

**Administrative Council
Midwestern State University**

March 14, 2023

Meeting No. 23-03

The Administrative Council met Tuesday, March 14, 2023, at 2:30 p.m., in the Bridwell Board Room in the Hardin Building. Present were Dr. Keith Lamb, Ms. Debbie Barrow, Dr. Marcy Brown Marsden, Ms. Dawn Fisher, Dr. Kristen Garrison, Ms. Julie Gaynor, Mr. Phillip King (representing Staff Senate), Mr. Barry Macha, Ms. Rhonda McClung, Dr. Karen Moriarty, Mr. Kyle Owen, Dr. Beth Reissenweber, Ms. Betsy Tucker, and Mr. Kyle Williams (via phone). Unable to attend were Ms. Leigh Kidwell, Dr. Michael Mills, Mr. Matt Park, and Ms. Gabbie Pettijohn.

I. Welcome

Dr. Lamb welcomed members to the meeting and expressed appreciation for their participation.

II. MSU OP 04.05 Distance Education

Approved to be sent to campus for review.

III. MSU OP 16.04 Access for Individuals with Disabilities

Approved to be sent to campus for review.

IV. Proposed FY2024 and FY2025 Holiday Schedules

Approved to be taken to Texas Tech University Board of Regents meeting in May, 2023.

V. Digital Faculty Portfolios

Dr. Moriarity updated the Council on efforts made by Faculty Senate to move faculty portfolios to an online platform.

VI. End-of-Course Evaluations


Dr. Moriarity updated the Council on Faculty Senate's work on redesigning end-of-course evaluations.

Other discussion - Role of Administrative Council


Communication, sharing of information and policy approval were mentioned as the primary purpose of Administrative Council meetings. These roles are currently included in the description of the Council which is on the MSU website.

VII. Adjourn

The meeting adjourned at 3:30 pm. Members will be notified of the date of the next meeting once it is determined.



Keith Lamb, Ph.D., Chair



Betsy Tucker, Secretary



MIDWESTERN STATE UNIVERSITY

Operating Policies & Procedures Manual

University Operating Policy/Procedure (OP) OP 04.05: Distance Education

Approval Authority:	President
Policy Type:	University Operating Policy and Procedure
Policy Owner:	Provost and Vice President for Academic Affairs
Responsible Offices:	Director, Academic Outreach & Distance Education
Next Scheduled Review:	This OP will be reviewed in December of odd-numbered years, or as needed, by the dual credit designee with recommended revisions forwarded through the Provost and Vice President for Academic Affairs and the Vice President for Enrollment Management to the President for approval.

I. Policy Statement

It is the policy of Midwestern State University (“MSU” or “University”), a component institution of the Texas Tech University System (“System” or “TTUS”) to comply with state and federal requirements and the accreditation standards of the Southern Association of Colleges and Schools Commission on Colleges (“SACSCOC”) related to distance education for academic credit at MSU.

II. Reason for Policy

The purpose of this Operating Policy/Procedure (OP) is to provide a framework for the development, implementation, and maintenance of courses, certificates, and degree programs offered via distance education for academic credit at MSU.

III. Application of Policy

This OP applies to all University employees and students.

IV. Definition(s)

Distance Education: Defined for purposes of this OP the same as the definition adopted by SACSCOC:

"For the purposes of SACSCOC's accreditation review, distance education is a formal educational process in which the majority of the instruction (interaction between students and instructors and among students) in a course occurs when students and instructors are not in the same place. Instruction

may be synchronous or asynchronous. A distance education course may use the internet; one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices; audio conferencing; or other digital media if used as part of the distance education course or program." ([Distance and Correspondence Education: Policy Statement, 2020](#))

V. Policy/Procedures

The Office of the Provost serves as the central repository for distance education program information and support structure. The Provost or designee will be assigned responsibility for distance education. The Distance Education Council will serve in an advisory capacity to the Provost or the Provost's designee on policy and operational issues related to distance education.

A. Mission for Distance Education

MSU's commitment to the diverse learner maximizes access to rigorous and engaging education through innovative distance learning opportunities equivalent to those offered face-to-face. MSU provides high-quality, "values-focused [learning experiences that will accommodate a] student-centered teaching and learning environment"¹ anytime and anywhere.

B. Degree and Certificate Programs Offered Via Distance Education

Distance education follows institutional policies and procedures as do all modalities offered by the institution aligning with MSU's organizational structure, approval processes and administrative structure.

1. Programs offered via distance education will be consistent with the goals and mission of MSU, the relevant academic units, and will be reviewed and approved through the institution's curriculum approval process to ensure that each course has learning outcomes and credit hour requirements equivalent to face-to-face taught courses and is in accordance with Texas Higher Education Coordinating (THECB) approval policies for [Approval of Distance Education including Off-Campus Courses and Programs](#) and with [OP 02.39 : Reporting SACSCOC Substantive Changes](#). Unless otherwise provided in the MSU Undergraduate or Graduate Catalog, all policies, standards, and guidelines for face-to-face instruction apply to programs delivered via distance education.
2. Selection of programs to be offered via distance education is the purview of the appropriate academic unit, which provide oversight of the program to ensure currency of the program, its distance education courses, marketability, capacity, quality and resources. Distance education programs will align with the University's mission, vision and values, learning outcomes appropriate to the rigor and breadth of the degree awarded and consistent with all other modalities of the same program.

¹ Midwestern State University Mission Statement (TTU System Board Approved 1 Sept. 2021).

Assessment/Institutional Effectiveness

3. Assessment of distance education programs is guided by the following policies and best practices:
 - a. [SACSCOC policy statement of Distance and Correspondence Education](#);
 - b. [Principles of Good Practice](#) as defined by the Southern Regional Board for the Electronic Campus (SREC) and the THECB;
 - c. [Interregional Guidelines for the Evaluation of Distance Education](#) adopted by the Council of Regional Accrediting Commissions (C-RAC) and THECB; and
 - d. Institutional policies include [OP 2.29: University Boards, Councils, and Committees](#) , [OP 06.20: Faculty Performance Review](#) ; however, are not limited to these policies as additional assessment processes include further committees, councils, department and faculty processes.
4. Distance education programs are assessed alongside all modalities in the academic program assessment process with respect to the attainment of identified learning outcomes and program outcomes.
5. Distance education programs are evaluated in the same manner as face-to-face programs through the institutional academic review process.
6. Once implemented, the assessment of the program continues. If during any part of the assessment and institutional effectiveness processes, it is found that the program is no longer a marketable/viable program for student achievement and success, the continuation of the program will follow SACSCOC guidance of program closure ensuring a sufficient time period for currently admitted students to complete their program.
7. For each major in a degree, or certificate program, whether offered via distance education, or in person, the institution assigns responsibility for program coordination, assessment of learning outcomes and student success, as well as for curriculum development and review, to persons academically qualified in the field.
8. MSU's [Dual Credit portal](#) outlines the framework for initiation, approval, implementation, and tracking of courses for the Dual Credit Program.
9. MSU's status as an approved National Council of State Authorization Reciprocity Agreement ([NC - SARA](#)) college allows students from approved states to enroll into distance education programs. [NC-SARA](#) is a voluntary, regional approach to state oversight of postsecondary distance education.

C. Distance Education Courses

1. Teaching and learning delivered through distance education use the MSU learning management system (LMS).
2. Academic departments may choose to offer new or current courses in a distance education format. All new distance education courses must abide to the SACSCOC/THECB notifications of moving a program to a new modality and/or by percentage of degree.

3. The following apply to all academic courses, regardless of delivery mode:
 - a. Faculty teaching distance education courses are responsible for the academic integrity of all content used within the course materials, including accuracy, currency, and compliance with laws regarding copyright and MSU's [OP 76.01 : Intellectual Property Rights General Statement](#).
 - b. Academic courses are continually assessed as appropriate and follow institutional assessment processes.
 - c. Students evaluate courses delivered via distance education using the same course evaluation instrument in effect for face-to-face courses. These evaluations include the effectiveness and efficiency of delivery systems, academic resources, student services, facilities, library, technology, and access to faculty.
 - d. Courses and course materials are archived according to the laws of the State of Texas and the requirements of the certified retention schedule of MSU.
 - e. Courses follow the same registration and transcription practices as those of other delivery modes.

FERPA, Security, and Privacy

4. *Student Privacy: [Family Education Right to Privacy Act \(FERPA\)](#)* of Personal Information, MSU's FERPA website provides definitions and MSU's obligations, including required FERPA training for faculty and staff every two years. MSU's FERPA website does not distinguish between face-to-face and distance education students; therefore, FERPA policy is applied equally to both. Additionally, Information Security Policy, [OP 44.11: Information Resources Use and Security Policy](#), define information security controls around information privacy and protection.
5. *Security of Personally Identifiable Information (PII)*: Students and faculty will comply with information security policy, security controls, and regulatory requirements as outlined in the [Information Resources Use and Security Policy Agreement](#) and [OP 44.11 : Information Resources Use and Security Policy](#). OP 44.11 does not designate differences between face-to-face and distance education users.

As stated in the MSU Information Security Handbook, MSU has information security controls for the purpose of identification and authentication of all users, which includes Distance Education students.

- a. For security purposes, faculty, and students of both the D2L and Banner systems use an assigned personal login ID and unique password to register and access each of the distance education courses through a secure portal. Students and employees will adhere to policies on electronic security that prohibit sharing of passwords as well as requiring students, and faculty to take precautions against others obtaining access to their University computer accounts per the .
- b. Additionally, institutional policies and procedures governing the management

and security of information resources are defined in [OP 44.11 : Information Resources Use and Security Policy](#) and the Information Security Handbook, which define MSU's compliance with [Texas Administrative Code 202](#) and outlines the roles and responsibilities of all constituents who come in contact with sensitive student information. Institutional policies and procedures governing the management and security of protected information of faculty, staff, students, and other constituents and affiliates of MSU are defined in the [Information Resources Use and Security Policy Agreement](#) which dictates that all "users must not use or disclose sensitive information, or data that is otherwise confidential or restricted, without appropriate authorization."

D. Faculty/Curriculum and Instruction

"Faculty assumes primary responsibility for and exercises oversight of distance and correspondence education, ensuring both the rigor of programs and the quality of instruction."²

1. *Academic Qualifications*

Qualifications of prospective faculty members are reviewed by department-level search committees in accordance with discipline-specific standards established by each college. The Office of the Provost and Vice President for Academic Affairs monitors this process to ensure that all faculty at MSU are appropriately qualified.

- a. Faculty member's content qualifications and program coordinators are determined by MSU at the department level in accordance with SACSCOC and THECB guidelines for both face-to-face and distance education courses.

2. *Course Development*

a. Intellectual Property Rights

- (1) Faculty members retain the authority and responsibility to produce any revised or supplemental course materials to maintain or enhance the accuracy and quality of the distance education course. MSU's [OP 76.02: Intellectual Property Rights - Distance Education. Creation, Use, Ownership, Royalties, Revision and Distribution of Electronically Developed Course Materials](#) applies to all programs and courses delivered via distance education.

3. *Compensation*

- a. Faculty members develop and deliver distance education courses as part of their regularly compensated responsibilities; [OP 06.17: Faculty Workload \(Teaching Load Policy\)](#).

4. *Quality of Courses*

- a. Faculty members ensure each distance education course results in collegiate-level learning outcomes appropriate and equivalent to face-to-face courses.

² Guidelines for Addressing Distance Education in Correspondence Courses (SACSCOC, 2020).

- b. Courses are designed in order to meet accessibility standards according to MSU's [OP 16.04: Access for Individuals with Disabilities](#).
- c. Faculty members acknowledge copyright, trademark, and licensing issues when designing distance education courses according to MSU's [OP 76.02 Intellectual Property Rights - Distance Education](#).

5. *Delivery*

- a. Faculty members are responsible for:
 - (1) the academic management and oversight of distance education courses;
 - (2) informing students about technical skill prerequisites and required hardware, software, and supplemental materials appropriate to the nature and objectives of the course making it necessary for course participation;
 - (3) providing for regular and substantive interaction with students, and between students, enrolled in a distance education course;
 - (4) verifying student identity;
 - (a) Faculty use a wide range of discipline-specific pedagogical strategies (work groups, webcams, synchronous discussions, instructor/student emails, texting, blogging, one-on-one video conferencing, video submissions, etc.) in order to foster learning and ensure that the student enrolled in a course is the same student participating in the course.
 - (b) Besides the controlled specific access to the online platform, faculty monitors each student by comparing text, voice and image of the student in a variety of ways throughout each course. All while abiding by [OP 44.11: Information Resources Use and Security Policy](#) and the [Information Resources Use and Security Policy Agreement](#).
 - (5) regularly monitoring and reporting the last day of attendance;
 - (6) Student evaluation responses are used in both face-to-face and distance education courses to evaluate faculty members.

6. *Recognition/Evaluation*

- a. Faculty members' teaching and scholarly activities related to distance education programs receive the same recognition and evaluation ([OP 06.20: Faculty Performance Review](#)) as face-to-face activities and programs.

7. *Faculty Support & Training*

- a. Technical Support
 - (1) The University provides adequate equipment, software, and communications access to faculty members to support interaction with students.
- b. Training
 - (1) Faculty members who teach distance education courses are required to complete professional development related to the effective development

and delivery of distance education. Such professional development is approved by the department and dean and completed a minimum of every three years. This training includes consideration of issues regarding academic integrity.

- (2) Regular training and workshops are offered through the Office of Academic Outreach & Distance Education

E. Students Support Services

1. *Advertising, Recruiting, and Admissions:* MSU produces advertising, recruiting, and admissions materials clearly and accurately for distance education students representing programs, requirements, and services available. MSU follows the admissions policies as described in the relevant MSU Undergraduate or Graduate Catalog.
 - a. Students enrolled in distance education are provided an orientation with clear, complete, and timely information including but not limited to the use of electronic forms of learning resources, technological competence and skills, technical equipment requirements, availability of support services, and the Honor Code (including academic integrity).
2. *Academic and Student Support:* Distance Education students are provided reasonable and adequate academic and student support services appropriate to support their successful completion of course work. Academic and student support services offered through distance education (online and at off-site locations) are given the same attention in terms of the quality, integrity, and assessment of offerings as are given to services offered face-to-face. Equal or equivalent services differ by location, mode of delivery, and/or population to meet student needs, governing laws and regulations. Included below are MSU links to academic and support services available to students:
 - a. Academic and Student Services;
 - (1) Technical Services and Tutoring: In addition to the other academic and student support services, Technology Services support and Tutoring are available for students. D2L is available M-Sun 8am-10pm, the Information Technology help desk is available M-F, 8am – 5pm. Distance education tutoring is available through [Tutoring and Academic Support](#).
 - b. Student Involvement and Student Life;
 - c. Student Disability Services
 - (1) MSU is committed to the principle that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs or activities of the university, or be subjected to discrimination by the university, as provided by the Americans with Disabilities Act of 1990 (ADA), the Americans with Disabilities Act Amendments of 2008 (ADAAA) and subsequent legislation.

3. *Complaint Resolution*: MSU seeks to maintain the highest standards of integrity and fairness in its relationships with students. A student who believes that specific actions, practices, or decisions on academic or non-academic matters have been made or carried out in an arbitrary, discriminatory, inequitable, or inconsistent manner, as stated by MSU policy statements, can initiate a complaint.
 - a. For more information about MSU's grade or academic honesty appeal policy, please review the Student Handbook available through the [Office of Student Rights and Responsibilities](#).
 - b. For more information about any form of gender discrimination, including sexual misconduct, please review [MSU Title IX Website](#).
 - c. Students enrolled in distance education courses have the opportunity to evaluate distance education courses, provide feedback for course improvements, and have access to a procedure for resolving complaints, as noted in [MSU Student Handbook](#). The University encourages students to seek informal resolution of concerns before pursuing a more formal process. However, if a student deems informal efforts unsatisfactory, they may pursue a formal complaint in accordance with the procedure.

F. Library/Learning Resources

1. MSU ensures all distance education students have access to resources equal or equivalent to those available to face-to-face students and that students can effectively use the resources. These resources support various levels of technology access and include online databases, electronic journals, eBooks, electronic access to reference services, partnerships with other institutions for shared borrowing, e-Reserves, and document delivery.
2. User needs are diverse and varied. Therefore, services strive to meet a variety of informational needs.
 - a. [Library Resources for Distance Education Students](#); and
 - b. [Helpful Library Videos](#);
3. The library regularly evaluates the effectiveness of resources provided to distance education students and demonstrates services are improved where appropriate. The library is also embedded in all D2L courses, so services are readily available for EVERY MSU course, regardless of modality.
 - a. The library is actively involved in institutional effectiveness processes, feedback surveys from faculty, staff, and students and uses the surveys in their planning for improvement.
4. Instructors provide distance education students information about library services in each course.

G. Financial Support, Budgeting, and Fees for Distance Education Courses

1. *Funding and Financial Administration of Distance Education Courses*

- a. Academic departments do not receive additional funding for the development and delivery of distance education courses by departmental faculty. Faculty are expected to develop or deliver distance education courses as part of their normal duties and teaching load, as dictated by departmental needs and student demand. ([OP 06.17: Faculty Workload - Teaching Load Policy](#) and [OP 06.09: Outside Employment of Faculty](#))
- b. Beyond just offering individual distance education courses, academic departments may also choose to offer degree programs (including certificates) which are delivered entirely via distance education. This may involve moving existing degree programs to a distance education format, or developing new degree programs to be offered via distance education. In each case, the college and academic department will consider the incremental costs associated with a proposed new distance education program.

2. *Tuition and Fees for Distance Education Courses*

- a. Tuition and fees charged for distance education courses are specified in the biennial Global Fee Document approved by the Texas Tech University System Board of Regents.
- b. The fees charged for distance education courses differ from those charged for face-to-face courses. Distance education courses are subject to a distance education fee, except for those distance education courses which are offered to dual credit students. Should a student be registered for distance education courses only, they are not to be charged fees which only apply to students taking courses on the MSU campus.
- c. The tuition and fees that a student are charged for a distance education course are clearly stated and publicly available prior to the start of registration from the [MSU Office of Admissions](#).

H. Facilities

1. MSU has adequate facilities and finances to support distance education. The MSU Master Plan provides a multi-year plan addressing the technology infrastructure and related services to support distance education. Access to laboratories, facilities, and equipment appropriate to the distance education courses and programs are equivalent and sufficient to support students' learning.

VI. Related Constitutional Provisions, Statutes, Rules, Policies, Forms, and Websites

Related Statutes/Rules:

[Distance and Correspondence Education: Policy Statement](#)

[SACSCOC Substantive Change Policy and Procedures](#)

Related University Policies and Procedures:

[OP 02.29: University Boards, Councils and Committees](#)

VII. Responsible Office(s)

Contact: Director, Academic Outreach & Distance Education

Phone: (940) 397-4785

E-mail: pamela.morgan@msutexas.edu

VIII. History

12 April 2023: MSU Policy/Procedure (OP) 04.05: Distance Education is adopted and approved by MSU Interim President Keith Lamb



Operating Policies & Procedures Manual

University Operating Policy/Procedure (OP) OP 16.04: Access for Individuals with Disabilities

Approval Authority:	President
Policy Type:	University Operating Policy and Procedure
Policy Owners:	Vice President for Student Affairs Vice President for Administration and Finance
Responsible Offices:	Director of Disability Support Services Director of Human Resources
Next Scheduled Review:	11/01/2023 – This OP will be reviewed in November of odd-numbered years by the Director of Disability Support Services, Director of Human Resources, and the Office of the General Counsel, with substantive revisions forwarded to the Office of the President.

PURPOSE

The purpose of this Operating Policy/Procedure (OP) is to ensure full and equal access to individuals with disabilities to all University programs.

POLICY/PROCEDURE

1. Policy

Midwestern State University is committed to full inclusion of all qualified individuals at our institution. As part of this commitment, persons with disabilities will not be subject to discrimination or denied full and equal access to academic programs, employment, activities, benefits, and services offered by the University on the basis of their disability. This policy applies to all students, employees (faculty, staff, or student), volunteers, and visitors.

2. Definitions

Disability – A physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

Qualified Individual – An individual who, with or without reasonable accommodation, has the requisite skills, experience, and knowledge, and can meet all essential requirements of their program or perform all essential functions of their job/position.

Programs – Includes all academic programs, employment, activities, benefits, or services offered by the University.

Reasonable Accommodation – A modification or adjustment that:

- (1) will enable a qualified individual to participate in a program and does not make a fundamental alteration to program requirements; or
- (2) will enable an individual to participate in the application process or to perform essential job functions; or
- (3) will allow equal access to University programs; and
- (4) does not create an undue hardship for the University.

3. Rights and Responsibilities

A. Individuals

Individuals with disabilities have the right to an equal opportunity to participate in and benefit from all programs, including employment, offered by the University. Individuals who choose to exercise these rights:

- (1) Have a right to reasonable accommodations.
- (2) Are responsible for initiating the accommodation process in a timely manner by identifying themselves as needing reasonable modifications to the environment, policy, or practice, and/or needing reasonable auxiliary aids or services.
- (3) Are responsible for providing appropriate documentation that describes the current need for an accommodation, any history of past accommodations in a similar context, and the impact of their disability in the university environment in sufficient detail to provide a rationale for the requested accommodation.
- (4) Are expected to actively participate in the identification and discussion of reasonable accommodations.
- (5) Have the same obligation as non-disabled individuals to meet and maintain the University's performance standards, technical standards, and codes of conduct.
- (6) Will be evaluated based on their ability to meet the essential elements of their academic program or perform their essential job functions.
- (7) Have the right to be informed of procedures for initiating further appeal of or complaint about a University decision.

B. The University

The University has a responsibility to identify and maintain standards that are fundamental to its programs while still ensuring access for qualified individuals with disabilities. In meeting these obligations, the University:

- (1) Will identify and establish the abilities, skills, and knowledge necessary for initial and ongoing participation in its programs, including employment, and evaluate individuals on that basis.
- (2) Will inform individuals about the availability of accommodations.

- (3) May request and review documentation in support of an accommodation request and may refuse a request that is unsupported by appropriate documentation.
- (4) May select between equally effective methods of accommodating an individual with a disability.
- (5) Will make reasonable modifications to the environment, policy, or practice, and/or provide reasonable auxiliary aids or services.
- (6) May refuse a requested accommodation that fundamentally alters an essential element or fundamental aspect of a program, including job responsibilities, or creates an undue hardship for the University.
- (7) Will inform the individual of the availability of any appeals or complaint processes.

4. Responsible Offices:

Individuals with questions regarding this policy or needing accommodations for a disability should contact the appropriate office listed below:

Position or Office	Responsibilities	Contact Information
Office of Human Resources— Deputy ADA Coordinator for Employees	Consults with applicants, employees (faculty, staff, or student), and supervisor on reasonable accommodations in the workplace and other disability-related matters.	940.397.4221 Room 210 3410 Taft Blvd. Hardin Administration Building Human.Resources@msutexas.edu
Office of Equal Opportunity	Consults with individuals with complaints of noncompliance with University disability policies and/or state and federal disability laws and investigates disability-related complaints of discrimination and harassment involving employees.	806.742.3627 eeo@ttu.edu System Administration Bldg. 1508 Knoxville, Suite 208
Student Disability Services	Consults with individuals on reasonable accommodations for students and other student disability-related matters.	940.397.4140 Clark Student Center debra.higginbotham@msutexas.edu
ADA Campus Coordinator	Consults with individuals, including members of the public, and coordinates with other University offices on reasonable accommodations and other disability-related matters.	940.397.4140 Clark Student Center debra.higginbotham@msutexas.edu
508 Coordinator	Consults with individuals, including members of the public in regard to complaints or concerns with accessible electronic and information technology	940.397.4140 Clark Student Center kristen.grassi@msutexas.edu

5. Requests for Accommodation

A. Members of the Public – Members of the public needing accommodations for a campus event or activity, may contact the ADA Accommodations Coordinator at 940.397.4140.

B. Students – Students needing academic accommodations, please contact Disability Support Services at 940.397.4120.

C. Employees and Applicants for Employment

(1) Applicants: Applicants for employment who need a disability-related accommodation should contact Human Resources.

(2) Employees: Employees (faculty, staff, or student) who need a disability-related accommodation should make the request to their immediate supervisor. Alternatively, any employee may make a request directly to Human Resources.

(a) Upon receiving a request for accommodation from an applicant or employee, Human Resources will:

- Review and discuss the request with the applicant or employee.
- Discuss the request with the Supervisor, if applicable.
- Verify the disability which may require documentation from a treating healthcare provider or medical certification as set forth below.
- Review the essential functions of the job.
- Facilitate discussion between the employee and the supervisor regarding possible accommodations.
- Consult with the Office of the Provost, as warranted, regarding faculty accommodations.

(b) Medical Certification

- An employee seeking a disability-related accommodation must, upon request, submit appropriate medical certification to Human Resources from a treating healthcare provider to substantiate the employee's disability and/or the need for accommodation. Human Resources will provide this form to employees.
- The employee, not the University or the treating healthcare provider, is responsible for submitting the required medical certification to Human Resources within 15 days of the date the certification is requested.
- Failure to provide the requested medical certification within 15 days may result in a delay of the accommodation process.

(c) Leave as a Reasonable Accommodation

In certain circumstances, time off from work or a modified duty schedule may be a reasonable accommodation. The University has policies relating to both paid and unpaid leave. Human Resources can advise employees regarding applicable leave policies, including sick leave and sick leave pool, Family and

Medical Leave Act (FMLA) and parental leave, leave without pay, or miscellaneous leaves of absence as provided in [TTU System Regulation 07.12](#).

- (3) Supervisors: Supervisors who receive a disability-related request for accommodation should contact Human Resources immediately to review and discuss the requested accommodation.

Any Supervisor who, during the course of job performance counseling, is informed by an employee that a physical or mental condition may be affecting the employee's work performance should refer the employee to Human Resources to determine whether there is a need for a disability-related accommodation.

6. Complaints

- A. Applicants, employees (faculty, staff, or student), or members of the public who have concerns about violations of this policy or who wish to file a complaint of discrimination or harassment based on a disability should contact the Office of Equal Opportunity or file a complaint pursuant to [OP 16.03: Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#) for violations of employment and other laws.
- B. Students who have a concern about violations of this policy or who wish to file a complaint related to their academic program should contact Disability Support Services at 940-397-4120.

7. Confidentiality

The University will maintain the confidentiality of all medical records concerning employees and students. These records will be kept separate from personnel files and educational records and will be accessible only to authorized personnel.

8. Authoritative References

Americans with Disabilities Act (PL101-336)
Section 504 of the Rehabilitation Act of 1973 (PL93-112)
Texas Labor Code, Chapter 21

Related MSU Operating Policies/Procedures (OPs):

[OP 16.01: Equal Employment Opportunity Policy and Affirmative Action Program](#)
[OP 16.03: Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#)
[OP 16.05: Closed Captioning](#)
[OP 44.02: Electronic and Information Resources Accessibility](#)

9. Revision History

19 April 2022: Replaces former MSU OP 16.04/3.340: Americans with Disabilities Act and MSU OP 16.06: Disability Grievance Procedures and is renamed OP 16.04: Access for Individuals with Disabilities and adopted and approved by MSU Interim President James Johnston.

**MIDWESTERN STATE UNIVERSITY
Holiday Schedule for 2023-2024**

	DATE	DAY OF WEEK	HOLIDAY
2023	September 4	Monday	Labor Day
	November 23	Thursday	Thanksgiving
	November 24	Friday	Thanksgiving
	December 25	Monday	Winter Break
	December 26	Tuesday	Winter Break
	December 27	Wednesday	Winter Break
	December 28	Thursday	Winter Break
	December 29	Friday	Winter Break
2024	January 1	Monday	New Year's Day
	January 15	Monday	Martin Luther King Day
	May 27	Monday	Memorial Day
	June 19	Wednesday	Emancipation Day
	July 4	Thursday	Independence Day

TOTAL ALLOWABLE HOLIDAYS: 13

NOTE: State law provides for seventeen (17) state holidays in FY 2024. In FY 2024, four (4) of the state holidays fall on weekends and cannot be substituted for other regular working days. The result is thirteen (13) holidays for FY 2024.

**MIDWESTERN STATE UNIVERSITY
Holiday Schedule for 2024-2025**

	DATE	DAY OF WEEK	HOLIDAY
2024	September 2	Monday	Labor Day
	November 28	Thursday	Thanksgiving
	November 29	Friday	Thanksgiving
	December 23	Monday	Winter Break
	December 24	Tuesday	Winter Break
	December 25	Wednesday	Winter Break
	December 26	Thursday	Winter Break
	December 27	Friday	Winter Break
	December 30	Monday	Winter Break
	December 31	Tuesday	Winter Break
2025	January 1	Wednesday	New Year's Day
	January 20	Monday	Martin Luther King Day
	May 26	Monday	Memorial Day
	June 19	Thursday	Emancipation Day
	July 4	Friday	Independence Day

TOTAL ALLOWABLE HOLIDAYS: 15

NOTE: State law provides for seventeen (17) state holidays in FY 2025. In FY 2025, two (2) of the state holidays fall on weekends and cannot be substituted for other regular working days. The result is fifteen (15) holidays for FY 2025.