following password security rules in order to protect their accounts:
  - Passwords must be at least 8 characters in length;
  - Passwords must include a letter, number and special character (i.e., ( ) ! @ # \$ % ^ & \* - + = | \ { } [ ] < > ? / , etc.)
4. Users shall not use or try to discover another user's password;
5. Users shall log-off of computers when they are not in use;
6. Users shall lock their personal workstations when away from their desk;
7. Users shall not deliberately use campus technology to annoy or harass others in any way;
8. Users shall not deliberately create or access any obscene, non-educational images or other content that are profane or sexual in content. Users who receive profane content are required to delete the content and contact the Information Technology Helpdesk;
9. Users shall not intentionally damage any campus technology or electronic information belonging to others, or misuse campus technology resources, or allow others to misuse campus technology resources; and
10. Users shall not remove any campus technology equipment from its assigned/designated location without prior approval by the appropriate manager.

#### **C. Prohibited Uses of University Computer Resources**

1. Unauthorized or excessive personal use. Use may be excessive if it overburdens a network, results in substantial use of system capacity, or otherwise subjects the institution

- to increased costs or risks (employees additionally may be subject to discipline for unauthorized or excessive personal use of computer resources.);
2. Uses that interfere with the proper functioning of the University's information technology resources;
  3. Uses that unreasonably interfere with the ability of others to make use of University computer resources;
  4. Attempting to gain or gaining unauthorized access to the computer system or files of another;
  5. Use of University computer resources to infringe the intellectual property rights of others;
  6. Use of University computer resources for personal profit, except as permitted under the University's conflict of interest policy;
  7. Mass mailing of e-mail by and to University personnel should be limited to relevant University business including the announcement of events, activities, policies, procedures, or emergency situations. Mass mailing should not be used for e-mails only meant to be inspirational, funny, religious, which support a particular religious or world view, or which attempt to sway the reader's beliefs; and
  8. Use of University computer resources to influence legislation or campaign for or against political candidates is prohibited.

#### **D. Consequences of User Violations**

Use of campus technology is a privilege. Violations of the policies and procedures of Huston-Tillotson University concerning the use of videos, computers, campus technology and networks will result in disciplinary actions under Volume V of the Huston-Tillotson University Policy Manual.

##### **Violations by Students of the Institution**

###### *First Offense:*

*Any student considered being in violation of the Acceptable Use Policy should be referred to the manager of the department or laboratory in which the offense occurs. The manager will counsel the student and advise the student of the offense and may suspend the student's use of the computer or laboratory for twenty-four (24) hours.*

###### *Second Offense or Pattern of Abuse or Flagrant Violation:*

*Any student alleged of a second offense of the Acceptable Use Policy or who exhibits a pattern of flagrant violation of the Acceptable Use Policy, such as gross misconduct or destruction of property, or mischievous insult to others, should be referred to the manager of the department or laboratory in which the offense occurs. The manager may summarily suspend the student's use of the computer or laboratory for one week. Within twenty-four (24) hours, the manager shall submit a formal written complaint to the Dean of Student Affairs for referral to the University Conduct Council for review and action.*

*Sanctions imposed by a Conduct Officer or the University Conduct Council may include any combination of the following sanctions: monetary fine, suspension of the use of the campus technology for a specified amount of time not to exceed the balance of the semester, "campus work," suspension from school for the balance of the semester, or referral to legal authorities for prosecution under federal and state statutes.*

##### **Violations by Employees of the Institution**

Any employee of Huston-Tillotson University who violates the Acceptable Use Policy should be referred immediately to the respective unit head. The unit head will counsel the employee and advise the employee of the offense and may recommend to the President the employee's appropriate sanction or termination from Huston-Tillotson University, and/or referral to legal authorities for prosecution under federal and state statutes.

#### **E. Changes to this Policy**

Huston-Tillotson University reserves the right to change this Acceptable Use Policy at any time by posting a new Acceptable Use Policy on its website. You can send an e-mail to Huston-Tillotson University with any question relating to the Acceptable Use Policy at [itdepartment@htu.edu](mailto:itdepartment@htu.edu).

##### **2.6.2 Internet and Electronic Mail (E-Mail) Usage Policy**

The Internet is a powerful business tool that can provide a great deal of useful information. Unfortunately, it can also be a distraction from productive work time or educational pursuits when browsing non-business or non-educational related sites. In an effort to clarify our position on the use of the Internet while utilizing Huston-Tillotson University property, we have developed the following guidelines for all employees:

1. Exploring the Internet shall be done before or after work hours or during the lunch break. Using appropriate sites for business purposes is unrestricted as long as it is reasonable;
2. Although the University has very good virus prevention programs installed, downloading from the Internet should be done with caution. Space is also a potential problem; therefore, downloaded material should be kept under control;
3. The display or transmission of sexually explicit images, messages or cartoons, or any transmission that contains ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs is not permitted; and
4. Use common sense with open Web sites, especially with visitors in the area.

Huston-Tillotson University has the right to monitor Internet browsing by each user on our system. However, our goal is that employees and students will make this unnecessary. At Huston-Tillotson University, faculty, staff and students have the privilege of Internet access and it is important that the campus community utilize this valuable asset for our mutual benefit.

Electronic mail (e-mail) is to be used for business or educational purposes. While personal e-mail is permitted, it is to be kept to a minimum. Personal e-mail shall be sent or received as seldom, and be as brief, as possible. No one may solicit, promote or advertise any organization, product or service through the use of e-mail or anywhere else on Huston-Tillotson University premises during work hours. The mass mailing of e-mail by and to the University community, that is, e-mail sent to the HT Faculty, HT Staff, or HT Students e-mail groups, is limited to relevant University business. Relevant University business includes announcements of events, activities, policies, procedures, emergency situations, and information involving Huston-Tillotson University or that affect Huston-Tillotson University employees or students.

Students have three options for sending mass emails:

1. Contact the faculty/staff advisor of the organization which the e-mail involves;
2. Send the e-mail to [emailrequests@htu.edu](mailto:emailrequests@htu.edu); or
3. Fill out an electronic form on the MyHTU.edu front page only accessible by students.



With respect to options two and three, submit requests to the Director of Campus Life (see "Acceptable Use Policy", Student Handbook section 7.2.35, as a guide). If the message is deemed appropriate, it is forwarded to the student body.

Members of the campus community are not permitted to send e-mail that contains ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs. We reserve the right to determine when an employee or student is sending excessive or improper e-mail.

The password feature of Huston-Tillotson University's network and telecommunications systems is the foundation for maintaining the confidentiality of Huston-Tillotson University's communication system. Passwords, system telephone numbers, and similar information may not be disseminated to the public and must be retained as confidential information by the user. For privacy reasons, employees may not attempt to gain access to another employee's personal file of e-mail messages without the latter's express permission.

**Electronic mail is a Huston-Tillotson University asset and is subject to review or monitoring at any time without notice.**

This policy may be revised from time to time as Huston-Tillotson University gains more experience with the Internet and e-mail. Additional information may be found in Volume VII, Student Handbook.

#### **Employee User Account and Data Retention Policy**

This policy dictates the manner in which user accounts and data are kept and when they are disabled and deleted.

##### **A. Disabling User Accounts:**

- a. User accounts are immediately disabled on the date of the user's separation from Huston-Tillotson University; and
- b. User account descriptions will be updated to include the date at which the account was disabled in the following format: yearmonth (IE: September 10, 2006 = 20060910). This allows for accounts to be sorted by when they were disabled.

##### **B. Deleting User Accounts and Data:**

- a. User accounts and data are deleted when ninety (90) days have elapsed;
- b. Because user accounts have the description, it is easy to identify which accounts need to be deleted thereby, ensuring only accounts appropriate for deletion are deleted;
- c. The home folder for the account is then deleted; and
- d. Supervisors are encouraged to move data they feel is needed to their "U:" Drive, department folder or another location.

## **2.7 Copyright Guidelines**

### **2.7.1 Copyright Law**

Huston-Tillotson University faculty, staff, and students will respect and adhere to Copyright Guidelines.

The most recent comprehensive revision of the copyright law became effective January 1, 1978. The main purpose of the revision was to enable the United States to join the Berne Convention, responsible for the world's principal international copyright policies, by bringing the copyright laws of the United States in line with those of other countries. To this end, the Copyright Law enacted in 1978 incorporated the following changes:

1. It extended the term of copyright protection for works created after January 1, 1978, from the maximum length of 56 years (two twenty-eight year terms) to the life of the author plus 50 years. For works published after 1909 and before 1978, the term is extended to seventy-five years from the date of publication or creation.

Copyrighted materials enter the public domain when the copyright protection expires and may be used without permission;

2. It fixed the copyright at the moment of creation rather than the date of publication, thus eliminating the distinction between published and unpublished work;
3. It no longer required that the published work include a copyright notice in order to receive copyright protection; and
4. It expanded the types of works that could be copyrighted. Under the new law, copyright protects "original works of authorship" that may be perceived, reproduced, or otherwise communicated either directly or with the aid of a machine.

#### **2.7.1.1 Fair Use**

The copyright law also incorporated the doctrine of 'fair use' as part of the statute. "Fair use" allows the copying of copyrighted works without the owner's permission for purposes such as "criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research." (Title 17 United States Code, Section 107)

In determining whether the use made of a work is a 'fair use' or an infringement of copyright, the following factors are considered:

1. The type of use such as non-profit educational use or commercial benefit;
2. The nature of the copyrighted work (a table copied from an almanac has a better chance of a 'fair use' defense than an original work such as a test instrument or a chapter from a textbook);
3. The amount or portion of the work copied in relation to copyrighted work as a whole (usually 2 to 5%; never more than 10%); and
4. The market effect or how much of an effect the unapproved copies will have on the potential market value of the copyrighted work.

#### **2.7.2 Guideline for Educational Copying of Books and Periodicals**

##### **2.7.2.1 Single Copying By Teachers**

A teacher may make a single copy of any of the following for that teacher's research, lesson preparation, or use in teaching:

1. A chapter of a book;
2. An article from a publication;
3. A short story, short essay, or short poem; and/or
4. A chart, graph, diagram, cartoon or picture form i.e., a book, periodical, or newspaper.

More than one illustration can be copied if they are included in a chapter or article being copied.

##### **2.7.2.2 Multiple Copies For Classroom Use**

One copy can be made for each student in a class when the work is for classroom use, each copy carries the notice of copyright, and the copying meets the conditions of brevity and spontaneity.

Brevity refers to how much may be copied from any given work.

**Prose:**

1. A complete article, story, or essay if less than 2,500 words;
2. An excerpt not to exceed 1,000 words or ten percent of the work, whichever is less; and/or
3. When ten percent of the work is less than 500 words, up to 500 words may be used.

**Poetry:**

1. A complete poem if it is less than 250 words and/or not more than two pages; and/or
2. An excerpt of not more than 250 words from a longer poem.

**Illustrations:**

1. One chart, graph, diagram, cartoon, picture, or drawing per book or periodical issue.

**Special Works:**

1. Combines language and illustrations (such as children's or comic books);
2. An excerpt comprised of not more than two of the published pages and containing not more than 10% of the words found in the text;
3. Spontaneity refers to the conditions under which copies may be made, such as:
  - a. The copying must be made by or at the request of an individual teacher. A higher authority cannot direct it.
  - b. The decision to use a material must be so close to the time for its effective use in the classroom that it would be difficult either to purchase copies or to ask for and receive permission.

**2.7.2.3 Restrictions**

1. The copies are to be used in only one course. This includes a multi-section course taught by the same or different teachers as one course using a uniform text and lesson plan;
2. Copying of the same item(s) by the same teacher may not be repeated from semester to semester. If the materials are to be used in successive semesters, they must be purchased or the instructor must be granted permission for their use;
3. Not more than one poem, article, story, or essay, nor more than two excerpts from the same author may be copied;
4. No more than three excerpts from the same anthology or periodical volume may be copied. (This restriction does not apply to current newspapers or current news articles in other periodicals.);
5. There is a limit of nine total instances of multiple copying for use in a course each semester;
6. Copying may not be used to create, replace or substitute for anthologies, compilations, or collective works; and
7. No copies may be made and distributed from works intended to be "consumable" such as workbooks or standardized exercises, tests, and answer sheets.

**2.7.2.4 Guidelines for Using "For Home Use Only" Audiovisual Works in the Classroom**

Section 110(1) of the copyright law states explicitly that any film, videocassette, or videodisk legitimately acquired (that is, either purchased from legitimate sources or leased from a licensed

distributor) may be performed or displayed by instructors or pupils in face-to-face teaching activities in non-profit educational institutions when the following conditions are met:

1. They must be shown only for instructional purposes in courses given for academic credit and not for entertainment or recreation;
2. They must be shown only in classrooms or other locations devoted to instruction; and
3. They must be shown by the instructors or pupils; and they must be shown to an audience limited to the instructor(s), the students taking the class, and the guest lecturer(s).

An instructor may duplicate a small part (up to 10 %) of a film, videocassette, or videodisk for research or instruction if the 10% is not the “essence” of the work. An instructor may not reproduce an audiovisual work in its entirety or convert one media format into another without permission.

#### **2.7.2.5 Guidelines for Videotaping Television Programs**

In 1981, an Ad Hoc Committee on copyright law announced that a negotiating committee of 19 educational users and copyright proprietors agreed on a set of guidelines under the “fair use” doctrine for the use of off-air videotapes in the classroom. These guidelines, while not part of the legislative history on the Copyright Law, were published in the October 14, 1979, Congressional Record (pp. E4740-E4752) more than a year before the Supreme Court’s decision that off-air videotaping of free over-the-air television programs for “in home use” was a fair use. It is important to note that in deciding that case, the Supreme Court also found that massive, systemic off-air videotaping and the making of multiple copies of off-air videotapes not to be fair use because of the substantial effect such practices were likely to have on the market for commercially produced videotapes.

The following guidelines were developed to apply to off-air recordings for or by non-profit educational institutions:

1. A “broadcast program” (transmitted by television stations for reception by the general public without charge) may be recorded simultaneously with the broadcast transmission and retained by a non-profit educational institution for a period not to exceed 45 calendar days after the date of the recording. Upon conclusion of such retention period, the off-air recording must be erased or destroyed;
2. Off-air recordings may be made only by, or at the request of, and used by an individual instructor and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once by/for the same instructor, regardless of the number of times the program may be broadcast;
3. Off-air videotapes may be used only twice in each class by an individual teacher—once as the initial presentation and then again if instructional reinforcement is necessary. The off-air recording must be played in the classroom during the first ten (10) consecutive school days (not counting weekends, holidays, or examination periods) within the 45 calendar day retention period;
4. After the first ten consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for the purpose of the teacher’s evaluation, i.e., to determine whether or not to include the broadcast program in the teaching curriculum;
5. Off-air recordings need not be used in their entirety, but the content of the original programs may not be altered. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations;
6. All copies of off-air recordings must include the copyright notice if one appears in the original program;

7. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each additional copy shall be subject to the same provisions governing the initial off-air recording.; and
8. Educational institutions are expected to establish appropriate control procedures to maintain the integrity of these guidelines.

#### **2.7.2.6 Satellite Video Download**

Satellite programming is protected by the Federal Communications Act (Title 47 US Code). An increasing number of educational satellite programs are now available through membership or by contract. Reception without a license or membership is illegal.

#### **2.7.2.7 Audio Recordings**

A single copy of a sound recording (tape, disk, cassette, etc.) of copyrighted music may be made from sound recordings owned by an educational institution or an individual instructor for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. Copying as a way of avoiding purchase is forbidden, given the reasonable availability of the material.

It is definitely not permissible to duplicate entire audiotapes or to adapt entire CD's to cassette tapes or other CD's whether they are an independent unit or a component of an instructional program (such as language tapes). Making copies to meet student demands is an infringement of the copyright law.

#### **2.7.2.8 Computer Software**

The 1976 Copyright Law was amended in December 1980 to define computer software as a literary work, which gives software copyright protection immediately upon creation. Since the law and the 1980 Amendments are vague, it is imperative that educators read the software's copyright page and understand the licensing restrictions printed there. The International Council for Computers in Education (ICCE) has issued a "Suggested Policy Statement on Duplicating and Using Computer Software in Academic Settings." Accordingly a computer user is allowed to:

1. Make one copy of software for archival purposes in case the original is destroyed or damaged through mechanical failure of a computer. However, if the original is sold or given away, the archival copy must be destroyed, and the archival copy may not be used on a second computer at the time the original is in use; and
2. Make necessary adaptations to the program and add features to the program for specific applications. These improvements may not be sold or given away without the copyright owner's permission.

The ICCE also suggests that in the absence of a license expressly permitting the user to do so, the loading of the contents of one disk into many computers for use at the same time is not allowed. Likewise, before placing a software program on a local area network (LAN) or disk sharing system for use by multiple users at the same time, the instructor must obtain a written license agreement from the copyright holder granting permission to do so.

#### **2.7.2.9 Databases**

Databases are copyrightable and copying from a database to a computer appears to be a copyright infringement. The copyright owners generally accept temporary downloading as a fair use as long as only one report is printed and the data is erased after printing the report. Long-term retention to reuse or to combine in creating a local database requires a downloading license.

### **2.7.2.10 Scanning**

Scanning or electro-copying a text may be “fair use” if it is used only for research (e.g., for textual analysis). Any other scanning of copyrighted texts is subject to copyright law and requires the permission of the copyright owner unless it meets the criteria of brevity and spontaneity for print materials given above. Artworks should not be electro-copied without permission unless they are in the public domain. Electro-copying by students as a ‘learning exercise’ is permissible, but copies should be promptly erased.

### **2.7.2.11 Internet**

Individuals who use the Internet and other networks constantly find ideas and information they would like to use, compile, collect and modify. It is possible for users to download texts and images, e-mail them to another site and/or combine them with other texts and images which can ultimately result in a new “work” (such as a web page) or a work that does not bear much resemblance to the original.

When the United States joined the Berne Convention in 1989, placement of a copyright notice on a work became optional. Copyright protection exists from the moment of creation and “fixation in a tangible manner” regardless of what source the information comes from. If a user incorporates texts or images from an electronic source, that person must check to see if there is a copyright notice at the beginning of the material. If there is no copyright notice or if there is a notice but there is not a statement to the effect that uses are permitted, the materials are subject to copyright law.

If the instructor is creating a web page, contributing to an electronic journal, or posting an original work to an electronic bulletin board, it is suggested that the instructor affix a copyright notice (small “c” in a circle ©, date, and owner’s name) and a statement as to whether uses are or are not permitted. This makes it easier for other individuals to contact the copyright owner for permission to use and more difficult for infringers to claim innocence. It is also advisable to keep a print copy of the copyright notice and to register the material with the Copyright Office (U.S. Copyright Office, Library of Congress, 101 Independence Ave., Washington DC, 20559).

### **2.7.2.12 Educators’ Use of Multimedia Projects**

On July 17, 1996, the Consortium of University and University Media Centers issued guidelines on ‘fair use’ of copyrighted materials by educators. These guidelines allow students to use, under the fair use doctrine, lawfully acquired copyrighted materials in multimedia programs for educational purposes and allow the students to retain the material for such uses as seeking employment or applying to graduate school. In face-to-face teaching situations, educators may show students how to produce multimedia programs and may produce multimedia programs themselves as teaching tools. Educators may also exchange displays of the multi-media programs they have created with colleagues, and they may use their own programs, with some restrictions, over their own institution’s electronic network for remote instruction.

It is important to recognize that these draft guidelines do not carry the weight of law and that many such guidelines are the subject of much disagreement among librarians and educators.

Educational multimedia projects created under these guidelines incorporate students’ or educators’ original material, such as course notes or commentary, together with various copyrighted media formats including, but not limited to, motion media, music, text material, graphics, illustrations, photographs, and digital software which are combined into an integrated presentation.

### **2.7.3 Guidelines for Use of Copyrighted Materials in Multimedia Projects**

#### **2.7.3.1 Instructors' Use of Multimedia**

Instructors may incorporate portions of lawfully acquired copyrighted works when producing their own educational multimedia projects for their own teaching tools in support of curriculum-based instructional activities at educational institutions.

Instructors may perform and display their own educational multimedia projects created for curriculum-based instruction to students in the following situations:

1. For face-to-face instruction;
2. As assignments to students for directed self-study; and
3. For remote instruction to students enrolled in curriculum-based courses and located at remote sites.

Instructors may also perform or display their own education multimedia projects in presentation to their peers, for example, at workshops and conferences.

Instructors may retain educational multimedia projects in their personal portfolios for later personal uses such as tenure review or job interviews.

#### **2.7.3.2 Time limitations**

Instructors may use their educational multimedia projects created for educational purposes for teaching courses for a period of up to two years after the first instructional use with a class. Use beyond that time period, even for educational purposes, requires permission for each copyrighted portion incorporated into the production.

#### **2.7.3.3 Portion Limitations**

Portion limitations means that the amount of a copyrighted work which can reasonably be used in educational multimedia projects under these guidelines depends on the original medium from which the copyrighted works are taken.

##### *Motion Media:*

Up to 10% or three minutes, whichever is less, in the aggregate of a copyrighted work may be reproduced or otherwise incorporated as part of an educational multimedia project.

##### *Text Material:*

Up to 10% or 1,000 words, whichever is less, in the aggregate of a copyrighted work consisting of prose text material. An entire poem of less than 250 words may be used, but no more than three poems by one poet or five poems by different poets from any anthology may be used. For poems of greater length, 250 words may be used, but no more than three excerpts by a single poet or five excerpts by different poets from a single anthology may be used.

##### *Music, Lyrics, and Music Video:*

Up to 10%, but in no event more than 30 seconds, of the music and lyrics from an individual musical work (or the aggregate of extracts from individual work) whether the musical work is embodied in print copies, or audio, or audiovisual works. Any alterations to a musical work shall not change the basic melody or the fundamental character of the work.

##### *Illustrations and Photographs:*

Under these guidelines a photograph or illustration may be used in its entirety, but no more than five images by an artist or photographer may be reproduced or otherwise incorporated as part of an

educational media project. When using photographs and illustrations from a published collective work, not more than 10% or 15 images, whichever is less, may be used.

*Numerical Data Sets:*

Up to 10% or 2,500 fields or cell entries, whichever is less, from a copyrighted database or data table may be reproduced or incorporated into an educational multimedia project. A field entry is defined as a specific item of information, such as a name or Social Security number, in a record of a database file. A cell entry is defined as the intersection where a row and a column meet on a spreadsheet.

**2.7.3.4 Copying and Distribution Limitations**

There may be only two 'use' copies, including the original, and only one may be placed on reserve for instruction of students at remote sites. An additional copy may be made for preservation purposes but may be used or copied only to replace a use copy that has been lost, stolen or damaged. In the case of a jointly created educational multimedia project, each principal creator may retain one copy in addition to the copy placed on reserve for students.

**2.7.3.5 Reminders**

The guidelines also include the following reminders:

1. Materials found on the Internet must be used with caution since they may be copyrighted;
2. Proper attribution must always be given. Instructors and students are reminded to credit the sources and display the copyright notice © and copyright ownership information if this is shown in the original source. Crediting the source must include the author, title, publisher, and place and date of publication. The credit and copyright notice information may be combined and shown in a separate section of the educational multimedia project except for images incorporated into the project. In such cases, the copyright notice and the name of the creator of the image must be incorporated into the image when, and if, such information is reasonably available. Credit and copyright notice information is considered "incorporated" if it is attached to the image file and appears on the screen when the image is viewed. In those cases where displaying source credits and copyright ownership on the screen with the image would be mutually exclusive with an instructional objective, (e.g., during examinations) this information may be linked to the image in another manner;
3. Notice of the program's adherence to the multimedia guidelines should appear on the first screen;
4. Those creating multimedia programs which have a potential to be either broadly and/or commercially disseminated should seek permission while the program is under development;
5. The integrity of the original work should be maintained, with alterations being made only in support of specific instructional objectives;
6. The reproduction or decompilation of copyrighted computer programs is not permitted; and
7. License or contract terms should be respected.

**2.7.4 Guidelines for Obtaining Permission to Use Any Copyrighted Materials**

Obtain name and address of publisher and determine who owns the copyright on the material. This may be done by checking the following:

1. Page containing notice of copyright for:
  - a. Owner of copyright
  - b. Year of publication



- c. Publisher's address
- 2. Acknowledgement page, or
- 3. Directories for publisher's addresses available from the library or the bookstore, such as the following:
  - a. Books in print
  - b. Publishers, distributors & wholesalers of the United States
  - c. The literary marketplace
  - d. The international literary marketplace
  - e. Ulrich's International Periodical Directory

Request permission to duplicate by sending the following information to the publisher's Permissions Department:

1. Title, author and/or editor; copyright or publication date and edition of book or audiovisual unit in which materials to be duplicated appear;
2. Exact material to be used, giving amount, page numbers, chapters, frame and, if possible, a photocopy of the material, title and copyright page;
3. Number of copies to be made;
4. Use to be made of duplicated materials and form of distribution (e.g., as course material and whether collected with other excerpts or materials, whether bound or unbound, slides, audio tapes, etc.);
5. Whether or not the material is to be sold (e.g., if photocopies are to be sold to students at the cost of the photocopying); and
6. Type of reprint (ditto, photocopy, offset, typeset, ½" VHS, 2x2 slides, color thermal transparency, audio tape, scanned or digitized images, etc.).

What to send the publisher or copyright holder:

1. Two copies of the request letter: one to be returned to the instructor granting or denying permission to use the copyrighted material, and one for the publisher or copyright owner to keep; and
2. A self-addressed stamped envelope.

The instructor should be sure to allow enough lead time to obtain the necessary permission before the materials are needed as each request requires a careful checking of the status of the copyright, determination of exact materials to be duplicated and assignment of author's royalties if fees are involved. If more than one permission is requested from the same copyright owner for a specific project, try to request all permissions at the same time. (See Appendix 2.6.4)

## **2.8 University Relations Policies**

### **2.8.1 Media Relations**

All media inquiries to Huston-Tillotson University are channeled through the University Relations Office. Therefore, all requests from reporters and media representatives must be referred to the University Relations Office prior to responding. Requests for information from external news media are handled at the University in a prescribed manner that is designed to avoid the pitfalls of hasty, impromptu, and incorrect responses. Refer all inquiries to the Director of University. No member of the

University community should ever feel under pressure to respond to requests for information from external media representatives, especially regarding controversial subjects or unusual circumstances. No one should make public comments as a representative of the University, either verbally or in writing, without first consulting the University Relations Office. **Official University letterhead should not be used to express personal views to the media.**

### **2.8.2 Promotions**

Campaigns that promote Huston-Tillotson University – its programs, services, students, faculty, and staff – are created and implemented by the University Relations Office. Promotions designed to “keep the University’s name before the public” occur in a variety of formats, from advertisements to news releases to special events. Individuals interested in promoting the University must first discuss the concept with the University Relations Office in order to obtain the necessary written materials and identify targeted markets in order to avoid campus and community conflicts. Although the University Relations Office does not maintain a supply of promotional items (i.e., mugs, pencils, pens), purchasers of such items are required to submit their tentative design to the University Relations Office. The University Relations Office maintains files of up-to-date University information, photographs, and other pertinent items for University use.

### **2.8.3 Political Campaigning**

Huston-Tillotson University is a 501(c)(3) organization and, as such, is prohibited from participating or intervening in any political campaign on behalf of, or in opposition to, any candidate for public office.

Members of the campus community shall not use the University’s e-mail to campaign for, or to solicit votes for, any particular candidate or political party, nor shall campaign materials be displayed on or affixed to University property.

### **2.8.4 Political Activities Policy**

Huston-Tillotson University, an institution of higher education with a strong liberal arts tradition, supports open dialogue on political issues. The University reserves the right to support or oppose issues that affect its values, welfare, the University itself, and/or values and welfare of higher education. The University encourages its faculty, staff, trustees, students and recognized campus organizations to participate actively in political activities on an individual basis. The policies of Huston-Tillotson University do not restrict the rights and privileges of faculty, staff, students, and recognized campus organizations to express their opinions freely. The University is committed to preserving and encouraging a diversity of point of view and political opinion.

Political activities on campus must be conducted in a neutral and nonpartisan manner and in furtherance of the organization’s legitimate exempt function (education).

To preserve the integrity of Huston-Tillotson University and to protect the neutrality of the University in political contests, the following guidelines shall apply. The Dean of Student Affairs is responsible for monitoring the guidelines.

#### **2.8.4.1 Guidelines**

1. In order to preserve not for profit (501C-3) status, the law requires that the University not participate in or intervene in any political campaign on behalf of any candidate for public office;
2. The University shall not endorse any candidate for political office;
3. All address lists used by the University are considered confidential and shall not be shared with candidates or parties. Individuals may personally deliver campaign literature, but mail room facilities are not to be used for addressing or distributing political materials;

4. No campaign posters shall be posted in or on any of the Huston-Tillotson University buildings or on campus grounds prior to or during election times, with the exception of those used for historical displays or educational purposes;
5. University buildings and grounds shall not be rented or used for political fund raising. Further, University facilities and services may not be used by or on behalf of an outside organization or outside individual whose purpose is to further the cause of a particular candidate or political party. For example, a meeting on campus with an organizer for a specific candidate that is focused on recruiting campaign workers from the student population would be a violation of these guidelines. On the other hand, a Huston-Tillotson University graduate now working for a particular candidate speaking on campus to a group of students about what it has been like to be in the political arena, and what the candidate's particular experience has been, would be allowable. The fact that this person casually offers an invitation at the end of the speech to join in on the campaign would not negate the overall educational focus of the event;
6. Campus organizations may use campus communications to announce political forums and discussions sponsored by officially constituted campus groups;
7. No campus political activities, including services and materials, may be paid for with University funds;
8. Use of University properties is subject to University scheduling policy;
9. Funds or contributions for political candidates or campaigns may not under any circumstances be solicited in the name of Huston-Tillotson University or on the Huston-Tillotson University campus, and University resources may not be used in soliciting such funds. If Huston-Tillotson University students, faculty, or staff make political contributions, they must do so as individuals and not on behalf of Huston-Tillotson University;
10. Campus communications, including those provided by the University's postal service, phone system, or its computer network, shall not be used in support of one particular candidate;
11. Students of the University are free to express their individual and collective political views provided they understand and make clear they are not speaking for or in the name of Huston-Tillotson University. Endorsement of a particular candidate by a registered student group is not permissible;
12. The Huston-Tillotson University name and insignia may not appear on stationery or any other material used or intended for support of a particular candidate. This prohibition also applies to any Huston-Tillotson University entities supported in whole or part by University funds, such as registered student organizations; and
13. Appearance of a candidate for public office on campus must be for an educational or informational talk to the University community and must be sponsored by a registered student, faculty or staff organization. Appearances must be coordinated with Huston-Tillotson University which will ensure that opportunities to appear on campus are extended to all viable candidates running for a particular public office. The event shall not be conducted as a campaign rally, and the moderator shall make it clear that the institution does not support or oppose the candidate.

## **2.9 Institutional Advancement**

### ***2.9.1 Use of University Name, Seal, and Logo***

Members of the campus community, either individually or collectively, shall not officially use the name, seal or logo of the University in any activity outside of the regular work of the University. Violation of this rule is regarded as sufficient cause for dismissal or expulsion.

The University's name, seal, and logo are the exclusive property of the University and, consequently, may not be used in connection with goods or services offered by any outside organization without the prior permission of the Vice President for Institutional Advancement. Members of the campus community publish a considerable number of reports in the form of bulletins, circulars, scientific articles, monographs, and books, some of which are copyrighted and others of which are not. Material from such recognized publications is, of course, quotable, and proper recognition should be given to both the individual author and to the University in connection with such quotations.

Official stationery may not be used in connection with "outside activities" except with respect to those academic and scholarly activities described above. No report or statement relating to outside activities may have the name of the University attributed to it. The use of official University titles for personal gain or publicity is prohibited without the written approval of the Vice President for Institutional Advancement.

### **2.9.2 Fundraising Coordination**

The University welcomes coordination relative to fundraising opportunities. However, to avoid conflicts in solicitation and program activities, the University policy is that no person or organization on campus is authorized to solicit any entity for an outright donation or gift-in-kind in the name of the University without clearance in advance, in writing, from the Vice President for Institutional Advancement. This includes the solicitation of ads for advertising books, sponsorships, gifts of equipment, or direct contributions of money, plus anything else that qualifies as a "donation." When in doubt, consult with the unit Vice President, who, in any case, needs to approve in writing the initiative before discussion with the Vice President for Institutional Advancement takes place.

### **2.9.3 Alumni**

To avoid conflicting programs, and as a part of our overall strategies for communication, relationship building, and record keeping, no person or organization on campus should mail, write, or e-mail alumni, or groups of alumni, without advance clearance in writing from the Vice President for Institutional Advancement or the Director of Alumni Affairs and Advancement Services.

### **2.9.4 Gift Acceptance Policy for University Advancement**

The purpose of this policy is to articulate and publish a statement on the receipt of gifts by Huston-Tillotson University (hereinafter referred to as "the University"):

The University welcomes and encourages gifts that will advance its mission. Since some gifts, while given with the noblest and best motives, may not be consistent with that mission, the University will accept gifts only if those gifts represent a clear addition to the net worth of the University, or if they represent a clear and important historic, educational, scientific or artistic value to the University.

The President of the University shall have authority to accept gifts to the University of intangible, personal property such as cash, stocks, bonds, or other such property, and tangible, personal property with a value not greater than \$10,000.00 without prior approval of the Board of Trustees provided that the gift is unconditional, and the property is free and clear of any liens or other encumbrances, and in the case of tangible personal property such as automobiles or equipment, that the President determines that the cost of maintenance and insurance does not exceed the value of the property.

Only the Board of Trustees may accept real property or personal property that is given upon the condition that the University uses the property in a particular way or with other conditions if the conditions do not conflict with the University's mission.

### **2.9.5 Soliciting Charitable Contributions**

No staff member or representative of the University is authorized to solicit charitable contributions without prior approval, nor commit the University to an agreement which is in conflict with established policies and procedures, or which compromises, in any manner, the position of any office or department in the performance of its assigned responsibilities.

Any member of the campus community who wishes to seek a grant or other contribution of money, real and personal property, or gift-in-kind from an individual, corporation, foundation, or other non-governmental agency for the purpose of continuing, enlarging, or imitating an approved program, project or activity, will coordinate such solicitation effort from its inception with the Vice President for Institutional Advancement. The Vice President for Institutional Advancement will ensure that, in the solicitation of support from such sources, the University priorities are observed and plans for such programs, projects or activities have been reviewed and approved in advance of solicitation by academic, financial, and other appropriate administrative officers.

### **2.9.6 Acceptance of Charitable Contributions**

As a general rule, a solicitation for a gift or bequest should stress the advantages of an unrestricted gift. Prior to acceptance, a bequest or restricted gift must be appraised to assure that it does not place unreasonable constraints on the University. The language used in establishing restricted and endowed funds should be such that the terms can be modified to permit suitable use in the future as conditions require due to changed circumstances.

While the University will accept gifts which are restricted so as to affirmatively assist particular individual or group efforts, it is the policy of the University to seek to persuade the donor, when appropriate, to allow language in the gift document permitting use of the funds for general purposes.

Scholarship gifts may not be accepted by the University if they are offered on the condition, or with the understanding, that the award will be made to a student of the donor's choice.

### **2.9.7 Gift Valuation**

All gifts, prior to acceptance, will be assessed by the Vice President for Institutional Advancement and the appropriate department heads to assure that such gifts do not impose unreasonable constraints or conditions upon the University and are in accord with capacity to provide the appropriate care for such property. No payment for the expense involved in accepting a gift will be made without the express authorization of the Vice President for Institutional Advancement and the Vice President for Administration and Finance. Whenever the acceptance commits the University to a major or extraordinary obligation not already provided herein, the acceptance must be approved by the President and the Board of Trustees.

In setting up or reviewing the terms of any gift with a donor, the Vice President for Institutional Advancement may suggest wording or terms that will assist the University in complying with the donor's wishes. The Vice President for Institutional Advancement will not, however, give tax or legal advice. All prospective donors should be advised to seek the counsel of their attorneys and/or their tax and estate-planning advisors concerning all aspects of their proposed gift. If the donor refuses to employ that person's own counsel, the University's counsel should be contacted for procedural guidance.

Gifts will be valued by the University on the date the donor relinquishes control of the assets to the University. The amount reported should be arrived at without regard to the donor's estimation of the gift's value, the worth and date of the gift as reported by the donor to the IRS, or the value placed on it by the IRS in reference to the donor's tax liability.

In cases where gifts are made in cash, the valuation does not pose a problem. In cases where gifts are made with securities, or real or personal property, or bearing some real or implied obligation on the part of the University, the following guidelines will be observed:

1. Securities - the University will report gifts of securities at market value on the date the donor relinquishes assets to the University. Neither losses nor gains realized by the University's sale of securities nor brokerage fees or other expenses associated with the transaction will affect the value reported; and
2. Real and Personal Property – major gifts of real and personal property – such as land, vehicles and works of art – will be reported at the fair market value placed on them by an independent, expert appraiser. Small gifts of real and personal property with apparent value of less than \$2,500 may be appraised by the Vice President for Institutional Advancement and/or an appropriate member of the staff and that informal valuation will be used for reporting purposes.

#### **2.9.8 Recording and Acknowledging Charitable Contributions**

The Vice President for Institutional Advancement is responsible for the processing, recording, acknowledging and maintenance of records and files, related correspondence and documents for all gifts of cash, securities, gifts-in-kind, pledges, and grants from private sources including individuals, corporations and private foundations. Any member of the faculty or administrative staff receiving such a gift or grant will promptly forward the gift and all pertinent correspondence to the Vice President for Institutional Advancement for recording, receipting, and acknowledging. The gift is transmitted to the Business Office for depositing, accounting and disbursing. After the recording of such gifts, securities and original documents (such as wills, trusts, deeds, annuity agreements, contracts and correspondence) documentation of restrictions on such gifts will be deposited into the custody of the Treasurer, with copies maintained in the Office of Institutional Advancement.

All personal gift records identifying a donor are confidential and will be treated with professional discretion and will be subject to the normal listings and uses of the University. Gift records of donors requesting confidentiality or anonymity will be accorded such. However, the Vice President for Institutional Advancement may disclose such information or documentation as authorized by the donor or as may be required by law.

### **2.10 Commission on Colleges - Southern Association of Colleges and Schools Complaint Policy:**

#### **2.10.1 Statement of Purpose**

The Commission on Colleges recognizes the value of information provided by students, employees, and others in determining whether an institution's performance is consistent with the Commission's standards for obtaining or maintaining accreditation. The Commission's interest also is in ensuring that member institutions maintain appropriate grievance procedures and standards of procedural fairness and that the procedures are applied appropriately and consistently.

The procedures for the review of complaints involving member institutions enable the Commission to address possible violations of its *Principles of Accreditation*, the Core Requirements, and policies or procedures, as well as to address possible violations of an institution's own policies and procedures, if related to the *Principles*.

Because the Commission's complaint procedures are for the purpose of addressing any significant non-compliance with the Commission's standards, policies, or procedures, the procedures are not intended to be used to involve the Commission in disputes between individuals and member institutions, or cause the Commission to interpose itself as a reviewing authority in individual matters of admission, grades, granting or transferability of credits, application of academic policies, fees or

other financial matters, disciplinary matters or other contractual rights and obligations. Nor does the Commission seek redress on an individual's behalf. Under no circumstances does the Commission respond to, or take action on, any complaint or any allegation that contains defamatory statements. Further, the Commission will not serve as a grievance panel when the outcome of institutional grievance or appeal processes is unsatisfactory to the complainant.

The Commission expects individuals to attempt to resolve the issue through all means available to the complainant, including following the institution's own published grievance procedures, before submitting a complaint to the Commission. Therefore, the Commission's usual practice is not to consider a complaint that is currently in administrative proceedings, including institutional proceedings, or in litigation. However, if there is substantial, credible evidence that indicates systemic problems with an accredited institution, the Commission may, at its discretion, choose to proceed with the review.

In order to be considered, formal complaints must be submitted in writing using the Commission's "Complaint Against Institutions: Information Sheet and Form," signed and sent to the attention of the President of the Commission on Colleges by the complainant(s). The Commission will neither entertain complaints that are not in writing or which are anonymous, nor will it consider complaints sent electronically or through facsimile transmission. In addition, the Commission will not act on complaints submitted on behalf of another individual or complaints forwarded to the Commission.

[The Complaint Against Institutions: Information Sheet and Form can be found at: [www.sacscoc.org/forms/principle/complaintform.doc](http://www.sacscoc.org/forms/principle/complaintform.doc)]

### **2.10.2 Responsibilities of Institutions**

The *Principles of Accreditation* states:

The institution has adequate procedures for addressing written student complaints and is responsible for demonstrating that it follows those procedures when resolving student complaints. (Comprehensive Standard 4.5)

In addition, each institution is required to have in place student grievance and public complaint policies and procedures that are reasonable, fairly administered, and well-publicized. The Commission also requires, in accord with federal regulations, that each institution maintains a record of complaints received by the institution. This record is made available to the Commission upon request.

### **2.10.3 Procedures for Filing a Complaint Against an Institution**

An individual may make an inquiry regarding complaint procedures or about issues and concerns that could be considered complaints; however, the Commission's response and its obligations to meet the specific timetables outlined in these procedures will begin only after the complainant submits a formal written complaint.

A formal complaint is one that is (1) submitted in writing using the Commission's "Complaint Against Institutions: Information Sheet and Form," (2) signed, and (3) sent to the attention of the President of the Commission on Colleges by the complainant(s). The Commission will neither entertain complaints that are not in writing or which are anonymous, nor will it consider complaints sent electronically or through facsimile transmission. The "Information Sheet and Form" includes:

- a. A statement describing the complaint in the clearest possible terms;
- b. The section(s) of the *Principles of Accreditation* alleged to have been violated and the time frame in which the significant lack of compliance is alleged to have occurred;

- c. A clear and concise written description of the evidence upon which the allegation is based. (Materials and documentation used to support a complainant's allegations should be limited to and directly related to the reported case.) The evidence should state relevant facts and document and support the allegation that the institution is in significant violation of the standards referenced in the complaint;
- d. A description of the action taken by the institution to date and a copy of the institution's response to the complainant as a result of prescribed procedures;
- e. An acknowledgment that Commission staff may send a copy of the complaint to the president of the institution and
- f. Full disclosure about any other external channels the complainant is pursuing, including legal action.

Once the formal written complaint is submitted, the Commission and the complainant are responsible for the following:

1. The Commission will acknowledge a formal written complaint within 15 business days of its receipt;
2. Within 30 business days after acknowledging receipt of the complaint, Commission staff will review the complaint and its documentation and determine whether it is within the scope of Commission policies and jurisdiction, if there is adequate documentation, whether the complaint identifies issues that may jeopardize the quality of educational programs or the general welfare and integrity of the institution, or whether the complaint raises significant questions about the institution's compliance with Commission standards. The Commission will inform the complainant regarding the disposition of the complaint to include one of the following:
  - a. The complaint will not be processed further because it is not within the scope of Commission policies and jurisdiction or there is inadequate documentation to raise questions concerning the institution's compliance with Commission standards;
  - b. Where appropriate, a resolution is suggested to the complainant and/or the institution;
  - c. The complaint has sufficient substance to warrant further review. In this case, the Commission will make every effort to expedite the investigation; however, the time required to conduct the investigation may vary considerably depending on the circumstances and nature of the complaint. When a complaint is further investigated, a copy of the complaint will be forwarded to the institution's chief executive officer who will be asked to respond to the Commission within 15 business days. Following the review, the complainant and institution involved will be notified regarding one of the following:
    - 1) The complaint will not be processed further because there is insufficient evidence of significant non-compliance. The decision of the President of the Commission is final; or
    - 2) If there appears to be sufficient evidence of significant non-compliance or if Commission staff are unable to determine compliance, then one of the following actions may be taken by the President of the Commission:



- (a) Authorize a Special Committee to visit the institution. The Special Committee will examine documents and interview institutional personnel to analyze and make a judgment about compliance and prepare a report. The report of the committee will be forwarded to the Commission or one of its standing committees for review and action at the next meeting of the Commissioners. Following that meeting, the complainant and institution involved will be notified of the decision of the elected Commissioners;
- (b) Forward the case directly to the Commission and its standing committees for review and action;
- (c) Include the case in an upcoming scheduled visit to the institution; or
- (d) Request additional information. After reviewing the additional information, the President of the Commission may decide to take any of the actions as described in (1), (2)(a), (2)(b), or (2)(c) above.

For items (2)(a), (2)(b), or (2)(c) above, the decision of the Commission is final unless the disposition is one that is otherwise appealable as stated in the Commission policy Appeals Procedures of the College Delegate Assembly.

- 3. Individual complaints will be retained in the Commission files. Should a number of individual complaints suggest a pattern of concern which may evidence a significant lack of compliance with the *Principle* that was not evident from any one individual complaint, the Commission may renew its consideration of the matter for whatever action may be appropriate.

#### **2.10.4 Complaints against the Commission on Colleges**

If an individual complainant alleges that the Commission on Colleges did not follow the complaint procedures outlined above, that individual should submit a written complaint to the Chair of the Commission on Colleges. The Chair will review the complaint with the President of the Commission and, if the complaint cannot be resolved, may forward it to the next session of the Executive Council for review and action.

*Approved: Commission on Colleges, December 1999  
Revised and Approved: Commission on Colleges: June 2003  
Modified for the Principles of Accreditation: January 2008*

## **2.11 Miscellaneous Policies**

### **2.11.1 Facilities Use**

Internal and external requests for use of campus grounds and/or facilities are directed to the Events Coordinator in the Office of Institutional Advancement. The Events Coordinator, working with Facilities Management and the University's food service provider, is responsible for maintaining a master schedule, posting the website facility calendar, informing requesters of procedures, providing contracts and necessary forms, conducting tours, coordinating billing procedures, and communicating with necessary University personnel when partnership possibilities are evident.

A detailed facilities reservation policy may be obtained from the Office of University Relations.

### **2.11.2 Library**

The Downs-Jones Library has a fully integrated automated library system which allows students, faculty and staff access to thousands of bound books, more than 160,000 ebooks in various disciplines, and 250,000 ejournals, as well as access to leading news and opinion magazines. As a

participating library in Journal Storage (JSTOR), ProQuest, and TexShare (a state-wide resource sharing program), the Huston-Tillotson University community is able to access African American newspapers (1827-1998) online, 98 electronic databases (full-text journal articles included), borrow books directly from other libraries, and request materials through interlibrary loan. The library also provides online chat reference for remote users and LibGuides research guides. Combining all of these resources with the availability of computers throughout the library, users are able to complete research papers and class projects. The library staffs the "Ask a Librarian" online help desk. In addition, the library houses a non-circulating archival collection representing the institution's history, administrative documents, papers (of the former Presidents of the institution), yearbooks, African Art, and memorabilia. Finally, the National Endowment for the Humanities Bridging Cultures initiative awarded HT the Muslim Journeys Bookshelf collection. The collection consists of 25 books and three films. "Let's Talk About It" reading and discussion series, featuring some of the materials included in the Bridging Cultures Bookshelf: Muslim Journeys that will be part of the HT curriculum.

The mission of the Library is to support the curricular offerings of the University by providing materials that supplement the instructional program and meet the needs of the entire University. This is done through the implementation of the following objectives:

1. To acquire, organize, and make accessible a dynamic and growing collection of materials, including background and transitional works for both the lower-division and the upper-division student;
2. To provide adequate physical facilities and equipment for maximum use of available resources;
3. To adapt to changes in modes of classroom instruction by acquiring and/or producing materials in various formats of print and non-print media;
4. To encourage students to read beyond source assignments for their own enlightenment, enjoyment, and satisfaction, thereby developing skills and habits for lifelong learning; and
5. To support, in part, research by faculty and administrators by acquiring, each year, selected basic and current works for that purpose.

Details of services, holdings, and policies are available from the Library staff.

### **2.11.3 Chapel**

Comment [SSS1]: Inserted chapel policy

Through campus ministry, students have an opportunity to develop and participate in activities such as the Thursday Chapel Hour at 11:00 a.m., the Gospel Choir, various Bible Study groups, weekend retreats, fun nights with other area universities, and more. The Thursday Chapel Hour includes the Huston-Tillotson University Gospel Choir and occasionally uses the performing arts in presenting the Word of God. Chapel Hour is a time of great celebration which the University family is strongly encouraged to attend.

Chapel and University Worship Service:

It is the policy of the University not to schedule events, included but not limited to classes, departmental meetings, lectures, exams, faculty-led study sessions, rehearsals of any kind and student activity events during Chapel Hour. Chapel Hour is currently observed during the Fall and Spring semesters on Thursday from 11am to noon.

#### **2.11.4 Duplicator Services**

Copying service for examinations, instructional materials, and all other University business related duplication is located on the west end of the first floor of the Agard-Lovinggood Building. Forms are provided by the Central Services Office in order that charges can be made to the appropriate office or Department for services rendered. Hours for copying service are posted by that office. Copyright laws must be observed. See Section 2.6, Copyright Guidelines.

#### **2.11.5 Solicitation, Canvassing and Distribution of Literature**

The sale or solicitation of merchandise or services of any kind on the Huston-Tillotson University grounds, or within the buildings of this institution, is prohibited at all times, except through authorized channels. This includes making personal contacts, distributing literature in University buildings, and posting advertising materials on bulletin boards and in prominent locations. This applies to faculty, staff members, and students acting for themselves or on behalf of any department or organization, as well as outside sales people or solicitors.

Arrangement for sales or solicitation through regular channels must be made with the Office of the Vice President for Administration and Finance or the Dean of Student Affairs (if a student group is petitioning). Where such authorization is granted, the general policy is to require the payment of some amount to the University for the privileges accorded.

Any sale or solicitation in progress that is suspected to be unauthorized should be referred to the above offices and, if necessary, reported directly to the Department of Campus Safety. Buildings and Grounds personnel will remove signs, which may constitute a safety hazard or cause property damage. All flyers are to be approved by the Dean of Student Affairs in the Davage-Durden Student Union building. Individuals are responsible for any property damage resulting from the posting of signs. They are also required to remove all signs posted by the individual(s), or in their behalf, when they become outdated.

#### **2.11.6 Lost and Found**

Lost items or items found on campus should be reported to Campus Safety as soon as possible.

### **2.12 Vehicle and Parking Policies**

#### **2.12.1 Traffic Regulations and Parking Policy**

Texas Criminal and Motor Vehicle Laws, in addition to the University Regulations, are in effect on Huston-Tillotson University's property 24 hours a day. Strict compliance with all regulations is required to protect pedestrians and vehicles, and to provide access for emergency vehicles. The University's Campus Safety Department has jurisdiction to enforce the regulations, with the authority to remove or impound any vehicle operated or parked in violation of this or other applicable regulations. The owner of the vehicle will be required to pay the cost of moving and storing any vehicle towed away and stored. The Director of Campus Safety has discretionary powers to enforce a policy of traffic control on the campus when not specifically covered by these regulations.

Students, faculty, and staff are expected to be familiar with and abide by these regulations. The fact that a violation notice is not issued when a vehicle is illegally parked does not mean or imply that the regulation or law is no longer in effect. The responsibility for obtaining knowledge of all laws and regulations in force rests with the motor vehicle operator.

These regulations apply to all vehicles operated on the campus of Huston-Tillotson University. The term "campus" is interpreted to include all property at Austin, Texas, under the jurisdiction of Huston-Tillotson University. The term "vehicle" or "motor vehicle" is interpreted to include automobiles, trucks, motorcycles, motorbikes, scooters, and Mopeds. "Visitors" are considered to be persons other than students, faculty and staff members who occasionally visit the campus.

The University's Campus Safety Department will exercise reasonable protection and security for vehicles on campus, but at the same time each owner is expected to take the necessary steps to safeguard the owner's private vehicle and property.

#### **2.12.1.1 Registration of Vehicles**

The registration of all vehicles operated on the campus, except the vehicles of visitors, is required. Registration in itself is no guarantee of a parking space, or of the ability to park near the place where one works, resides, or attends class. The responsibility of finding a legal parking space rests with the vehicle operator, and the lack of space is not a valid excuse for violation of any parking regulation.

1. All vehicles operated or parked on the campus at any time by students, faculty, and staff must be registered, and the Huston-Tillotson University vehicle permit must be properly displayed at all times. The person in whose name a vehicle is registered will be held responsible for any violation of these regulations. It is a violation for a person to register a vehicle that belongs to another person, except as otherwise herein authorized;
2. The owner of any vehicle to be registered on campus must show proof of ownership, proof of a current vehicle inspection, a valid driver's license, and proof of the minimum state required vehicle insurance before the vehicle can be registered;
3. The "registration year" extends from September 1 through August 31;
4. When a person has two (2) motor vehicles registered in the person's name which are operated and/or parked on the campus at the same time, each vehicle must be separately registered;
5. Temporary Parking Permits:
  - a. Will not be issued to any person who is known or determined to have existing unpaid traffic violation balances until such balances are paid, or appropriate actions are taken to assure balance payment;
  - b. Will be issued to all visitors entering the campus in a vehicle upon verification that the operator is in possession of a valid driver's license, vehicle registration, state vehicle inspection certification as applicable, and proof of the minimum amount of insurance required. All Temporary Visitor Permits issued to visitors will be turned in at the Chicon Street Booth upon departure of the visitor from campus;
  - c. May be issued to students having a vehicle properly registered on campus for a temporarily operated vehicle (must meet all campus vehicle registration requirements) when their registered vehicle is unavailable (due to major maintenance, etc.). Temporary Visitor Permits issued in this instance will be for no more than 30 days, unless otherwise approved by the Director of Campus Safety. All Temporary Visitor Permits issued to students will be turned in at the Chicon Street Booth not later than 30 days from the date of issue, unless otherwise authorized by the Director of Campus Safety;
  - d. May be issued to students not having a vehicle properly registered on campus who desire to operate and park a rental, dealer loaned or borrowed vehicle on campus at the cost of \$1.00 per day for not more than 60 days. If the vehicle is to be operated and parked on campus for more than 60 days, the student must produce a notarized document or a power of attorney document authorizing the student's continued use of the vehicle, and the vehicle must be fully registered on campus. All vehicles entering the campus must meet all state, city, county and University registration requirements. All temporary vehicle permits issued under this paragraph will be turned in to the Chicon Street Booth on the last day of authorized use;

- e. If an employee is temporarily operating a vehicle (rental, dealer loaned, or borrowed) not registered on campus, the individual will be allowed to use the valid permit issued for the vehicle registered on campus. However, all information relative to the temporary vehicle (make, model, year, license plate number, color, insurance, and expected duration of use) will be annotated on the rear of the existing campus vehicle registration form; and
  - f. May be issued to faculty and staff not having a vehicle properly registered on campus who desire to operate and park a rental, dealer loaned, or borrowed vehicle (must meet all campus vehicle registration requirements) on campus at the cost of \$1.00 per day for not more than 60 days. If the vehicle is to be operated and parked on campus for more than 60 days, the faculty or staff member must produce a notarized or power of attorney document authorizing the individual's continued use of the vehicle, and the vehicle must be fully registered on campus. All vehicles entering the campus must meet all state, city, county, and University registration requirements. All temporary vehicle permits issued under this paragraph must be turned in to the Chicon Street Booth on the last day of authorized use.
6. Proper Display of Vehicle Permits:
- a. Vehicle Permits issued to members of the faculty, staff and visitors are the hang tag type. Proper display of this permit is to hang it on the stem of the front windshield mounted rear view mirror with the lettering facing outward;
  - b. Vehicle Permits issued to students are the clear self-adhering type. Proper display of this permit is to affix it to the interior of the lower left (driver's) side of the front vehicle windshield; and
  - c. Vehicle Permits issued to owners of motorcycles, scooters, and mopeds are to be affixed/displayed on some front portion of the vehicle so that it is readily visible to the Campus Safety Officer as the vehicle enters the entry point of the campus.
7. Motor Vehicle Registration Fees
- a. Vehicle permit fees may be obtained from the Business Office. Permits may be purchased by semester or for the academic year;
  - b. Additional or replacement vehicle permits may be purchased at the established replacement cost; and
  - c. When two (2) or more members of the same family are employed by the University but own/operate separate vehicles, only one (1) of the family members must pay the full fee to register the vehicle. The remaining family members may register their vehicles at a reduced cost.

**2.12.1.2 Operation of Motor Vehicles**

- 1. The maximum permissible speed on all campus streets is 10 miles per hour (MPH), except in those areas where the speed limit might otherwise be posted. Speed in all parking lots shall not exceed 05 MPH;
- 2. Pedestrians have the legal right-of-way in all crosswalks. A motor vehicle operator observing any pedestrian in a crosswalk shall yield the right-of-way to the pedestrian;
- 3. A motor vehicle shall not be operated on any sidewalk, mall or lawn, except University owned vehicles performing assigned maintenance functions; and
- 4. A motor vehicle operator shall not operate the vehicle while any person is on, holding onto, or otherwise positioned on the outside of the vehicle.

### **2.12.1.3 Parking of Vehicles**

1. Students, faculty and staff members shall not park in any space or area designated for "VISITORS";
2. Vehicles will be parked so that the entire vehicle is within the limits of the marked parking space;
3. Vehicle operators shall not park their vehicles in any place that will obstruct the normal flow of traffic. It is a violation of these regulations to park in the following manner and places at any time, and a vehicle so parked is subject to removal at the owner's expense:
  - a. On any red curb, sidewalk, mall or lawn, except when specifically authorized to do so by a Campus Safety Officer performing traffic control duties;
  - b. In any place designated as a "loading zone";
  - c. In front of, or on any service drive or driveways;
  - d. Beyond the outside ends of marked rows of spaces in parking areas;
  - e. In front of movable barriers;
  - f. In any place marked "No Parking" or "Tow Away" Zone;
  - g. In any place designated for "24 hour faculty/staff" parking unless displaying a faculty/staff permit, or otherwise authorized by a Safety Officer on duty; and
  - h. In any place designated as "Reserved For" a specific faculty/staff member vehicle by job position, unless otherwise authorized by the applicable individuals.
4. Parking along the west curb of the campus main thoroughfare is authorized for faculty and staff vehicles. The vehicles of students are prohibited from parking along this curb;
5. Parking along all other curbs of the campus is prohibited, unless signs and/or pavement markings specifically indicate that parking is permitted;
6. Parking along the east and west curbs between Allen-Frazier and Beard-Burrowes Residence Halls is prohibited, except when authorized by a Safety Officer controlling vehicular parking for special events on campus – or when students "stop" their vehicles there only long enough to load/unload their personal belongings when moving in or out of the Residence Halls;
7. No trailer will be parked on the streets or in other than designated parking areas;
8. "Junked" and/or vehicles purchased for resale or trade are prohibited from parking on campus;
9. Spaces designated "Disabled" may be used only by vehicles displaying the appropriate identification decals. These spaces are protected at all times. Vehicles illegally parked in these spaces may be towed at any time;
10. Motorcycles, motor scooters and mopeds will be parked in spaces designated for "Compact Cars" in the designated student parking lot, pending the designation of specific Motorcycle parking spaces;
11. Mopeds may also be parked in designated bicycle racks. The operation of mopeds on sidewalks and malls is prohibited; and
12. When loading or unloading heavy or bulky items at a location designated a loading zone, or where parking is normally prohibited, a note will be placed on the driver's side of the vehicle dash, signed by the driver, stating the situation – loading or unloading – and the time of day the vehicle was parked.

- a. A maximum of 30 minutes will be granted for parking in these instances;
- b. The vehicle must be removed immediately upon completion of the loading/unloading operation; and
- c. This circumstance does not convey the right of any vehicle to be parked in a space designated for a disabled person at any time.

#### **2.12.1.4 Traffic and Parking Violation Notices**

Effective Tuesday, January 22, 2008, Campus Safety will issue parking tickets for violations related to:

- Handicap parking regulations;
- Fire zone/lanes;
- Reserved spaces;
- Invalid/altered/failure to display a valid parking permit;
- Parking in prohibited areas;
- Abandoned/disabled vehicles; and
- Other observed parking violations.

The purpose of this enforcement process is to gain voluntary compliance, establish a safe campus environment, and ensure that designated parking for both students and employees is respected.

Attached is the portion of the HT parking policy that deals with towing of vehicles, regulation of parked vehicles, and traffic, parking violation fines.

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#### **IMMEDIATE TOWING OF VEHICLES**

Vehicles shall not be parked, stopped or standing in any place that will obstruct the normal flow of traffic. **Any vehicle in violation of this parking regulation is subject to immediate removal (towed and impounded) at the vehicle owner's expense.**

Spaces designated for disabled persons can be used only by vehicles displaying an appropriate permit. **Vehicles illegally parked in such spaces are subject to immediate removal (towed and impounded) at the vehicle owner's expense.**

Vehicles parked in fire lanes, obstructing traffic, or blocking loading zones or dumpsters are **subject to immediate removal (towed and impounded) at the vehicle owner's expense.**

#### **TRAFFIC AND PARKING VIOLATION FINES**

##### Progressive Violations Penalties

##### First Violation – Warning notice

The written citation will indicate the observed violation of the involved vehicle, marked as “warning only” on the citation by the issuing officer, and archived under the vehicle’s identification information.

Second Violation – Written parking citation and subject to fines.

The written citation will indicate the observed violation of the involved vehicle, marked as “second notice” on the citation by the issuing officer, and archived under the vehicle’s identification information.

Third (and subsequent) Violation – Written parking citation and subject to towing and impoundment

The written citation will indicate the observed violation of the involved vehicle, marked as “third (or actual number) notice” on the citation by the issuing officer, and archived under the vehicle’s identification information.

Within 10 calendar days (school holidays excluded) of the receipt of a citation or violation notice, the recipient or vehicle owner must comply with one of the procedures listed below or a late fee will be assessed.

1. Report to the HT Business Office to pay the designated fine.
  - a. Parking violation in prohibited area (other than fire zone) \$25
  - b. Parking violation (posted sign) \$25
  - b. Parking violation in fire zone \$50
  - c. Moving violations \$50
  - d. Abandoned/disabled vehicles \$50-towed
  - e. Invalid, altered or failure to display parking permit \$50
  - f. Handicap parking violation \$100
  - g. Fines may be increased for repeat offenders, alcohol related and false ID infractions up to the amount of \$200 per violation.
  - h. **Three or more outstanding violation notices issued to a vehicle may result in the vehicle subject to immediate removal (towed and impounded) at the owner's expense until all notices are resolved at the Department.**

1. Upon receipt of a violation notice, the recipient must, within ten (10) calendar days (school holidays excluded), report to the University’s Campus Safety Office where the final amount of the fine will be verified; otherwise, a “late charge” will be assessed;
2. Three (3) or more outstanding violation notices issued to a vehicle may result in the vehicle being towed. Six (6) or more such notices may result in the vehicle being impounded until all notices are cleared through the University’s Campus Safety Department;
3. Report to the University’s Campus Safety Department to file a written appeal if it is believed the violation notice is not warranted:
  - a. This right to appeal is granted to the operators of registered and unregistered vehicles. The Director of Campus Safety will review all written appeals and approve or disapprove the request. The decision of the Director of Campus Safety is final; and
  - b. The appeal must be filed within ten (10) calendar days (school holidays excluded) from the date of the violation notice.
4. Violation notices not paid within the ten (10) calendar day limit will be processed to the Business Office, and a late charge will be assessed. Any student who fails to clear the student’s accounts may be blocked from registration or, if graduating, may have his/her official transcript withheld;
5. When, in the judgment of the Director of Campus Safety, an individual fails to comply with the traffic and parking regulations to the point of becoming a disciplinary problem, the University’s Campus Safety Department may refer:



- a. Any applicable student to the Dean of Student Affairs, or
  - b. Any applicable faculty or staff member to the head of the department in which the individual member is employed.
6. The University's Campus Safety Department will maintain a vehicle tow list for flagrant violators – those with six (6) or more "outstanding" violation notices. These vehicles, when located on campus, even if legally parked at the time, may be towed, impounded, and have the vehicle registration permit removed until all obligations are resolved.

**2.12.2 Vehicle Use Policy**

The purpose of this policy is to articulate and publish a statement on the use of vehicles for authorized University business. The policy sets forth procedures regarding: (1) University owned and leased vehicles, (2) short-term rental vehicles, (3) voluntary use of an employee's personal vehicle, (4) property damage and personal injury insurance related to vehicles, (5) certification of authorized vehicle operators, (6) maintenance of vehicles, (7) storage of vehicles, (8) priorities for use of vehicles, and (9) responsibility for monitoring and enforcement of the University's vehicle policy.

1. **University Owned and Leased Vehicles:** Those vehicles for which the University is duly listed on the title, with or without lien, and for which the University provides the applicable automobile insurance coverage and is responsible for periodic maintenance, will be deemed University owned vehicles. Leased vehicles are those for which an agent of the University, authorized in advance by the President, has entered into a legally binding agreement with a recognized leasing agency. The University shall not enter into such leasing arrangement with any employee or third party individual.
2. **Short-term Rental Vehicles:** Vehicles that are rented for use on University business for a period of time of one week or less are defined as short-term rentals. These vehicles will be rented from a recognized vehicle rental agency. Such rentals may occur in those instances when University owned and leased vehicles are not available or are inappropriate for the occasion or situation (i.e., chauffeuring a visiting dignitary or securing five tons of topsoil).
  - a. To secure a short-term rental vehicle, an employee must submit to the Business Office a Travel Requisition form which specifies:
    - 1) The purpose for which the vehicle will be used;
    - 2) The type of vehicle required;
    - 3) The period of time the vehicle will be needed; and
    - 4) The budget account to be charged. The person making the request and the unit head must sign the requisition.
  - b. The Business Office will ascertain the agency that can provide the required vehicle at the most reasonable cost. The employee must meet all rental agency rental requirements. The employee is authorized to accept the rental agency's Loss Damage waiver insurance and to decline the Automobile Liability. The employee will be covered for automobile liability, which includes personal injury liability, under the University's automobile insurance policy.
3. **Use of an Employee's Personal Vehicle:** An employee may use the employee's personal vehicle to conduct University business with the prior approval of the applicable unit head. In no instance will the University require or request that an employee use his/her vehicle for University business. Any employee who voluntarily uses his/her vehicle for University business, without prior approval of his/her unit head, is considered to be on a personal rather

than a University sanctioned trip and will not be reimbursed for mileage, gas, vehicle maintenance, or any other cost associated within such use.

- a. An employee who has the appropriate approval to use the employee's vehicle for University business should maintain insurance as required by the state, which is sufficient to provide coverage in the event of any accident. If transporting students or fellow employees for sanctioned University business, the employee should have liability and personal injury insurance coverage in the amount of not less than \$1,000,000 in liability and the maximum no-fault insurance allowed by the State of Texas. In the event of an accident, the University's insurance will act as a secondary carrier for liability coverage. The University insurance provides benefits (vehicle damage or liability) for the vehicle owner or operator in the event of an accident.
- b. Any employee who regularly drives a personal vehicle on sanctioned University business shall provide the Business Manager the following information:
  - 1) Name;
  - 2) Driver's License number & State of Issuance;
  - 3) Date of birth; and
  - 4) Copy of current insurance card
- c. This information will be used to acquire "approved driver" status with the University insurance carrier. Should the insurance carrier deny this status to anyone, the University will not sanction any use of his/her personal vehicle for University business – all vehicle travel will be considered personal travel. Further, he/she will not be allowed to operate University owned vehicles.

#### 4. Property Damage and Personal Injury Insurance

- a. The University shall maintain adequate insurance coverage for liability, personal injury, and comprehensive property damage or loss on all University owned and leased vehicles. The limitations for property damage and personal injury liability caused by or involving a University owned or leased vehicle will be determined and fixed in consultation with the University's insurance agent.
- b. All accidents and any damage to University owned and leased vehicles must be reported immediately to the Business Office. The Business Office shall take all appropriate steps to ensure that procedures are followed as outlined by the University's insurance carrier and applicable laws to provide that the damaged vehicle is repaired and available for continuing service.
- c. Damage to short-term vehicles shall be reported to the Business Office and to the rental agency immediately. Repairs will be processed in accordance with the rental agency's procedures.
- d. Any claims of personal injury involving or caused by the use of a University owned or leased vehicle must, similarly, be reported to, and resolution coordinated by, the Business Office.

#### 5. Certification of Authorized Vehicle Operators

- a. The operators of all University owned or leased vehicles must possess a current valid operator's license. Operators with restricted licenses may only operate University owned or leased vehicles within the restrictions stipulated (i.e., Operator is restricted to "Corrective lenses required for all vehicle operations." Thus, the driver may only operate

University vehicles if the driver has and is wearing corrective lenses.) Certification of authorized vehicle operators will be the responsibility of the Business Office which shall annually provide the University's automobile insurance carrier a listing of authorized vehicle operators;

- b. In addition to possessing a current valid operator's license, all authorized vehicle operators must be employees of the University, or students at the University, engaged in a University sanctioned activity. A student driver must present to the Business Office documentation from the Dean of Student Affairs that the authorized vehicle user will be using a University vehicle for a sanctioned activity; and
- c. The appropriate individual, as identified in the table below, will ensure that all vehicles are properly signed out and will ensure that the driver(s) is (are) aware of and familiar with the procedures for use of campus vehicles. The driver must account for vehicle keys and shall use the Huston-Tillotson University Mileage and Transportation Form to assign any and all vehicles that will be used for any purpose off the University campus site.

**Vehicle Check-Out Table**

Vehicle	Person/Office Responsible for Check Out
Facilities Vehicles	Director of Facilities Management
Passenger Vans	Director of Campus Safety
Campus Safety Vehicles	Director of Campus Safety
Other Vehicles	As designated upon receipt of vehicle(s)

- 6. Maintenance of University Owned and Leased Vehicles
  - a. The individual/office noted in the above table, in conjunction with the Director of Facilities Management, will be responsible for the regular and extended maintenance of all University owned or leased vehicles. University owned and leased vehicles under warranty will be maintained in accordance with dealer warranty maintenance schedules. Vehicles not under warranty will be maintained according to the manufacturer's recommended maintenance schedule;
  - b. All maintenance will be logged and a copy of each individual vehicle maintenance log will be filed in the vehicle. The original of the log will be held in an appropriate file in the office of the Director of Facilities Management; and
  - c. In addition to mechanical maintenance the term maintenance shall include vehicle detailing (i.e., washing, waxing, etc.) at appropriate intervals; acquisition and displaying of appropriate state inspection sticker and registration tags/stickers and documents.
- 7. Storage of University owned and leased vehicles: All University owned and leased vehicles will be stored in the parking area identified for each. The exception to this rule will be vehicles that are used for approved overnight excursions. In this case, it will be the operator's responsibility to store the vehicle in a safe location;
- 8. Priorities for use of University owned and leased vehicles – the following priorities will be observed in the use of University owned and leased vehicles:
  - a. Facilities Management Vehicles:

- 1) Regular facilities operations;
  - 2) Maintenance of off-campus facilities used for University sponsored programs; and
  - 3) Other University use as designated by the Director of Facilities Management.
- c. Passenger Van(s):
- 1) Intercollegiate athletic trips out of town;
  - 2) Intercollegiate athletic trips in town;
  - 3) Choir and music ensemble trips out of town or in town;
  - 4) Intercollegiate athletic practice sessions off-campus;
  - 5) Student recruitment trips for groups of five or more recruiters;
  - 6) Restricted fund programs may use University owned vehicles at an hourly or daily rate as determined by the administration; and
  - 7) Other University sponsored groups or organizations.
- d. Campus Safety Vehicles:
- 1) Transporting students/others in emergency situations; and
  - 2) Delivering documents/materials as directed by the President
- e. Other Vehicle(s):
- 1) Priority use to be specified at time of receipt of vehicle(s).

9. Responsibility for Monitoring and Enforcement of University's Vehicle Use Policy:

Unless otherwise specified, the responsibility for monitoring and enforcing the University Vehicle Use Policy is assigned to the Vice President for Administration and Finance.

**2.11.7 Bicycle Policy**

Huston-Tillotson University encourages faculty, staff, and students to ride bicycles to and from campus as a reliable, healthy, fun, low cost, and environmentally friendly method of transportation. In order to support safe and efficient bicycle commuting, the University has established a set of campus bicycle regulations to encourage bicycling, ensure student safety, and promote a bike-friendly campus environment. Additional resources on campus biking, including information on bike routes, social rides, and bike repair, are available through Student Services and the Student Life Office.

1. Bicycles shall be ridden on approved bicycle routes and campus roads only. Riders must walk their bicycles at all other places. Specifically, bicycles shall not be ridden on sidewalks or pedestrian paths.
  - a. On all university streets and property, operators of bicycles shall comply with stop signs, yield signs, and other official traffic control devices.
  - b. It is prohibited to operate a bicycle on the campus in a manner that jeopardizes pedestrian safety, and/or university or private property.
  - c. Riding bicycles upon or along sidewalks shall not be permitted except where the sidewalk is part of a designated bicycle path; or when the operator or rider is preparing to dismount and park the bicycle or electrically assisted bicycle at an adjacent location.

2. Students are advised to use front and back bike lamps for riding after dark in compliance with the City of Austin bicycle ordinance. <http://www.austintexas.gov/page/bicycle-laws-codes> We also advise students to use bicycle helmets for their own safety. Bicycle riders are liable for any injuries to themselves or other persons and for damage to property or objects that may occur as a result of bicycle operation on campus.
3. Bicycles shall be parked on campus at places clearly designated by the presence of bicycle racks. Specifically, a bicycle must not be parked in automobile parking spaces; on lawn areas; shrubs or flower beds; streets; driveways; sidewalks, trees, all hand railing, light poles, entrance ways to buildings, or places that hinder pedestrian travel. In the event a bicycle rack is full, the bicycle may be parked upright in the general vicinity of the rack, provided it does not impede pedestrian traffic. **NEVER ATTACH YOUR BICYCLE TO A HANDRAIL!**

Bicycle racks:

- a. Easily accessible from the road with minimal distance required to walk to the bicycle on the sidewalk;
  - b. High student activity locations
  - c. No interference with pedestrian or other traffic patterns
4. Any bicycle parked at any location of Huston-Tillotson University shall be parked at the risk of the owner, and should be locked at all times when unattended. Any parked bicycle that hinders University operations, obstructs steps, or obstructs a building entrance, a handicap ramp, or any abandoned bicycle parked on campus may be removed and impounded by Campus Safety. A bike will be considered abandoned if it remains on campus beyond 30 days after the official residence hall move-out date each semester. A visibly inoperable bike (missing or flat tires, missing seat, twisted frame, etc.) may be considered abandoned. If it is necessary to cut a locking device to remove the bicycle, no reimbursement for the locking device will be made. Any bike unclaimed 90 days after impoundment shall be deemed a gift to the University, to be managed through appropriate University channels.
  5. The University may opt to introduce a bicycle registration policy in the future; if so, students, staff, and faculty will be updated on the details of that process.

**Appendix 2.7.4: Sample Request for Permission to Make Copies for Instructional Use**

Date

**Permissions Department**

HT Ram Co-op  
900 Chicon Street  
Austin, TX 78702

To Whom It May Concern:

I would like permission to make slides from five photographs in one of your books. These slides, along with slides from several other art books, will be used to instruct a University art appreciation class on the evolution of portrait painting.

Title: Picasso  
Copyright: Hans Ludwig C. Jaffé, 1983  
Material to be duplicated: Pages 53, 72, 91,106,117 (photocopies of specific illustrations attached.)  
Type of reproduction: 2x2 color slides  
Number of copies: only one per illustrated painting  
Type of use: Classroom presentation for up to 20 university level students.  
Duration of use: I would like to retain these slides to show them to my art appreciation students during the spring semester for the next five years.

A self-addressed stamped envelope and a copy of this letter for your files are enclosed.

Please let me know what conditions, if any, apply to this use.

Sincerely,

John Jones, Assistant Professor  
School of Arts and Humanities

Permission granted: \_\_\_\_\_  
Signature Date

Conditions:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature Date