

**ADMINISTRATIVE COUNCIL
MIDWESTERN STATE UNIVERSITY**

Meeting No. 12-04

July 11, 2012

The Administrative Council met Wednesday, July 11, 2012, via e-mail. Dr. Jesse Rogers, Chairman; Mr. Juan Sandoval, Dr. Howard Farrell, Dr. Robert Clark, Dr. Keith Lamb, Mr. Kyle Owen, Dr. James Owen, Ms. Jolene Welch, Ms. Debbie Barrow, Mr. Barry Macha, and Ms. Dianne Weakley participated in the meeting.

MSU Policies and Procedures

Policy 2.337, University Advancement and Public Affairs, Section B.3

The Council recommenced placing the policy on the August 2012 Board of Regents agenda. **See Attachment A.**

Policy 2.393, Staff Senate, Staff Senate Purpose and Constitution

Ms. Weakley suggested additional wording to the policy. The Council recommenced placing the policy on the August 2012 Board of Regents agenda with the recommended changes. **See Attachment B.**

Policy 3.131, Provost and Vice President for Academic Affairs, Graduate Assistants and Graduate Teaching Assistants

Ms. Weakley suggested additional wording to the policy. The Council recommenced placing the policy on the August 2012 Board of Regents agenda with the recommended changes. **See Attachment C.**

Policy 3.224, Human Resources, Attendance – Staff Absenteeism & Tardiness

Ms. Weakley and Mr. Owen suggested additional wording to the policy. The Council recommenced placing the policy on the August 2012 Board of Regents agenda with the recommended changes. **See Attachment D.**

Policy 4.134, President's Office, Gifts and Donations

The Council Recommended placing the policy on the August 2012 Board of Regents agenda. **See Attachment E.**

Policy 4.145, President's Office, Midwestern State University Foundation, Sections G and H

The Council Recommended placing the policy on the August 2012 Board of Regents agenda. **See Attachment F.**

MSU Student Handbook – General Student Complaints Policy

The Council recommended placing the policy on the August 2012 Board of Regents agenda. **See Attachment G.**



Jesse W. Rogers, President



Cindy Ashlock, Secretary

2.337 University Advancement and Public Affairs
VICE PRESIDENT FOR UNIVERSITY ADVANCEMENT AND PUBLIC AFFAIRS
Date Adopted/Most Recent Revision: 11/11/2011

B. University Advancement Offices & Programs

3. Donor Services and Scholarships

The Office of Donor Services and Scholarships reports directly to the Director of University Development and coordinates tracking and record keeping of gifts, grants and pledges to the university. ~~(excluding those specifically for athletics and the Alumni Association).~~ The Director is involved in the implementation of programs funded by gifts and grants to the university. The Director of University Development ~~is responsible for the preparation of~~ will assist the Vice President for University Advancement and Public Affairs prepare the annual budget for the Midwestern State University Foundation, Inc., the MSU Charitable Trust, and the university's annual scholarship program. ~~Financial records for the MSU Burns Fantasy of Lights are also maintained by this office.~~ The Director serves as liaison between the university and outside organizations donating scholarship funds to MSU. ~~The Director is responsible for~~ will assist the Vice President for University Advancement and Public Affairs prepare a quarterly report on gifts and grants ~~to~~ for the MSU Board of Regents. ~~The Director of University Development~~ reports to the Vice President for University Advancement and Public Affairs, and works under the Vice President's direction in fund-raising efforts for the university.

2.393 Staff Senate
 STAFF SENATE PURPOSE AND CONSTITUTION

Article II

A. Membership Representation

The number of senate seats shall be allocated proportionally according to the number of funded budgeted staff positions within each EEO job classification category on record with and based on the most current information as provided by the Director of Human Resources.

1. EEO Job Classification Categories:

- a. Officials and Administrators (Excluding president, vice presidents, provost, and associate vice presidents)
- b. Administrative Support
- c. Non-faculty Professional
- d. Skilled Craft Workers
- e. Service and Maintenance
- f. Technicians and Paraprofessionals

2. Allocation Chart

<u>Number of Staff Employees Funded, Budgeted Staff Positions Within EEO Classification</u>	<u>Number of Staff Senate Representatives</u>
29 or less	1
30-59	2
60-89	3
90-119	4
120 +	5

Article IV

B. Expulsion

A member who ~~has is absent from three unexcused consecutive absences in a Staff Senate year~~ shall be regular senate meetings shall relinquish his or her senate seat subject to review and possible removal from his/her position by the Staff Senate. An appeal for reinstatement may be filed with the Executive Committee by presenting documentation of good cause. In the event the Executive Committee upholds the expulsion, the next alternate in the respective EEO classification will be notified to serve.

Policy 3.131 Provost and Vice President for Academic Affairs
 GRADUATE ASSISTANTS AND GRADUATE TEACHING ASSISTANTS
 Date Adopted/Most Recent Revision: 11/07/03

A. General

Graduate students ~~duly~~ admitted to the university may be employed by the university as either a graduate assistant for teaching assistants, graduate assistant for research ~~administrative assistants~~, or graduate assistant for instructional support, ~~research assistants~~. ~~Graduate assistants will be employed by the university on either a two-semester or a one-semester agreement. A single student may be employed in more than one role; and if so, the student's percentage of time spent in each role will be calculated and reported to the Graduate School at the beginning of each semester.~~

B. Graduate Teaching Assistants

1. Graduate teaching assistants will hold a bachelor's degree, be admitted to Graduate School, and will have satisfactorily completed at least eighteen (18) hours of graduate courses in the subject area to be taught. They may serve as instructor of record in developmental courses, lower level courses, or laboratories. ~~may serve the university as instructors of record in either developmental courses, freshman level courses, or laboratories. Those graduate teaching assistants assigned to courses other than developmental courses and physical education activity courses will hold a bachelor's degree and will have completed a minimum of eighteen (18) graduate credit hours in the subject matter field.~~
2. Graduate teaching assistants will be selected by the graduate coordinator of the program and the dean of the college and approved by the Dean of the Graduate School. ~~Provost and Vice President for Academic Affairs. Those selected to teach non-developmental freshman level courses outside physical activity courses will have been fully admitted to graduate study without restriction and will have satisfactorily completed at least eighteen (18) hours of graduate courses in the subject area to be taught.~~
3. Graduate teaching assistants will be employed on a non-tenure track teaching contract for up to six hours load credit per semester and for one or two semesters per contract. ~~Under such contract the teaching assistant will hold the same employment privileges as other non-tenured, non-tenure track faculty on limited period contracts. The contracted salary amount will be determined by the program in conjunction with the dean of the college within available resources.~~

C. Graduate Administrative and Research Assistants

1. Graduate research administrative assistants will hold a bachelor's degree and be admitted to the Graduate School. ~~typically have assignments such as laboratory assistance, attending and/or helping prepare lectures, grading papers, keeping class records, and conducting discussion groups.~~

2. Graduate research assistants will typically assist faculty with research projects or grant writing. The term "Research" is defined as "research and scholarly activity." (MSU Policy 3.120)
3. ~~Graduate administrative and research assistants will be selected by the graduate coordinator of the program and the dean of the college and approved by the Dean of the Graduate School. Graduate research assistants will be employed for a one or two semester assignment. The specific assignment will be determined by the graduate coordinator of the program in consultation with the dean of the college. recommended for employment by the graduate program coordinator and the department chair and approved by the dean. Graduate assistants of both categories will work on an assignment basis (non-hourly). The assignment will be academically related. The specific assignment will be determined by the graduate coordinator in consultation with the dean. Compensation will be consistent with the extent and difficulty of the assignment. The maximum compensation will be equivalent to the salary of a graduate teaching assistant who is teaching a six-hour load.~~
4. Graduate research assistants will be paid a monthly stipend in an amount determined by the dean of the college in conjunction with the program, based on the extent and difficulty of the assignment. The maximum compensation will be equivalent to the salary of a graduate teaching assistant who is teaching a six-hour load within the relevant college. If teaching assistants are not employed in the college, the program in conjunction with the dean of the college will set the stipend of the graduate research assistant within available resources. Qualifications of either graduate administrative or research assistants will include but not be restricted to the requirements for admission to the graduate program as defined in the university's graduate catalog.

D. Graduate Instructional Assistants Salaries-

~~The maximum salary of graduate administrative, research, and teaching assistants will be set by the administration prior to each budget year. The salary may be increased periodically as recommended by the Graduate Council, the Academic Council, and approved by the President.~~

1. Graduate instructional assistants will hold a bachelor's degree and will be admitted to the Graduate School.
2. Graduate instructional assistants will assist faculty in providing academic services to students including tutoring, assisting in the laboratory, preparing lectures, preparing materials, reading discussion boards, grading papers, keeping class records, and facilitating discussion groups. This list is not all inclusive; however all duties performed will be academically related. The graduate instructional assistant cannot serve as the instructor of record.
3. Graduate instructional assistants will be selected by the graduate coordinator of the program and the dean of the college and approved by the Dean of the Graduate School. Graduate instructional assistants will be employed to serve on a one or two semester basis.
4. Graduate instructional assistants will be paid a monthly stipend in an amount determined by the program in conjunction with dean of the college. The maximum compensation will be equivalent to the salary of a graduate teaching assistant who is teaching a six-hour load in the relevant college. If graduate teaching assistants are not employed in the college, the program

in conjunction with the dean of the college will set the stipend amount of the graduate instructional assistant within available resources.

3.224 Human Resources

ATTENDANCE – STAFF ABSENTEEISM & TARDINESS

Date Adopted/Most Recent Revision: 08/04/2006

Employees of the university who are absent from duty for all or part of a working day without notification or explanation shall be subject to disciplinary action. The day or part thereof shall be charged against accumulated vacation leave with approval of the senior administrator after satisfactory explanation.

A. Policy

The University expects all employees to conduct themselves in a professional manner during their employment. This includes practicing good attendance habits. Employees should regard coming to work on time, working their shift as scheduled, and leaving at the scheduled time as essential functions of their jobs. Employees are expected to adhere to their specified work schedule and be at their workstation and ready to begin work at the start of their shift. Leave is a benefit available for employees to attend to personal needs. However, abuse of leave, or failure to report to work as scheduled, or a pattern of unscheduled and/or excessive absences or tardiness will not be tolerated.

B. Notification

In the event of an unanticipated absence, including sickness or tardiness, employees must call and speak to their direct supervisor or other designated individual. If the employee cannot reach the supervisor or his/her designate, a message may be left by voice-mail or email. The employee must call as soon as possible, but no later than thirty (30) minutes after the start of the scheduled workday. Unless an emergency situation dictates otherwise, messages may not be left by third parties (i.e. friends, relatives, etc.). The reporting of such information must include the reason for the absence, expected duration of the absence, and any other information that would have an impact on the workplace during the employee's absence. For absences lasting more than one day, the employee must follow the notification procedures each day he/she is absent, except where advance notice of the duration of the absence has been provided.

C. Excused Absences

An employee's absence will be considered excused if allowed under Policy 3.217, Employee Leave Policies, and if the employee provides proper and timely notification deemed satisfactory to the supervisor. Excused absences include paid leave for vacation, sick leave, and other leave types dictated by state or federal law, including but not limited to, unpaid leave under FMLA and USERRA. Timely notification means calling in at the start of the workday or providing advance notice for absences which can be anticipated. Supervisors have the discretion to require advance written requests for use of vacation leave with approval based upon department priorities. The University will make every effort to accommodate leave requests that are submitted appropriately and in a timely manner.

D. Unexcused Absences

An employee's absence will be deemed unexcused when an employee fails to call in, gives a late notice, or fails to give an advance notice or seek approval for an absence which could be anticipated. Use of sick leave occurring in patterns (same day of week, same time of year, adjacent to a weekend, holiday, vacation or other leave, etc.) may be indicative of an attendance problem; and in cases of excessive abuse, the absences will be treated as unexcused. Employees are not permitted to make up time during the workday or alter their work schedule when they are late to work unless it has been approved verbally or in writing by their supervisor in advance. Employees are not permitted to work through their lunch period or breaks to make up unexcused time.

E. Excessive Absenteeism

Excessive absenteeism is defined as two instances of unexcused absence in a calendar month. Such excessive absenteeism is subject to corrective discipline. Six instances of unexcused absenteeism within a consecutive twelve month period are considered grounds for termination.

F. Tardiness

Employees who are chronically unable or unwilling to report to work on time present a hardship to other employees and those we serve. Unexcused tardiness is defined as being absent from duty without cause for more than five minutes and includes:

- 1. reporting to work late at the beginning of the work shift,**
- 2. leaving early or returning late from a work break or lunch period,**
- 3. leaving the work area without a legitimate reason, or**
- 4. leaving work early at the end of the workday without permission.**

Employees who receive counseling for tardiness are expected to improve and sustain their improved attendance/punctuality. Unexcused tardiness occurring four times during a calendar month will result in corrective disciplinary action. Any twelve instances of unexcused tardiness within a consecutive twelve month period are considered grounds for termination.

G. Leave-Without-Pay

Leave-without-pay (LWOP) or docked pay will result when an employee who is absent from duty has exhausted all of his/her available accrued leave balances. LWOP status without legitimate justification is discouraged. Justification would include LWOP status following exhaustion of available leave due to a documented serious medical condition or family emergency, including unpaid leave allowed under the Family Medical Leave Act, the Parental Leave Act, and other extended unpaid Leaves of Absence granted under MSU Policy 3.217. Unauthorized LWOP or docked pay status will result in situations when no paid leave is available and the employee is absent or tardy without adequate justification. Unauthorized LWOP or docked pay status on three occasions within a consecutive twelve month period is considered excessive and is grounds for termination. An occasion of LWOP/docked pay begins when the employee enters unpaid status and ends when the employee returns to paid status, regardless of the number of hours without pay on that occasion.

H. Disciplinary Action

When instances of unexcused absences, tardiness, or unauthorized LWOP/docked pay occur, one or more of the following disciplinary actions will be imposed:

- 1. documented verbal counseling,**
- 2. written disciplinary warning,**
- 3. suspension without pay, and**
- 4. termination after multiple offenses.**

I. Job Abandonment

In the event an employee is absent for three consecutive scheduled workdays without notice or approval, the absence is considered job abandonment. The employee will be considered to have voluntarily terminated his/her employment with the University.

Related Policies:

3.216, Staff-Termination/Discharge

3.217, Employee Leave Policies

3.228, Staff Employee Disciplinary Procedures

TX Government Code 661

4.134 President's Office
 GIFTS AND DONATIONS
 Date Adopted/Most Recent Revision: 08/06/04

A. Administrative Procedures and Conditions of Acceptance

1. ~~With the exception of gifts to Athletics and the Alumni Association.~~ The Director of University Development shall be responsible for receiving, acknowledging, and distributing to the appropriate department or program all gifts of cash, equipment, material, or property made by private donors or organizations to the university. All such gifts must be channeled through the Office of University Development.
2. ~~Gifts to Athletics and the Alumni Association shall be administered according to the same policies listed in this section, except the Director of Athletics and the Director of Alumni Relations shall assume the corresponding duties of the Director of University Development.~~
- 3. 2. The university shall not accept any gift of cash, equipment, material, or property which carries a donor restriction in violation of the university policy or state law.**
4. **3. Gifts of property or funds to the university become the property of the State of Texas at the time of the making of the gift or donation and cannot be returned except 1) to comply with the directions, limitations, and provisions declared in writing when the gift or donation is made, or 2) in those instances that are appropriate under surplus property competitive bidding provided by state law.**
5. **4. No gift of equipment, material, or property valued at \$5,000 or more may be accepted without the approval of the Administrative Council and the President. For unconditional gifts of equipment, material, or property valued at less than \$5,000, the Vice President for University Advancement and Public Affairs is authorized to accept on behalf of the university. The Vice President for University Advancement and Public Affairs is authorized to accept gifts of equipment, material, or property on behalf of the University. The Office of University Development will forward requests to the Vice President for University Advancement and Public Affairs for further action. Requests should be submitted in writing with the following information:**
 - a. Description of item
 - b. Condition and estimated value
 - c. Estimated maintenance costs
 - d. Method of delivery to campus, if applicable
 - e. Name of donor
 - f. Special donor conditions, if applicable

The Library shall be exempt from this policy for the purpose of accepting gifts of books, magazines, documents, or similar resource ~~matter~~ materials.

4.145 President's Office

MIDWESTERN STATE UNIVERSITY FOUNDATION, INC.

Date Adopted/Most Recent Revision: 2/8/02

Chartered by the State of Texas as an independent, tax-exempt foundation on February 28, 1960, Midwestern State University Foundation, Inc. is responsible for receiving, holding, investing, and distributing proceeds of any gifts of cash, securities, or property made to the Foundation for the benefit of the university. Its resources may be used for no other purpose. Relations between the university and the Foundation shall be conducted according to the following:

- G. The Director of University Development shall ~~be responsible for preparing and submitting~~ assist the Vice President for University Advancement and Public Affairs prepare and submit to the President no later than July 1 of each fiscal year the university's request for annual support from the Foundation during the next fiscal year. The request shall be submitted to the Foundation Board of Trustees by the President.
- H. The Director of University Development shall ~~be responsible for preparing and submitting~~ assist the Vice President for University Advancement and Public Affairs prepare and submit to the Foundation a monthly written request for budgeted funds. The request shall be submitted to the Chairperson of the Foundation Board of Trustees not later than the 15th day of each month.

Policy for Addressing General Student Complaints

Purpose

The Purpose of this policy is to establish a process by which students may address general issues that do not fall under formal grievance policies. In an effort to expedite resolution to complaints, students will be requested to first follow the Informal Complaint Process. If resolution does not occur via the Informal Complaint Process, the student may follow the Formal Complaint Process.

Informal Complaint Process

The informal complaint process promotes dialogue and understanding, and provides a framework to expedite resolution. It additionally promotes student development through self-advocacy and open communication. Prior to filing a formal complaint, the student must use the following informal procedure. The Informal Complaint Process is initiated in the office of the Dean of Students.

- The student should discuss with the Dean of Students, or designee, the nature of the complaint in order to determine the most appropriate and expeditious manner of addressing said complaint. The Dean of Students, or designee, and the student determine the faculty or staff member best equipped to address the complaint. The comfort of the student in addressing the complaint with any member of the faculty or staff is considered.
- The Dean of Students, or designee, will assist the student in contacting the faculty or staff best equipped to handle a complaint. The student should discuss the complaint thoroughly with the determined faculty or staff as soon as practical. Both parties should openly discuss the issue and attempt to explore a mutually satisfactory outcome.
- The Dean of Students maintains a log of Informal Complaints registered with his/her office. This log includes the student's name, contact information, nature of complaint, and complaint referral, if necessary.
- Within five days of logging the complaint, the Dean of Students, or designee, will follow-up with all parties in order to determine the disposition of the complaint. The disposition will be included in the complaint log.
- If the complaint is resolved, the process ends.
- If the complaint is not resolved, the student may initiate a Formal Complaint Process.

Formal Complaint Process

A formal written complaint may be issued if the Informal Complaint Process does not produce resolution. The student is encouraged to contact the Dean of Students office prior to submitting a formal complaint so that they can be well-informed of the formal complaint process. The student must use the following formal complaint procedure:

- The student must submit in writing to the appropriate Dean, Director, Chair, or Supervisor, as determined in consultation with the Dean of Students, an outline

of what occurred, any witnesses to the alleged event, and the desired outcome of the complaint.

- The appropriate Dean, Director, Chair, or Supervisor, with guidance from the Dean of Students, interviews all affected parties and witnesses.
- Within seven business days of receiving the written complaint, the Dean, Director, Chair, or Supervisor issues a written decision regarding the complaint.
- If the complaint is resolved the process ends.
- If the complaint is not resolved, the affected student may appeal the decision to the appropriate Vice President. The Dean of Students will assist the student in making this determination. The appeal must be in writing, no later than seven business days after receipt of the final disposition of the formal appeal.
- The Vice President will consider the appeal and issue a decision to the student in writing. A copy of the final resolution will be sent to the student and the Dean of Students.