



TEXAS TECH UNIVERSITY®



**2021-2022 Faculty Handbook**



# Introduction

The *Texas Tech University Faculty Handbook* is presented by the Office of the Provost as a convenient reference resource. It contains many statements of policy and existing arrangements but does not intend to cover all available information of relevance to faculty. More precise and detailed information may be obtained from appropriate administrative personnel or from other publications, some of which are listed below. Should exact text be needed, consult the document cited at the end of the pertinent section.

The following publications are available for reference online as indicated:

- *Undergraduate/Graduate Catalog* ([catalog.ttu.edu](http://catalog.ttu.edu))
- *School of Law Catalog*  
(<https://catalog.ttu.edu/index.php?catoid=16>)
- *Student Handbook*  
([www.depts.ttu.edu/dos/handbook/](http://www.depts.ttu.edu/dos/handbook/))
- *Directory of Standing Councils and Committees*  
([www.depts.ttu.edu/provost/councilscmtes/index.php](http://www.depts.ttu.edu/provost/councilscmtes/index.php))
- *Campus Directory* ([directory.texastech.edu/](http://directory.texastech.edu/))
- *Operating Policies and Procedures Manual*  
([www.depts.ttu.edu/opmanual/](http://www.depts.ttu.edu/opmanual/)) – Many items within the handbook are followed by a referenced link to the OP Manual, in the format, for example, OP 10.01.

We recommend that faculty members verify all policies stated in the handbook with the latest updates to the OP Manual. Board of Regents policies are maintained in the Rules and Regulations of the Board of Regents of the Texas Tech University System  
([www.texastech.edu/board-of-regents/regents-rules.php](http://www.texastech.edu/board-of-regents/regents-rules.php)).

Texas Tech University System policies are maintained in the Texas Tech University System Regulations  
(<https://www.texastech.edu/offices/cfo/regulations.php>).

The information contained herein may be changed at any time by action of appropriate segments of the institution. Although the material was submitted to numerous university officials for verification, errors may occur. We encourage submission of corrections or changes to the Office of the Provost. We extend our appreciation and gratitude to the many persons who helped in compiling and reviewing this handbook.



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# 1 General Information

## University Mission Statement

As a public research university, Texas Tech advances knowledge through innovative and creative teaching, research, and scholarship. The university is dedicated to student success by preparing learners to be ethical leaders for a diverse and globally competitive workforce. The university is committed to enhancing the cultural and economic development of the state, nation, and world.

## Campuses

Texas Tech University is the largest institution of the Texas Tech University System. More than 38,000 students attend classes in Lubbock on the 1,839-acre campus. The university also operates the Research Center-East Campus (Lubbock); Texas Tech University Farm at Pantex in the Texas Panhandle; research facilities at Reese Technology Center (west of Lubbock); agricultural field laboratories at New Deal; Texas Tech University Center at Junction (411-acre educational facility in the Texas Hill Country); and off-campus educational sites at El Paso, Fredericksburg, Highland Lakes, Waco, Collin County, and Johnson County.

## History

Texas Tech University was created by legislative action in 1923 and has the distinction of being the largest comprehensive higher education institution in the western two-thirds of the state of Texas. The university is the major institution of higher education in a region larger than 46 of the nation's 50 states and is the only campus in Texas that is home to a major university, law school, and medical school.

Originally named Texas Technological College, the college opened in 1925 with six buildings and an enrollment of 914. Graduate instruction began in 1927 within the School of Liberal Arts. A "Division of Graduate Studies" was established in 1935 and eventually became known as the Graduate School in 1954.

By action of the Texas State Legislature, Texas Technological College formally became Texas Tech University on September 1, 1969. At that time the schools of Agricultural Sciences, Arts and Sciences, Business Administration, Education, Engineering, and Home Economics also became known as "colleges." Architecture became a college in 1986. Two

colleges changed their names in 1993 to reflect the broadening fields each serves: the College of Agricultural Sciences became the College of Agricultural Sciences & Natural Resources, and the College of Home Economics became the College of Human Sciences. The Honors College was established in 1998, and the J.T. & Margaret Talkington College of Visual & Performing Arts opened in 2002. Media & Communication became a college in 2004.

The Texas State Legislature authorized funds in 1965 for establishing the Texas Tech University School of Law, and the Law School's first dean was appointed in 1966. The first class of 72 students enrolled in 1967. The Law School was approved by the American Bar Association in 1970 and is fully accredited by the Supreme Court of Texas (1968) and the Association of American Law Schools (1969).

As a member of the National Collegiate Athletic Association, Texas Tech began competing in the Big 12 Conference in 1996 after a 35-year membership in the former Southwest Conference.

Texas Tech was first accredited by the Southern Association of Colleges and Schools in 1928 and has been accredited continuously since that time. Texas Tech University was selected to shelter a Phi Beta Kappa chapter in 2006.

The presidents of Texas Tech have been Paul Whitfield Horn (1925-1932), Bradford Knapp (1932-1938), Clifford Bartlett Jones (1938-1944), William Marvin Whyburn (1944-1948), Dossie Marion Wiggins (1948-1952), Edward Newlon Jones (1952-1959), Robert Cabaniss Goodwin (1960-1966), Grover Elmer Murray (1966-1976), Maurice Cecil Mackey Jr., (1976-1979), Lauro Fred Cavazos (1980-1988), Robert W. Lawless (1989-1996), Donald R. Haragan (1996-2000), David J. Schmidly (2000-2002), Jon Whitmore (2003-2008), Guy Bailey (2008-2012), M. Duane Nellis (2013-2016), and Lawrence E. Schovanec (2016-present).

The Texas Tech University School of Medicine was created by the 61st Legislature in 1969 as a multi-campus institution with Lubbock as the administrative center and with regional campuses in Amarillo, El Paso, and the Permian Basin. In 1979, the charter was expanded, and the Texas Tech University Health Sciences Center was created with the addition of the School of Nursing, the School of Health Professions, and the Graduate School of Biomedical Sciences.

With the creation of the Texas Tech University System in 1996, the Texas Tech University Health Sciences Center became a separate university. Today, it consists of Schools



of Medicine, Nursing, Allied Health, and Pharmacy, and a Graduate School of Biomedical Sciences.

In 2007, Angelo State University in San Angelo joined the Texas Tech University System. The school was founded in 1928 as a two-year college and began offering four-year degrees in 1965.

In 2013, the Texas Legislature approved the creation of Texas Tech University Health Sciences Center at El Paso as the System's fourth institution. TTUHSC at El Paso hosts the Paul L. Foster School of Medicine and the Gayle Greve Hunt School of Nursing.

## Organizational Structure

A nine-member Board of Regents governs Texas Tech University, Angelo State University, Midwestern State University, and the Texas Tech University Health Sciences Centers in Lubbock and El Paso. The Governor of the State of Texas appoints the Regents to six-year terms. The terms of office of three Regents expire every two years. The governance, control, and direction of the university are vested in the Regents who in turn appoint a Chancellor to carry out

the policies of the system as determined by the Regents. The Chancellor appoints a president of each institution in the system. The presidents are chief executive officers of their respective institutions and are responsible for the strategic operation of each institution. The President of Texas Tech University is supported by a Provost and Senior Vice President who oversees the educational programs of the university; a Senior Vice President for Administration & Finance who is responsible for the fiscal operations of the university and the physical plant; a Vice President for Research who directs the research efforts of the university; and a Vice President for the Division of Diversity, Equity & Inclusion and Chief Diversity Officer who supports the institution's strategic diversity goals by providing programs, services, and resources.

Texas Tech University consists of the Graduate School; School of Law; Honors College; and the Colleges of Agricultural Sciences & Natural Resources, Architecture, Arts & Sciences, Business, Education, Engineering, Human Sciences, Media & Communication, and Visual & Performing Arts. Each college is administered by a dean and consists of a number of instructional departments or areas.





## Administrative Officers

### Office of the President

#### Lawrence E. Schovanec, Ph.D.

President, Professor of Mathematics and Statistics

#### Ronald L. Hendrick, Ph.D.

Provost and Senior Vice President

#### Noel Sloan, J.D., CPA

Senior Vice President for Administration & Finance and  
Chief Financial Officer

#### Joseph Heppert, Ph.D.

Vice President for Research & Innovation,  
Professor of Chemistry

#### Carol Sumner, Ed.D.

Vice President for the Division of Diversity,  
Equity & Inclusion and Chief Diversity Officer

### Texas Tech University System Chancellor/Board of Regents

#### Chancellor

Tedd L. Mitchell, M.D.

#### Regents

*Term Expires January 31, 2023*

J. Michael Lewis, *Chair* ..... Dallas

John D. Steinmetz ..... Dallas

John B. Walker ..... Houston

*Term Expires January 31, 2025*

Mark Griffin, *Vice Chair* ..... Lubbock

Ginger Kerrick Davis ..... Webster

Dusty Womble ..... Lubbock

*Term Expires January 31, 2027*

Arcilia Acosta ..... Dallas

Cody Campbell ..... Fort Worth

Pat Gordon ..... El Paso

#### Student Regent

*Term Expires May 31, 2022*

Keaghan Holt ..... Seguin, Texas

## Texas Tech University Academic Officers

#### Cindy Akers, Ph.D.

Interim Dean, College of Agricultural Sciences &  
Natural Resources;  
Professor of Agricultural Education and Communications

#### Urs Peter Flueckiger, Ph.D.

Interim Dean, College of Architecture;  
Professor of Architecture

#### Michael San Francisco, Ph.D.

Interim Dean, College of Arts & Sciences;  
Professor of Biology

#### Margaret L. Williams, Ph.D.

Dean, Jerry S. Rawls College of Business Administration  
Professor of Management

#### Jesse Perez Mendez, Ph.D.

Dean, College of Education;  
Professor of Education

#### Al Sacco, Jr., Ph.D.

Dean, Edward E. Whitacre Jr. College of Engineering;  
Professor of Chemical Engineering

#### Mark Sheridan, Ph.D.

Vice Provost for Graduate and Postdoctoral Affairs;  
Dean, Graduate School; Professor of Biology

#### Aliza Wong, Ph.D.

Interim Dean, Honors College;  
Professor of History

#### Tim Dodd, Ph.D.

Dean, College of Human Sciences;  
Professor of Hospitality Management

#### Jack Nowlin, J.D., Ph.D.

Dean, School of Law;  
Professor of Law

#### Earnstein Dukes, M.L.S.

Dean of Libraries

#### David D. Perlmutter, Ph.D.

Dean, College of Media & Communication;  
Professor of Journalism and Creative Media Industries/  
Public Relations

#### Genevieve Durham DeCesaro, M.F.A.

Interim Dean, J.T. & Margaret Talkington College of  
Visual & Performing Arts; Professor of Theatre and Dance

#### Guy H. Loneragan, BVSc, Ph.D.

Dean, School of Veterinary Medicine



## 2 Role of the Faculty

The Board of Regents assigns a major role in the governance of this institution to the faculty of Texas Tech University in the areas of general academic policies and welfare, student life and activities, requirements for admission and graduation, honors and scholastic performance generally, approval of candidates for degrees, and the faculty rules of procedure. All actions taken by the faculty are subject to the authority of the Board of Regents.

The general faculty delegates the detailed exercise of its powers to the Faculty Senate, a group consisting of faculty members who do not hold administrative positions higher than department chair. This provides a deliberative body that makes recommendations to the Provost and the President concerning a wide range of policies affecting the university.

Matters relevant to graduate studies are referred to the Graduate Council, a body of elected representatives of the colleges chaired by the Dean of the Graduate School and including associate deans of the Graduate School. This is the legislative body of the university's graduate degree programs. It determines minimum criteria for admission to and continuation in graduate degree programs, approves new graduate degree programs, and can recommend the abolition or modification of existing degree programs. It provides advice to the Graduate Dean on graduate program matters in general.

College, school, and department faculties establish the rules of membership and procedures for themselves according to university guidelines. Voting members consist of professors, associate professors, assistant professors, and—in some instances—faculty in the ranks

of professors of practice, research professors, instructors, visiting professors, and adjunct professors as set by previously determined procedures. Each faculty member at the university provides an annual report to the department chair who evaluates the faculty member's performance; this is made a part of the permanent file. The department chair communicates the results of the annual evaluation to each faculty member and to the dean.

Primary faculty responsibilities are teaching, research, and service. Faculty members at Texas Tech are expected to perform all their duties well and to be loyal to the university in its purposes. Faculty members are also expected to make timely reports to university offices as may be requested, including periodic and final semester grade reports.

Texas Tech University subscribes fully to the general principles endorsed by the Association of American Colleges and Universities in January 1941, by the American Association of University Professors in December 1941, and to the statement of principles included in the standards of the Southern Association of Colleges and Schools Commission on Colleges. That statement of principles confirms that institutions of higher education are conducted by the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free speech for truth in its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental for the protection of the rights of the instructional staff and of the students to learn in an environment in which academic freedom exists.

# 3 Facilities and Services

## Admissions

The Office of Undergraduate Admissions provides personalized services throughout the enrollment process from the generation of initial interest, recruitment, campus visits, recruitment events, and admission to the eventual enrollment of qualified, diverse freshman and transfer students. The office is located in West Hall and reports through the Vice President for Enrollment Management. For additional information, call 806.742.1480 or visit the website [www.gototexastech.com](http://www.gototexastech.com).

## Athletic Facilities, NCAA Programs

As a member of the National Collegiate Athletic Association (NCAA) and the Big 12 Conference, Texas Tech provides intercollegiate athletic programs for both men and women. Texas Tech's 17 athletic programs operate under NCAA and Big 12 rules and regulations as well as under the auspices of the Texas Tech Athletic Council whose membership represents the faculty, student body, Alumni Association, and a member-at-large appointed by the university President.

Red Raider athletic activities are organized under the Director of Athletics with head coaches in each of the sports responsible to the Director. Texas Tech began competing in the Big 12 Conference in 1996 after a 35-year membership in the former Southwest Conference.

Female athletes compete in intercollegiate volleyball, soccer, cross country, basketball, golf, tennis, softball, and indoor/outdoor track and field. In 1993, the Lady Raider basketball team claimed the school's first NCAA National Championship. The men's program includes football, basketball, cross country, indoor/outdoor track and field, baseball, golf, and tennis. Texas Tech added its second national title in its history in 2019 when the men's track and field program won the NCAA Outdoor Championships held in Austin.

Jones AT&T Stadium is named for Texas Tech's late President Emeritus Clifford B. Jones and his wife Audrey and for SBC Communications. While SBC's gift of \$20 million enabled renovation of the stadium in 2003, the Jones family provided the initial funds to permit construction of the stadium in 1947. Because SBC Communications acquired AT&T in 2005 and chose to keep the AT&T name, the former Jones SBC Stadium was renamed and became the only collegiate athletic facility in the nation with the AT&T name. A 2003 renovation added a new west side building, complete with 54 luxury

suites, a club level, and press and camera levels. In 2010, an east side stadium building opened, featuring 29 luxury suites and over 500 outdoor club seats. The addition increased stadium capacity to over 60,000.

Dan Law Field at Rip Griffin Park hosts the university's baseball team and has been voted one of the best places in the nation to watch a college baseball game. Outdoor track and field events are held at the Terry and Linda Fuller Track Complex, and soccer events are held at the John Walker Soccer Complex. Basketball games tip off in the 15,098-seat United Supermarkets Arena, one of the finest on-campus basketball-volleyball facilities in the nation. In October of 2016, Tech debuted a center-hung video board with four displays and four corner boards throughout the arena.

The Texas Tech tennis and softball programs enjoy the Don and Ethel McLeod Tennis Complex and Rocky Johnson Field. The university's golf teams began their first season at The Rawls Course in 2003. Named after Texas Tech alumnus Jerry S. Rawls, who provided an \$8.6 million gift for construction of the course, The Rawls Course was named the fourth best on-campus course in the nation and second-best golf course in Texas by *Golfweek Magazine* in 2018.

The Marsha Sharp Center for Student-Athletes opened in 2004 and features classrooms, a computer lab, a resource library, tutoring rooms, private study areas, and administrative offices.

In October 2017, Texas Tech opened the Sports Performance Center. Funded by gifts to The Campaign for Fearless Champions, the state-of-the-art Sports Performance Center provides Texas Tech student-athletes world-class opportunities to compete, train, and achieve at the highest levels. The building houses a 200-meter indoor banked track with seating for more than 2,000 spectators. The indoor football practice field provides an important recruiting tool and ensures that Texas Tech football players will never miss another practice due to inclement weather. A removable door separates the football and track venues, allowing privacy and student-athlete access to both sides of the facility during events.

Texas Tech unveiled in February 2020 the Cash Family Sports Nutrition Center, a \$5.6 million dining facility that will serve the university's more than 400 student-athletes. The facility allows Texas Tech to enhance its nutritional offerings through on-site meal preparations, a touch-screen ordering system, and the Dean and Christi Quinn Education Kitchen.



Additionally, Texas Tech will also soon open the Dustin R. Womble Basketball Center, a state-of-the-art practice complex for both the Red Raider and Lady Raider basketball programs that will be located immediately east of the United Supermarkets Arena. Both projects were funded through philanthropic giving to The Campaign for Fearless Champions.

## Bookstore

The Texas Tech University Campus Store is located in the Student Union Building. Working directly with faculty and TTU departments, the TTU Campus Store offers a large selection of required and recommended textbooks and course materials; options include new, used, digital, access codes, Inclusive Access, and rentals. Book buybacks are conducted at competitive prices every day.

The Texas Tech University Campus Store offers the best selection of Texas Tech apparel, spirit items, giftware, school supplies, and much more. Additionally, the TTU Campus Store carries Apple hardware and accessories as well as Dell laptop configurations, which students can shop by major. The TTU Campus Store also houses a cafe serving Starbucks® coffee, grab-and-go meals, and low-cost lunch options. In-store events and student programming are hosted in the cafe lounge area.

Texas Tech students can purchase and rent course materials and shop for apparel, gifts, and more online at [www.texastechstore.com](http://www.texastechstore.com). Competitive shipping rates are available. Order online and pickup in store!

The Texas Tech Campus Store accepts major credit cards, PayPal (online), and Follett gift cards. Please visit the store website for updated store hours, promos, sales, in-store events, and announcements.

**Contact:** 806.203.3232, [www.texastechstore.com](http://www.texastechstore.com)

## Center for Transformative Undergraduate Experiences

The [Center for Transformative Undergraduate Experiences \(TrUE\)](http://www.texastechstore.com) works to ensure that every undergraduate student has the opportunity to engage in high-impact educational experiences in their time at TTU. The Center works to spark, scale, and sustain innovative programming in alignment with the Association of American Colleges and Universities High-Impact Educational Experience framework. Housed under the Office of the Provost, TrUE supports students and faculty from across the entire TTU community.

**Sparked by TrUE.** [TrUE Spark funding](#) supports faculty in developing new transformative experiences. These experiences open the door for students to take ownership of their learning activities while working directly with world-class faculty! Spark Awards initiate growth within research, promote innovation, and enhance the value of a TTU undergraduate education.

**Supported by TrUE.** TrUE partners with existing TTU departments, grants, and other programs for undergraduate students to enhance and scale their positive impact. Two marquee examples of such partnerships are the annual [Discoveries to Impact Week](#) and the [McNair Explorers Program](#).

**Produced by TrUE.** TrUE houses a range of specific programs targeted at serving undergraduate students. The [Undergraduate Research and Creative Activities Project & Travel Funding](#) program is provided to undergraduate students working on research under the mentorship of TTU faculty. The [Raider Service Breaks \(RSB\)](#) program allows TTU students to work together to assist communities across the United States through service and engagement activities. TrUE provides TTU faculty the resources to support, plan, and facilitate an RSB within their programming.

TrUE is committed to the discovery and advancement of knowledge, the creation of intellectual and personal development, and the stimulation of meaningful transformational learning experiences for both faculty and students.

**Contact:** <https://www.depts.ttu.edu/true/>; Drane Hall, Room 239; 806.742.1095; [true@ttu.edu](mailto:true@ttu.edu)

## Contract Management (formerly Contracting)

The Contract Management Office's mission is to ensure legally sufficient and valuable contractual relationships for all departments in support of TTU's strategic initiatives. The Contract Management Office is required to review, negotiate, and execute all TTU contracts to ensure compliance with Texas law, Texas Tech University System (TTUS) *Regents' Rules*, TTU System Regulations, and TTU Operating Policies and Procedures. Additional information regarding Contracting Procedures is outlined in TTU OP 72.02.

Contracts (including new contracts, amendments, extensions, renewals, etc.) must be routed through the Contract Management Office for required legal and fiscal review and appropriate signature. A contract includes letter agreements, cooperative agreements, memorandums of understanding, interagency contracts, grants, loans, easements, licenses, leases, permits, and restrictions on acceptances or gifts and bequests. Contract signature authority is granted by the Texas Tech University System Board of Regents ("BOR") to the President and Chancellor and is further delegated by the President and Chancellor to the chief financial officer of the appropriate component institution or TTU System and the TTU Chief Procurement Officer. Departments do not have authority to sign any binding contracts. A list of individuals authorized to sign contracts is provided below: <https://www.depts.ttu.edu/procurement/resources/contract-management/documents/procurement-o-delegated-contract-authority.pdf>.

All contracts except for sponsored project proposals and related contracts, technology commercialization contracts, user agency contracts as described by the Department of

Defense, contracts with an investment manager funded with assets owned or controlled by TTUS, construction contracts processed by the TTUS Office of Facilities Planning and Construction, and any other authorized contracts that may be granted an exception or as further delegated shall be processed by the Contract Management Office.

All contracts must be submitted to the Contract Management Office with a completed and signed Contract Routing Sheet. The Contract Routing Sheet can be found on the Procurement Services webpage at

<https://www.depts.ttu.edu/procurement/forms/documents/contracting/procurement-contract-routing-sheet.pdf>. Each

contract must be assigned a contract administrator who will oversee the scope of work and monitor the vendor's performance. By signing the Contract Routing Sheet, the contract administrator is confirming that they will comply with the requirements of the contract and that there is or will be sufficient funding throughout the term of the contract (if applicable).

For contracts requiring an expenditure or payment from TTU/TTUS, the department must submit a requisition in TechBuy to encumber the payment if paid in full or the first year's payments (for multi-year agreements beyond the current fiscal year) and electronically attach the draft contract in Word format and a signed Contract Routing Sheet demonstrating it has adequate funding and departmental approval.

For non-expenditure contracts, the department shall submit the contract draft in Word format and the signed Contract Routing Sheet directly to the Contract Management Office at [contracting@ttu.edu](mailto:contracting@ttu.edu).

For revenue contracts, the department shall submit the contract draft in Word format, the signed Contract Routing Sheet, estimated annual revenue, and the entire receiving FOAP directly to the Contract Management Office at [contracting@ttu.edu](mailto:contracting@ttu.edu).

Questions about contracts or the contracting process can be directed to the Contract Management Office team by email at [contracting@ttu.edu](mailto:contracting@ttu.edu) or by phone at 806.742.3844.

## Equal Opportunity Policy

Texas Tech University is open to all persons eligible for admission as students regardless of race, color, religion, sex, age, national origin, mental or physical disability, or Vietnam Era or Special Disabled Veteran status. All students admitted to the university are treated without discrimination in regard to their participation in university educational programs or activities. The university is an equal opportunity employer, and no applicant or employee will be discriminated against because of race, color, religion, sex, age, national origin, mental or physical disability, or Vietnam Era or Special Disabled Veteran status in regard to employment or during the course of employment in the institution. The university does not discriminate on the basis of sex or disability in its educational programs. Any student with inquiries or

complaints concerning Section 504 of the Rehabilitation Act of 1973 (504) or the Americans with Disabilities Act (ADA) of 1990 should contact the ADA/Section 504 coordinator located in Student Disability Services, 130 Weeks Hall, 806.742.2405.

## Hospitality Services

Hospitality Services focuses on unsurpassed service and top-quality food choices for the campus community with the best dining experience possible.

Follow Hospitality Services on Facebook, Twitter, and Instagram @EatAtTexasTech for events, specials, and more.

The Faculty/Staff Dining Plan makes it easy to dine on campus and is accepted at all [Hospitality Services locations](#). No matter where you work, there is a dining location close by! The Faculty/Staff Dining Plan can be purchased in increments of \$50 up to \$300 and provide a 15% discount at all Hospitality Services dining locations. The Faculty/Staff Dining Plan carries from semester to semester as long as you are employed with Texas Tech! The Faculty/Staff Dining Plan can be purchased at [hospitality.ttu.edu](http://hospitality.ttu.edu).

**The Market at Stangel/Murdough** offers a wide variety of choices available in a food court atmosphere with individually priced menu selections. The Market hosts many options such as Mexican choices, grilled items, home-style entrées, Asian/wok foods, a full salad bar, and much more. The Market features Fazoli's®, Day Break® Coffee Rosters, and The Corner Market convenience store.

**The Sam's Place Mini-Markets and Sam's Express Kiosks** are located all over campus. These mini-markets and kiosks feature a wide selection of food options such as freshly made hot and cold sandwiches, wraps, pizza, chicken entrées, desserts, and a grab 'n go section of salads, sandwiches, and microwavable entrées. Visit [hospitality.ttu.edu](http://hospitality.ttu.edu) for available Sam's Place and Sam's Express locations.

**The Student Union** is home to a full service Chick-fil-A® and a state-of-the-art food court. The Student Union Food Court is home to the Union Grill, Zi Asian Cuisine, and Raider Pit BBQ. The Student Union also features Smart Choices and the Union Bistro. The Union Bistro offers an assortment of specialty coffees and entrées, Boars Head® sub sandwiches, and gourmet breakfast choices (until 2 p.m.). Smart Choices offers a wide selection of garden-fresh salad entrées, fresh fruit, and wraps.

**The Commons at Talkington Hall** features various service styles in one location! In addition to Einstein Bros® Bagels, it features retail concepts such as a Mongolian-style grill, made-to-order salads, a grilled cheese line, and much more.

**Raider Exchange** is located at the West Village and features a blend of upscale food choices.

**Top Tier Catering** provides professional catering for small and large events at locations both on and off the Texas Tech campus. For information call 806.742.1966.



**Rawls College of Business** offers two dining venues. Chick-fil-A® Express serves breakfast items and all their other chicken entrées. Einstein Bros® Bagels features a variety of specialty coffees, gourmet bagels, and sandwiches for both breakfast and lunch.

**Starbucks®** in the Honors Residence Hall offers a complete menu of hot and cold drinks, whole-bean coffee, specialty drinks and teas, frappuccino beverages, pastries, and other snacks.

**Transact Mobile Ordering** makes ordering food for pickup a snap from participating Hospitality Services locations on campus! Available on the App Store and Google Play. Browse menus, order from the app, and enjoy!

## Information Technology (Computing) Services

The Information Technology (IT) Division ([www.it.ttu.edu](http://www.it.ttu.edu)), managed by the Texas Tech University (TTU) Office of the Chief Information Officer (CIO), provides a wide selection of computing resources, services, and support for students, faculty, and staff in support of institutional strategic goals and priorities. Some of the key services provided to the university community are open-access student computing facilities, university software site licenses, cloud-based printing (WEPA), free technology classroom-based short courses, self-paced computer-based training modules ([www.cbt.ttu.edu](http://www.cbt.ttu.edu)), personal web pages, email (TechMail/O365), secure remote network access, Service Desk operations, desktop support, support for centrally managed classroom technology, digital signage, secure wireless networking, identity federation, Single Sign On services, Unified Communications/Skype for Business/Teams and Zoom online meeting space, University application support, data science and data analytics, emerging technology assessments, mobile application support, online and distance education support, high performance computing, and IT consulting. As part of the Cybersecurity Awareness Program ([www.cybersecurity.ttu.edu](http://www.cybersecurity.ttu.edu)), the TTU Office of the CIO hosts multiple educational events each semester, maintains State-mandated Cybersecurity Awareness Training programs, and provides other educational resources to raise IT security awareness for the Texas Tech community.

**Institutional Effectiveness** ([www.ttu.edu/progress/](http://www.ttu.edu/progress/)). In concert with the Office of the Provost and the Office of the President, IT contributes to the design and development of institutional effectiveness data systems, data management, dashboards, and advanced analytics. This collaborative institutional team oversees data modeling and data management associated with strategic goals and outcomes, as well as national and state reporting. The effort provides analytics that support strategic decisions at TTU.

**Technology Assessment** ([www.depts.ttu.edu/infotech/techassessment.php](http://www.depts.ttu.edu/infotech/techassessment.php)) provides pertinent and objective information and analysis of current and emerging technologies. This area

provides the TTU community with information and various levels of assessments of technology and technology-related issues, aiding decision-making regarding technology investments at TTU.

**Technology Support** ([www.itts.ttu.edu](http://www.itts.ttu.edu)) provides a variety of IT services and operates the Advanced Technology Learning Center (ATLC) in the west basement of the Texas Tech Library building, as well as remote student computing labs located throughout the campus ([www.depts.ttu.edu/itts/labs](http://www.depts.ttu.edu/itts/labs)). Computer workstations can be accessed either in-person or remotely at <https://remoteaccess.labstats.com/texas-tech>. Some of the IT services provided include no-cost, no-credit technology-related short courses (hands-on and online), 3D printing, WEPA print kiosks throughout campus (<http://www.depts.ttu.edu/itts/labs/printing/index.php>), university software site licenses (<http://www.depts.ttu.edu/itts/software/index.php>), mission critical university systems management (e.g., Blackboard, Mediasite, Zoom, OmniUpdate, Share-Point, etc.), technology accessibility review ([www.accessibility.ttu.edu](http://www.accessibility.ttu.edu)), and lab management consulting. Technology Support also manages university websites, including [www.ttu.edu](http://www.ttu.edu) (in partnership with the Office of Communications & Marketing), and provides training and support for website optimization and accessibility. Technology Support provides periodic campus training sessions on cybersecurity practices and awareness, as well as advanced training sessions for campus IT professionals.

**IT Help Central (ITHC)** ([www.ithelpcentral.ttu.edu](http://www.ithelpcentral.ttu.edu)) provides students, faculty, and staff with friendly “front line” IT support for the multitude of IT services available on campus. ITHC is the primary point of contact for anyone needing assistance regarding technology issues, as well as secondary support for campus IT professionals. In addition to resolving questions quickly, the Service Desk is also structured to escalate questions, problems, and concerns from the TTU community to the appropriate IT staff member. All issues are tracked online until they are resolved. Faculty, staff, and students may utilize the self-support and chat features through askIT ([www.askit.ttu.edu](http://www.askit.ttu.edu)) or may contact ITHC at 806.742.4357 (HELP) or [ithelpcentral@ttu.edu](mailto:ithelpcentral@ttu.edu).

**Telecommunications** ([www.net.ttu.edu](http://www.net.ttu.edu)) architects and manages TTUnet (the Texas Tech network), Unified Communications/Skype for Business/Teams, secure wireless network, Internet, LEARN, and Internet2 connections. Telecommunications plans and administers the development, acquisition, repair, maintenance, and delivery of network services. This department also manages the eRaider authentication account services that provide secure access to various campus resources and other select non-TTU resources through identity federation. Telecommunications is also responsible for the TTU email service and domain name service.

**High Performance Computing Center (HPCC)** ([www.hpcc.ttu.edu](http://www.hpcc.ttu.edu)) promotes and supports research and teaching by integrating leading-edge, high-performance computing; storage;

and data processing resources for faculty, staff, and students. Additionally, HPCC provides consulting services and assistance to campus researchers with advanced computational software and/or hardware needs and experimental software and/or hardware requirements, as well as training in parallel computing. The HPCC participates in regional, national, and international initiatives to bring expertise and resources to Texas Tech University researchers.

**Application Development and Support (ADS)** ([www.ads.ttu.edu](http://www.ads.ttu.edu)) analyzes, designs, creates, and provides high-quality applications, reports, and solutions to support academic and business processes, such as web-based learning, eCommerce transactions, data security, data science, and institutional reporting. These solutions improve student services, enhance operational visibility, streamline strategic decision making, and reduce costs. ADS also leads and assists the Texas Tech community in protecting internally developed and third party-provided applications, using appropriate authentication and security measures.

**Enterprise IT Security (EITS)** protects the confidentiality, integrity, and availability of the university's information resources in support of the university's strategic goals. Risks are identified, assessed, and managed through the execution of a comprehensive information security program. As part of the program, EITS actively monitors the threat landscape and sets the strategy to defend against IT threats, responds to cybersecurity incidents, and continually enhances security processes. In addition, EITS manages the network access control service for devices that connect to TTUnet. EITS seeks to integrate secure computing into the culture of Texas Tech University through active collaborations with the campus community.

In addition to the university's IT Division resources, the Texas Tech University System provides the following IT resources:

- **Communication Services** ([www.itcs.ttu.edu](http://www.itcs.ttu.edu)) provides legacy telephone services for Texas Tech entities, including supporting the associated telephone infrastructure. This area also supports university-owned cellular voice and data devices, the 800mhz radio infrastructure, and the on-campus directory assistance. For any of these needs, contact Communications Services at 806.742.2000.
- **Information Systems** ([www.texastech.edu/it/infosys](http://www.texastech.edu/it/infosys)) is responsible for the design, development, implementation, maintenance, and support of enterprise applications shared across Texas Tech components, including Banner products supporting students, student financial aid, finance, human resources, payroll, and budget systems.
- **Technology Operations & Systems Management (TOSM)** ([www.tosm.ttu.edu](http://www.tosm.ttu.edu)) provides technology consulting, backup/recovery, and hosting services, as well as managing the University Data Center. Staff members are available to answer questions concerning server

administration, management, or support. TOSM provides a production-grade data center and encourages areas and units to house servers and data in this facility. All mission-critical services managed locally must be housed in the University Data Center and managed judiciously in accordance with University IT OPs, to protect institutional data and ensure disaster recovery planning for key IT services. For additional information, call 806.742.2900.

## Institutional Advancement

The Texas Tech University System Office of Institutional Advancement (IA) is responsible for fundraising, donor cultivation, recognition, and stewardship for all institutions and campuses of the Texas Tech University System, including Texas Tech University, Texas Tech University Health Sciences Center – Lubbock, Texas Tech University Health Sciences Center – El Paso, and Angelo State University. The objective is to develop and implement a well-coordinated, comprehensive advancement program that maximizes private giving, awareness, and goodwill. Individuals, corporations, foundations, and other organizations are encouraged to assist in building the future of the Texas Tech University System and its component institutions. Leadership for institutional advancement is provided by the Vice Chancellor for Institutional Advancement (VCIA) who reports directly to the Chancellor.

Each university has a chief advancement professional who reports to the president. The president and institutional chief advancement professional shall collaborate with the Chancellor and the VCIA to administer fundraising activities for the component institution. Development officers at each component institution may be assigned to academic colleges, centers, institutes, schools, regions, and units to facilitate the fundraising priorities of the Chancellor, university presidents, provosts, vice presidents, deans, and faculty in generating private support to fulfill the mission and vision of component institutions. Priorities are established by the coordinated efforts of the component institution and IA, including increasing endowments and raising funds to support students, academics, research, and athletic programs.

Gifts may include cash, stock, land, in-kind gifts, and planned gifts (bequests, annuities, trusts, insurance, and other financial instruments). The Texas Tech University System Office of Institutional Advancement is responsible for all matters relating to gifts, including, but not limited to, gift acceptance, processing, and reporting; gift acknowledgments; alumni and donor records; and related research.

The Texas Tech Foundation, Inc. (The Foundation) is an independent non-profit corporation, formed under section 501(c)(3) of the Internal Revenue Code. The Foundation's mission is to exclusively support and promote the Texas Tech University System and its component institutions through the acceptance and management of gifts for the benefit of the system. The Foundation's board of directors provides volunteer leadership and input to facilitate institutional advance-



ment programs and assists with fundraising activities and major capital campaigns.

Gifts of any type for the Texas Tech University System or to the Texas Tech Foundation, Inc. should be handled by IA.

## MailTech

**Central Warehouse.** The Central Warehouse, located in the Physical Plant Building at 3122 Main St. (Flint and Main), has Central Stores and Receiving and Shipping.

Central Stores stock industrial products and supplies. These items are available to TTU System departments using departmental FOPs. Receiving and Shipping receives and distributes inbound shipments to the requisitioning departments. They also provide outbound shipment service with thorough record maintenance. In addition, the Central Warehouse provides tables and chairs for on-campus events such as graduations and orientations for a small labor charge for valid FOP holders.

**Contact:** [Central.Warehouse@ttu.edu](mailto:Central.Warehouse@ttu.edu), 806.742.3871

**Mail/Package Services.** MailTech, located at the Physical Plant at 3122 Main St. (Flint and Main), delivers incoming inter-departmental and U.S. mail and processes outgoing mail and commercial carrier shipments. Mail is delivered and picked up at most departments. Department-initiated special pickups are available upon request, as is information on USPS and commercial carrier rates and services. Campus mailing information, including guidance on addressing, use of campus mail and a list of campus mail stops can be found at [www.depts.ttu.edu/services/MailTech/](http://www.depts.ttu.edu/services/MailTech/). The hours of operation are 7:30 a.m. to 5:00 p.m., Monday through Friday.

**Contact:** [MailTech@ttu.edu](mailto:MailTech@ttu.edu), 806.742.2286

## Museum of Texas Tech University

As an education resource for a diverse audience, the Museum of Texas Tech University collects, researches, and disseminates information about the natural and cultural heritage of local and related regions. It is accredited by the American Alliance of Museums and is located on the campus at Fourth Street and Indiana Avenue.

The building was completed in 1970 and contains over 250,000 square feet of galleries, research facilities, classrooms, work areas, and collection housing. The museum complex includes the main museum building, Moody Planetarium, Natural Science Research Laboratory, and Lubbock Lake Landmark. A 40-foot mural, created in India ink by Peter Rogers, dominates the lobby. Galleries showcase long-term and temporary exhibitions drawn from the museum's own collections and traveling exhibits.

The Moody Planetarium is a 71-seat and two wheelchair area auditorium with a full-domed digital mirror projection system. It has daily astronomy and laser programs for the public at 2 and 3:30 p.m., Wednesday through Friday; 11:30 a.m., 2, and 3:30 p.m. on Saturday; and 2 and 3:30 p.m. on Sunday.

A Master of Arts in [Heritage and Museum Sciences](#) is offered as an academic component of the museum.

Although the chief source of funding for the museum is legislative appropriation, additional support comes from endowments and granting agencies. The Museum of Texas Tech University Association supports traveling exhibits. The education division of the museum conducts programs throughout the year, including curriculum-based, self-guided tours for public schools, public workshops and lectures, special events, and other activities for major exhibitions. Volunteers from the community and Texas Tech University are always needed and welcome. The museum is a military-friendly, Blue Star museum.

The museum is closed on Monday but open free of charge from 10 a.m. to 5 p.m. Tuesday through Saturday, and 1 to 5 p.m. Sunday.

## National Ranching Heritage Center

The National Ranching Heritage Center (NRHC) is a 27-acre museum with 7 galleries, 41 pieces of life-size bronze sculptures, and an outdoor historical park containing 52 authentic ranch structures relocated, restored, and preserved to tell the ranching story. The structures—a bunkhouse, one-room schoolhouse, half-dugout, train, depot, blacksmith shop, barn, windmills, and more—date from the late 1780s to the early 1950s with 43 structures between 100 and 200 years old. More than 62,000 visitors from throughout the nation and many foreign countries tour the NRHC every year. TripAdvisor, the world's largest travel site, has named the NRHC the number-one tourist attraction in the Lubbock area and inducted the center into its Hall of Fame for six consecutive years of consistently high ratings from travelers.

In addition to museum exhibits and education-based seminars and programs, the NRHC hosts numerous public events annually, including Ranch Day, Summer Stampede Western Art and Gear Show, the National Golden Spur Award Dinner, and Candlelight at the Ranch. More than 200 community and student volunteers assist at public events where many dress in period clothing to re-enact scenes from pioneer days and frontier life.

Dedicated on July 4, 1976, the NRHC is open to the public free of charge from 10 a.m. to 5 p.m. Monday through Saturday and 1 to 5 p.m. on Sunday. The historical park closes daily at 4 p.m. The NRHC is closed on all major holidays, including the holiday schedule of Texas Tech faculty and staff. For additional information, see [www.nrhc.ttu.edu](http://www.nrhc.ttu.edu), call 806.742.0498, or email [ranchhc@ttu.edu](mailto:ranchhc@ttu.edu).

## Office of International Affairs

The Office of International Affairs integrates the global vision of Texas Tech University by fostering international leadership, awareness, education, research, and outreach for the university and the greater community. Working with and through the colleges, the Office of International Affairs (OIA)

coordinates international activities at Texas Tech and is composed of the following divisions/stand-alone units:

- Center for Global Communications
- International Center for Arid and Semi-Arid Land Studies
- International Enrollment and K-12 Global Education Outreach
- International Grants Administration & Partnerships
- International Relations and Outreach
- International Student and Scholar Services
- Study Abroad

**Contact:** Office of International Affairs, [www.international.ttu.edu](http://www.international.ttu.edu), Vice Provost Sukant Misra, Ph.D., 806.742.3667.

**Center for Global Communications (CGC).** CGC develops and advances educational programming and resources that enhance communication as well as multicultural skills for students to effectively converse in a global context. The CGC provides resources for students interested in learning more about global challenges, speaker programs for faculty to raise awareness of global issues, and global challenge teaching modules for faculty.

**Contact:** Center for Global Communications (CGC), Director, Dr. Paul Paré ([paul.pare@ttu.edu](mailto:paul.pare@ttu.edu)).

**The International Center for Arid and Semi-Arid Land Studies (ICASALS).** ICASALS promotes the university's special mission of the interdisciplinary study of arid and semiarid environments and the human relationship to these environments from an international perspective. The purpose of ICASALS is to stimulate, coordinate, and implement teaching, research, and public service activities concerning all aspects of the world's arid and semiarid regions, their people, and their problems.

**Contact:** International Center for Arid and Semi-Arid Land Studies (ICASALS), Director, Dr. Jorge Salazar-Bravo ([j.salazar-bravo@ttu.edu](mailto:j.salazar-bravo@ttu.edu)).

**International Enrollment and K-12 Global Education Outreach (IEO) Division.** The International Enrollment unit supports the academic pursuits of international students by providing expertise in international recruitment, international undergraduate admissions, sponsored students services, and marketing.

The K-12 Global Education Outreach (GEO) unit serves as a liaison for the university, providing cultural programming to K-12 students from public, private, and home schools throughout the South Plains.

**Contact:** Division of International Enrollment and K-12 Global Education Outreach, (IEO), Director of IEO, Kelley Coleman, ([kelly.coleman@ttu.edu](mailto:kelly.coleman@ttu.edu)).

For K-12 GEO and Facility Operations information, contact Randi Stevens, Assistant Director ([randi.stevens@ttu.edu](mailto:randi.stevens@ttu.edu)).

**International Grants Administration and Partnerships (IGAP).** IGAP works with faculty to identify and disseminate international research and development grant opportunities and to help develop and submit multidisciplinary proposals to funding agencies. Additionally, they work with faculty to develop

partnerships with international institutions to further enhance the international reputation of Texas Tech University.

**Contact:** Division of International Grants Administration and Partnerships, Director, Reagan Ribordy ([reagan.ribordy@ttu.edu](mailto:reagan.ribordy@ttu.edu)) or Associate Director, Laura Bilbao ([laura.bilbao@ttu.edu](mailto:laura.bilbao@ttu.edu)).

#### **International Relations and Outreach Division (IRO).**

Comprised of International Alumni Relations, International Arts and Culture (art exhibits, speakers, etc.), International Scholars Engagement, and International Fundraising, IRO engages and connects TTU alumni, scholars, and donors and brings cultural programming to the multiple and diverse South Plains and TTU communities.

**Contact:** Division of International Relations, Executive Director, Joan Goodman-Williamson ([joan.williamson@ttu.edu](mailto:joan.williamson@ttu.edu)).

For International Arts and Culture, contact Jan Stogner, Assistant Director ([jan.stogner@ttu.edu](mailto:jan.stogner@ttu.edu)).

**International Student and Scholar Services (ISSS).** ISSS operates the university's international student and exchange visitor immigration programs and provides employment-based immigration services to the university. It also oversees the Office of International Student Life (ISL). Counselors advise and assist international students and scholars concerning immigration rules, financial concerns, and cross-cultural issues. International Student Life plans activities for international students and coordinates with other offices on campus to provide services and programmatic support to all international students. From airport pick-up to advising the International Student Advisory Board, this office is the go-to place for international students.

**Contact:** Division of International Students and Scholar Services, Director, Richard Porter ([richard.porter@ttu.edu](mailto:richard.porter@ttu.edu)) or Assistant Director, Tracy Tindle ([tracy.tindle@ttu.edu](mailto:tracy.tindle@ttu.edu)).

**Study Abroad.** The Study Abroad Office in the Office of International Affairs coordinates all study abroad programs for Texas Tech University students. In today's globalized job market, students who participate in a study abroad program, to include international internships, service-learning, and research, can be more competitive in almost every field. An educational experience overseas can equip college students with an international perspective that helps them function more objectively and comfortably in the global marketplace while earning credit toward their degree.

Texas Tech students may choose from several types of study abroad programs. The Texas Tech Center in Sevilla, Spain, offers students the opportunity to take Texas Tech catalog classes. Students may participate in an intensive Spanish language program (equivalent to four semesters) or take engineering, architecture, or pre-health courses. Students live with host families and are immersed in the language and culture through excursions and day-to-day experiences.

Many academic departments offer faculty-led programs, usually in the summer, with a wide variety of course offerings and locations to include the TTU Center in Sevilla and



TTU Costa Rica. Students can earn Texas Tech credit while taking a catalog course in an international location with Texas Tech faculty.

Other study abroad programs available to Texas Tech students range in length from three weeks to a full academic year. Study Abroad Counselors assist students in choosing a program that best fits their individual needs and goals. The Texas Tech Study Abroad team also provides guidance during the application and orientation processes.

Students participating in any credit-bearing Texas Tech study abroad program and international students seeking a degree at Texas Tech are encouraged to apply for the Study Abroad Competitive Scholarship. This scholarship is funded by the International Education Fee paid by all Texas Tech students. Students participating in credit-bearing Texas Tech study abroad programs also remain eligible for Texas Tech financial aid to help fund their international program.

**Contact:** Division of Study Abroad, Director, Whitney Longnecker ([whitney.longnecker@ttu.edu](mailto:whitney.longnecker@ttu.edu)).

[studyabroad@ttu.edu](mailto:studyabroad@ttu.edu); [www.studyabroad.ttu.edu](http://www.studyabroad.ttu.edu);  
806.742.3667; International Cultural Center, 601 Indiana Avenue, Lubbock, TX.

**Passport Office.** The OIA also offers full passport services to the public.

**Contact:** Administration and Finance, Rachel Jarnagin, Business Manager, ([rachel.jarnagin@ttu.edu](mailto:rachel.jarnagin@ttu.edu)).

## Psychology Clinic

The Texas Tech Psychology Clinic has a long history of providing quality services to the Lubbock area and university community. The Clinic is located on the first floor of the Department of Psychological Sciences building and is the primary training facility for the clinical and counseling psychology doctoral programs. The purpose of the Clinic is threefold: 1) to provide multi-disciplinary, evidence-based training to doctoral students under the supervision of program faculty; 2) to provide high quality, affordable psychological services to the university and the Lubbock community; and, 3) to advance theory-based mental health research. The Clinic provides a range of outpatient services to children, adolescents, and adults, including individual, family, and couples therapy. Therapists address a broad range of issues such as depression, anxiety, relationship and interpersonal problems, emotional and behavioral problems, eating disorders, and problems with stress and coping. The Clinic also provides psychological, neuropsychological, and vocational testing and assessment services to the Texas Tech and Lubbock communities.

## Publications

**Office of Official Publications.** This office oversees the review, maintenance, and preparation of the following publications:

- The printed and online versions of the *Undergraduate and Graduate Catalog*;

- The online *School of Law Catalog*;
- The online Operating Policies and Procedures Manual;
- Three commencement programs annually;
- Parts of the online class schedules, including the final exam schedule and all course descriptions;
- The online *Faculty Handbook*;
- The university's official academic calendars for publication in the university catalogs and for general distribution on the Texas Tech website; and
- The official online listing of the university's core curriculum and multicultural requirements.

Additionally, Official Publications coordinates distribution of the catalog to faculty and staff and participates in the approval process for all new, changed, or deleted courses and academic programs.

The office director serves as a member of the Academic Council. Official university calendars and copies of each official publication are available at [www.depts.ttu.edu/officialpublications](http://www.depts.ttu.edu/officialpublications), while operating policies are published at [www.depts.ttu.edu/opmanual](http://www.depts.ttu.edu/opmanual). Information appearing in back issues of catalogs is available from the office and in a limited electronic archive on the office website.

**Office of Communications & Marketing.** This office is the primary public information, media relations, and marketing headquarters for the university and provides services to the university community, including graphic design, photography, videography, and social media training. The office also manages the home page for the university's website, as well as other top-level administrative web pages. Professional staff members are dedicated to responding to media inquiries and supporting the communication needs of schools, colleges, departments, and other programs. The team also oversees the university's visual identity system and supports the strategic initiatives of the President's Office with coordinated marketing efforts. The Office of Communications and Marketing reports to the President. For more information visit [www.depts.ttu.edu/communications](http://www.depts.ttu.edu/communications).

**Toreador Media.** Toreador Media, located on the first floor of the rotunda in the Media & Communication building, provides out-of-classroom learning opportunities for students to use academic training obtained at Texas Tech in practical settings of publishing the student newspaper, *The Daily Toreador*, and digital media at [www.dailytoreador.com](http://www.dailytoreador.com). All publications, productions, and telecasts within the department are nonacademic and considered out-of-classroom learning opportunities, free from administrative censorship. Student editors in Toreador Media have the authority to make all content decisions and bear the responsibility for their decisions.

Toreador Media employs 30-50 students each semester as collegiate editors, reporters, photographers, videographers, anchors, graphic designers, print and digital advertising account executives, and members of the delivery staff and street team. Many of the employees are students in the College of Media & Communication, and some study other

disciplines. Students interested in the fields of advertising, journalism, marketing, public relations, photography, and broadcast are encouraged to apply for positions on the newspaper and multimedia website staffs by visiting [www.dailytoreador.com](http://www.dailytoreador.com).

**Contact:** Media & Communication Rotunda, Room 180; 806.742.3388; [www.dailytoreador.com](http://www.dailytoreador.com)

**Alumni Magazine.** The award-winning *Texas Techsan*, a publication of the Texas Tech Alumni Association, is sent several times a year to association members. Articles highlight alumni stories and accomplishments, alumni association programs, campus events and developments, and faculty expertise and research. Faculty members are encouraged to send information about academic endeavors and honors for the campus news section of the magazine.

## Radio and TV Stations

**Texas Tech Public Media.** Texas Tech Public Media consists of KTTZ-TV and KTTZ-FM. Licensed and owned by Texas Tech University, KTTZ-FM is a classical music and public radio news station that broadcasts on a frequency of 89.1 MHz at 70,000 watts. KTTZ-FM operates 24 hours a day, seven days a week, providing service to South Plains listeners within a 75-mile radius of Lubbock. KTTZ-FM offers programming from National Public Radio, American Public Media, Public Radio International networks, and locally-produced classical music and arts features. The station is supported by listeners, and additional funding is supplied by grants, underwriting, and financial support from the Texas Tech University System. KTTZ-FM also features Lubbock's first digital broadcast radio signal using HD radio technology and adding two additional stations to its existing frequency. The station also operates FM 90.1 KNCH in San Angelo, Texas.

A noncommercial educational television station, KTTZ-TV (Channel 5.1 in HD) is licensed by the Federal Communications Commission (FCC) to the university's Board of Regents and operates as a division within Texas Tech University.

Channel 5's office, studio, production, master control, transmitters, engineering facilities, and 817-foot antenna-tower are located on the southwestern campus triangle west of Indiana Avenue. The station broadcasts diverse digital programming 24 hours a day, seven days a week. The signal coverage zone encompasses Lubbock and thirteen surrounding counties and serves 157,000 households.

KTTZ-TV is a member of the Public Broadcasting Service (PBS), a noncommercial network of 356 television stations interconnected by satellite. Staffed by professional personnel, the station produces digital programming to satisfy the broadcasting and non-broadcasting needs of the university and surrounding communities.

Texas Tech Public Television produces local programming and holds educational and entertaining events for viewers of all ages.

**KTXT-FM.** The campus radio station, KTXT-FM (The Raider 88.1), is the student radio station that broadcasts on a frequency of 88.1 MHz at 35,000 watts. Staffed by students and administered by the College of Media & Communication, KTXT-FM provides the university community with diverse programming, including BBC World Service; Texas Tech news and information; weather; live play-by-play broadcasts of Texas Tech soccer, volleyball, and softball; alternative music; and a variety of student-produced radio programs. Students from the campus community can serve as members of the staff and gain valuable educational experiences related to management, marketing, producing, and entrepreneurship.

## Registrar

The Office of the Registrar maintains official student records. Located in West Hall, this office provides students with registration information and services, transfer credit evaluation, official TTU transcripts, and Texas Student Initiative (TSI) compliance services. The Registrar's Office supports the institution by collecting student record data, building and scheduling courses and sections, performing athletic certification, advising the Office of the Provost in regards to policy reviews and recommendations, providing student record training, and enforcing FERPA compliance. All aspects of student record privacy and access are reviewed and monitored by this office, and questions regarding FERPA should also be directed to this office. The Office of the Registrar is under the direction of the Vice President for Enrollment Management.

## Speech-Language and Hearing Clinic

The Speech-Language and Hearing Clinic, with facilities on the east side of the Health Sciences Center, serves as a practicum site for students in the Department of Speech, Language, and Hearing Sciences.

Under faculty supervision, students in speech-language pathology and audiology provide clinical services for the students, faculty, and staff of Texas Tech University and other residents of West Texas and eastern New Mexico. Assessment services and therapy are available for children and adults with hearing problems or disorders in language, voice, stuttering, or articulation. Individuals are accepted by self-referral and upon referral from other professionals. Anyone needing these services should contact the office of the Speech-Language and Hearing Clinic at 806.743.5678.

## Strategic Acquisition (formerly Purchasing)

Information on requirements and procedures for purchasing goods and services for Texas Tech University (TTU) business use may be obtained from the [Procurement Services website](http://www.procurement-services.ttu.edu) or from the Strategic Acquisition Office (806.742.3844 or [strategic.acquisitions@ttu.edu](mailto:strategic.acquisitions@ttu.edu)).



Purchasing requirements are set forth in the [TTU Operating Policies and Procedures](#). All purchasing information, including access to policies, guidelines, forms, and training information, can be viewed on the Procurement Services website. All purchase requisitions must be entered in the TechBuy system by the requesting department and shall include concise, clear descriptions that enable the vendor to clearly understand the goods and services being purchased. TechBuy automates the review and workflow processes and serves as the repository for all purchase and contract information. The website for TechBuy is [techbuy.ttu.edu](http://techbuy.ttu.edu). The financial manager can grant other faculty and staff permission to purchase and approve transactions in TechBuy in the TeamApp system ([team.texastech.edu](http://team.texastech.edu)). Once registered in the TeamApp system, the users will be required to attend training and then will be granted access to TechBuy. For assistance with Strategic Acquisition questions email [strategic.acquisitions@ttu.edu](mailto:strategic.acquisitions@ttu.edu). For technical assistance with using TechBuy, email TechBuy Support at [techbuy.purchasing@ttu.edu](mailto:techbuy.purchasing@ttu.edu).

TTU, the State of Texas, and many sponsored project regulatory agencies require a competitive process for any single purchase or repetitive purchases made to the same vendor that exceed \$15,000.00 in a fiscal year (September 1-August 31). Informal bids may be obtained for purchases with a value between \$15,000.00 and \$50,000.00. At least two bids must be obtained from Historically Underutilized Businesses (HUB) vendors. A formal competitive procurement process is required when the threshold exceeds \$50,000.00. The use of TTU negotiated contracts, State of Texas, federal GSA contracts, other state agency, and purchasing cooperative contracts satisfies the competitive procurement requirements.

The State of Texas requires compliance with all laws related to HUBs. A good faith effort is required on all purchases. Most purchases exceeding \$15,000.00 will require soliciting at least two Texas certified HUB vendors. Strategic Acquisitions can assist with these requirements.

The purchase of goods and services may be restricted based on the funding source. Rules will vary depending upon the funding type the department is using. Guidelines on fund use are available at <https://apps.dmfr.ttu.edu/expenditure/>.

Sponsored projects may have additional compliance requirements as provided for by the regulating agency or in the terms and conditions of the grant.

## Student Union Building (SUB)

The Student Union Building (SUB) is the community center of campus. The SUB has as many as 20,000 students, faculty, staff, alumni, and guests come through its doors daily.

Staff of the Student Union & Activities department have been working hard the past several years to bring Texas Tech spirit into the building. In 2016, several large photographic wall wraps were completed, representing campus life, athletics, and Texas Tech icons. The third floor of the building was

renovated in 2017 to provide an open collaboration space for all students. The space is filled with moveable tables, chairs, and whiteboards, as well as a threaded power system throughout the floor, resulting in hundreds of available power outlets for students to charge their laptops, phones, and other devices. Additionally, the second-floor corridor has just been updated with new paint and carpet with a renovated student collaboration space on the West side. In 2006 the SUB completed a \$45 million renovation and expansion that has created one of the finest facilities in the United States. The expansion included additional space for the official Barnes & Noble campus bookstore, the Student Organization Involvement Center, TV and study lounges, Student Government Association office suite, Student Union & Activities Administration offices, Dean of Students, the Center for Campus Life offices, Student Legal Services, and West Plaza courtyard between the SUB and the library. The Office of Parent and Family Relations was added in 2007 along with a games area in the lower west floor.

The SUB features a six-concept food court, a casual dining area with seating for 500 patrons, six study rooms, 20 technologically capable meeting rooms for events, the 936-seat Allen Theatre, the courtyard, and the east entrance ATM hub. Last summer a full-service Chick-fil-A® opened in the northeast corner of the food court. In 2014 the Student Union added the Stars and Stripes Military, Veteran, and Family Lounge. The Red Raider Ballroom was renovated with improved lighting, sound, and visual technologies in 2013. Televisions were added in the food court area in 2016. The retail and service corridor on the first floor houses a variety of businesses such as the University ID Office, Prosperity Bank, a University Police sub-station, Sam's Place Mini-market, CopyMail service center, the Union Bistro, Smart Choices, and Paciugo Gelato Caffé.

The Student Union Building is open from 7 a.m. to 11 p.m. Monday-Friday, 8 a.m. to 11 p.m. Saturday, and noon to 11 p.m. Sunday.

## Teaching Academy

The Teaching Academy is a university-wide organization of faculty who have demonstrated excellence in teaching and are committed to the improvement of teaching and learning. Members of the Teaching Academy facilitate and participate in activities that demonstrate, support, promote, and recognize pedagogical excellence at Texas Tech University. Established in 1997 by the Office of the Provost, the Teaching Academy represents strong and visible evidence of the university's commitment to its teaching mission.

The membership application for the Teaching Academy occurs every spring. To become a member of the Teaching Academy, faculty must be nominated and supported by two sitting members of the Academy and submit a formal application. Applicants must be a full-time tenured or tenure-track faculty, full-time professor of practice, or full-time instructor who has been at Texas Tech for a minimum of

three years (completed six long semesters). Applications are reviewed by a standing committee of Academy members, and new members are inducted during a ceremony in the fall semester. More information and access to application materials may be found online at the Teaching Academy website.

The organizational structure of the Teaching Academy includes an Executive Council, elected by the full academy membership and composed of one representative from each college (two from the College of Arts & Sciences) and two at-large members. The Chair and Chair-Elect are selected from the elected members of the Executive Council, and the Executive Director of the Teaching, Learning, and Professional Development Center (TLPDC) also serves as an ex officio member. The Executive Council meets monthly. The Teaching Academy serves as the review committee for the Chancellor's Council Distinguished Teaching Award and the Departmental Excellence in Teaching award. The Teaching Academy's mission is to advocate for teaching excellence, promote service related to the university's teaching mission, advise and mentor colleagues and others, and share knowledge about teaching strategies and their implementation. Toward this mission, the Teaching Academy collaborates with the TLPDC in the Teacher Mentoring through Peer Observation (TeMPO) program to facilitate mentoring relationships among faculty using peer-observation. Each year, the Teaching Academy also hosts events and workshops on campus as we seek to continue conversations about teaching and offer opportunities for faculty members and students to connect and share their understanding about teaching and learning.

The John M. Burns Conference is an annual teaching conference hosted each fall by the Teaching Academy. Past speakers include Barbara Cambridge, Brian Coppola, Pat Hutchings, Kristen Renn, Rex Jung, Craig Nelson, Ashley Finley, Peter Elbow, Derek Bruff, Michele DiPietro, Peter Felten, and Bryan Dewsbury. This year's conference will be held on Friday, September 18, and will feature Texas Tech faculty members and reflections on changes in higher education, with particular emphasis on reactions to COVID-19.

Each fall, the Teaching Academy also offers the Lawrence Schovanec Faculty Development Scholarships to fund faculty attending conferences focusing on teaching skills and techniques. Although the number of scholarships awarded and the amounts will vary according to funding, at least one will be designated for an individual who is not a member of the Teaching Academy.

For more information about the Teaching Academy, visit the website at [www.depts.ttu.edu/tlpdc/Teaching\\_Academy/](http://www.depts.ttu.edu/tlpdc/Teaching_Academy/) or contact the Chair of the Executive Council, Dr. Courtney Meyers.

## Teaching, Learning, and Professional Development Center

The Teaching, Learning, and Professional Development Center (TLPDC) at Texas Tech University supports the university's commitment to excellence in teaching and learning. The center aims to develop and advance the whole individual by providing practical teaching assistance and other interactive professional development opportunities for all instructional faculty and staff, encouraging innovation in high-impact, evidence-based teaching practices.

Confidential teaching consultations are an important service provided by the TLPDC. At the instructor's request, a consultant will observe classes and gather feedback from students about their learning. There are also workshops throughout the year open to all in the TTU community focused on teaching and learning issues for face-to-face, hybrid, and online teaching modalities. In addition to consultations and workshops, the TLPDC website is a rich resource of links, articles, white papers, and our YouTube channel where you may retrieve recorded TLPDC professional development workshops. The Service Learning Program provides mentoring and support for faculty initiating service-learning curricula across the university. The STEM Teaching, Engagement and Pedagogy (STEP) initiative is a TLPDC faculty development program focused on improving student retention and teaching effectiveness through partnerships with STEM faculty members. Additionally, the STEP Learning Assistant (LA) Program partners with faculty to explore the use of undergraduate learning assistants in large enrollment classes. The Presentation and Communication Effectiveness program (PaCE) provides resources for faculty and their undergraduate research students as they prepare for conference presentations, teaching, and other opportunities to present their research findings. The TLPDC facilitates the Institute for Inclusive Excellence, a cohort-based program focused on diversity in higher education and inclusive teaching practices, as well as Chair Academy, a monthly gathering for department chairs. The center also develops resources for ethics in higher education ranging from plagiarism and academic integrity to issues related to social justice.

Each fall, the TLPDC partners with the Teaching Academy in hosting the John M. Burns Conference on the Scholarship of Teaching and Learning. Each spring, the TLPDC sponsors the Advancing Teaching and Learning Conference, bringing nationally recognized leaders in higher education to West Texas. The TLPDC also coordinates New Faculty Orientation each August and January and the Tenure Academy in November.

For further information about any of these programs or for questions regarding teaching practices at Texas Tech University, please contact Suzanne Tapp, Executive Director ([suzanne.tapp@ttu.edu](mailto:suzanne.tapp@ttu.edu)); call 806.742.0133; stop by the TLPDC, located on the first floor of the north wing of the library; or see the TLPDC website ([www.tlpd.ttu.edu](http://www.tlpd.ttu.edu)).



## Texas Tech Chess Program (TTCP)

The Texas Tech Chess Program (hereafter referred to as the TTCP) embraces as its charge the following aspirations: to promote and passionately advocate for the growth of chess, especially via engaged and persistent outreach to the K-12 students in Lubbock and the surrounding area; to recruit, build, and mentor a competitive collegiate team that celebrates diversity, fosters inclusion, and champions equity for all. The TTCP seeks to support the academic pursuits of our students while simultaneously providing a challenging and competitive experience against the top chess programs in the country. We endeavor to uphold the values of Texas Tech University and to serve as informed and conscientious citizens of the world. We are strengthened by our close partnership with the Division of Diversity, Equity & Inclusion, and we strive daily to provide rich and significant opportunities for growth and excellence.

The Texas Tech Chess Program formed in 2007 and, over the past 14 years, has captured more than 10 national titles as well as numerous regional and state championships. Included among the team's signature wins are the National College Team Championship in 2011 and 2012. In 2015, the TTU Chess Team won the Pan-American Intercollegiate Chess Championship for the first time in program history and then, just four years later, won it again in 2019. In 2014 and then again in 2020, Texas Tech University was named Chess College of the Year. The TTCP is led by International Grandmaster Alex Onischuk, a former U.S. Champion and one of the top professionals in the world.

The Texas Tech Chess Program offers competitive chess scholarships to qualified undergraduate and graduate applicants, and all scholarship awards reduce in-state tuition. Additionally, scholarship recipients receive rigorous training under supervision and tutelage of International Grandmaster Onischuk.

Working alongside the Knight Raiders—the university's student chess club—the TTCP offers a variety of services and opportunities related to chess. Activities include regular meetings, tournaments, after-school programs, workshops for teachers, and chess camps for kids. The Chess Program staff prepares the state-wide UIL chess quizzes and also provides resources and support to community organizations in the form of chess sets, chess clocks, a specialized chess library, demonstration boards, chess game analysis programs, and tournament management.

**Contact:** University Library, Room 303,  
[texastechchess@ttu.edu](mailto:texastechchess@ttu.edu), 806.742.7742

## Texas Tech Farm at Pantex

The College of Agricultural Sciences & Natural Resources operates an agricultural farm at Pantex, located 12 miles east of Amarillo. This farm consists of 5,770 acres of deeded land and an agricultural use permit on an additional 5,304 acres controlled by the Department of Energy. The farm serves as

a valuable resource for agricultural research and education, adding strength, flexibility, and prestige to the academic programs at Texas Tech.

## Texas Tech Foundation, Inc.

The Texas Tech Foundation, Inc. (the Foundation) is an independent non-profit corporation organized under Texas law and qualified under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. The Foundation supports and promotes every part of the Texas Tech University System, including all four of its universities—Texas Tech University, Texas Tech University Health Sciences Center, Angelo State University, and Texas Tech University Health Sciences Center at El Paso. The Foundation is governed by a volunteer Board of Directors and actively supported and administered by the Texas Tech University System Office of Institutional Advancement.

The Foundation advocates for successful performance by:

- Positioning the Texas Tech University System as an institution of distinction;
- Raising funds on behalf of the universities and health sciences centers;
- Stewarding funds, caring for donors, and reporting on gifts and endowments;
- Partnering with the Board of Regents on investment and oversight; and
- Supporting and promoting all colleges, schools, programs, and campuses of the Texas Tech University System.

Due to the structure of the Foundation, faculty should coordinate efforts to solicit private gifts with the System's Office of Institutional Advancement, the university's development team, and the Foundation prior to such solicitation. Solicitation should be conducted in accordance with the Texas Tech University Operating Policies & Procedures, the Texas Tech University System's *Regents' Rules*, and other policies as may be in effect.

Gifts to the Foundation may be tax-deductible and are so receipted and acknowledged to the donor. The donor may reasonably designate the use and purpose of the gift. Gifts to the Foundation may be made online at [www.give2tech.com](http://www.give2tech.com), or a number of other philanthropic tools. Texas Tech faculty members should work directly with the Office of Institutional Advancement to coordinate any and all gift(s) to the Foundation.

## Texas Tech Police Department

The Texas Tech Police Department is located at 413 Flint Avenue and provides 24 hour law enforcement services and security for the entire Texas Tech community. The department phone number is 806.742.3931 or, in case of an emergency, 911.

Officers of the Texas Tech Police Department are licensed by the Texas Commission on Law Enforcement.

The Texas Tech Police Department offers presentations on a number of topics, including personal safety, burglary/theft prevention, sexual assault awareness, active shooter awareness, and drug and alcohol awareness programs.

The department posts information and crime statistics online at [www.depts.ttu.edu/ttpd/](http://www.depts.ttu.edu/ttpd/).

## Texas Tech University Agricultural Field Laboratories—Lubbock County

The principal field laboratory units for the College of Agricultural Sciences & Natural Resources (CASNR) are (1) Texas Tech Research Farm, (2) Texas Tech Quaker Avenue Research Farm, (3) Fiber & Biopolymer Research Institute, (4) Texas Tech Native Rangeland Area, (5) Texas Tech Equestrian Center, and (6) Texas Tech Human-Animal Interaction Facility. These field laboratories are heavily used in teaching and research programs.

The Texas Tech Research Farm, located in northeast Lubbock County (six miles east of New Deal on FM 1729) consists of 982 total acres of farm land, of which 271 acres are irrigated (232 acres by subsurface drip and 39 by center pivot). The predominant soil is Pullman clay loam, which is representative of soils types in the South Plains area. Two buildings are used for teaching and research in conjunction with studies related to soils and crops. There are three swine buildings, a ruminant nutrition center, a sheep center, a beef cattle center, the Burnett Center for Beef Cattle Research and Instruction, a necropsy unit, a canine research center, and a shared laboratory space equipped with a fume-hood and bio-safety cabinet. The field laboratory facilities are used by students and researchers as integral parts of their studies in CASNR.

In 2017, with the addition of a Companion Animal Science program in the Department of Animal and Food Sciences, a new facility was constructed to enhance the teaching and research capabilities in the Companion Animal Sciences. The Human-Animal Interaction Facility, located minutes from main campus (Grantham Building on Erskine road), consists of office space, a BSL-II certified cabinet, and an observation room with two-way mirror equipped with video recording capabilities.

The Quaker Avenue Research Farm is located less than two miles from central campus on Quaker Avenue just north of 4th Street. The Department of Plant and Soil Science uses this 130-acre farm for research on many different crops, including cotton, corn, sorghum, sesame, horticultural crops, and turfgrass. More than three quarters of the farm is equipped with subsurface drip irrigation. Class activities on irrigation, crop breeding, crop production, pollinator activity, and turf management are often held at this farm.

A research farm at the Fiber & Biopolymer Research Institute Laboratory at East Loop 289 and 4th Street was opened in 2015. This farm includes a 17-acre half circle center pivot, 19 acres of permanent drip, and a 3-acre vineyard. The location also includes 9 acres with temporary subsurface drip irriga-

tion. Research is conducted on cotton, corn, grain sorghum, peanuts, wine grapes, and vegetable crops.

Also located about two miles from central campus is the Texas Tech Native Rangeland Area managed by the Department of Natural Resources Management. This 132-acre tract has been a part of the university since its inception in 1923. Initially, the rangeland was used for field trips and natural history studies, then periodically from about 1960 through 2000, cattle were grazed on the area. The rangeland is now recognized as one of the most important native shortgrass prairie sites remaining in the Lubbock area. Numerous research projects are being conducted on the site by professors and graduate students from Texas Tech. Public schools and conservation groups conduct field trips to the site to observe wild animals and conduct educational programs about the ecology of the Southern High Plains.

The 120-acre Texas Tech Equestrian Center (TTEC), located approximately 7 miles southwest of campus on County Road 1500, is home to multiple equine activities including the Equestrian Team, Horse Judging Team, Ranch Horse Team, Rodeo Team, and the Therapeutic Riding and Therapy Center. The facility offers an indoor arena used for classes, team practices, and events, with seating for approximately 700 people; a warm-up arena; two small indoor arenas used for classes and team practices; and five outdoor arenas and two calf roping lanes. There are 40 runs for Rodeo Team members' horses and 16 runs for Ranch Horse Team members' horses. Other features the TTEC has to offer are a breeding lab with breeding stocks and vet lab, as well as four round pens for classes, students, and boarder use. The TTEC has 312 indoor/covered stalls for use during events, or by students and the outside public to board their horses. The facility is available for lease for public and private events.

## Texas Tech University Press

Texas Tech University Press (TTU Press) has been the book publishing arm of Texas Tech University since 1971 and a member of the Association of University Presses since 1987. The mission of TTU Press is to disseminate the fruits of original research by publishing rigorously peer-reviewed works that compel scholarly exchange and that entertain and enlighten the university's broadest constituency throughout the state, the nation, and the world. TTU Press publishes 15-20 new titles each year and has approximately 450 titles in print. In addition to a diverse list of nonfiction titles focused on the history and culture of Texas, the Great Plains, and the American West, the Press publishes in the areas of natural history, border studies, and peace and conflict studies. Additionally, the Press publishes select titles in literary genres ranging from biography and memoir to young adult and children's titles. It also publishes the annual winner of the Walt McDonald First-Book Competition in Poetry.

For more information and to order, visit [www.ttupress.org](http://www.ttupress.org) or call 800.832.4042.



## Transportation and Parking Services

All vehicles parked on campus must have a valid Texas Tech ePermit. Students living off campus may purchase a permit for a commuter parking lot or garage that is valid weekdays from 7:30 a.m. to 5:30 p.m. Students living on campus may purchase a permit for their residence hall parking lot that is valid 24 hours a day, seven days a week. Permits are available on a first-come, first-served basis. Transportation and Parking Services uses license-plate recognition to monitor campus parking, so students receive no physical permits.

By using “My Parking Account” on the Transportation and Parking Services website ([www.parking.ttu.edu](http://www.parking.ttu.edu)), viewers can access and update account information, register motor vehicles and bicycles, purchase a permit, and explore other ways to simplify their on-campus parking experience. The website also provides maps, citation appeals procedures, traffic and parking regulations, and other useful information.

A free on-campus Motorist Assistance Program is available 24 hours a day for anyone who runs out of gas, needs a battery boost, needs a car door unlocked, or has a flat tire on campus. Call 806.742.6277 (MAPP).

To contact Transportation and Parking Services, call 806.742.7275 (PARK) or visit Room 145 of the Administrative Support Center, 407 Flint Ave., from 7:30 a.m. to 5:30 p.m. Monday through Friday.

## TTU Worldwide eLearning

Texas Tech University offers multiple certificate programs, bachelor's degrees, and graduate degrees at a distance. These degree programs are delivered through a variety of modalities, including synchronous or asynchronous web-based instruction, as well as interactive video conferencing. Instructional technology available to faculty and students includes:

- Blackboard learning management system (TTU Worldwide eLearning, 806.742.7227, or [blackboard@ttu.edu](mailto:blackboard@ttu.edu))
- Confluence wiki (TTU IT Division – Technology Support Department, 806.742.1650)
- Computer-based training – business, financial, and technology skill development for online learners ([www.cbt.ttu.edu](http://www.cbt.ttu.edu), TTU IT Division – Technology Support Department, 806.742.1650)
- SharePoint enterprise services – document collaboration, submission (TTU IT Division – Technology Support Department, 806.742.1650)
- Online accessibility information ([www.ttu.edu/accessibility](http://www.ttu.edu/accessibility))

The Office of the Provost works with Texas Tech colleges and departmental leaders on the development of new, online, and distance degree and certificate proposals. TTU Worldwide eLearning is responsible for compliance activities for federal and state regulations as well as accreditation activities related to online and distance learning.

Faculty who are developing or instructing courses in online formats are supported through resources within

their respective college or school; the Teaching, Learning, and Professional Development Center (806.742.0133); the Information Technology Division (806.742.5151 or 806.742.1650); and TTU Worldwide eLearning (806.742.7227). For more information about online and distance learning, visit the TTU Worldwide eLearning website ([www.elearning.ttu.edu](http://www.elearning.ttu.edu)) or contact Dr. Melanie Hart ([melanie.hart@ttu.edu](mailto:melanie.hart@ttu.edu) or 806.742.2184) in the Office of the Provost or Dr. Justin Louder ([justin.louder@ttu.edu](mailto:justin.louder@ttu.edu) or 806.742.7227) with TTU Worldwide eLearning.

**TTU Regional Sites.** The Office of the Provost coordinates all programs offered at regional sites in Austin College (Sherman), Collin College (McKinney), El Paso, Fredericksburg, Highland Lakes (Marble Falls), Hill College (Cleburne), Rockwall, Waco, and the Center in Junction.

Programs at these sites provide distance students with opportunities to earn undergraduate and graduate degrees with a blended delivery of face-to-face, interactive video-conferences, and online classes. Students may complete their degrees without the need to relocate or travel long distances from their homes and work.

Texas Tech partners with regional community colleges for lower-division coursework and offers upper-division courses to complete a bachelor's degree at the TTU regional sites. Graduate degrees are offered through participating colleges at Texas Tech.

Students pursuing degree programs at TTU regional sites are held to the same entrance requirements as students at the Lubbock campus. Courses, curriculum, and graduation requirements at each site meet the same standards as those in Lubbock.

For more information about the various TTU regional sites, visit [www.elearning.ttu.edu/regional](http://www.elearning.ttu.edu/regional) or contact Dr. Melanie Hart ([melanie.hart@ttu.edu](mailto:melanie.hart@ttu.edu)), 806.742.2184.

## University Libraries/Special Collections

Ranked among the top third of academic research libraries nationally, Texas Tech University Libraries serve as a vital partner with students and faculty in their learning endeavors. The University Libraries' system is comprised of (1) University Library, (2) Southwest Collection/Special Collections Library, and the (3) Architecture Library. The University Library is a patent and trademark depository and is one of two regional depositories for U.S. government documents in Texas. The central focus of the Texas Tech University Libraries is to make available 3.72 million physical volumes, electronic resources, special collections, and archives and to offer services to students and faculty that enable academic and research success.

**The University Library** is open more hours than any other building on campus (24/5 each semester with special 24/7 hours during final exam periods) and provides access to approximately 191,000 online journals, newspapers, and periodicals; almost 1 million e-books; 380 databases; and 1

million architecture and art digital images. The University Library is the center of academic, social, and intellectual discovery on (and off) campus. Librarians offer personalized assistance for research and reference needs in person, by phone, via email, or through the Ask-A-Librarian chat service. Every major has its own Personal Librarian who can be found at <http://guides.library.ttu.edu/>. The Library's award-winning Document Delivery service will obtain materials not owned by the Libraries for students and faculty and will hold and/or deliver them upon arrival.

The Library houses more than 270 public computers (both PC and Mac), the most computer stations on campus, each equipped with the full and latest versions of the Microsoft Office Suite, Adobe Creative Suite (Photoshop, Illustrator, InDesign, etc.), AutoCAD, and other project/product and publishing tools. The ground floor also houses the Library Makerspace featuring 3D printing, scanning, doodling pens, and modeling assistance. The Makerspace also features a Virtual Reality Lab located on the second floor. The lab offers Oculus Rift VR headsets with controllers.

In the basement of the University Library, the state-of-the-art Crossroads Recording Studio provides a free facility to all students and university employees for practice, performance, podcasts, music, theater, and oral presentations. On the second floor, Digital Media Services (DMS) and the 3D Animation Lab provide access to the latest Mac and PC software, including industry-standard design, video editing, and 3D art, modeling, and animation software. Digital cameras, high-definition digital camcorders, GoPro cameras and mounts, more than 5,000 American and international film and movie DVDs, and music and audio books on CD are all available for checkout from the DMS.

Thirty-five group study rooms are available for reservation and over 180 individual study rooms are available for checkout. The Library also offers event and exhibit space reservations for faculty, staff, and students.

The university offers a 1 credit-hour course (LIBR 1100) to convey effective library research methods and strategies for scholastic success. The Library also offers numerous workshops throughout the year on topics such as databases, managing citations, and more.

**Contact:** 806.742.2265 or [library.ttu.edu](http://library.ttu.edu)

**The Architecture Library** is located on the ninth floor of the Architecture Building. Its collection includes materials on architecture, design, urban planning, and landscape architecture, as well as an image library of digital collections on architecture, art, and design. The Architecture Library's services include reference, reserve, instruction, and circulation.

Hours are Monday through Thursday 8 a.m. to 10:30 p.m., Friday 8 a.m. to 5 p.m., Saturday 1 to 6 p.m., and Sunday 1 to 10:30 p.m.

For more information: 806.742.8058 or <http://library.ttu.edu/arch/index.php>

### ***The Southwest Collection/Special Collections Library (SWC/SCL)***

includes the Southwest Collection; the University Archives; Rare Books; the James Sowell Family Collection in Literature, Community and the Natural World; the Archive of Turkish Oral Narrative; and the Crossroads of Music Archive.

The Southwest Collection is the regional repository for historical information pertaining to West Texas and the Southwest. The SWC/SCL collects and makes available for research more than 1,800 collections of personal papers; more than 5,000 hours of oral history interviews; noncurrent business and institutional records; and a non-circulating library of Texana, Western Americana, maps, periodicals, photographs, newspapers, interviews, films, videotapes, and microfilm.

**The University Archives** serves as the institutional memory for Texas Tech University by collecting, preserving, and making accessible to researchers such materials as administrative and faculty records, publications, photographs, memorabilia, and video and audio recordings. These materials document the legal, historical, fiscal, administrative, and intellectual aspects of the university, as well as the cultural and social aspects of student life.

Consisting of some 38,000 volumes, Rare Books is a rich resource for research. Its holdings provide a wide breadth of materials, including rare and early printed books and maps; artists' books; and limited edition, illustrated, and finely bound books. Areas of strength include the history of science and medicine, European and American literature, book history and book arts, Russian and Eastern European history and culture, Mesoamerican and illuminated Medieval manuscript facsimiles, and Greek and Roman classical authors.

The James Sowell Family Collection in Literature, Community and the Natural World contains the personal papers of award-winning contemporary American writers whose work deals with the natural world, the significance of communities, and questions of social justice. In addition to published books, materials available for research include correspondence, drafts of manuscripts, research notebooks, diaries, calendars, photographs, and film.

The Archive of Turkish Oral Narrative is a research collection devoted to the study of Turkish folktales and related narrative forms: folk history, legends, folk minstrelsy, and myths.

The Crossroads of Music Archive is a premier music archive in Texas actively pursuing musicians and their associates to collect and preserve the state's vast musical heritage. Additionally, the archive is working outside the state to obtain important music collections that have been overlooked.

All materials may be used by both the university community and the general public for research or reference. The SWC/SCL is located north of the University Library. Reading Room service is provided during regular semesters from 9 a.m. to 5 p.m. Monday, Wednesday, and Friday; 9 a.m. to 7 p.m. Tuesday and Thursday; and 9 a.m. to 1 p.m. on Saturday during the fall and spring semesters. All hours are subject to



change; please call to confirm hours. Inquiries and donations are welcome. Tours are available.

**Contact:** 806.742.3749 or <http://swco.ttu.edu>

## University Student Housing

University Student Housing offers a variety of living options and provides convenient and affordable housing for over 8,000 students. Learning Communities provide students with the opportunity to live with others of similar interests or majors. Our residence halls consist of traditional, suite, pod, and apartment-style configurations and offer students unique settings to live and learn. Students living on-campus enjoy proximity to the Student Recreation Center & Leisure Pool, multiple athletic venues, the Library, museums, Urbanovsky Park, and award-winning dining choices with delicious food options, including a variety of food courts, mini-markets, kiosks, and all-you-care-to-eat options.

In support of the Strategic Plan of Texas Tech University, the university requires enrolled first-year students to live in the university residence halls. The On-Campus Residence Requirement applies to students enrolled in more than six hours for the fall and spring semesters, and/or enrolled for three hours per summer session. Subject to verification and authorization by University Student Housing, students may be eligible to live off campus provided they meet an exemption category as outlined in OP 30.25.

Residence halls, like all other services and facilities of Texas Tech University, are available to all students regardless of race, creed, national origin, age, sex, or disability. Applications for admission to the university and applications for residence hall accommodations are separate processes. To sign up for housing at Texas Tech University, students must first be admitted to the university. Housing and dining plan rates are based on a per person charge. Rates are reviewed and approved by the President each academic year. All rates are subject to change, with appropriate notice. The most recent rates are posted on the [University Student Housing](#) and [Hospitality Services](#) websites.

On-campus housing for married couples or individuals with children is not provided. Registered sex offenders and students convicted of any felony are not permitted to live in university-owned housing. The information submitted is subject to verification.

## Vietnam Center and Archive

Texas Tech University established the Vietnam Center in 1989 with the missions of funding and guiding the development of the Vietnam Archive and encouraging continued study of all aspects of the American Vietnam experience. The center provides a forum for all points of view and all topics related to Southeast Asia, particularly America's involvement in the region before, during, and since the Vietnam War.

The Vietnam Archive collects and preserves materials and artifacts focusing on the men and women who directly participated in wartime events. This includes people from the United States as well as from all participant nations. Located in the Special Collections Library, the Vietnam Archive currently contains approximately 20 million pages of material, making it the largest repository of Vietnam War related materials outside the U.S. federal government.

In addition to documents, artifacts, and related items, the Vietnam Archive includes a dynamic oral history project, a library of more than 14,000 books, and an unrivaled microfilm/microfiche collection. The Vietnam Archive microform collection comprises material from all the U.S. presidential administrations involved in Southeast Asia from World War II to 1975 and contains a comprehensive collection of other government agency and military branch records. This collection also includes one of the largest French Indochina and Vietnamese newspaper collections in the country.

To ease the burden of researching these vast holdings, the Vietnam Archive has developed one of the largest online document retrieval systems in the nation. Created in 2001, The Virtual Vietnam Archive now provides access to more than 9 million pages of materials, all of which are accessible free of charge through the internet. These online materials include documents; photographs and slides; and thousands of maps, audio recordings, oral history interviews, films, and more. The Vietnam Archive is continually adding new pages of digital material online each year.

In addition to the Vietnam Archive and its component projects, the Vietnam Center also administers a number of special projects and events, including scholarships for Texas Tech students, annual conferences and symposia, and numerous other projects and publications. The Vietnam Center website is [www.vietnam.ttu.edu](http://www.vietnam.ttu.edu).

# 4 Office of the Provost

## Administration

The Office of the Provost and Senior Vice President for Academic Affairs is charged with developing, implementing, and reviewing academic policies and programs. The Provost serves as the chief academic officer of the university. The office coordinates academic deans and directors and informs and advises the President on academic matters. The office is responsible for academic personnel and budgetary matters, including support areas such as the Libraries; the Graduate School; the Teaching, Learning, and Professional Development Center; eLearning and Academic Partnerships; International Affairs; Institutional Effectiveness; University Programs and Student Success; the Museum of Texas Tech University; the Humanities Center; the National Ranching Heritage Center; The Remnant Trust; TTU Press; the Institute for Studies in Pragmatism; and Official Publications. The Division of Student Affairs also reports to the Provost.

## Academic Structure

The principal administrative officer of each of the colleges and schools of the university is the dean. Faculty are assigned to each college and school except the Graduate School. The Colleges of Agricultural Sciences & Natural Resources, Arts & Sciences, Education, Engineering, Human Sciences, and Media & Communication are organized into instructional departments or divisions administered by chairpersons. The Talkington College of Visual & Performing Arts is structured with three schools administered by directors. The organizational pattern for the Rawls College of Business includes *areas* of instruction, headed by area coordinators. The College of Architecture, Honors College, and School of Law are organized as single units.

Department chairpersons, school directors, and area coordinators are recommended by the dean of the appropriate college and appointed by the Provost, in accordance with OP 32.03. They serve in their administrative roles without tenure and at the discretion of the dean. The dean reviews chairpersons annually.

Each department chairperson, school director, and area coordinator, in cooperation with the faculty, is responsible for supervising the activities of the department, developing curriculum, advising students, preparing department budget requests, evaluating the performance of the faculty and staff on an annual basis, recommending tenure and promotion, recommending merit increases and post-tenure reviews, and initiating appointment recommendations (OPs 32.03, 32.06, 32.32).

## Provost's Council

The Provost's Council serves as a policy-forming body and makes recommendations on university matters. The Provost's Council provides leadership in all areas of academic interest in the university.

Membership on the Council is composed of the Provost; the Vice Presidents for Research and Innovation, for Diversity, Equity & Inclusion, and for Administration & Finance; deans; and Presidents of the Faculty Senate and Staff Senate. Vice Provosts are ex-officio members.

## Academic Council

The Academic Council serves in an advisory capacity to the Provost on matters related to academic policies and procedures. The council considers requests for changes to existing or the addition of new degree programs and recommends course additions, changes, and deletions. The council also considers matters of enrollment management, recruitment and retention, off-campus and distance education, core curriculum, faculty development, and academic services.

The Academic Council is composed of the Senior Vice Provost, who chairs the Council; Vice Provosts; Associate Vice Provosts; the Vice President of the Faculty Senate; associate deans from each school and college and the Libraries; the Registrar; the Directors of Institutional Research and Official Publications; and a representative from the Student Government Association. Directors of various academic support offices and programs also attend council meetings.

## Chairs Council

The Chairs Council provides opportunity for department chairs, school directors, and area coordinators to interact on a monthly basis with vice provosts on a variety of academic affairs matters that directly involve these unit leaders. While vice provosts set the monthly agendas, at least one-third of the scheduled meeting time will be reserved for items brought by the chairs.

## Faculty Ombudsperson

The Office of the Faculty Ombudsperson acts as an independent, impartial, confidential, and informal resource for faculty who are dealing with any work-related difficulty including interpersonal conflict or academic or administrative concerns. The faculty ombudsperson advises both the



Provost and the President of the Faculty Senate on matters concerning faculty welfare.

## Faculty Senate

The Faculty Senate is composed of senators representing the voting faculty of Texas Tech University. The voting faculty are those who have completed at least one year in a full-time appointment in a tenure-track or tenured position, including librarians and archivists who hold appointments that make them eligible for tenure, and those in a full-time non-tenure track faculty position who are eligible for continuing appointment by virtue of serving six or more consecutive years in the faculty position. Membership of the Faculty Senate includes one senator for each twenty voting faculty members or fraction thereof from each college or school, but not fewer than two senators, and nine additional senators at-large. Members may not hold administrative positions higher than department chair. The Senate elects a president, vice president, and secretary from its membership to serve terms of one year.

The Faculty Senate acts on behalf of the faculty and serves as an advisory body to the President of the university and may consider all matters of university concern. Any member of the university community may bring a matter of university concern to the attention of the Senate. The Senate may make recommendations to the President of the university concerning the academic functions of the university, academic freedom, and other matters pertaining to the welfare of the university, particularly those of special interest to the faculty. If the President of the university chooses not to follow a recommendation of the Faculty Senate, the President shall inform the Senate in writing of the reasons and, on request of the Senate, the President shall meet with the Senate for discussion of the matter.

The Texas Tech University Faculty Senate is a member of the Council of Faculty Governance Organizations.

## Graduate and Post-Doctoral Affairs

The Vice Provost for Graduate and Post-Doctoral Affairs and Dean of the Graduate School is responsible for coordinating graduate admissions, programs, advising, and events of Texas Tech University. The Graduate School administers policies related to graduate faculty, graduate students, and post-doctoral fellows, and provides professional development opportunities for graduate students and post-doctoral fellows.

**Graduate Faculty.** Graduate Faculty are responsible for the graduate instruction of the university. Members participate in all phases of the graduate program, assist in determining policy, and elect members to the Graduate Council. Membership is a means of recognizing faculty members for scholarly and creative activity, direction of graduate research and study, and other contributions to the graduate programs of the university.

University-wide criteria for graduate faculty membership are (1) possession of the terminal academic degree in the field or recognition for substantive and distinctive contributions to the discipline involved, (2) evidence of current interest and involvement in scholarly research or creative productivity, and (3) successful experience in the teaching, counseling, and/or direction of students at the graduate level.

**Graduate Council.** The Graduate Council, assisted by the graduate faculty, is responsible for formulating the policies of the Graduate School and the requirements for graduate degrees. These policies are administered by the Graduate Dean.

The Graduate Council is composed of ten members elected by the graduate faculty and two members appointed by the Graduate Dean, with representation from each college, plus one graduate faculty member chosen by the Faculty Senate to represent that body. The Graduate Dean is ex officio chairperson of the council; associate and assistant deans are ex officio and nonvoting members as is the Provost or a designated representative, the Dean of Libraries, and a representative from the Health Sciences Center.

Elective members serve three years and are not eligible for immediate reelection unless they have been chosen to fill an unexpired term. Appointed members serve two years. By a system of rotation, some new members join the council each year, replacing those whose terms have expired. The President of the Graduate and Professional Student Association serves as a nonvoting representative of the graduate students.

## University Councils and Committees

Standing councils and committees are appointed to serve the needs and interests of Texas Tech University. These bodies, most of which have faculty, student, and administrative representation, are an important element in the effective functioning of the institution. The collective ability, knowledge, and competency of council and committee members are an invaluable resource to the administration. By their membership on university councils and committees, faculty members participate in and contribute substantially to the activities and operations of the university, especially in academic affairs.

Councils and committees are advisory bodies, unless specifically charged with other responsibilities. It is not intended that they assume the authority and responsibility assigned to offices within the administrative structure of the university. Ideas and suggestions from these bodies are, however, of great value to administrators in their continuing efforts to improve operations of the institution and in broadening the base for decision making. In addition to contributing to the orderly and objective administration of the university, councils and committees afford the members an opportunity to participate in the governance process, to enhance their personal and professional growth, and to broaden their knowledge of the operations and activities of the institution.

Details of the councils and committees are contained in the Directory of Standing Councils and Committees, which is available online at [www.depts.ttu.edu/provost/councilscmtes/index.php](http://www.depts.ttu.edu/provost/councilscmtes/index.php). The directory should be consulted for the latest and most accurate information on councils and committees because membership, responsibilities, and administrative procedures are subject to change. Each entry in the directory specifies how a council or committee membership is determined.

In addition, the Faculty and Staff Senates have standing committees, but they are not standing committees of the university. They are listed below as a matter of information and for convenience of reference by the faculty and staff.

#### **Faculty Senate Standing Committees**

- Faculty Senate
- Academic Programs Committee
- Administrator Evaluation Committee

- Budget Study Committee
- Committee on Committees
- Faculty Status and Welfare Committee
- Nomination Committee
- Study Committee A
- Study Committee B
- Study Committee C

#### **Staff Senate Standing Committees**

- Bylaws and Constitution Committee
- Communications and Public Relations Committee
- Elections and Nominations Committee
- Executive Board
- Grievance Committee
- Issues Committee
- Scholarship Committee
- Technology Committee
- OP Review Committee



# 5 Research

The Office of Research & Innovation serves as a resource to all faculty members and offers guidance at every step of the research process, from finding funding to taking technology to market. The office provides oversight and management of all research functions at Texas Tech except financial post-award assistance, which is managed by Accounting Services.

## Office of Research Services

The Office of Research Services (ORS) supports the university's research mission by providing centralized services for submission of proposals, negotiation, and acceptance of grants, contracts, and cooperative agreements for sponsored projects.

ORS responsibilities include:

- Institutional review and submission of proposals
- Responding to faculty requests for specific information
- Assisting with budget preparation and completion of assurances and other forms
- Ensuring that agency and university requirements are met
- Negotiating the business aspects of grants and contracts on behalf of the university
- Reviewing all award documents prior to acceptance by the university
- Providing institutional signature and processing all awards for acceptance
- Assisting and advising principal investigators, project directors, and project staff
- Non-financial post-award assistance
- Maintaining files of active proposals and awards
- Responding to requests for information or special reports
- Maintaining up-to-date reporting system

## Office of Research Development & Communications

The Office of Research Development & Communications (ORDC) provides a suite of proposal development resources for faculty including the following:

- Managing limited submissions
- Identifying funding opportunities
- Encouraging engagement in collaborative opportunities
- Connecting researchers with tools and resources in the OR&I
- Offering early-stage proposal development assistance

- Planning strategic resubmissions
- Offering topical grants workshops
- Staffing grant editors
- Assisting with graphic design
- Highlighting research at Texas Tech

## Export and Security Compliance

Faculty, staff, and students at Texas Tech will likely, at one time or another, intersect with federal regulations that impose access, dissemination, or participation restrictions on the transfer of items and information regulated for reasons of national security, foreign policy, anti-terrorism, or non-proliferation.

The Office of Export and Security Compliance establishes policies for federal laws and regulations governing the export of information, products, and technology. More information on training, situations that fall under export control, and other resources are available on OR&I's website.

## Office of Research Commercialization

The Office of Research Commercialization (ORC) helps move research discoveries from the university laboratory to the marketplace.

Steps for commercialization include:

- **Disclosure** – When useful technology is invented, work should be disclosed through the ORC by means of the disclosure portal. Disclosure should occur before the work is published or any other public disclosure of the work has been made. Failure to do so can limit patent rights for the technology. When an invention disclosure is filed with the ORC, inform the office of any public disclosures already made or any that are planned.
- **Assessment** – Once an invention is disclosed, the ORC will schedule a meeting with the inventor to review the disclosure and will create a written technology assessment that reviews the patentability and commercial potential of the invention. The assessment will be shared and discussed with the researcher, and if the assessment is positive, the ORC will initiate intellectual property protection for the technology and develop an appropriate commercialization strategy. The ORC will forward copies of all patent applications drafted to the researcher for review to ensure that all applications are complete and accurate.



- **Marketing** – Depending on the type of technology and its stage of development, ORC may market the technology to existing companies and list the technologies on various websites to identify potential license partners. The office may also work with the inventor and local entrepreneurs to create a start-up company. Either scenario results in a license agreement between the ORC and a business entity.
- **Terms** – The license agreement will include terms and conditions for the use of the technology and commercial development milestones, as well as define the compensation that will be paid to the university. The compensation will be divided into license fees, legal reimbursement, royalty payments on net sales, and possibly equity in the business partner's company. Inventors can assist the ORC in the licensing process by letting the ORC know about new technology enhancements, upcoming publications or public presentations made to industry, and any questions about or interest in the new technology that may be received from industry contacts.
- **Licensing** – After a license agreement is in place, ORC monitors the licensee to ensure full compliance with contract terms and to support their success in the marketplace. The office also receives all license payments and distributes net revenue generated from the license agreement in accord with TTU OP 74.04. Inventors receive forty percent of all net revenue generated from license compensation.

## Innovation Hub

The Innovation Hub at Research Park is Texas Tech's center for entrepreneurialism and innovation. The Hub is home to a number of programs and facilities including:

- **Texas Tech Accelerator** – Designed to assist faculty, students, and entrepreneurs launch startup companies or discover licensing opportunities based on university technology. Participation in the accelerator is based on an application process and requires the company founders to attend a twelve-week boot camp. Participating companies have access to institutional funding, grants, co-working space, and mentors.
- **Red Raider Startup** – A weekend where you and your potential business partners progress through a set of learning modules in a positive environment that includes ideation, team formation, customer discovery, rapid prototyping, and pitch workshops. This program is the best way to get started for first-time entrepreneurs. This program is offered four times per year to students.
- **Hub Camp** – Once you have an idea and you are ready to understand how your idea can make money, Hub Camp is the next step. This three-day basic boot camp is meant to provide an outline of the work needed to be done to create a fundable business plan. The camp is a stepping stone to the iLaunch competition and the possibility of winning funding. This program is offered throughout the year.

- **iLaunch** – Students and entrepreneurs must submit an application to the program. The competition provides a cash award to the winner, and it is hosted at The Hub once a year. Participants receive mentoring, templates for a business plan, and pitch deck. It is recommended that interested parties attend Hub Camp to increase chances of winning the iLaunch competition.
- **Commercialization Roadmap** – A comprehensive document created to support the success of innovators and entrepreneurs at Texas Tech.

## University-Recognized Research Centers and Institutes

University-recognized research centers or institutes are organizational units approved by the Vice President of Research & Innovation and the Board of Regents to facilitate activities for faculty, staff, and students.

These centers and institutes provide engagement and outreach beyond what is possible from traditional academic units. Each university-recognized research center or institute should conform to university policies, as well as to state regulations and statutes.

General guidelines for determining whether a unit should be titled a center or an institute are as follows:

- **Center** – Composed of faculty, potential staff, and students who declare a shared technical interest and pursue shared research, instruction, engagement, and/or outreach that involve common activities
- **Institute** – Organization having a particular object or common factor, especially a scientific, educational, or social one, and may be a collection of centers

Formal proposals for establishing university-recognized research centers or institutes should be initiated through OR&I according to guidelines. The proposed research center or institute must be clearly aligned with the university strategic plan.

Centers and institutes operating solely within an academic department or college may be established by the respective dean. A comprehensive list of [centers and institutes](#) is available. Those spanning colleges are organized by the OR&I with Board of Regents approval and report to the OR&I.

## Responsible Research

OR&I is responsible for overseeing responsible conduct of research (RCR), compliance issues, human subjects, animal use, and Environmental Health & Safety.

**Training.** Texas Tech encourages all faculty, students, and staff to participate in discussions and training about Responsible Conduct of Research. A variety of training opportunities are available to all members of the Texas Tech community. There also are select activities and courses that count toward RCR training requirements. For information or questions, please contact the Office of Responsible Research.

**iThenticate Service.** To support responsible research practices at Texas Tech, OR&I encourages use of iThenticate software to screen grant proposals and scholarly papers for plagiarism or misuse of text.

**Investigator Financial Disclosure.** Federal regulations require that Texas Tech have policies and procedures in place to ensure that employees disclose any significant financial interests that may represent an actual or potential conflict of interest in relationship to externally sponsored projects.

All investigators need to annually disclose significant financial interests with Texas Tech. The Investigator Financial Disclosure website provides instructions. For those who have NIH or other PHS grants, Texas Tech follows NIH guidelines for financial disclosure. Annual disclosure is submitted via the secure online questionnaire.

Faculty or other personnel who have applied or plan to apply for NIH or other PHS funding must complete training and disclose business or financial interests before submitting proposals or receiving funds. Texas Tech's Financial Disclosure office offers assistance, information, and training options.

Texas Tech Operating Policy 74.17 outlines the general university regulations and procedures regarding annual disclosure of significant business and financial interests as well as the identification of conflicts or potential conflicts of interest, which serve to protect the credibility and the integrity of the university's faculty and staff, as well as the institution so that public trust and confidence in its sponsored activities are not compromised.

**Human Research Protection Program.** The Human Research Protection Program (HRPP) is the office that coordinates with the Texas Tech University Institutional Review Board (IRB). All research involving human subjects at Texas Tech must be approved by the IRB. Texas Tech recommends researchers complete human subject training prior to submitting an IRB. The HRPP office maintains all IRB records, provides support through IRB development and submission, offers education programs, coordinates reliance agreements, and monitors post approvals.

Cayuse IRB is the online system Texas Tech researchers use to submit their IRBs. Using branch logic, researchers answer questions related to their study and skip irrelevant ones. It is the mission of the IRB to operate efficiently throughout the review process to support the research efforts of the university.

**Animal Care Services.** The Animal Care Services (ACS) office is charged with providing for the physical and psychological well-being of animals used in research and teaching. The office also aids investigators in obtaining and properly using animals. [Regulations and guidelines](#) as well as [protocol forms, annual review forms, and protocol amendment forms](#) can be found on the website.

- **IACUC** – The Institutional Animal Care and Use Committee (IACUC) serves as the review body for

animals used by Texas Tech faculty, staff, and students. Texas Tech policy requires that the use of all live vertebrate animals for research, instruction, demonstration, production, or maintenance purposes by faculty, whether the animals are located in facilities at Texas Tech or elsewhere, be approved by the IACUC in advance of their usage.

- **Animal Use Training** – The IACUC requires all individuals that will work with animals through Texas Tech to complete the generic training course. Additionally, all personnel working with animals must enroll in the annual Occupational Health and Safety (OH&S) program. Before any animal work can begin, the training and the OH&S assessment must be confirmed in the IACUC office. At any time, an animal user can be reassessed by the OH&S program. The completed quiz score for the generic training must be submitted to the IACUC. The OH&S assessment must be completed annually. Other trainings that are available are species specific, emergency preparedness, and CITI (Collaborative Institutional Training Initiative). Please contact the IACUC to learn more about these training opportunities.

**Laboratory Safety Manual.** The university's Laboratory Safety Manual clearly defines roles, responsibilities, and procedures around laboratory, studio, and research safety. All faculty, staff, and students who work with chemicals or other hazards in our laboratories, studios, shops, and other facilities must design a safety plan that addresses the unique hazards in their research space. Additionally, awareness training will be required by your department or supervisor. Please contact Environmental Health & Safety with any questions.

## Environmental Health & Safety

Environmental Health & Safety (EHS) is responsible for a variety of safety, health, and environmental issues at Texas Tech. Staff members have been assigned to specific areas to assist faculty, staff, and students. The office also is responsible for hazardous and radioactive waste removal.

EHS has created a variety of online training and laboratory safety materials including a laboratory safety checklist to help researchers and lab managers.

### EHS programs:

- Environmental Protection
- Management of hazardous chemical and biological wastes
- Surveillance of campus food facilities, swimming pools, laboratory animal facilities, and underground/above-ground storage tanks
- Follow-up of environmental complaints
- Coordination of pest control operations
- Monitoring of storm water management activities
- Safety Concerns and Near-miss system (SCANs)
- Reporting of potential safety issues including hazards or incidents that have not yet resulted in personal injury or property damage

- Reporting potentially unsafe conditions, unsafe work habits, improper use of equipment, use of malfunctioning equipment, or unexpected reactions
- Reporting can be anonymous
- Occupational Safety
- Monitoring compliance with federal, state, and local safety and health regulations
- Surveys that may include, but are not limited to,
  - Noise
  - Lighting
  - Ventilation
  - Chemical hygiene
  - Hazard communication
  - Airborne contaminants
  - Accident investigation
- Training provided in areas such as respiratory protection, hazard communication, and forklift safety
- Laboratory & Biological Safety promotes and supports a strong safety culture in Texas Tech laboratories, art studios, and field research sites
  - Radiation Safety Program
    - Serves a radiation-use program that is overseen by a Radioactive Materials Broad License issued to the university by the Texas Bureau of Radiation
    - Consists of researchers using radioisotopes to label amino acids on proteins, nucleic acids, sugars and other molecules, X-ray diffraction machines, and small sealed source

#### **Safety Committees.**

- **Institutional Laboratory Safety Committee** – Faculty-led committee charged with improving Texas Tech safety culture in laboratories, art studios, and field research sites
- **Institutional Biosafety Committee** – Faculty-led committee charged with reviewing and approving research conducted with microorganisms pathogenic to humans, plants, or animals
- **Radiation/Laser Safety Committee**
  - Establishes policies and procedures in accordance with current regulations established by the Texas Bureau of Radiation Control (BRC)
  - Provides administrative advice regarding radiation and laser safety
  - Approves all applications, amendments, and sub-license renewals relating to the use of radiation safety

**Required Certifications.** If a proposal involves human subjects and/or animal use, review and approval by specific university boards is required. Please contact the appropriate office before submitting a grant proposal.

- **Human subjects** – HRPP or the IRB reviews all projects involving human subjects, regardless of funding. Please note that some proposals need IRB approval before submission. If research includes genetic testing or use of the functional magnetic resonance imaging (fMRI)

equipment at Texas Tech for body or brain scanning of human subjects, contact the HRPP office.

- **Animal subjects** – The Animal Care and Use Committee reviews and approves any project using animals.
- **Radiation, lasers, biohazards, or recombinant DNA** – EHS assists with these areas and requires authorization from the appropriate campus committee.

The appropriate committee will notify the researcher and ORS of its approval once it has been obtained. As required, ORS will forward this notification to the potential sponsor.

## **Funding**

**External Funding.** [Funding Institutional](#) provides federal and private opportunities and is recommended as a primary source of finding funding. Texas Tech has a membership to Funding Institutional. For questions regarding this system, contact the ORDC.

**Internal Funding.** Internal funding resources available to faculty can be found on the OR&I's Faculty Awards page.

- **Faculty Travel Grants** – Assist faculty with costs associated with domestic (up to \$1,000) or international (up to \$1,500) travel to present at prestigious conferences or conduct on-site research. Applications are accepted each semester for travel the following term.
- **Proposal Assistance Program** – Provides research funding, typically around \$4,000, to initiate new lines of research (research seed funding) or resubmission of previously declined proposals (proposal resubmission). Applications accepted once per semester.
- **Open Access Publication Initiative** – Helps defray the cost of open access publication fees and expedite the dissemination of research findings. Awards are first-come, first-serve and limited to \$1,000 per publication, per faculty member, per academic year.
- **Scholarship Catalyst Program** – Sponsored by the Office of the President, the Provost, and Research & Innovation to promote research, scholarship, and creative endeavors of faculty in the Arts, Humanities, or Social Sciences.

Application forms and information for the above programs can be found in [competition space](#).

**Internal Awards.** Internal faculty awards are designed to financially reward the research, scholarship, creative endeavors, and teaching of Texas Tech faculty:

- [Barnie E. Rushing Jr. Faculty Distinguished Research Award](#)
- [Chancellor's Council Distinguished Research and Teaching Awards](#)
- [President's Commercialization Award](#)
- [Annual Celebration of Faculty Excellence Award](#)
- [Incentive Program for Targeted External Awards](#)
- [Assistance for Residential Fellowships Award](#)



# 6 Faculty Affairs

## Academic Year

The academic year for faculty begins on the date designated for faculty to report for duty for the fall semester (usually the third week of August) and concludes the Monday after spring commencement. This is the duty period that all faculty members appointed on a nine-month basis are expected to observe. The first pay period begins on September 1 and the last pay period ends on May 31. Faculty on nine-month appointments may choose to have their nine-month salary divided into twelve equal payments. Faculty members may receive appointments for summer teaching at the discretion of their department chairperson and dean of their respective colleges, when salary resources are available and enrollment demand is sufficient.

## Academic Freedom

Institutions of higher education exist for the common good. The common good depends upon a free search for truth and its free expression. Hence, the faculty member must be free to pursue scholarly inquiry without undue restriction and to voice and publish conclusions concerning the significance of evidence considered relevant. The faculty member must be free from the corrosive fear that others, inside or outside the university community, because of their differing view, may threaten the faculty member's professional career or the material benefits accruing from it ([www.aaup.org/aaup](http://www.aaup.org/aaup)).

Each faculty member is entitled to full freedom in the classroom in discussing the subject taught. Each faculty member is also a citizen of the nation, state, and community, and when speaking, writing, or acting as an individual citizen, must be free from institutional censorship or discipline.

Recent experience at several U.S. universities indicates that, from time to time, an allegation of misconduct in research or scholarly activity may be made against a member of an institution's faculty. If such an allegation were made at Texas Tech University, the allegation would be dealt with according to OP 74.08.

## Academic Integrity

It is the aim of the faculty of Texas Tech University to foster a spirit of complete honesty and a high standard of integrity. The attempt of students to present as their own any work that they have not honestly performed is regarded by the faculty

and administration as a serious offense and renders the offenders liable to serious consequences, possibly suspension.

The instructor in a course is responsible for initiating action for dishonesty or plagiarism that occurs in his or her class. In cases of convincing evidence of or admitted academic dishonesty or plagiarism, an instructor should take appropriate action. Before taking such action, however, the instructor should attempt to discuss the matter with the student. If cheating is suspected on a final exam, the instructor should submit a grade of X until a reasonable attempt can be made to contact the student, preferably within one month after the end of the semester. See OP 34.12 and the section on "Academic Misconduct" in the Code of Student Conduct for more information (<https://www.depts.ttu.edu/dos/handbook/>).

"Scholastic dishonesty" includes, but is not limited to, cheating, plagiarism, collusion, falsifying academic records, misrepresenting facts, and any act designed to give unfair academic advantage to the student (such as, but not limited to, submission of essentially the same written assignment for two courses without the prior permission of the instructor) or the attempt to commit such an act.

"Cheating" includes, but is not limited to, the following:

- Copying from another student's test paper.
- Using materials during a test that have not been authorized by the person giving the test.
- Failing to comply with instructions given by the person administering the test.
- Possessing materials during a test that are not authorized by the person giving the test, such as class notes or specifically designed "crib notes." The presence of textbooks constitutes a violation only if they have been specifically prohibited by the person administering the test.
- Using, buying, stealing, transporting, or soliciting in whole or part the contents of an unadministered test, test key, homework solution, or computer program.
- Collaborating with or seeking aid or receiving assistance from another student or individual during a test or in conjunction with an assignment without authority.
- Discussing the contents of an examination with another student who will take the examination.
- Divulging the contents of an examination, for the purpose of preserving questions for use by another, when the instructor has designated that the examination is not to be removed from the examination room or not to be returned to or kept by the student.

- Substituting for another person, or permitting another person to substitute for oneself to take a course, a test, or any course-related assignment.
- Paying or offering money or other valuable thing or coercing another person to obtain an unadministered test, test key, homework solution, or computer program, or information about an unadministered test, test key, homework solution, or computer program.
- Falsifying research data, laboratory reports, and/or other academic work offered for credit.
- Taking, keeping, misplacing, or damaging the property of the university, or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct.

“Plagiarism” includes, but is not limited to, the appropriation of, buying, receiving as a gift, or obtaining by any means material that is attributable in whole or in part to another source, including words, ideas, illustrations, structure, computer code, other expression and media, and presenting that material as one’s own academic work being offered for credit. Any student who fails to give credit for quotations or for an essentially identical expression of material taken from books, encyclopedias, magazines, internet documents, reference works or from the themes, reports, or other writings of a fellow student is guilty of plagiarism.

“Collusion” includes, but is not limited to, the unauthorized collaboration with another person in preparing academic assignments offered for credit or collaboration with another person to commit a violation of any section of the rules on scholastic dishonesty.

“Falsifying academic records” includes, but is not limited to, altering or assisting in the altering of any official record of the university, and/or submitting false information or omitting requested information that is required for or related to any academic record of the university. Academic records include, but are not limited to, applications for admission, the awarding of a degree, grade reports, test papers, registration materials, grade change forms, and reporting forms used by the Office of the Registrar. A former student who engages in such conduct is subject to a bar against readmission, revocation of a degree, and withdrawal of a diploma.

“Misrepresenting facts” to the university or an agent of the university includes, but is not limited to, providing false grades or resumés; providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment for the purpose of obtaining an academic or financial benefit for oneself or another individual; or providing false or misleading information in an effort to injure another student academically or financially.

**Instructor Sanctions.** If academic misconduct is determined by the instructor, a failing grade shall be assigned to either the assignment in question or to the course grade. When a student is given a failing grade in a course as a result of academic misconduct, the instructor shall report in writing to the instructor’s department chair the facts of the case and

the action to be taken against the student. The chair shall provide a copy to the student, to the academic dean (and the Graduate Dean in the case of graduate students) and to the Office of Student Conduct.

**Grade Appeal Procedure.** The Grade Appeal Procedure may be used to appeal a failing course grade, but not a failing grade given for a class assignment. The disciplinary penalty of a grade of F shall not be implemented until the disciplinary procedure of grade appeal process has been exhausted. A student may continue the coursework until a final decision is made.

**Repeated Academic Misconduct.** In cases of repeated violations, either the instructor (through the department chair and/or academic dean) or the academic dean may refer the case to the Office of Student Conduct for further disciplinary proceeding.

**School of Law.** Law students are subject to discipline procedures as described in the Honor Code of the School of Law.

## Academic Regulations

Regulations concerning admission, registration, grading practices, class attendance, the university calendar, and other similar matters are stated in the current *Undergraduate and Graduate Catalog* (<https://catalog.ttu.edu/>). Faculty members are advised to consult the catalog in order to become familiar with those regulations.

Information concerning admission of graduate students is contained in the Graduate School section of the catalog. Additional information may be distributed as needed by memoranda or letters.

## Adoption and Sale of Textbooks and Other Required Course Materials

By statute, all textbooks and other required course materials shall have been ordered and made available for student purchase at least 30 days prior to the first class day of the semester. It is university policy that orders of required course materials be placed with the campus bookstore, which, by contractual agreement, will then inform the other local bookstores so that students will have options where to physically purchase their materials.

Texas Tech University encourages faculty members to publish textbooks and other professional works. Such textbooks may be used by the author or by other faculty members in their classes if the textbook has been printed by a recognized and reputable publishing house at its own risk and expense, has been made available for open sale, and has been approved for classroom use by a committee of the department. Such approval must be made in writing and is to be secured annually.

Educational material in any form, which is to be sold for use in class or in laboratory work, must be approved by a departmental committee. Such material is to be made avail-

able to students through an established bookstore or copying service. A member of the faculty or staff may not have any financial interest in, or receive any financial compensation from, the sale of such material. Under no circumstances shall money be paid by a student to a teacher or instructor for any instructional material.

A committee shall be appointed by the Faculty Senate to render an advisory opinion or to hear any appeal lodged with the Provost by either faculty, administrator, or student, concerning any alleged conflict of interest from the sale of textbooks or other materials (OP 30.18).

## Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) requires that universities, and all faculty and staff therein, make reasonable accommodation for all students with disabilities in all programs and activities, both academic and nonacademic. If such reasonable accommodation is denied to any disabled student, the institution may be held in violation of the law.

It is advisable that you ask in each first class session that students who may need learning accommodations identify themselves to you (privately after class or during your office hours) and indicate to you whether they have secured official documentation from Student Disability Services for any special accommodations you will need to make for them during the semester (for example, extended time examinations). Examples of how this may be done are included below. While students with disabilities are always told to notify their professors, some may be reluctant to do so. An example for a statement in class would be: "I would appreciate hearing from anyone who has a documented need for special accommodations. We will be able to work out whatever arrangements are necessary. Please see me after class or during my office hours."

Faculty are not allowed to provide accommodation for a student's disability needs unless the student provides official documentation of a disability for which the accommodation requested is appropriate, as indicated in a Letter of Accommodation (LOA) from the Office of Student Disability Services. While such documentation should ideally be provided at the beginning of the semester, accommodation requests can be submitted at any time during a semester. The accommodations begin on the date the letter is signed by both the instructor and the student and are NOT retroactive.

No further substantiation of disability should be required of the student. Students presenting verification other than the LOA should be referred to Student Disability Services for the appropriate documentation. No requirement exists that accommodation be made prior to completion of the approved university process.

Faculty should be aware of the related student grievance process as detailed in the *Student Handbook*.

Faculty can train in disability awareness and accommodation procedures. Student Disability Services also provides a

comprehensive faculty guide to working with students with disabilities ([www.depts.ttu.edu/sds/facultyresources/index.php](http://www.depts.ttu.edu/sds/facultyresources/index.php)).

Keep in mind that the purpose of classroom accommodation is to eliminate the competitive disadvantage caused by the disability itself. Students with disabilities should be expected to do the same quality of work and the same quantity of work as every other student. It is the method by which this is accomplished that is sometimes different.

To assist the university with maintaining ADA compliance, faculty are required, per OP 34.22, to insert the following into each course syllabus:

**Any student who, because of a disability, may require special arrangements in order to meet the course requirements should contact the instructor as soon as possible to make any necessary arrangements. Students should present appropriate verification from Student Disability Services during the instructor's office hours. Please note instructors are not allowed to provide classroom accommodations to a student until appropriate verification from Student Disability Services has been provided. For additional information, you may contact the Student Disability Services office in 130 Weeks Hall or 806.742.2405.**

## Appointments to Faculty Positions

Searches for and appointments to faculty positions at Texas Tech University follow OP 32.16 and OP 32.17. Original appointment to the faculty of Texas Tech University is confirmed by an official letter from the department chair, school director, or area coordinator, or dean, which sets forth the regular and standard conditions of employment, including salary and period covered, and is conditional on criminal background clearance and on receipt in the Provost's Office of all official baccalaureate, master's, and doctoral transcripts, a CV, and proof of authorization to work in the United States. Special provisions and conditions, if any, are included with the letter. The Provost will then send a letter constituting the formal and official offer of appointment. Notification will be given of subsequent changes in rank or salary (OP 32.17).

## Awards and Honors

Awards and honors are made to faculty through selection by the Honors and Awards Council, the Texas Tech Association of Parents, Mortar Board and Omicron Delta Kappa, Faculty Development Leave Committee, Research Council, Alumni Association, the Teaching Academy, and deans. Among these awards are the Spencer A. Wells Faculty Award, Hemphill Wells New Professor Excellence in Teaching Award, Barnie E. Rushing Jr. Faculty Distinguished Research Award, Faculty Distinguished Leadership Award, Faculty Recognition Award by Mortar Board and Omicron Delta Kappa, Institutional Effectiveness Award, President's Excellence in Teaching Award, President's Academic Achievement Award, President's Book Award, President's Commercialization Award, President's Excellence in Engaged Scholarship Award, Alumni



Association New Faculty Award, Excellence in Equity Award, and the Teaching Academy's Departmental Excellence in Teaching Award. The Texas Tech University System Chancellor's Council offers the Distinguished Teaching Award and the Distinguished Research Award.

The Offices of the Provost and the Vice President for Research encourage faculty to apply for various prestigious national awards through the Targeted External Awards for Faculty initiative ([www.depts.ttu.edu/vpr/award-ops/major-ext-awards.php](http://www.depts.ttu.edu/vpr/award-ops/major-ext-awards.php)). These particular awards, when received, garner high recognition nationally and internationally for the individual faculty recipient, his or her colleagues, and Texas Tech University.

## Civility in the Classroom

Texas Tech University is a community of faculty, students, and staff that enjoys an expectation of cooperation, professionalism, and civility during the conduct of all forms of university business, including the conduct of student-student and student-faculty interactions in and out of the classroom. Further, the classroom is a setting in which an exchange of ideas and creative thinking should be encouraged and where intellectual growth and development are fostered. Students who disrupt this classroom mission by rude, sarcastic, threatening, abusive, or obscene language and/or behavior will be subject to appropriate sanctions according to university policy. Likewise, faculty members are expected to maintain the highest standards of professionalism in all interactions with all constituents of the university.

## Commencement

Commencement ceremonies are scheduled three times each academic year. The December ceremony honors fall graduates. The May commencement honors spring graduates, and the August ceremony honors those students who complete their degree requirements during the summer. Faculty members are encouraged to participate in commencement ceremonies. The Convocations Committee coordinates commencements and is a very popular service opportunity for many faculty.

## Communicable and Transmittable Disease Control in the Employee Workforce

Texas Tech University is committed to providing fair and equal employment opportunities for all individuals, including those who have been exposed to communicable and/or transmittable diseases. The university is also committed to providing a safe workplace for all employees and a safe environment for its students that meets or exceeds federal, state, and local regulations.

The university is legally and ethically required to refrain from releasing any information pertaining to a person diagnosed as having a serious medical illness. Knowledge of any person

so affected will be confined to those persons with a direct need to know.

This policy applies to all areas of the university and personnel administration including, but not limited to, hiring, job assignment, opportunities for training and development, pay, benefits, promotions and demotions, layoffs and terminations, and standards of personal conduct.

The following definitions apply:

- **Communicable Disease** – A disease easily spread by casual contact and which poses a threat to other employees and/or to students.
- **Transmittable Disease** – A disease not easily spread by casual contact but which may be blood borne, transmitted sexually or through other bodily fluids, or transmitted in other ways so as to pose only a limited threat to other employees and/or students.
- **Noncommunicable Disease** – A disease not considered transferable from person to person so as to pose no threat to other employees and/or students.

An employee who is a victim of a communicable or transmittable disease as determined by medical certification may elect to utilize sick leave, vacation leave, and temporary disability leave without pay benefits in accordance with normal university policies (OP 70.01) and/or family and medical leave policies (OP 70.32).

An employee who is a victim of a communicable or transmittable disease that poses a threat to other employees or students may be required by the applicable administrative officer to utilize additional sick leave, vacation leave, and/or leave without pay benefits until such time as the threat is removed. The employee may also be required by the university to obtain a medical certification that he/she does not represent a threat to other employees or students prior to being permitted to return to work at the discretion of the applicable administrative officer.

The employee may also be reassigned to other work or to other work areas in order to reduce or remove the threat posed to other employees or students.

Each case will be evaluated on the basis of that particular case taking into consideration the desires and rights of the employee, the safety of the workplace, and the needs of the university.

An employee who is a victim of a noncommunicable disease as determined by medical certification may elect to use sick leave, vacation leave, family and medical leave, and temporary disability leave without pay benefits in accordance with normal university policies. Such employees may be permitted to work as long as they are able to work a regular schedule and fulfill the duties and responsibilities of their position (OP 70.24).

## Conflict of Interest and Ethics Code

By state law, no officer or employee of a state agency shall have any direct or indirect interest, financial or otherwise, or engage in any business transaction or professional activity

or incur any obligation of any nature which is in substantial conflict with the proper discharge of duties in the public interest. The full text of this law may be found in Texas Government Code, Section 572.001 (Vernon, 1994) (OP 10.11).

#### ***Holding Non-Elective Offices and Multiple State Employments.***

In November 1967, the voters of Texas approved an amendment to the Texas Constitution that would allow “non-elective state officers and employees to serve in other non-elective offices or positions under this state or the United States ... if the offices or positions are of benefit to Texas or are required by state or federal law, and there is no conflict of interest with the original office or position...” (Art. 16, Sec. 40-Texas Constitution). Notification of such appointments should be made in writing and submitted through administrative channels for Board of Regents’ approval before the faculty member accepts (OP 32.07, OP 70.15).

***Sponsored Research.*** In response to federal requirements, the university has established a policy on conflicts of interest in sponsored research. The policy requires that any faculty or staff member listed as an investigator on a proposal disclose any significant financial interests, including interests of their spouse and dependent children, that would reasonably appear to be affected by the research or educational activities proposed for funding, or any significant financial interest in an entity whose financial interest would reasonably appear to be affected by the research or educational activities funded, or proposed for funding, by an external sponsor (OP 10.20, OP 74.17).

### **Consulting or Outside Employment**

It is desirable that the faculty be composed of persons with such competence in their fields that their service in a professional capacity will be sought outside the university. Hence, a faculty member may, with prior approval of administrative authorities, do outside work for pay beyond the hours of a standard workweek, not to exceed 10 hours per week, during the months of regular employment. However, such outside work must not interfere with normal duties, including those extra responsibilities expected of all faculty members. Therefore, the amount of time involved and absence from the campus while rendering outside services are of primary concern.

Outside employment must be compatible with the interests of the institution and of such a nature that it will not impair the usefulness of the individual as a teacher and scholar.

Details regarding consulting or outside employment are covered in OP 32.07.

### **Correspondence Requiring Official Action**

Correspondence requiring official action goes from the faculty member to the department chairperson or school director for transmittal to the academic dean, to the Provost,

and to the Office of the President. Routine correspondence (such as requests for information of general interest) is normally routed only to the person designated to take the action requested. No correspondence of a personal nature should be transmitted on university letterhead.

### **Day(s) of No Classes**

During the day(s) of no classes before final examinations, no university activities may be scheduled without prior approval by the Provost’s Office. These include study periods, make-up examinations, or any other activity that would interfere with the individual study time available to students.

### **Emeritus Appointments**

The Board of Regents has established the following policy with respect to emeritus appointments. The title “Emeritus” may be conferred as recognition for long and faithful service, or for very distinguished service to the institution. Members of the faculty with rank of professor or associate professor at retirement may be given emeritus appointments provided they have completed at least 10 years of service at Texas Tech University or have been recommended on the basis of “very distinguished service.”

Administrative officers in major positions at the time of retirement from administrative duties may be considered for emeritus appointments. Emeritus appointments are strictly honorary and without stipend. Each such appointment shall be subject to approval by the Board of Regents upon recommendation by the President with concurrence by the Chancellor (OP 10.07; Section 04.01.2, *Regents’ Rules*).

### **Endowed Chairs and Designated Professorships**

Designated academic positions are one means the university uses to honor certain faculty assignments. Designated positions affirm the importance of an area of scholarship and inquiry. They give the university the ability to attract and retain scholars of extraordinary talent. Policies and procedures related to establishing endowed chairs and professorships are in OP 02.08 and OP 32.22.

***Horn Distinguished Professorships.*** Horn Distinguished Professorships—the highest honor the university may bestow on members of its faculty—are granted to professors of international or national distinction for outstanding teaching, research, or other creative achievement. The number awarded is not limited, nor is any attempt made to maintain any fixed ratio between colleges or departments. The first four appointments were made in 1967 and were named in honor of Texas Tech’s first president, Paul Whitfield Horn. Currently, the base salary of an appointee is increased by not less than \$8,000, with a discretionary account provided in the amount of \$20,000 per year.

## Faculty Enrollment in Courses

Full-time members of the faculty and staff of Texas Tech may enroll for courses by permission of their department chairperson concerned. In registering for graduate work, they become subject to the usual regulations of the Graduate School. However, members of the faculty who hold rank higher than instructor at Texas Tech are not normally eligible to pursue a graduate degree program at this institution; exceptions require prior approval of the faculty member's college dean.

Faculty members enrolling for course work are exempt from payment of nonresident tuition. Families of faculty members who work half-time or more pay resident tuition.

## Faculty Responsibility

**Conduct of University Members.** Colleges and universities that are tax-supported must function in accordance with the public trust, and the actions by faculty, staff, and students within them must be consistent with the execution of that trust.

Texas Tech University is a publicly supported institution that is obligated to provide instruction in higher education; to advance knowledge through scholarship and research; and to provide related services to the community, the state, and the nation. As a center of learning, the university has the obligation to maintain conditions that are conducive to freedom of inquiry and expression in the maximum degree compatible with the orderly conduct of its functions. The responsibilities of the university dictate, to a major extent, the responsibilities of the individual faculty member. The faculty member is properly concerned with the whole process of education and is aware of the responsibilities of the university in a free society. Responsibility is assumed for performing several essential functions: teaching, research, university service, professional service, and community service.

**Teaching.** As a teacher, the faculty member has responsibilities to students, to a discipline, to a profession, and to the university. These responsibilities entail facilitating the intellectual and emotional growth of students, encouraging free inquiry in the classroom, and striving to create and maintain a climate of mutual respect that will enhance the free interplay of ideas. A faculty member has a responsibility to recognize the varying needs and capabilities of students and to make every effort to assure that evaluations of students' work reflect the students' level of achievement. The faculty member as a teacher also has the responsibility to uphold the highest scholarly standards and encourage respect for such standards in the classroom; to engage in a continual and critical study of the subject matter of one's discipline; to ensure that class presentations contain the most current and useful knowledge and that the course being taught is consistent with the course of study outlined by a department or college; and to recognize the responsibilities of a teacher as a counselor and devote a reasonable portion of time aiding, guiding,

and counseling students outside the classroom. Finally, the faculty member has a responsibility to strive to maintain those skills and values that ensure the continuation of free and open inquiry.

**Research, Creative, and Scholarly Activity.** Through research and scholarly activity, a faculty member grows intellectually, stimulates students' learning, and adds to the accumulated knowledge of a discipline. A faculty member should strive constantly to contribute to the growth and understanding of knowledge in one's particular field through creative research and scholarship. The faculty member has an additional responsibility to share the results of research by disseminating them to students, colleagues, and professionals in one's discipline and to the public.

**University Service.** A faculty member has a responsibility to participate in the various activities, programs, and functions related to the enhancement of the university, such as participating in the formulation of academic policies, service on university committees, and accepting other assignments.

**Professional Service.** Within one's field of competence and as time and resources permit, the faculty member has a responsibility to respond to requests for advice and aid and to participate in the activities of one's profession. The faculty member should exercise care to avoid infringement upon obligations and responsibilities to the university.

**Community Service.** As a member of a community, the faculty member has the same obligations and responsibilities as those incumbent upon other members of the community to contribute to the effective functioning of the community. Such services should be consistent with regulations of the university and the state.

In the case of both professional and community service, the faculty member should exercise discretion in distinguishing between acts carried out or statements made as an individual or a professional and those carried out or made as a representative of the university (OP 32.06).

**Drug-Free Workplace.** It has long been the policy of the university to maintain a drug-free workplace as exemplified by Section 03.02.1i *Regents' Rules*, approved May 11, 2001. Furthermore, the Drug Free Schools and Communities Act Amendments of 1989—changed to the Clery Act—require that the university review each year the laws pertaining to the Students Right to Know-Clery Act and determine the information required for compliance (OP 76.02). The Risk Intervention & Safety Education website will include a statement of TTU's policies regarding a drug-free workplace (<https://www.depts.ttu.edu/rise/DFSCA.php>).

**Employee Assistance Program.** The university offers counseling through the Employee Assistance Program (EAP) to assist employees and their family members with personal problems such as substance abuse, emotional stress, trauma, divorce, parenting problems, and financial problems. The EAP provides counseling and assessments by licensed professional counselors. Texas Tech employees are entitled to five



(5) free counseling sessions (individual, couple, or family) per academic year. Daytime and evening appointments are available. When necessary, the employee or family is referred to the most appropriate service available at the least cost. The EAP is located at the Texas Tech University Health Sciences Center. To use the EAP, call 806.743.1327. Additional information is available on the EAP website (<https://www.ttuhs.edu/centers-institutes/counseling/about.aspx>).

**Sexual Harassment.** A basic objective of the university is to provide an environment in which faculty, staff, and students may pursue their careers and studies with a maximum of productivity and enjoyment. Behavior or conduct that interferes with this goal is not to be condoned or tolerated.

It is the policy of the university to maintain a work place and a learning environment free of sexual harassment and intimidation. Harassment of students on the basis of sex is a violation of Section 106.31 of Title IX of the Education Amendments of 1972. Harassment of Texas Tech University employees on the basis of sex is a violation of Section 703 of Title VII of the Civil Rights Act of 1964 and the Texas Commission on Human Rights Act. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, participation in a university-sponsored educational program or activity, or in return for a grade or other consideration;
- Submission to or rejection of such conduct by an individual is used as the basis for an academic or employment decision affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or of creating an intimidating, hostile, or offensive working or educational environment.

Texas law requires that all employees, including faculty, who in the course and scope of employment witness or receive information regarding an occurrence of sexual harassment, sexual assault, dating violence, or stalking by or against a student or employee of the university at the time of the occurrence must report all such information to the university Title IX coordinator, Title IX deputy coordinators, or Office of EO (see OP 40.03 and [TTU System Regulation 07.06](#) for contact information).

Any faculty member, staff member, or student may pursue a grievance within the procedures outlined in OP 40.03 and [TTU System Regulation 07.06](#) without fear of reprisal, stigma, or threats if a complaint is filed in good faith.

In conducting an investigation, the right to confidentiality, both of the complainant and of the respondent, will be respected to the extent allowed by law.

Pursuant to Article IX, Section 123.5 of the General Appropriations Act, Texas Tech is implementing EEO-Sexual Harassment training for each new benefits-eligible employee whose first day of work was after December 31, 1997. This is required

training. Supplemental training for all employees (faculty and noninstructional staff) will be required biennially.

## Faculty–Student Conflict of Interest

The university is responsible for ensuring the integrity of the roles of faculty and students during the period of graduate or undergraduate enrollment and protecting them from conflict of interest. Faculty must avoid academic supervisory, teaching, or evaluative relationships with students that pose significant conflicts of interest from the standpoint of personal or professional connections. Such connections might include spousal or other affectional liaisons, supervisor-employee relationships, or parent-child relationships. The appearance of a conflict of interest is to be avoided. OP 32.33 sets forth details of procedures that are to be followed in this regard.

## Faculty Workload

The faculty workload policy adopted by the Board of Regents conforms to the regulations of the Texas Higher Education Coordinating Board and the legislature. The current policy is set forth in OP 32.18. In summary, the policy indicates that faculty members in their normal academic assignments are expected to carry out a number of essential functions, including the teaching of organized classes; academic advising and counseling; supervising practica, internships, and clinical teaching; directing individual study, theses, and dissertations; developing curricula; conducting research, scholarly, and creative activity; and serving related institutional and public entities. Teaching load is but one element of faculty workload.

Responsibilities for assigning appropriate workloads shall rest with the department chairpersons and deans. Assignments are reviewed at the Provost level, monitored for compliance and equity, and reported to the President and Board of Regents (OP 32.18).

## Final Examinations

The official university policy on final examinations is as follows (OP 34.10):

- Five days are to be scheduled for final examinations at the end of each long semester. Summer term final examinations are scheduled for two days.
- A 2.5 hour period of time is to be available for administering individual final examinations. Within the time period, instructors may limit the time of a given exam by prior announcement.
- Individual faculty members determine whether a final examination or some other summary submittal or performance is appropriate for the course being taught, unless there is a departmental exam for the course. Departmental objectives, student welfare, and faculty responsibilities should be considered in reaching this decision.
- Individual faculty members decide whether student exemptions from a final examination are appropriate.

- All faculty members giving final examinations adhere to the printed scheduled time unless granted permission to deviate from the official time by the departmental chairperson and the dean. Any such deviation should be made well enough in advance for planning by students to avoid schedule conflicts with other exams or class meetings. Final examination schedules are available at [www.depts.ttu.edu/officialpublications/class\\_schedule/final\\_exams.php](http://www.depts.ttu.edu/officialpublications/class_schedule/final_exams.php).
- Examinations other than bona fide make-up examinations are not to be given during the last week of classes or during the day(s) of no classes. Courses wherein lab examinations and design studio reviews are normally scheduled the week prior to finals are excluded from this policy. Day(s) of no classes are study days, and no class review sessions or similar classes may be scheduled then or during final exams except with permission of the Office of the Provost.

## Grade Records

Grade records should be retained for a minimum of five calendar years. Grade records are defined as grade books, computer and noncomputer-generated grade sheets, and other such materials that permit a reconstruction of a student's graded performance in a course. Grade records are not limited to the final grades submitted at the end of a semester. The need to retain grade materials for at least five years is based on the statutory Records and Retention Schedule maintained by the Southwest Collection/Special Collections Library as referenced in OP 10.10.

Chairpersons and division directors must collect grade records, or copies of grade records, from instructors who retire or who otherwise leave the university. Each college will determine how materials are to be stored and, in general, how the process will be monitored.

## Holding Public Office

The Board of Regents does not undertake to determine whether an employee or a member of the faculty of the institution shall become a candidate for, or shall accept, an elective, full-time public office.

A faculty member or staff employee may accept a public office or membership on the governing board of a school district, city, town, or other local governmental district provided no salary is received by virtue of such office. A faculty member or staff employee must maintain as a priority the full and complete performance of her or his assigned duties while holding such office. Acceptance of an additional position that pays a salary, per diem, or benefits and in instances when the two positions are such that they cannot be held at one time by the same person will automatically be considered as a resignation of employment with Texas Tech University (OP 32.07 and OP 70.15). See Texas Constitution, Art. 16, Sec. 40.

## Leaves of Absence

It is a policy of the university to grant travel leaves to members of the faculty and staff to attend conferences and professional meetings when such attendance will enhance the prestige of the university and contribute to the professional development of the individual and to the advancement of knowledge within his or her professional field.

Requests for such leaves should be initiated at the departmental level well in advance of the date of departure. If approved by the department chair, such requests are forwarded through normal channels for final approval. All requests for leaves should be filed as early as possible prior to the departure date.

Only in rare instances should applications be submitted for absence during critical periods of operation of the university. Critical periods are those during which the responsibilities of the position are particularly involved. The beginning or close of any semester or term or at any time when reports are customarily due are examples of critical periods.

**Development Leave.** Faculty Development Leaves are provided by legislative action "designed to enable the faculty member to engage in study, research, writing, and similar projects for the purpose of adding to the knowledge available to himself, his students, his institution, and society generally" §51.102, Education Code. The Provost annually makes notification of the number of leaves to be available and procedures for selection of such leaves. The Faculty Development Leave Committee screens applications and makes recommendations to the Provost who then makes recommendations to the President and to the Board of Regents. The Board of Regents has final approval on Faculty Development Leaves and other extended leaves of absence.

**Sick Leave.** A regular faculty member shall, without deduction in salary, be entitled to sick leave subject to the conditions listed in OP 32.11.

Malingering and other abuses of sick leave shall constitute grounds for dismissal from university employment. A Sick Leave Pool is maintained to benefit regular employees who suffer catastrophic injuries or illnesses. Refer to OP 70.01 for details.

Exceptions to the amount of sick leave an employee may take may be authorized by the President on an individual basis after a review of the merits of each particular case. Requests must be made through administrative channels to the Provost and then to the President.

The proper reporting and accounting for sick leave is mandated by the legislature (OP 32.11).

**Modified Instructional Duties.** Although not a provision for leave, per se, the Modified Instructional Duties Policy (MIDP) is designed to offer eligible faculty a modified workload that supports work-life balance and provides flexibility in the teaching obligations of faculty who experience a significant life event. These significant life events include,

but are not limited to, serious personal illness, caring for a newborn infant or a newly adopted infant or child, providing elder care, and/or illness or injury to one's immediate family members (see OP 32.35 for details and procedures).

## Misconduct in Research by Faculty

Recent experience at several United States universities indicates that from time to time an allegation of fraudulent conduct in research or scholarly activity may be made against a member of an institution's faculty. Such allegations normally have accused the individual of data falsification or fabrication, improper manipulation of data, plagiarism, or other misrepresentations of research findings, including falsifying the research record on any document submitted to the university for purposes of faculty evaluation or to represent the faculty member's research record to outside agencies. Fraudulent conduct in research and scholarship is totally antithetical to accepted academic procedures.

If an allegation of misconduct in research or other scholarly activity is made against a member of the Texas Tech University faculty, staff, or student body, the allegation shall be dealt with through a two-step process. In the first step, the dean of the college or school in which the faculty or staff member is appointed or in which the student is enrolled shall initiate an inquiry. The inquiry shall consist of information gathering and initial fact finding to determine whether an allegation of misconduct warrants an investigation. The dean shall report the results of the inquiry to the Associate Vice President for Research. If the finding of the inquiry is that an investigation is warranted, the Associate Vice President for Research shall initiate the second step, which shall be an investigation. The investigation shall be conducted by an ad hoc committee of five persons. If the committee determines that disciplinary action is warranted, the committee shall recommend to the Associate Vice President what action should be taken (OP 74.08).

## Nepotism

All faculty and staff appointments will be made on the basis of qualifications and suitability of the appointee, subject to applicable statutes and the provisions of Section 03.01.8, *Regents' Rules* and OP 70.08. No persons related to an administrator within a prohibited degree shall be eligible for initial appointment to a position in an area of responsibility over which the administrator has appointive authority, in whole or in part, regardless of the source of funds from which the position's salary is to be paid. Exceptions to this restriction on the initial appointment of a person will be made only by the Board of Regents upon recommendation of the President and the Chancellor and then only when the administrator in question does not directly supervise the person to be appointed. If the appointment, reappointment, reclassification, reassignment, or promotion of an employee places the employee under an administrative supervisor who is related within a prohibited degree, all subsequent personnel and compensation actions affecting the employee shall become the responsibility of the

next higher administrative supervisor. These provisions shall apply when two employees marry and one spouse becomes the administrative supervisor of the other. All instances in which an employee marries an administrative supervisor, is placed under the administrative supervision of a relative, or is made the administrative supervisor of a relative within the prohibited degree will be reported to the Board of Regents as an information item (OP 70.08; Section 03.01.1, *Regents' Rules*).

## Off-Campus Student Trips and Activities

OP 79.13, Policy for University-Related Travel by Motor Vehicle, Commercial Carrier, and Aircraft, governs the use of motor vehicles in any activity related to the academic research and/or administrative responsibility of the department involved. This policy relates to travel undertaken by students to a university-related activity located more than 25 miles from the university. It applies to travel undertaken by registered student organizations.

Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Students and their parents should understand that participation in such off-campus trips and activities is at the student's own risk. If personal injury or accident should occur to students or other persons during such activities, Texas Tech will assume no responsibility, financial or otherwise.

Faculty and staff sponsors and organization officers are urged to take all possible precautions to ensure the safety and well-being of all persons participating in the off-campus activity. The questions of financial liability for accident or injury and appropriate insurance coverage should be specifically identified by each group making an official off-campus trip as being the responsibility of each individual student.

Special instruction fees may offset the cost of travel for activities specially related to instruction for a course.

There is no official registration procedure for official off-campus trips, and there are no official excused class absences for students who participate in off-campus trips by student organizations. Students will be responsible for making their own individual arrangements with instructors for classwork missed while participating in an off-campus trip. Instructors will be free to set their own requirements for classwork missed under such circumstances; they must grant students an opportunity to make up all coursework missed while participating in an off-campus trip. Each student traveling to participate in a university-related activity must execute the Student Activity Release Form prior to the activity (OP 79.13).

The university provides an optional group accident and health insurance plan for students, with enrollment during registration for the fall and spring semesters. Also available is a very economical trip insurance plan for student groups and their faculty or staff sponsor. Insurance application forms may be obtained by the sponsor at the Contracting Office.



Trip insurance may also be purchased from private insurance companies (OP 34.06).

## Office Hours

Each faculty member is to maintain scheduled office hours as directed by the dean of the college and/or the chair or director of the individual department or school. Schedules should be posted and made available to students.

## Operating Policies and Procedures

The Texas Tech University Operating Policy and Procedure (OP) system was developed to standardize university-wide policies and procedures and to provide a consistent and coherent method of defining university policies. The system is intended to:

- Provide a university-wide pattern of developing policies and procedures
- Outline a standard format for policies and procedures
- Provide a rapid means of identification of policies and procedures
- Facilitate continuity regardless of changes in personnel assignments
- Ensure the periodic review and updating of all university-wide operating policies

Texas Tech OPs are subordinate to higher authorities, including federal law, rules, and regulations; state law, rules, and regulations; and policies, procedures, rules, and regulations of the TTU Board of Regents.

Should a conflict occur between policy and/or procedure of an OP and any other written or oral policy or procedure developed by any university department, the policy and/or procedure of the OP will prevail. The TTU OP Manual can be seen at [www.depts.ttu.edu/opmanual](http://www.depts.ttu.edu/opmanual).

## Political Activity

When speaking as a private citizen on a matter of public concern, an employee of Texas Tech University has the same rights and responsibilities of free speech, thought, and action as any other American citizen.

When speaking as a university employee, a faculty member should remember that the public may judge the profession and the university by his or her utterances. Hence, a faculty member should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, should emphasize that he or she is not an institution spokesperson, and should be mindful of the best interests of the institution.

An instructional staff member has a binding obligation to discharge instructional and other duties. Performance of these duties may be impaired by private activity requiring a large portion of time and energy. As a person of judgment and mature perspective, the teacher will not allow an interest and participation in public political affairs to be so consuming that work and influence will suffer as a teacher in the

university. The classroom and the student have the first call on the instructor's time and interest. These are considered primary responsibilities. The teacher is entitled to freedom in the classroom in discussing the subject but should be careful not to introduce into the teaching controversial matters that have no relation to the subject.

The Board of Regents may compel a faculty member or staff employee to take a leave of absence without pay while campaigning for any other public office and may terminate employment upon acceptance of such an office. The above regulations shall not restrict the acceptance of appointments or offices of a temporary or part-time nature for which the teacher is prepared to render exceptional service, which will not involve him or her in direct relationships with the university or make him or her a partisan in matters that have university implication and that will not interfere with normal university duties.

Nothing in these regulations shall be construed as abridging the rights of citizenship guaranteed citizens of Texas and of the United States under the state and federal constitutions. When university employees appear at the polls in any capacity, they will do so as private citizens acting under their constitutional rights, and not as representatives of the university.

Instructional staff and other employees of the university should take an interest in public affairs. They should exercise their right to vote and to work for good government.

This policy is intended to safeguard the freedom of speech, thought, and action of university teachers and employees and to avoid impairment of the significant contributions they are capable of making toward improved local, state, and federal government (OP 32.07).

## Post-Tenure Review

Each faculty member who is tenured or who receives an academic promotion at Texas Tech University will receive a comprehensive performance evaluation no more often than once every year, but no less often than once every six years after the date the faculty member was granted tenure or received an academic promotion. Standardized procedures developed by a committee of the Faculty Senate and the Office of the Provost and approved by the Board of Regents may be found in OP 32.31. Comprehensive performance evaluations do not preclude the usual annual performance evaluations of faculty, as provisioned in OP 32.32. Annual evaluations remain a regular function for all faculty, regardless of rank or years in service.

## Posting of Student Grades

Open posting of student grades poses several legal problems for the university. Texas Tech policy is that no grades should be openly posted at any time. Furthermore, students may receive final course grades before they are posted by the Registrar if they have provided the professor a signed

statement with preferred email address or a self-addressed envelope.

Failure to follow this policy could provide a basis for successful litigation in the future. Posting no grades is the safest course of action for protection of student privacy (OP 34.12).

## Private Use of University Property

By state law, university property may not be used for the private benefit of members of the faculty and staff. Particular care must be taken that state-owned vehicles are used only for university business and that proper records are kept of such use (OP 10.11, OP 61.01, OP 63.08).

## Promotion and Salary Increases

All salary increases for faculty shall be on a merit basis unless otherwise mandated by the legislature and shall be based on quality teaching, scholarly activity, and other contributory activities as part of faculty responsibilities. The procedure for merit salary increases is set forth in the prevailing instructions for budget preparation issued from the Office of the Provost and/or the Senior Vice President for Administration & Finance/CFO.

It is the responsibility of the department chairperson or school director to recommend salary rates and merit increases. Each faculty member is required to provide an annual report on his work to the department chairperson or school director for use in consideration of a merit increase (OP 32.08).

## Religious Holy Days

**Faculty.** A regular faculty member shall, without deduction in salary, be entitled to absence for observance of Religious Holy Days subject to the following conditions:

- “Religious Holy Day” means a holy day observed by religion whose places of worship are exempt from property taxation under Section 11.20, Tex. Tax Code Ann§11.20 (Vernon 2001).
- A faculty member who is absent from work for the observance of a religious holy day and gives proper notice of that absence shall not be discriminated against or penalized.
- Proper notice shall be provided by the faculty member to the chairperson of the department before the observance. This notice shall consist of a listing of religious holy days to be observed during the semester.
- Notice shall be in writing and shall be personally delivered to the chairperson of the department, receipt therefore being acknowledged and dated by the chairperson, or by certified mail, return receipt requested, addressed to the chairperson.
- The chairperson will attempt to provide class coverage from among regular faculty of the department or area.
- Advance written notice, if needed, shall be provided in advance to all students whose class would be canceled due to the faculty member’s absence (OP 32.12).

**Students.** A student shall be allowed to observe Religious Holy Days without penalty, subject to the following conditions:

- “Religious Holy Day” means a holy day observed by religion whose places of worship are exempt from property taxation under Section 11.20, Vernon’s Texas Codes Annotated, Tax Code.
- A student may be excused from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. A student whose absence is excused for this purpose may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused.

## Salary Payment

Faculty members on nine-month contracts receive four and one-half months’ salary for each semester. Faculty members have the option of receiving nine equal payments beginning on the first working day of October or of receiving the same amount divided into 12 equal monthly payments.

Salary checks are issued monthly, on the first working day of each month. These may be picked up at the Payroll Department or, if requested, payments will be electronically deposited in the faculty member’s bank account.

Salary for summer sessions is likewise paid at the first of the month. For the first term, a check for a full month’s salary will be received on the first working day of July; a check for a half month’s salary will be received on the first working day of August. For the second term, there will be a check on the first working day of August for a half month’s salary; a check for a full month’s salary will be received on the first working day of September.

Hourly employees are paid biweekly with checks ready for distribution every other Wednesday.

## Security Control of Keys

All key issues will be made by the university lockshop, 110 Physical Plant Building. A valid Key Issue Request form approved by the appropriate official should be submitted to the lockshop by campus mail or in person between the hours of 7:45 a.m. and 4:45 p.m. A minimum of 24 hours should be allowed for locksmiths to complete the request. When keys are ready for issue, lockshop personnel will notify the department. Since a signature is required on the Key Issue Request form, the person to whom the keys are issued will need to pick them up personally. Making or duplicating keys is prohibited.

## Small Classes

Small organized classes may be taught only within certain limitations. Ordinarily, undergraduate courses taught as organized classes must include at least ten undergradu-

ate students, and graduate classes must include at least five students as of the 12th class day.

The Provost will approve or disapprove the proposed offering of small classes according to conditions stated in the policy, will monitor the offerings, and will provide reports in accordance with state requirements (OP 36.07).

## Smoke-Free and Tobacco-Free Environment

To provide for the health and safety of students, faculty, and staff, the university has enacted a policy designed to assure a smoke-free and tobacco-free environment in all academic and administrative facilities. In the interest of providing such an environment, smoking and use of other tobacco products is prohibited in all campus academic, administrative, and athletic facilities. OP 60.15, Smoke-Free and Tobacco-Free Environment, details exceptions and procedures of this policy.

## Student Disability Services

See section, Americans with Disabilities Act (ADA), on page 34.

## Student Health Services

Student Health Services is a primary care clinic staffed with licensed physicians, nurses, nurse practitioners, health educators, and support staff that provide care for illnesses and injuries, as well as mental health issues. Student Health Services is located in the Student Wellness Center at the corner of Main and Flint on the west side of the campus. The faculty and staff clinic, providing similar services, is also available at the Wellness Center. Appointment hours for the Wellness Center are 8:00 a.m. to 5:00 p.m. weekdays.

Students generally pay a medical services fee that entitles them to access clinic and pharmacy services. A valid Texas Tech ID is required to access the clinic services. A student who is unsure about a medical issue or problem may call 806.743.2860 and speak confidentially to the triage nurse. If all appointments are filled for the day, the triage nurse will advise on care until the student can be seen. Students experiencing a lengthy illness that may affect their academic performance may consult their Student Health Services physician about obtaining a letter explaining the situation.

In accordance with state law, a student's medical information is kept completely confidential and cannot be released to anyone, including parents and/or guardians, without the student's written permission unless otherwise authorized by law. Student Health Services brochures are available in several locations on campus.

For students, contact: 806.743.2860,  
[www.depts.ttu.edu/studenthealth](http://www.depts.ttu.edu/studenthealth)

For faculty, contact: 806.743.2345,  
<https://www.texastechphysicians.com/lubbock/faculty-staff-clinic/>

## Student Organization Advisors

Organizational and personal leadership development are central objectives to the university's co-curricular student activities programs, which subsequently promote and cultivate academic excellence. To facilitate this educational process and to ensure the responsible functioning of registered student organizations, the university requires each organization to have a full-time faculty or staff advisor.

The organization selects an advisor who then serves in that capacity for as long as is mutually agreeable. The advisor is encouraged to attend meetings and events to ensure adherence to guidelines for registered student organizations, including university policies and procedures as stated in the Student Affairs Handbook.

In addition to serving as a knowledgeable campus and community referral and resource, the advisor assists in organizational development, including membership recruitment, programmatic planning and implementation, and monitoring and authorizing financial accounts.

Throughout the year, programs will be offered dealing with advisors' roles and responsibilities; however, questions or concerns may be directed to the Center for Campus Life in the Student Union, Suite 201, 806.742.5433.

## Summer Appointments

With rare exceptions, faculty are appointed on a nine-month basis, September through May. Summer appointments, when available, are based upon summer instructional needs as determined by the department chair and/or college dean. Summer employment is considered a supplemental appointment and is not guaranteed.

## Tenure Policy and Standards

Tenure applies to faculty whose appointments specified having a tenured or tenure-track position. For up-to-date information regarding promotion and tenure policies, see OP 32.01, Promotion and Tenure Standards and Procedures.

## Travel Reimbursement

Policies governing reimbursement for travel are found in the state regulations, the Texas Tech University (TTU) Operating Policies and Procedures (OP Section 79), and the Travel Services website.

### Definitions.

**Designated Headquarters** – The area within the boundaries of the city in which the TTU traveler's primary place of employment is located.

**Financial Manager** – A TTU faculty or staff member with financial responsibility and approval authority (up to the budgeted amount for that FOP), based on the organization code.



**Institutional Funds** – All TTU funds except 11xxxx-14xxxx, including sponsored projects (TTU funds 21, 22, and 23—unless limited by a sponsoring agency).

**Online Travel System** – An electronic program used to enter travel applications, travel vouchers, travel receipts, and supporting documentation. Note: TTU will convert from a home-grown system to Chrome River during fiscal year 2022.

**State Appropriated Funds** – TTU funds 11xxxx-14xxxx. State appropriated funds starting with 13xxxx (HEF) do not permit travel.

**State of Texas Travel Card** – Individual Bill Travel Cards issued to employees for official TTU travel-related expenses. Payment to card provider is sole responsibility of the cardholder. Only TTU employees are permitted to have a State of Texas Travel Card.

**Travel Application** – An electronic document used to encumber expenses and request approval for travel in advance of the trip. See OP 79.04, Application for Official Travel, for additional information.

**Travel Voucher** – An electronic document used to request reimbursement for travel expenses incurred during the discharge of official state business.

**Traveler** – TTU faculty/staff/student/representative authorized to travel for official business.

**Travel Exception Form** – Justification form for travel policy exceptions.

**Reimbursement Process.** TTU may pay or reimburse a travel expense only if the purpose of the travel clearly involves State business and is consistent with TTU's legal authority. Travel expenditures are generally paid on a reimbursement basis. A Travel Application should be submitted in the Online Travel System at least two weeks prior to departure. Reimbursement of travel expenses may be obtained by completing an online Travel Voucher. A Travel Voucher must explain the nature of the official state business conducted and specify the benefit that TTU gained from the travel. The completed Travel Voucher and required supporting documentation must be submitted electronically in the Online Travel System within thirty (30) days after completion of the trip or within fifteen (15) days if a Transportation Request or Advance was processed.

The Travel Voucher must be approved by the Traveler's supervisor. The Financial Manager of the funding source(s) will be provided with email notifications of the travel expenses after a Travel Application or a Travel Voucher is processed.

In accordance with IRS regulations, any Travel Voucher not submitted to the Travel Office 60 days past the trip end date will be taxable to the Traveler. The Travel Office will submit the taxable expense to the Payroll & Tax Services Office.

**Transportation Requests.** Transportation Requests are designed to assist Travelers who do not have a State of Texas Travel Card to pay for their major airline transportation costs. Qualifying travelers may request a Transportation Request on the Travel Application. If approved, the cost of

the airline ticket will be charged to Travel Services' central credit card, and the expense will be directly billed to the department. Additional information is available on the Procurement Services website (<https://www.depts.ttu.edu/procurement/resources/training-and-work-aids/>).

**Advances.** TTU may advance funds for travel expenses to a Traveler only if the expenses are incurred during travel that requires an overnight stay outside the Traveler's Designated Headquarters. Advances will not be approved to any Traveler owing money to TTU for a previous trip or if the Traveler is on hold with the Texas Comptroller's office. Qualifying Travelers may request an advance on the Travel Application. The advance will be approved five business days prior to departure. A check or direct deposit is processed the next day. Direct deposit will show up in the Traveler's deposit account a day or two later. Additional information is available on the Procurement Services website (<https://www.depts.ttu.edu/procurement/resources/training-and-work-aids/>).

**State Appropriated Travel Restrictions.** [Texas Administrative Code \(TAC\), Section 20.413](#), requires a State of Texas Travel Card to be used for all travel expenditures when using State Appropriated Funds. Any allowable travel-related expense not purchased with a State of Texas Travel Card will require the use of Institutional Funds. Sponsored project funds may also be limited depending on the granting agency/party.

Lodging reimbursements for in-state and out-of-state travel are limited to the rates set forth by the U.S. General Services Administration (GSA). Institutional funds are required for any overages along with conference hotel documentation or a completed Travel Exception Form.

Not Permitted on State Appropriated Funding TTU funds 11xxxx-14xxxx:

- Student or non-employee travel;
- Foreign travel (including Canada and Mexico);
- Gratuities;
- Food and entertainment expenses;
- Alcohol;
- Any expense not evidenced by a receipt; and
- Exception to any TTU/State of Texas travel policy (exceptions are not permitted).

Additional information is available on the Procurement Services website (<https://www.depts.ttu.edu/procurement/resources/training-and-work-aids/>).

**International Travel.** All international travel (including Canada and Mexico) by TTU employees or students on TTU business requires approval of the Office of International Affairs (OIA). Travel Applications for international travel must be submitted at least thirty (30) days prior to departure. Once the Travel Application is submitted, OIA will receive email notification and will approve in the Online Travel System. In order to comply with federal export control regulations, the following is required on the International Travel Application:

- A list of all destinations;
- Destination contact names for every city to be visited;

- Destination affiliations; and
- Business equipment/supplies in possession of the Traveler.

International travel may not be reimbursed using State Appropriated Funds TTU funds 11xxxx-14xxxx. Travelers may claim actual expenses for international meals and lodging costs with itemized receipts, or they may claim per diem for meals. Meal and lodging reimbursements for international travel are limited to the rates set forth by the U.S. Department of State. Expenses will be converted to U.S. amounts for reimbursement based on the date of the expense. Conversion documentation must be submitted with the Travel Voucher.

The Fly America Act mandates the use of U.S. flag air carriers when traveling internationally on federal funds (funds starting with 21). Waiver information, certified air carriers, and additional information are available on the Procurement Services website (<https://www.depts.ttu.edu/procurement/resources/training-and-work-aids/>).

**Meals and Lodging.** Travelers may either itemize meal expenses or claim the allowable per diem for the entire trip. Original itemized receipts may not exceed the allowable per diem rate and alcohol is not reimbursable. Lodging and meals for in-state and out-of-state travel are limited to the per diem rate for each locality as published by the U.S. General Services Administration (GSA). Per diem rates for Alaska and Hawaii are limited to the rates set forth by the U.S. Department of Defense. If the city or county is not listed, the per diem is the standard rate for lodging and meals. The per diem rates change annually (October) and must be verified prior to each trip. If the lodging receipt reflects double occupancy, the Traveler is entitled to reimbursement of the single rate or one-half of the rate if the room is shared with another Traveler. All required receipts must indicate that the charges have been paid in full. Reimbursement for meal and lodging expenses are allowed one day before and one day after official business begins. Per IRS guidelines, meal and lodging expenses are allowable only for travel with an overnight stay.

**Taxes.** For travel within the State of Texas, employees are exempt from state hotel occupancy tax.

**Transportation.** A Traveler is entitled to be reimbursed for mileage incurred by personal vehicle to conduct business. The reimbursement may not exceed the product of the actual number of miles traveled for business and the maximum mileage reimbursement rate. Travelers are required to select the most cost effective means of transportation. Reimbursements for personal mileage may not exceed the cost of a contracted rental vehicle. A [mileage calculator](#) is available in the Online Travel System that provides an analysis. Travel outside of the Texas/New Mexico/Oklahoma area by personal vehicle must be compared to what airfare would have cost at least 30 days in advance of travel. If the actual mileage reimbursement would be less than the cost of the average coach airline fare, or rental vehicle, the maximum that can be claimed is actual mileage.

Vehicle rentals are limited to the [TTU Rental Car Rates](#) found in the Online Travel System. The daily rental rate includes both LDW (loss/damage/waiver) or comprehensive coverage and liability. Vans and sport utility vehicles may be rented from a contracted vendor only if used by three or more people. Premium, luxury, and convertible vehicles are not permitted.

Employees must obtain the lowest available airfare. The following are not allowed without a business purpose justification and a completed Travel Exception Form: first class airfare, business class airfare, early bird fees, extra legroom fees, and travel insurance.

## Use of University Buildings and Grounds

Reservations must be made for the use of buildings and grounds under the control of the university. Faculty and staff may make requests to use campus grounds or academic space through Operations Division Planning and Administration. Requests for reservations will be granted according to the priorities of the designated area (OP 61.02).

## Visiting Speakers

The Board of Regents of Texas Tech University respects the rights of the faculty and the student body of Texas Tech to have full freedom in the discussion and presentation of all information and issues. This includes the right to invite off-campus speakers whose ideas and views differ from those of the Board, its individual members, the Chancellor or the President of Texas Tech, or another officer or employee of the university. The *Regents' Rules* direct each component institution of the Texas Tech University System to develop "policies necessary for the administration of free speech activities, including placing reasonable restrictions upon the time, place, and manner of on-campus speech." The authorization for all on-campus speakers is under the direction of the president of the university. OP 30.13 is Texas Tech University's policy on visiting campus speakers and applies to all persons who wish to speak within the physical confines of the university except a regular employee, student, or member of the Board of Regents of the TTU System.

Access to speak within the physical confines of Texas Tech University will be denied to anyone who is likely to advocate (1) lawlessness or disregard for the laws of this country or the state, (2) any change to the laws of this country or state by other than constitutionally or statutorily prescribed processes, or (3) the violent overthrow of the government of the country or the state. The speaker's past performance will be considered in determining his or her likely conduct or speech at Texas Tech.

Arrangements for the payment of professional fees and expenses for speakers must be made through administrative channels in advance (OP 30.13).

# 7 Benefits and Services

## Credit Union

Employees of TTU and TTUHSC are eligible to join Texas Tech Credit Union. Member perks include free cash-back checking, 2% APY savings, new and used vehicle loans, personal loans, mortgage loans, and line of credit. The credit union also offers 24-hour online and mobile banking, 7 a.m. – 7 p.m. video banking, free bill pay, direct deposit, instant-issue debit cards, and over 25,000 free ATMs. Branches are located at 1802 Texas Tech Parkway, Room #1A98 in the Health Sciences Center, and 4005 98th Street. For more information, visit [TexasTechFCU.org](http://TexasTechFCU.org) or call 806.742.3606.

## Holiday and Sick Leave

**Holidays.** The Texas Legislature sets the number of holidays to be observed each year by state employees. The university observes the same number of holidays as other state agencies. The holiday schedule is adjusted each year by the Board of Regents to permit efficient academic scheduling.

**Sick Leave.** Regular full-time faculty members accrue 8 hours sick leave per month. The accrual for part-time faculty members is proportional to their FTE. Faculty members must submit leave reports via web time entry for all sick leave taken if the absence occurred during the normal workday for regular employees, even if no classes were missed. See OP 32.11 for Faculty Sick Leave Policy.

## Group Insurance

Texas Tech University participates in the State of Texas Employees Group Insurance Benefits Program. The Employees Retirement System (ERS) is the state agency that administers this program.

**Health Insurance Coverage.** Each full-time benefits eligible employee is automatically covered for employee-only medical, \$5,000 term life, and \$5,000 accidental death and dismemberment (AD&D) insurance at no cost to the employee. Eligible dependents may be covered with the employee paying 50 percent of the dependent cost. Part-time benefits eligible employees pay 50 percent of the premium for the employee-only coverage and 75 percent of the cost for dependent coverage. The amount contributed by the university toward the employee's health insurance is subject to change by the Texas Legislature. New employees are eligible the first day of the month following 60 days of employ-

ment. Employees are enrolled in HealthSelect of Texas, a self-funded managed care plan that offers network and non-network benefits.

**Secondary Option for Health Coverage.** Consumer Directed Health Select is available to employees who are not eligible for Medicare. The plan is made up of a high-deductible health plan (HDHP) that offers network and non-network benefits and a health savings account (HSA). The amount of premium contributed by the university is the same percentage as HealthSelect of Texas.

Both health insurance plans utilize the same network of doctors.

For more details on the premiums and benefits provided refer to [www.ers.texas.gov](http://www.ers.texas.gov).

Enrollment in health insurance is not required in order to enroll in the optional coverages listed below. Premiums for optional coverages are fully paid by the employee through payroll deduction.

**Dental Coverage.** Benefits eligible employees have a choice between two dental plans. The dental health maintenance organization plan is a DHMO and provides benefits when the employees utilize the DHMO network of dentists. The State of Texas Dental Choice Plan does not restrict the dentist an individual can use; however, the benefits are greater if the individual selects and sees a dentist from the plan's provider network. Enrollment must be completed during the first 31 days of employment or during annual enrollment. The full premium for dental coverage is paid by the employee through payroll deduction. For more details on the premiums and benefits provided by these choices refer to [www.ERSdentalplans.com](http://www.ERSdentalplans.com).

**Optional Term Life Insurance.** Benefits eligible employees may elect term life coverage with AD&D with options of one, two, three, or four times annual salary not to exceed \$400,000 (three or four times salary requires evidence of insurability). Enrollment must be completed during the first 31 days of employment. Subsequent application for enrollment will be subject to satisfying evidence of insurability. For more information refer to [www.ers.texas.gov](http://www.ers.texas.gov).

**Dependent Term Life Insurance.** Benefits eligible employees may elect \$5,000 term life insurance with \$5,000 AD&D for all eligible dependents. Benefits are payable to the employee. Enrollment must be completed during the first 31 days of employment. Subsequent application for enrollment will be



subject to satisfying evidence of insurability. For more information refer to [www.ers.texas.gov](http://www.ers.texas.gov).

**Voluntary Accidental Death and Dismemberment (AD&D).**

Benefits eligible employees may elect additional accidental death and dismemberment coverage between \$10,000 and \$200,000 in increments of \$5,000. This plan also provides an option for dependent coverage based on a percentage of the employee's coverage. Enrollment must be completed during the first 31 days of employment or during annual enrollment. For more information see [www.ers.texas.gov](http://www.ers.texas.gov).

**Short-Term (STD) and Long-Term (LTD) Disability Coverage.**

Benefits eligible employees may elect STD and/or LTD to provide income replacement upon becoming totally disabled and unable to work. The maximum month salary available for insuring is \$10,000. STD and LTD benefit payments are offset by any disability benefits received from other sources (such as Social Security, Workers' Compensation, and retirement disability benefits). Enrollment must be completed during the first 31 days of employment. Subsequent application for enrollment will be subject to satisfying evidence of insurability. For more information see [www.ers.texas.gov](http://www.ers.texas.gov).

**Vision Insurance.** Benefits eligible employees may elect vision insurance through Superior Vision Service, Inc. Vision insurance allows employees to visit eye care providers and purchase eyeglasses or contact lenses at a discounted rate. Enrollment must be completed during the first 31 days of employment or during annual enrollment.

## Other Insurance

**Workers' Compensation (WC).** WC is regulated by the state of Texas and may provide medical and income benefits for injuries and occupational illnesses that arise out of the course and scope of employment. This program is available to all employees whose names appear on the payroll. The Texas Tech University System Office of Risk Management (TTUSORM) is the point of contact for all employees. Timely reporting and submission of associated documentation are the responsibility of the employee and employee's supervisor. TTUSORM will report to the State Office of Risk Management, the state agency that administers the program. The Texas Department of Insurance Workers' Compensation Division promulgates rules and regulations governing WC (OP 70.13).

**Automobile Liability.** Texas Tech University System Office of Risk Management administers a self-funded program on behalf of the university to cover university-owned or leased vehicles. Employees who must operate such vehicles as a part of their assigned duties must be designated "approved" by The Texas Tech University System Office of Risk Management (OP 79.13 and 80.07). Additional information is available through the Texas Tech University System Office of Risk Management.

**Legal Liability Insurance.** In litigation against the university and any employees sued for acts within the course and scope

of their employment, the Office of the Attorney General provides a defense. In those cases, indemnity is provided to the employees pursuant to state law. The university does not purchase general liability insurance. For any questions, please contact the Office of General Counsel.

**Unemployment Compensation Insurance (UCI).** Each employee in a position not requiring student status as a condition of employment is covered by the Unemployment Compensation Insurance Program. Through the UCI program, an employee may be eligible for weekly benefit payments during a period of unemployment which occurs through no fault of the employee.

An employee of the university cannot be paid UCI benefits for any week of unemployment that begins during the period between two regular academic terms, or which begins during an established vacation period or holiday recess, if the employee worked the first of such terms or work periods and has a reasonable assurance to work in the second of such terms or periods.

## TEXFLEX Programs (IRS Section 125 Cafeteria Plans)

**Premium Conversion.** All benefits eligible employees enrolling in the insurance program are automatically enrolled in premium conversion. Insurance premiums, with the exception of dependent life, term life, LTD and STD, and AD&D are deducted from pay on a pre-tax basis, before federal income and social security taxes are calculated. The result is that employees save money on taxes and receive more take-home pay. Premium conversion prevents employees from adding, dropping, increasing, or decreasing any group insurance coverage during the plan year unless a qualifying life event (QLE) occurs. QLEs include things such as marriage, divorce, birth, death, and loss of other coverage. Employees have 30 days from any qualifying life event to change/modify insurance coverage. For more information refer to [www.ers.texas.gov](http://www.ers.texas.gov).

**Flexible Spending Account – Health Care (FSA-Health).** A benefits eligible employee may elect to contribute as little as \$15 per month (\$180 annually) or as much as \$2,750 per year to an FSA-Health for plan year 2022. This contribution is deducted from pay on a pre-tax basis resulting in more take-home pay for the employee. The FSA-Health can then be used to pay for health care expenses not covered by insurance such as eyeglasses and co-payments for physician and dental visits. Reimbursement accounts, by federal law, have a "use it or lose it" provision which necessitates caution in estimating reimbursable expenses for the plan year. The plan allows for a \$550 roll-over from the previous plan year. For more information refer to [www.ers.texas.gov](http://www.ers.texas.gov).

**Flexible Spending Account – Dependent Care (FSA-Dependent Care).** A benefits eligible employee may elect to contribute as little as \$15 per month (\$180 annually) on a pre-tax basis to an FSA-Dependent Care. The maximum contribution

for the plan year is \$5,000 per family (\$2,500 if married but filing separately). FSA-Dependent Care can be used to save money on a dependent child's daycare or after-school care (until age 13) or dependent care for an adult family member. FSA-Dependent Care may save more money in taxes than the Child Care Tax Credit; however, it depends on your income.

Reimbursement accounts, by federal law, have a "use it or lose it" provision which necessitates caution in estimating reimbursable expenses for the plan year. For more detailed information refer to [www.ers.texas.gov](http://www.ers.texas.gov).

**Limited Flexible Spending Account (LFSA).** A benefits eligible employee may elect to contribute on a pre-tax basis to an LFSA when they are enrolled in Consumer Directed HealthSelect, the high-deductible health plan. This account lets you set aside money for on a limited basis, to pay for dental and vision expenses only. Reimbursement accounts, by federal law, have a "use it or lose it" provision which necessitates caution in estimating reimbursable expenses for the plan year. For more detailed information refer to [www.ers.texas.gov](http://www.ers.texas.gov).

Use it or lose it rules have been removed for plan year 2021. All funds in a flexible spending account will rollover to plan year 2022.

**Health Savings Account (HSA).** The HSA is part of the Consumer Directed HealthSelect. It helps employees save money to prepare for out-of-pocket costs. Limits for contributions are set annually by the IRS and depend on single or family coverage enrollment in Consumer Directed HealthSelect. The calendar year 2022 limit for individuals is \$3,650 or \$7,300 for family. The calendar year 2021 limit for individuals is \$3,600 and \$7,200 for family. Employees must be enrolled in Consumer Directed HealthSelect to open an HSA. Funds deposited into an HSA do not have a "use it or lose it" provision. The funds are accessible to the employee year after year for medical or dental expenses, even upon changing of employment.

## Retirement

Each regular employee of the university at the time of employment is required as a condition of employment to be a member of the Teacher Retirement System (TRS). An Optional Retirement Program (ORP) is available in lieu of TRS for full-time faculty and certain executive management, professional, and administrative employees. Contributions to TRS and ORP are on a tax-deferred basis.

State law requires both the employee and the state to make contributions based on a percentage of the employee's salary. State contribution rates are established biennially by the Texas Legislature and may fluctuate over time. For more information on the TRS, refer to [www.trs.texas.gov](http://www.trs.texas.gov). For a comparison of ORP and TRS refer to the benefits link at [www.depts.ttu.edu/hr/EmpBenefits/Retiring/Retirement-Plans.php](http://www.depts.ttu.edu/hr/EmpBenefits/Retiring/Retirement-Plans.php).

**Teacher Retirement System (TRS).** The TRS is a traditional defined benefit state retirement program in which investment risks are absorbed by the state. Contributions go into a large trust fund that is managed by knowledgeable professionals with a prudent, yet very successful investment strategy. This type of plan provides stability and does not require any investment decisions by the individual members. Retirement benefits are based on legislatively determined formulas.

**Optional Retirement Program (ORP).** ORP is an individualized defined contribution plan in which each participant selects a variety of investments such as annuity contracts or mutual funds with an authorized company. Because participants manage their own personal investment accounts, ORP entails more individual risk and responsibility than that associated with TRS membership. Benefits are a direct result of the amounts contributed and any return on the investments selected by each participant.

Upon termination of employment from Texas public higher education, ORP participants with more than one year of participation retain control over all investments (both employee and employer contributions). Participants who terminate with one year or less of initial participation forfeit employer contributions made during that term of employment. State law requires both the employee and the state to make contributions based on a percentage of the employee's salary. State contribution rates are established biennially by the Texas Legislature and may fluctuate over time.

An employee must exercise an option to participate in the ORP within 90 days following the date of eligibility. If no election is made within the 90 days, the employee will be deemed to have chosen membership in TRS. This decision is irrevocable.

For more information refer to OP 70.07, Optional Retirement Program. For a comparison of ORP and TRS visit the Texas Higher Education Coordinating Board at [www.highered.texas.gov](http://www.highered.texas.gov).

**Old-Age Survivors Insurance Program (OASI) (Social Security).** Unless visa exempted or student status exempted, each employee of the university is required to participate in the Federal OASI Program. The payroll deduction is based on a percentage of salary. The employee's and employer's portion and the maximum covered wage are subject to change by the Social Security Administration. For information regarding OASI benefits, refer to [www.ssa.gov](http://www.ssa.gov).

## Supplemental Retirement Programs

In addition to participation in the Teacher Retirement System or the Optional Retirement Program, employees of Texas Tech are eligible to set aside additional amounts of salary, up to certain limits, without paying current income tax on those amounts. This income tax deferment is available under the Tax Sheltered Annuity Program, 403(b) and the Deferred Compensation Program (457). Participation in these programs is voluntary, and employees may elect

to participate in either or both programs. There is a ROTH option available under both the 403(b) and 457 plans. These programs are offered as a supplement to the retirement benefits provided by the Teacher Retirement System or the Optional Retirement Program. The institution does not make contributions to these accounts.

For more information on the TSA program, refer to OP 70.09, Tax Deferred Account Program, and the benefits link on the retirement program website at [www.depts.ttu.edu/hr/EmpBenefits/Retiring/RetirementPlans.php](http://www.depts.ttu.edu/hr/EmpBenefits/Retiring/RetirementPlans.php).

Employees can enroll in the TexaSaver plan to have payroll deductions up to specified limits on a tax-deferred basis under IRS 457. Empower Retirement currently serves as the third-party administrator for the program. Refer to the TexaSaver link at [www.texasaver.com](http://www.texasaver.com) for more information. Employees can enroll in the optional 403(b) plan online at [www.myretirementmanager.com/?ttu](http://www.myretirementmanager.com/?ttu).

## Ticket Privileges

**Athletics.** Benefits eligible full-time faculty and staff are eligible to receive a 20 percent discount on season tickets (up to six per sport) in football, baseball, and men's and women's basketball. Interested persons may contact the Athletic Ticket Office at 806.742.TECH.

**Music, Dance, Art Exhibits, Lectures, and Theatre.** The School of Art features programs of exhibitions, speakers, symposia, and workshops offering hands-on experience with working professional artists. These are normally open to the public and free of charge. Call 806.742.3826 for additional information. To schedule an exhibition group tour, call 806.742.1947 or email [landmarkarts@ttu.edu](mailto:landmarkarts@ttu.edu). The School of Music presents faculty and student concerts and recitals and a series of guest performances throughout the year. Faculty and their families are invited. There is normally no admission charge. However, some special events are ticketed. Call 806.834.4829 for information. The School of Theatre & Dance offers faculty \$10 tickets to any performance in the season. For ticket reservations, season subscription pricing, and ticket information, call the Texas Tech University Theatre Box Office at 806.742.3603.

## University Recreation

The Department of University Recreation is a comprehensive fitness, leisure, and recreation department with world-class facilities and cutting-edge programs and services! Texas Tech University faculty are eligible to purchase individual or household memberships for a month-long or annual basis. Faculty who purchase a University Recreation and Student Recreation Center membership are not just joining a gym but are rather investing in their quality of life and sustaining life-long healthy behaviors.

**Robert H. Ewalt Student Recreation Center.** With over 242,000 square feet of recreational activity space, the Student Recreation Center has a variety of exercise, fitness, and leisure

opportunities for the Red Raider campus community. Highlights include:

- Seven gym courts ideal for badminton, basketball, pickleball, and volleyball
- Multi-activity court (MAC) perfect for indoor soccer or floor hockey
- The Free Weight and Machine Weight with over 175 weightlifting stations, dumbbells, and barbells
- Raider Power Zone, which is a combination of functional fitness training and power-lifting racks
- Over 90 cardiovascular fitness machines from leading commercial manufacturers including Concept 2, Life Fitness, Matrix, Precor, and Woodway
- A 1/8 of a mile elevated track with stretching and core fitness spaces
- A 53-foot-tall climbing and bouldering wall
- Racquetball courts
- Multiple fitness studios including the Raider Ride Cycling Studio
- Men's and women's locker rooms
- Equipment Issue with a variety of equipment to support and complement your activities

**Outdoor Pursuits Center.** Perfect for the outdoor enthusiast, the Outdoor Pursuits Center has all the rental equipment and regional park information for the weekend or weeklong adventure! Items available for rental include:

- A fleet of watercraft including canoes, kayaks, and personal flotation devices
- Single and multi-person tents
- Sleeping bags
- Cookware
- Skis, boots, bindings, and poles
- Snowboards
- Maps and informational guides regarding local, state, and national parks

**Fit/Well Suite.** Home to personal training, massage, and expert information regarding fitness and wellness programs and services available through University Recreation, this space will help members meet and exceed fitness and wellness goals!

- Purchase and register for a variety of personal training packages
- Purchase a massage package to help smooth out the aches and pains from exercise
- Learn more about our complimentary group fitness class program with over 50 classes per week
- Purchase and become a member of the Texas Tech Cross-Fit Box
- Learn about monthly educational wellness demonstrations and programs
- Purchase a Muscle Milk or other beverage for pre- or post-workout satisfaction

**Indoor Aquatic Center.**

- Ideal for fitness swimming, the indoor aquatic center can be set at 50- or 25-meter lengths



- Register yourself or other family members for our regionally recognized American Red Cross Learn 2 Swim Program
- Men's and women's locker rooms

**Outdoor Leisure Pool.** Nationally recognized with multiple design awards, the outdoor leisure pool space is the ideal location for fun in the sun! Picture-perfect for fitness swimming, family activities, or relaxing alone, this fitness and leisure activity area has something for everyone. Additionally, this space is great for family gatherings and birthday party rentals.

- Competition and activity pools for lap and fitness swimming
- Double T splash pad and slide area
- Three-tier wet deck ideal for relaxing and soaking up vitamin D
- Spa
- 645-foot-long lazy river
- Sam's Place poolside dining

**Urbanovsky Park.** When the weather is just too perfect to exercise indoors, take your fitness activities to Urbanovsky

Park. This outdoor lighted park is a great space to enjoy fresh air while exercising.

- 9-hole disc golf course
- 8 tennis courts
- 4 basketball courts
- 3 sand volleyball courts
- 1-mile running trail
- Soccer and Rugby fields
- Functional fitness and chin-up bar exercise zone

**West Rec Turf, Natural Grass, and Softball Complex.** Located near HSC, this outdoor competition complex is open to members who purchase a University Recreation and Student Recreation Center membership.

- West Rec Turf is available for late afternoon and evening activities and is typically home to intramural sports flag football and soccer competitions.
- West Rec Natural Grass is a lighted complex perfect for soccer or other informal activities.
- The softball complex consists of four fields and is ideal for a weekend tournament rental.



# 8 Emergency Procedures

The Office of Communications & Marketing, Texas Tech Police Department, and Office of Emergency Management maintain the online Emergency Communications Center at [emergency.ttu.edu](http://emergency.ttu.edu). This is a public website to inform the Texas Tech University community about what to do in advance of, during, and after an emergency.

Additionally, Texas Tech University employs the latest technology to alert all faculty, staff, and students in the event of a significant emergency on campus. The TechAlert! Emergency Communications System is an externally hosted service through which critical information and updates are sent via voice, text, email, social networks, websites, and digital signage across campus.

All faculty, staff, and students are automatically enrolled with their eRaider email address and the primary phone number listed in their personnel or registration records. The system accommodates three additional numbers with options for text messages and TDD/TTY for the hearing impaired. All members of the Texas Tech community should keep their information updated by going to the website [emergency.ttu.edu](http://emergency.ttu.edu) or clicking on the Emergency Communications Center link on [www.ttu.edu](http://www.ttu.edu). The information is secure and will never be used by Texas Tech University for any reason other than emergency alert notifications.

Any emergency can be reported by dialing 911.

In case of a fire, the respective department chairperson and the dean's office should be notified after the fire has been reported. Fire extinguishers are placed in all buildings in convenient locations on all floors. Evacuation routes are posted on the fire hose cabinets and elsewhere. For urgent facility maintenance requirements, call Building Maintenance & Construction at 806.742.3301 during regular working hours. If repair is needed immediately, call after normal hours.

## Warning and Alert Systems

The university maintains several warning and alert systems for use in the event of major storms or other disasters. The National Oceanic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce provides continuous broadcasts of the latest weather information from the National Weather Service. Taped weather messages are repeated every two to three minutes and are revised hourly. When circumstances warrant, specially designed warning receivers (weather alert radios) can be activated. The weather alert radios sound an alarm indicating that an emergency exists, alerting the listener to turn the receiver up to an audible volume. Personnel in departments where the weather alert radios are located are expected to convey the message received to all other people in the area or building.

Various sirens located throughout the campus are activated whenever the campus is in imminent danger. Persons should immediately seek shelter upon hearing the siren. University police car sirens and loudspeakers will be used to broadcast alerts and instructions. In the residence halls, fire alarm bells (with a sound distinctly different from that used for fire evacuation procedures) and public address systems (where available) will be used to signal persons to take cover immediately. Tests of the various warning and alert systems are conducted each semester and are publicized online in advance of the tests.

If a tornado warning is issued or a tornado is sighted, the following actions should be taken: seek inside shelter, preferably a tornado cellar, steel-framed or reinforced-concrete structure (including all major university buildings); evacuate upper floors of all buildings; seek shelter in an interior hallway and stay away from windows; lie flat on the floor and use tables, mattresses, or blankets for cover; if caught in open country, lie face down in the deepest depression available such as a ditch, culvert, or ravine. Emergency preparedness guidelines and homeland security information are available at [emergency.ttu.edu](http://emergency.ttu.edu).

# 9 Financial Exigency Plan

## Preamble

The Declaration of Financial Exigency is the most drastic action a university can take to preserve its role, scope, and mission. It is not entered into until all other measures have been thoroughly considered.

Owing to the seriousness of financial exigency, the faculty and the administration must be jointly involved in the decisions to salvage the institution. This policy is designed to bring these two constituencies together to face financial straits in a rational atmosphere of mutual trust and common concern for the university. The emergency action called for by a budgetary crisis must be grounded in the purpose of the university. Therefore, the formal statement of Texas Tech University's mission will be the guiding principle throughout this plan.

## Part I—Definitions

As used in this document:

**Mission Statement** – As a public research university, Texas Tech advances knowledge through innovative and creative teaching, research, and scholarship. The university is dedicated to student success by preparing learners to be ethical leaders for a diverse and globally competitive workforce. The university is committed to enhancing the cultural and economic development of the state, nation, and world.

**Financial Exigency** means that the financial position of the university as a whole, demonstrated by competent evidence, is such that the financial resources of the university, including all funding sources (specifically recognizing that all funds are not equally transferable for all uses), are insufficient to support existing academic programs to the extent that the university is unable to finance the full compensation of both all tenured faculty and all other faculty until the end of their appointment, including timely and proper notice. A legislative mandate reducing salaries across the board will not trigger declaration of financial exigency. Academic programs reduced or eliminated for academic reasons shall not be included within the scope of this definition. Reorganization shall not be included in this definition unless it results in the layoff of tenured faculty and is motivated by financial exigency. A financial exigency will last no longer than twelve months unless renewed by the same procedures outlined in this document.

**Financial Exigency Advisory Committee**, hereinafter called FEAC, is a committee composed of the Provost, Senior Vice President for Administration & Finance, President of

the Faculty Senate, a dean chosen by the Dean's Council, and three tenured faculty members selected by the Faculty Senate. The Director of Human Resources and the President of the Student Government Association shall be non-voting members. The chair will be selected from the above group by the President of the university prior to the first meeting.

**Program Evaluation Review Committee**, hereinafter called PERC, is a committee composed of the dean of each academic college or school; a faculty representative from each academic college or school to be elected by the voting faculty of the college or school; the President of the Faculty Senate; an elected representative from the Horn Distinguished Professors; the Provost, who shall serve as chairperson; and the Senior Vice President for Administration & Finance, who shall serve ex officio.

**Academic Unit** is a basic faculty group that recommends an individual be hired in the first instance and votes to recommend promotion and tenure of an individual at the beginning stage of the tenure process.

**Working day** is defined as a university calendar working day.

## Part II—Declaring a Financial Exigency

Upon anticipating a financial exigency as defined above, the President shall notify the faculty and staff of the pending financial exigency and convene the Financial Exigency Advisory Committee (FEAC).

FEAC shall investigate and document all aspects of the university's financial condition and recommend whether a financial exigency should be declared. Views on the financial problems of the university will be sought from the administration, faculty, staff, and students. The committee will:

1. Review resource management efforts to date and their impact on the financial position and programs of the university.
2. Consider alternative options to save resources and evaluate the potential impact the option will have on finances and programs.
3. In this review and consideration of alternative, FEAC shall determine whether:
  - A. Administrative expenses and positions that are not absolutely necessary to the academic functioning of the university have been reduced or eliminated.



- B. All activities that do not directly support the academic function of the university but which utilize resources directly or indirectly have been reduced or eliminated.

FEAC shall file a report within the time frame directed by the President.

The President shall make a report to the Board of Regents regarding the financial exigency and submit the written report of FEAC to the Board of Regents. The Board of Regents shall make the final decision regarding financial exigency. If the Board of Regents declares a state of financial exigency, each faculty member, academic unit, college or school, and administrator shall be responsible for executing the following procedures fairly and equitably.

If time permits, the declaration of financial exigency by the Regents will be required prior to the activation of Part III of this plan. If time does not permit, the President, after the filing of the FEAC report and after consultation with the Board of Regents, may immediately activate Part III of this plan.

## Part III—Development of the Financial Exigency Plan

### **A. Preliminary Administrative Actions**

The President shall initiate the process for meeting the financial exigency by sending written notice to the dean of each college or school who in turn will notify each academic unit, attaching thereto the FEAC report, the President's recommendation, and the Board of Regents' statement declaring the exigency. The President shall simultaneously convene the Program Evaluation Review Committee (PERC).

The Provost will advise each college or school of the tentative monetary amount by which its budget will be reduced. The dean of each college or school will establish criteria for budget reduction and set a tentative monetary allocation for each academic unit and explain that this allocation may increase or decrease depending on the outcome of the process followed in Sections B, C, and D. These preliminary determinations of monetary amounts or allocations shall not prejudice or preempt the process to be followed in Sections B, C, and D. It is understood that the actions described in Sections B and C below will occur simultaneously.

### **B. Academic Unit Actions**

The head of the academic unit (senior faculty member, chair, area coordinator, director, or dean) shall immediately send a copy of the President's notice and the college plan when it becomes available to each faculty member in the unit and advise the faculty that a copy of the financial exigency report is available for inspection by individual faculty members. Each academic unit will, within the time limit designated by the dean, develop and present to the dean a written plan to accomplish the reduction. Each such plan shall include the following information.

The plans will detail the specific steps to accomplish any reduction, which might include the possible merger, suspen-

sion, or elimination of specific programs and which support the university's mission. The plans will indicate any reasons (including documentation) for deviating from the order for layoffs noted below. Acceptable reasons include, but are not limited to, extraordinary distortion of the unit's academic program or academic excellence.

If necessary, the plans will identify the faculty members in the academic unit to be laid off according to the following order: first, personnel in non-tenure-track positions shall be laid off on the basis of rank, then time in rank. Second, nontenured personnel in tenure-track positions shall be laid off according to the following basis: first, rank; second, time in rank; and then time in tenure tracks at Texas Tech University. Finally, tenured personnel shall be laid off according to the following basis: first, rank; second, time in rank with tenure; and then total time with tenure at Texas Tech University. Those having lower rank or shorter terms will be laid off before those having higher rank or longer terms.

When faculty members are equal in all considerations, the academic unit in deciding who will be identified for layoff must consider the needs of the institution, the faculty members' capabilities and qualifications for teaching in multiple disciplines, and the lengths of their service at this university.

Any faculty member identified for layoff shall receive a copy of the academic unit's plan and shall have seven working days to respond to the plan after receipt of formal notification. The faculty member shall submit to the appropriate dean a written and documented argument against the layoff. The identified faculty member shall be advised of this right and the right to request a hearing as set out in Part IV.

### **C. The College or School Actions**

The dean of each college or school shall appoint a representative advisory committee of faculty members whose positions are not likely to be identified for layoff to assist in developing a comprehensive plan to meet the financial exigency for the college or school. This advisory committee shall take into consideration the plans of the academic units, the maintenance of a strong multidisciplinary program of academic excellence in the college or school, and cost effectiveness.

This Committee may recommend to the dean the reallocation of faculty positions and the mergers, suspensions, or elimination of entire programs or academic units in the college or school as long as the actions are supported by good reasons and are well-documented. The Committee shall present its recommendations to the entire college faculty.

The dean shall make preliminary decisions after consulting with this Committee and shall notify faculty members identified for layoff by the college or school process who were not identified by the academic unit process. These faculty members will be allowed to transfer to other units in which positions have become available if the faculty member's seniority and qualifications permit. A faculty member identified for layoff by the college or school process shall have seven working days to respond after receipt of formal

notification by submitting an argument and documentation against the planned layoff. A faculty member so identified shall also be advised of the right to request a hearing as set out in Part IV.

The dean shall be responsible for the final preparation of the plan within the time directed by the President and shall submit it and the advisory committee's evaluation of that plan to the PERC. The dean's plan shall consider the factors in paragraph one of Section C, and the plan will be supported by good reasons and documentation. The plan must define actions that will meet the goals of the college or school for budget reduction and include ranked priorities for restoring programs, academic units, and positions with a written and documented argument for each.

#### **D. Program Evaluation Review Committee (PERC) Actions**

The PERC or subcommittees thereof shall review each dean's plan for overall acceptability and assurance that fair and equitable procedures were followed. Within three working days after receipt of the deans' plans, the PERC shall certify the deans' plans as acceptable according to the criteria or remand a plan (or plans) to the particular college or school for correction or supplemental documentation. A remanded plan shall be returned by the college or school within one working day with the appropriate corrections or supplemental documentation. The Committee shall again review such corrected or supplemented plan and certify it with such exceptions as needed.

The PERC shall consolidate the information in the plans and construct a profile of that part of the university which would remain and that part of the university which would be eliminated or modified. This profile shall be disseminated throughout the university community.

The PERC shall prepare a final report which shall include a summary of the deans' plans, faculty responses, the profile of the university after the proposed cuts, and recommendations and modifications by the PERC based upon the priorities set out in the deans' plans, faculty responses, and individual hearing committee results. However, in preparing this report the PERC is to be aware that the overriding consideration is the mission of the university. The report will be sent by the Provost to the President. After reviewing the report, the President will make an independent assessment of its strengths and weaknesses regarding the long-range goals of the university and then submit the report and his or her recommendation to the Board of Regents for final action and implementation.

## **Part IV—Individual Faculty Rights**

After a financial exigency has been declared, a faculty member identified for layoff shall be given notice of the terms thereof and shall have the opportunity to provide a written and documented argument against the layoff to the dean of the college for the dean's action and final consideration in accordance with Part II.

The faculty member identified for layoff may, in addition, request a hearing before a three-member faculty committee. This request shall be made within seven working days

after the notice of layoff is given. The request shall state the reasons why the faculty member should not be laid off and shall state the name of the faculty member the aggrieved party wants to appoint to the hearing panel.

If a hearing is properly requested, a three-member faculty committee shall be appointed as follows and in the following order: a member of the committee shall be appointed by the aggrieved faculty member; a member of the committee shall be appointed by the dean of the college or school; and then a member of the committee, who shall serve as the chair, shall be selected by the two other members from a list of those elected to service on the tenure-hearing panel. The chair shall not be from the same college or school as the identified faculty member. At least one of the committee members should be from the academic unit of the aggrieved faculty member. No member of the committee may be a faculty member identified for layoff at the time of appointment.

The hearing will be conducted in accordance with guidelines issued by the Provost and university General Counsel. Due process will be provided as required by the nature of the factual issues in dispute. If the layoff is based on the application of neutral principles set forth in III.B., then the minimal process outlined in this section applies; if, on the other hand, the layoff resulted because of individualized assessments and comparisons, such as those also specified in III.B., then a more formal proceeding on the record with cross-examination will be required. The aggrieved faculty member may have the assistance of counsel. The hearing panel shall meet, receive evidence in any form, summarize the evidence, and make recommendations to the Provost within seven working days after the panel is appointed. A copy of the summary and recommendations shall be given to the aggrieved faculty member and to the dean of the college or school. Either may respond with a written commentary sent to the Provost within three days after the hearing panel's recommendations have been forwarded.

The decision of the Provost is final and, if possible, should be made before the PERC submits its final report as set out in Part III, Section D.

Prior to laying off the identified faculty, the Provost shall make every effort to place the laid-off faculty members elsewhere in the university system. The alternatives will include retraining as well as assignment to another suitable position within the university for which the individual is qualified by background, training, and experience. The Provost shall also set up a center for counseling faculty, helping them seek jobs, and advising them of their legal and economic rights.

The position of a faculty member who has been laid off may not be filled by any other person for three years unless the laid-off faculty member has been offered reinstatement and reasonable time to respond, not to exceed thirty days.

Laid-off faculty members will be awarded all benefits provided by law. To the extent possible, other severance benefits and privileges will be provided. Additional consideration shall be given to the maintenance of the individual's professional status.

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Photo: Mandi McDonald, Student Media



# 11

## Appendix I: Operating Policies and Procedures



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 02.08: Operation and Maintenance of Endowment Funds**

**DATE:** December 2, 2016

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to set forth definitions and to outline and establish policies and operating procedures pertaining to the endowment funds of Texas Tech University.

**REVIEW:** This OP will be reviewed in April of even-numbered years by the Vice Chancellor for Institutional Advancement (VCIA), the Texas Tech University Chief Financial Officer (TTU CFO), and the Texas Tech University System Vice Chancellor and Chief Financial Officer (TTUS CFO).

### **POLICY/PROCEDURE**

#### **1. Policy Statement**

The Board of Regents of the Texas Tech University System (TTUS) recognizes that all great institutions of higher education possess a large endowment and in order for Texas Tech University (TTU) to achieve the high standards of which it is capable, the total endowment must be vastly increased. To that end, the Board of Regents has established the number one development priority to be that of building the TTU endowment funds.

#### **2. Definitions**

##### **Endowment Funds**

Endowment funds are resources of the TTUS that are invested over the long term with the purpose of producing earnings. Endowments generally arise through gifts from donors and/or other external sources. Endowment funds may be classified further as:

##### **a. Permanent Endowments**

Permanent endowments are assets designated by the donor (or other external party) to be held in perpetuity. The corpus of these endowments may never be spent and expenditures must be made in accordance with the endowment agreement.

##### **b. Term Endowments**

Term endowments are established when the donor specifies that the endowment shall terminate following a particular date or event and that the corpus of the endowment may be expended in accordance with the endowment agreement. Until the passage of the specific

date or event, term endowments operate in a manner similar to permanent endowments, with expenditures from the interest earnings made in accordance with the endowment agreement.

c. Quasi Endowments

Quasi endowments are established when the Board of Regents of the TTUS or the Board of Directors of Texas Tech Foundation, Inc. ("TTFI"), with formal action, set aside certain institutional funds to be maintained as endowments.

d. Funds Held in Trust by Other

"Funds Held in Trust by Other" is the classification for endowments where the corpus is managed and invested by a third party and the earnings are distributed back to the institution.

**3. Types of Endowments**

a. Faculty Support

(1) Endowed Chair

The minimum donation to establish an endowed chair will vary by unit and type of research. The dean will consult with the Provost/Senior Vice President (PSVP) and the VCIA before determining the amount requested for the establishment of a chair in various programs. Recruitment and retention of top faculty engaged in intensive laboratory research require higher levels of support.

Minimum endowment levels are:

(a) \$1,500,000 for selected chairs; and

(b) \$1,000,000 for other chairs.

The donor is allowed to name an endowed chair in the college or program of choice. Subject to criteria set forth by the donor, the spendable income is typically used to supplement the chair holder's salary, as well as provide additional income to reasonably compliment the chair holder's work, including items such as the purchase of special publications, the hiring of graduate students to assist the chair holder in research projects, the involvement of post-doctoral students in the particular discipline, and other expenses that directly support the teaching or research of the chair holder. Without the prior approval of the President, no more than fifty percent (50%) of the prior fiscal year's distributions may be used as salary for the individual holding a chair. For each exception granted, written approval from the President must be obtained each fiscal year by the college or program.

(2) Endowed Professorship

The minimum donation to establish an endowed professorship will vary by unit and type of research. The dean will consult with the PSVP and the VCIA before determining the amount requested for the establishment of a professorship in various



programs. Recruitment and retention of top faculty engaged in intensive laboratory research require higher levels of support.

Minimum endowment levels are:

- (a) \$1,000,000 for selected professorships; and
- (b) \$500,000 for other professorships

The donor is allowed to name an endowed professorship in the college or program of choice. Subject to criteria set forth by the donor, the spendable income is used like the spendable income for an endowed chair, except that the spendable income is utilized more frequently for the supplementation of salaries and less frequently for other purposes available through an endowed chair. Without the prior approval of the President, no more than fifty percent (50%) of the prior fiscal year's distributions may be used as salary for the individual holding a professorship. For each exception granted, written approval from the President must be obtained each fiscal year by the college or program.

(3) Endowed Deanship, Department Chair, or Director

The minimum donation to establish an endowed deanship, department chair, or director is \$2,000,000. Subject to criteria set forth by the donor, the spendable income is used to recruit and retain outstanding leaders by providing funds to support their salaries and to fund the pursuit of their professional goals and the development of the unit. Without prior approval of the President, no more than fifty percent (50%) of the spendable income may be used as salary for the individual holding an endowed deanship, department chair, or director. For each exception granted, written approval from the President must be obtained each fiscal year by the college or program.

(4) Endowed Lectureship

The minimum donation to establish an endowed lectureship is \$250,000. The spendable income is used to support honoraria, publicity, and other expenditures incurred in bringing distinguished leaders to lecture on campus.

(5) Endowed Faculty Development Fund

The minimum donation to establish an endowed faculty development fund is \$250,000. The interest earnings are used to support professional and leadership development of faculty.

(6) Research Endowment

The minimum donation to establish a research endowment is \$200,000. Endowed research positions are to support research in particular academic areas or topics specified by the donor and agreed upon by the respective academic dean and the PSVP.

b. Student Support

(1) Presidential Scholarship Endowment

The minimum donation to establish a presidential scholarship endowment is \$150,000. Presidential scholarships are awarded to outstanding entering freshmen based on academic achievement.

(2) Chancellor's Graduate Fellowship

The chancellor's graduate fellowships are established to provide stipends to outstanding students. The minimum endowment level is \$125,000.

(3) Honors Scholarship Endowment

The minimum donation to establish an honors scholarship endowment is \$125,000. Honors scholarships are awarded to outstanding entering freshmen on the basis of academic achievement.

(4) University Scholars Scholarship Endowment

The minimum donation to establish a university scholars scholarship endowment is \$100,000. University scholars scholarships are awarded to outstanding entering freshmen on the basis of academic achievement.

c. Other

(1) Library Book Endowment

The minimum donation to establish a library book endowment is \$100,000. The spendable income will be utilized to purchase books, subscriptions, databases, and professional journals in a particular area as designated by the donor.

(2) Minimum Level Endowment

The minimum donation required to establish an endowment at Texas Tech University is \$25,000. This revisions only applies to endowments established on or after the date the revised operating policies become effective.

(3) Auxiliary Programs

The minimum donation required to establish an endowment within the National Ranching Heritage Center, the Museum at Texas Tech University or the Vietnam Center and Archive (the "Auxiliaries") Is \$10,000.

(4) Exceptions

Exceptions may not be made to the minimum levels without the prior written approval of the President, Texas Tech University Chief Financial Officer, the Vice Chancellor for Institutional Advancement and the Texas Tech University System Vice Chancellor and Chief Financial Officer (TTUS CFO).

#### 4. Procedure for Establishment

##### a. Accepting New Endowments

Prior to acceptance, the Office of Institutional Advancement and TTFI legal counsel will review all requests to ensure the minimum threshold levels and other applicable criteria are met specific to the type of endowment being requested. The various types and applicable features of TTU/TTFI endowments are outlined above.

All endowments to TTU/TTFI must be made in compliance with applicable federal and state laws, and after acceptance by the institution, must be used as designated by the donor in the endowment agreement.

##### b. Establishing New Quasi Endowments

Quasi endowments are established when the Board of Regents of the TTUS or the Board of Directors of TTFI, with formal action, set aside certain institutional funds to be maintained as endowments. The formal action by the board will specify the use of the corpus and spendable income and set other terms and conditions relating to the fund. The Board of Regents or the Board of Directors may change the terms and conditions of the endowment or terminate the endowment by formal action. If terminated, the corpus of the endowment is returned to the original source of funding.

In Section 4 of the LTIF Investment Policy Statement, the board delegates to the Chancellor or the Chancellor's designee the authority to establish quasi endowments less than \$250,000.

##### c. Unrestricted Gifts

Any gift of \$100,000 or more that is unrestricted by the donor as to use or purpose will be placed in a quasi-endowment in accordance with *Regents' Rules*, Investment Policy Statement, Long Term Investment Fund, Sections 2 and 3 upon appropriate action by the Board of Regents of the TTUS or the Board of Directors of TTFI. Any unrestricted amount of less than \$100,000 but not less than \$10,000, upon recommendation by the President, will be placed into a quasi-endowment upon action by the Board of Regents or the Board of Directors.

##### d. Endowment Agreements

The Office of Institutional Advancement will coordinate with the donor and academic department contact (if applicable) to establish the endowment agreement. All applicable TTU/TTFI policies and internal procedures should be considered when developing the endowment agreement to ensure acceptable spending criteria is established and to prevent any unnecessary burdens in ongoing administration of the endowment funds.

##### e. Endowments Invested in the Long Term Investment Fund (LTIF)

Section 6.1 of the LTIF Investment Policy Statement for TTUS requires that the Vice Chancellor for Institutional Advancement ensure there are no donor-imposed restrictions preventing endowment funds from being deposited to the LTIF.



Restrictions by the donor on investment by TTU or TTFI outside the mission or current programs of TTU or any deviation from investment policy regarding LTIF shall not be honored without prior approval of the TTUS CFO and subsequently by the Board of Regents of the TTUS or the Board of Directors of TTFI.

All endowment funds invested in the LTIF will be subject to an investment management fee in accordance with Section 09.02, *Regents' Rules*.

## **5. Request by Donor to Modify Endowment**

Generally, the terms and conditions relative to a completed endowment agreement may not be modified. However, it is recognized that donors of endowment funds, on occasion, have requested and directed that the usage or purpose of their endowment be changed if mutually agreeable with TTU and, if applicable, TTFI. All such requests must be made in writing by the donor and delivered to the Office of Institutional Advancement. All written requests to modify endowment agreements are also subject to the following approval requirements:

- a. Principal amount of endowment less than \$25,000 - President approval required
- b. Principal amount of endowment more than \$25,000 – Approval from the Board of Regents of the TTUS or the Board of Directors of TTFI required. The Office of Institutional Advancement will be responsible for preparing and presenting the agenda item to the appropriate governing board.

Submission of a written request to modify shall not automatically result in presentation of such request to any of the above noted reviewing parties

## **6. Administration**

- a. Establishing Fund Manager Authority
  - (1) Endowment fund financial manager responsibility will be assigned to the vice president, the PSVP, dean, or equivalent level unless otherwise specified by the donor. The TTUS CFO will be the fund financial manager on all quasi-endowments.
  - (2) Operating fund (i.e., spending fund) financial manager responsibility may be delegated; however, the endowment fund financial manager responsible for such delegation is fully responsible for ensuring the proper use of funds and substantiation of expenses.
- b. Recording Endowment Earnings

During setup of the new permanent endowment fund, a separate operating fund (i.e., spending fund) will be established to receive 100 percent of the endowment earnings and to provide for the accounting of allowable expenditures. Any exception to this policy must be approved by the VCIA and terms of such exception must be managed and adhered to by the appropriate vice president, dean, or equivalent.

### **c. Financial Management and Compliance**

- (1) Fund managers are responsible for ensuring expenditures from operating funds are in

compliance with the terms and conditions of the endowment and all applicable federal, state, and university policies.

- (2) Fund managers are responsible for addressing and correcting all non-compliant expenditures.
- (3) Expenses incurred for endowment purposes should be charged, whenever practical, directly to the applicable endowment spending fund. Pooling or aggregating funds from different endowments should be avoided.
- (4) Excessive accumulation of endowment income should be avoided. Fund balances will be deemed excessive when the balance is greater than the previous two years distributions.
- (5) Questions regarding the interpretation or scope of the terms and restrictions of an endowment should be directed to the Director of Endowment Compliance for TTUS who will involve legal counsel as necessary.

d. Reporting

- (1) Annual budgets will be submitted on each endowment operating fund as directed in the annual instructions for submitting budgets.
- (2) A report on spending funds with excessive balances may be provided to the respective board, Chancellor, President, VCIA, PSVP and/or dean, as appropriate. The accumulation of excessive balances in endowment spendable funds should be based upon established academic and research plans.
- (3) The Office of Institutional Advancement provides donors with an annual performance report of the endowment and the various fund balances. Some gift agreements also require TTU and/or TTFI to provide additional reports regarding the specific use of the spendable funds.
- (4) All other reporting should be coordinated through the Texas Tech University System Office of the Treasurer.



TEXAS TECH UNIVERSITY

## Operating Policy and Procedure

### **OP 10.07: Emeritus Appointments**

**DATE:** August 8, 2017

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to provide an orderly process for emeritus appointments, as authorized in the *Regents' Rules*.

**REVIEW:** This OP will be reviewed in March of every fourth year by the Senior Vice Provost with substantive revisions presented to the Provost and Senior Vice President and the President by March 15.

### **POLICY/PROCEDURE**

The President will present annually to the Board of Regents recommendations for emeritus appointments. Nominations of individuals who meet the prerequisites listed below, as outlined in Section 04.01.2, *Regents' Rules*, Emeritus Appointments, should be sent to the President, through channels, by January 1 for his consideration for subsequent recommendation to the Board of Regents.

- a. The title "Emeritus" may be conferred as recognition for long and faithful service or for very distinguished service to the university.
- b. Members of the faculty with the rank of professor or associate professor at retirement may be given emeritus appointments, provided they have completed at least ten years of service at the university or have been recommended on the basis of "very distinguished service."
- c. Administrative officers in major positions at the time of retirement from administrative duties may be considered for emeritus appointments.
- d. Emeritus appointments are strictly honorary and without stipend.
- e. Each such appointment shall be subject to approval by the board upon recommendation of the President, with concurrence by the Chancellor.





TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 10.10: Records Retention**

**DATE:** May 28, 2019

**PURPOSE:** This Operating Policy/Procedure (OP) defines the steps involved in the legal destruction of records that have ceased to have sufficient value to warrant retention.

**REVIEW:** This OP will be reviewed every four years in May by the University Archivist of Texas Tech University with substantive revisions forwarded through the Senior Vice Provost to the Provost and Senior Vice President.

### **POLICY/PROCEDURE**

1. Yearly, an appointed individual in each department should review records on hand to determine whether departmental documents should be retained or destroyed.
2. The department shall comply with the *Texas Tech University Records Retention Schedule* (see attachment) prepared by the Texas Tech University System and approved by the State and Local Records Management Division of the Texas State Library. The retention times apply to the master copy, as provided in Chapter 441, Texas Government Code. These include paper, micro-media, electronic records, or other material that is involved in the transaction of official state business. The convenience copy should not be kept any longer than necessary.
3. Master copy refers to the one original or "master" version of a document. Convenience copy refers to all duplicate copies of a document. Convenience copies can be disposed of at any time and should not be kept longer than the record copy's retention time.
4. The retention time of a record applies regardless of the record's format, be it electronic, micro-media, or paper.
5. Master copies of records de-accessioned, disposed of, or destroyed shall be listed on a records disposition log. The department should retain a copy of this disposition log for the appropriate time as listed on the university's records retention schedule. Currently, this is 10 years.
6. Once a record's retention time has expired and it is no longer needed, the record should be disposed of in the appropriate manner. Records with no personal or confidential information can be recycled or thrown away. Records containing personal or confidential information, such as social security numbers and grades, should be shredded or, if in electronic format, completely deleted from the system.
7. The assigned individual responsible for destroying the records should observe the destruction process to completion.

8. Records listed on the university's records retention schedule as "archival" have potential historical value and should be transferred to the University Archives for review. The University Archivist will make the final decision on whether to keep or dispose of the record.

[Attachment: Texas Tech University Records Retention Schedule](#)

**LYNN WHITFIELD - ASSOCIATE ARCHIVIST  
2-8675**

**To access this attachment, go to the following website:**

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TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 10.11: Ethics Policy**

**DATE:** May 20, 2019

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to publish the ethics policy for faculty and staff as required by the Texas State Legislature and adopted by the Board of Regents at the August 11, 1995 meeting. The principles and guidelines contained in this policy apply to all persons employed by Texas Tech University without regard to rank or position, length of service, or past performance.

**REVIEW:** This OP will be reviewed in June of odd-numbered years by the Vice Chancellor/General Counsel with substantive revisions forwarded to the President.

## **POLICY/PROCEDURE**

### **1. Introduction**

It is important that the people of the State of Texas have complete confidence in the integrity of their public servants. This need is especially critical in the area of state-supported higher education. The responsibility for education and training the future leaders of the State of Texas and nation carries with it the duty to adhere to the highest ethical standards and principles. The principles and guidelines contained in this policy shall apply to all persons employed by any component institution, agency, or service of Texas Tech University ("TTU") regardless of rank or position. If a topic also has been addressed in other policy statements or manuals of TTU, the procedures and statements contained therein are hereby reaffirmed and made a part hereof for all purposes. Specifically, TTU Operating Policies ("OP") should be referenced for further information and/or greater specifics. References to the term "TTU employees" throughout these documents include all persons employed by TTU.

### **2. Standards of Conduct**

#### **\* Texas Government Code § 572.051**

TTU officers and employees should not:

- a. accept or solicit any gift, favor, or service that might reasonably tend to influence the officer or employee in the discharge of official duties or that the officer or employee knows or should know is being offered with the intent to influence the officer's or employee's official conduct;
- b. accept other employment or engage in a business or professional activity that the officer or employee might reasonably expect would require or induce the officer or employee to disclose confidential information acquired by reason of the official position;



- c. accept other employment or compensation that could reasonably be expected to impair the officer's or employee's independence of judgment in the performance of the officer's or employee's official duties;
- d. make personal investments that could reasonably be expected to create a substantial conflict between the officer's or employee's private interest and the public interest; or
- e. intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the officer's or employee's official powers or performed the officer's or employee's official duties in favor of another.

### **3. Principles of Ethical Behavior**

#### **\* *Regents' Rules, 03.01.2***

TTU officers and employees shall:

- a. obey all federal, state, and local laws or be subject to disciplinary action for a violation of those laws;
- b. put forth honest effort in the performance of their duties;
- c. not make unauthorized commitments or promises of any kind purporting to bind TTU or any component institution of the TTU System;
- d. not use their public offices for private gain;
- e. act impartially and not give preferential treatment to any private or public organization or individual;
- f. protect and conserve public property, including all institutional resources, and shall not use it for anything other than authorized activities;
- g. promptly disclose waste, fraud, abuse, and corruption to appropriate authorities;
- h. adhere to all laws, regulations, and policies that provide equal opportunity for all persons regardless of sex, sexual orientation, gender identity, race, national origin, religion, age, disability, status as a covered veteran, genetic information, or other legally protected categories, classes, or characteristics;
- i. endeavor to avoid any actions that would create the appearance that they are violating the law or the ethical standards of the TTU system;
- j. if involved in procurement or contract management for the TTU System or TTU, disclose to the TTU System or TTU in the manner prescribed by the applicable contract management handbook or institutional operating policy any actual or potential conflict of interest that is known by the employee or official with respect to any contract with a private vendor or bid for the purchase of goods or services from a private vendor by the TTU System or TTU at any time during: (i) the procurement process, from the initial request for bids for the purchase of goods or services from the private vendor until the completed final delivery of

the goods or services, or (ii) the term of the contract with a private vendor; however, for a contract for the purchase of goods or services solicited through a purchase order, this subsection only applies if the amount of the purchase order exceeds \$25,000; and

- k. participate in regular training concerning ethics policies of the TTU System.

#### **4. Conflict of Interest**

**\* Texas Government Code § 572.001(a); *Regents' Rules*, 03.01.3**

It is the policy of the State of Texas that a state officer or state employee may not have direct or indirect interests, including financial and other interests, or engage in a business transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the officer's or employee's duties in the public interest.

#### **5. Travel**

**\* [TTU OP 79.01, Travel Authority and Definitions for Texas Tech University and TTU Employees](#)**

A state agency (TTU) may pay or reimburse a travel expense only if the purpose of the travel clearly involves state business and is consistent with the agency's legal authority. The travel voucher must specify the nature of the official state business conducted, including the persons contacted, if applicable, and specify the benefit that the state gained from the travel.

A state agency shall minimize the amount of travel expenses paid or reimbursed by the agency. The agency shall ensure that each travel arrangement, including meals, lodging, transportation and incidental expenses, is the most cost-effective considering all relevant circumstances. To reduce travel expenditures, an agency shall use interactive television, videoconference technology and telephone conferences to the greatest extent possible.

A state agency shall instruct its state employees about the State of Texas Travel Allowance Guide, the Travel Regulations Act, and the travel provisions of the General Appropriations Act. A state agency's failure or inability to instruct a state employee, however, does not excuse or justify the employee's failure to comply with applicable laws or rules.

Trips off campus for employees shall be made only after obtaining appropriate approval by the appropriate designated administrative officials, in accordance with established procedures and when the trip contributes to the mission of the university.

Employee travel may not interfere with the primary academic or administrative responsibilities of the traveler.

#### **6. Benefits, Gifts, and Honoraria**

**\*Texas Penal Code, as amended through the 78th Legislative Session (2003), and Ethics Advisory Opinion (issued by the Texas Ethics Commission)**

A "benefit" is anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare a TTU employee has a direct and substantial interest [PC 36.01(3)].

- a. Bribery: No TTU officer or employee may offer, confer, or agree to confer on another, or solicit, accept, or agree to accept from another: (1) any benefit in exchange for their decision, opinion, recommendation, vote, or other exercise of official power or discretion; or (2) any benefit as consideration for a violation of a duty imposed by law. [PC 36.02; EAO 130]. A benefit that is otherwise allowed by TTU policy is nevertheless prohibited if it is offered in exchange for official action.
- b. Prohibited Benefits: A public servant who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government commits an offense if he or she solicits, accepts, or agrees to accept any benefit from a person the public servant knows is interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving a TTU officer or employee's exercise of discretion [PC 36.08(d)]. The prohibition does not apply to:
  - (1) gifts or other benefits conferred on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient [PC 36.10(a) (2)];
  - (2) a fee prescribed by law to be received by a public servant or any other benefit to which the public servant is lawfully entitled or for which he or she gives legitimate consideration in capacity other than as a public servant [PC 36.10(a) (1)];
  - (3) a gift, award, or memento to a member of the legislative or executive branch that is required to be reported under Chapter 305 of the Government Code [PC 36.10(a) (5)]; and
  - (4) items having a value of less than \$50, not including cash or negotiable instruments as described by Section 3.104, Business and Commerce Code [PC 36.10(a) (6)]. A TTU officer or employee who receives an unsolicited benefit that he or she is prohibited from accepting by law may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes [PC 36.08(i) PC 36.08(d); PC 36.10(b); EAO 130].
- c. Food, Lodging, Transportation, and Entertainment Received as a Guest: A public servant may accept food, lodging, transportation, or entertainment from persons or entities he or she knows or reasonably should know, are interested in or likely to become interested in a contract, purchase, payment, claim, decision, or transaction involving the exercise of the public servant's discretion only if the public servant is a "guest" as defined by Texas law [PC 36.10(b)]. A public servant is a "guest" if the person or a representative of the entity providing the food, lodging, transportation, or entertainment is present at the time the food, lodging, transportation, or entertainment is received or enjoyed by the public servant [PC 36.10(b); EAO 130]. Public servants are required to report any such benefits valued at over \$250 on their annual disclosure statements filed with the Texas Ethics Commission [PC 36.10(b); EAO 130].
- d. Benefits from Friends, Relatives, and Associates: Public servants may accept benefits from personal friends, relatives, or business associates with whom they have a relationship independent of their official status, so long as the benefit is not offered in exchange for official action or decision [PC 36.10(a) (2); EAO 130].

- e. Awards: Public servants may accept plaques and similar recognition awards. \*Ethics Advisory Opinion No. 36 (1992) issued by the Texas Ethics Commission.
- f. Honoraria: Public servants may not solicit, accept, or agree to accept an honorarium in consideration for services they would not have been asked to provide, but for their official position or duties [PC 36.07(a); EAO 17, 19]. This prohibition includes a request for or acceptance of a payment made to a third party if made in exchange for such services [PC 36.07; EAO 19]. However, they may accept the direct provision of or reimbursement for expenses for transportation and lodging incurred in connection with a speaking engagement at a conference or similar event [EAO 17]. Meals provided as a part of the event or reimbursement for actual expenses for meals may also be accepted [EAO 17]. Participation by a public servant must be more than merely perfunctory [PC 36.07(b)].

## **7. Political Activities**

**\* Appropriations Act as passed by the 78th Legislature (2003) and Texas Government Code, as amended through the 78th 2003 Legislative Session**

- a. Use of TTU Funds or Property  
 \* TTU [OP 65.06, Conditions of Grants and Consulting Contracts Made Directly to Individuals](#) and [OP 70.31, Employee Conduct, Coaching, Corrective Action, and Termination](#)

No public servant shall expend or authorize the expenditure of any TTU funds for the purpose of influencing the outcome of any election, or the passage or defeat of any legislative measure.

- b. Political Contributions

Unless prohibited by state law, public servants may make personal contributions to candidates for office and political organizations.

## **8. Use of Authority**

**\* Texas Penal Code, as amended through the 78th Legislative Session (2003)**

- a. Misapplication of Property

It is a violation of state law for a public servant, acting with the intent to obtain a benefit or with intent to harm or defraud another, to intentionally or knowingly misuse government property, services, personnel, or anything of value belonging to the government that has come into a public servant's custody or possession by virtue of his or her office or employment. [PC 39.02(a)(2)].

- b. Misuse of Official Information

It is a violation of state law for a public servant if, in reliance on information to which he or she has access by virtue of the person's office or employment and that has not been made public, he or she (1) acquires or aids another to acquire a pecuniary interest in any property, transaction, or enterprise that may be affected by the information; (2) speculates or aids another to speculate on the basis of the information; or (3) as a public servant, coerces



another into suppressing or failing to report that information to a law enforcement agency.  
[PC 39.06].

## **9. Sexual Harassment**

\* TTU [OPs 40.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure](#) and [70.31, Employee Conduct, Coaching, Corrective Action, and Termination](#); **42 United States Code § 2000e-2**

- a. It is the policy of the public servant to maintain a workplace environment that is free of sexual harassment and intimidation.
- b. It is a violation of Title VII of the Civil Rights Act of 1964 to engage in sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
  - (1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;
  - (2) Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting employment or education; or
  - (3) Such conduct has the purpose or effect of interfering with an individual's work or educational environment.

## **10. Nepotism**

\* **Texas Government Code § 573.041**; TTU [OP 70.08, Nepotism](#)

Employees are prohibited from employing, hiring as an independent contractor, appointing, voting for, or confirming the appointment of any person related to such employee within the third degree by consanguinity (blood) or within the second degree by affinity (marriage) when the salary or compensation for such person is to be paid from public funds.

Relatives within the third degree by consanguinity include the employee's parent, child, sibling, grandparent, grandchild, great grandparent, great grandchild, aunt, uncle, nephew, and niece.

Relatives within the second degree by affinity include the employee's spouse; the spouse's child parent, sibling, grandparent, and grandchild; and the spouses of the employee's child, parent, sibling, grandparent, and grandchild. In addition, employees may not take such action on behalf of any individual who is related to any employee within such degrees. These prohibitions do not apply if the person who is related to the employee has been continuously employed in the office or position for at least 30 days prior to appointment or employment of the employee [Government Code 573.062(2)(A)]. If the related person continues in such a position, the employee may not participate in any deliberation or voting on the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of the related individual if that action applies only to that individual and is not taken regarding a bona fide class or category of employees [Government Code 573.062(b)].

## **11. Affirmative Action**

\* TTU [OP 40.01, Equal Employment Opportunity Policy and Affirmative Action Program](#)

TTU officers and employees will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, disability, genetic information, status as a protected veteran, or any other legally protected category, class, or characteristic. While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the TTU's policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on these bases. TTU personnel will take affirmative action to provide a nondiscriminatory application process. Such actions shall include, but not be limited to the following employment transactions: hiring, promotion, demotion, transfer, rate of pay, or other forms of compensation, selection for training, and termination shall not be made based on an employee's protected status.

## **12. Private Use of University Facilities, Equipment, Supplies, and Services Prohibited; Prohibition of Gift of Public Moneys**

### **\*TTU OPs:**

- [48.04, Cellular Telephones and Data Devices](#),
  - [61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#),
  - [61.02, Use of University Grounds, Facilities, and Amplification Equipment](#),
  - [61.39, Use of the International Cultural Center](#),
  - [62.10 Prohibition of Gift of Public Moneys](#),
  - [63.08, Property Management](#),
  - [67.01, Campus Mail Services](#),
  - [70.31, Employee Conduct, Coaching, Corrective Action, and Termination](#), and
  - [80.07, Vehicle Fleet Management Program](#)
- a. It is the intent of the Texas Constitution and the Board of Regents that university facilities, equipment, supplies, and services are to be used only for duly authorized university purposes. Accordingly, the use of university-owned resources or resources for which the university has acquired stewardship responsibilities in which title is vested to others including, but not limited to, buildings, equipment, materials, supplies, telephones, utilities, and services of university personnel for personal purposes, is prohibited. Furthermore, equipment the university owns or is responsible for shall not be removed from the university premises.

See OPs [61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#), and [63.08, Property Management](#), for procedures for the removal of an item of university equipment from university property to an employee's personal residence or other like property to accomplish university work on business at home.

- b. Services of Personnel  
 \* TTU [OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#)

The use of university personnel for personal work is strictly prohibited. This work includes, but is not limited to, typing and secretarial services on personal and/or private consulting correspondence, running personal errands, and other like personal services.

- c. Prohibition of Gift of Public Moneys  
 \*TTU [OP 62.10 Prohibition of Gift of Public Moneys](#)

At no time shall any officer or other employee of the university use public funds to provide a gift to any individual, association of individuals, corporations, or other entity. State funds may be spent only for proper purposes and must be exchanged for adequate public benefits.

### **13. Right to Change Policy**

Texas Tech University reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 10.20: Conflict of Interest and Commitment Policy**

**DATE:** February 26, 2019

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to provide guidelines on Texas Tech University's (TTU) and the Texas Tech University System's (TTUS) conflict of interest policies and to protect the ethical and civic responsibilities of TTU and its mission. While this OP is not meant to take the place of any existing policies, in the event of a conflict between this policy and any other OP relating to conflicts of interest or commitment, this OP shall prevail.

**REVIEW:** This OP will be reviewed in September of odd-numbered years by the Office of the President with substantive revisions presented to the President.

### **POLICY/PROCEDURE**

#### **1. Policy Statement**

- a. Employees of Texas Tech University ("institution" or "TTU") are entrusted with protecting the safety and welfare of the public's trust. It is state law that the institution's employees may not have direct or indirect interests, including financial and other interests, engage in business transactions or professional activities, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the employee's duties to the institution or the public interest. Employees shall avoid acts that are improper or give the appearance of impropriety. The principles and guidelines contained in this policy shall apply to the institution's employees, regardless of rank or position. (See Texas Government Code Chapter 572 and Section 03.01, *Regents' Rules*.)
- b. All employees are expected to (1) abide by the institution's conflict of interest and commitment policies and standards; (2) fully and continually disclose professional and relevant personal activities and relationships that create a conflict of interest or commitment; (3) remedy conflicts of interest or commitment and/or comply with any management or monitoring plan prescribed by the institution; (4) remain aware of the potential for conflicts of interest and commitment; and (5) take initiative to manage, disclose, or resolve conflicts of interest or commitment as appropriate.



- c. All senior administrators have the responsibility to understand and implement this policy including, as necessary, the adoption of specific procedures for their respective schools and departments in furtherance of and in accordance with this policy.

## 2. Definitions

- a. *Benefit*: A benefit is anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare an institution employee has a direct and substantial interest. (Section 03.01.4, *Regents' Rules*.) Pecuniary gain or advantage includes monetary, financial, or economic gain or advantage.
- b. *Business*: Any company or corporation, any partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, trust (business, real estate, estate planning, or otherwise), enterprise, or any other legal entity whether organized for profit or not-for-profit, including any entity controlled by, controlling, or under common control with any such entity, but excluding TTUS or any of its constituent entities.
- c. *Conflict of Commitment*: A conflict of commitment refers to a situation where an employee engages in external activities, either paid or unpaid, that interfere with his/her obligation and responsibilities to the institution. Employees should evaluate and arrange their external interests in order to avoid conflicts of commitment that would compromise their ability to carry out their obligations to the institution.
- d. *Conflict of Interest*: A conflict of interest refers to a situation in which an employee's financial, professional, or other personal considerations may directly or indirectly affect, or have the appearance of affecting, the employee's judgment in exercising any duty or responsibility, including the conduct or reporting of research, owed to the institution.
- e. *Consensual Relationship*: A consensual relationship is a mutually acceptable, intimate, romantic or sexual relationship between two or more Employees and/or students.
- f. *Employee*: An employee is anyone who receives a W-2 from the institution, including temporary, part-time, or full-time faculty, residents, and staff who receive payment from the institution.
- g. *Family Member*: For purposes of this policy, it includes the employee's:
  - Spouse, stepchildren, spouse's parents, children's spouses, step-parents, ex-stepchildren, and ex-spouses;
  - Spouse's siblings, grandparents, grandchildren, sibling's spouse, step-grandparents and grandchild's spouses;
  - Parent or child;
  - Siblings, grandparents, and grandchildren;
  - Great-grandparents, great-grandchildren, uncle, aunt, nephew, and niece; and

- Household members and domestic partners.

See [OP 74.17, Disclosure of Significant Business or Financial Interests that may Represent Conflicts of Interest](#), relating to research conflicts of interest regarding the definition of family member for purposes of that policy.

h. *Financial Interest:* A financial interest includes, but is not limited to:

- Anything of monetary value including, but not limited to, salary or other payments for services, fees, honoraria, gifts, or other in-kind compensation, whether for consulting, membership on a board of directors or advisory board, or any other purpose such as partial, interim, or milestone payments.
- Intellectual property rights including, but not limited to, patents, copyrights, and royalty income or the right to receive future royalties under a patent or other intellectual property rights, whether pursuant to a license or otherwise.
- Ownership and equity interests or entitlement to such interests in a publicly or non-publicly traded business including, but not limited to, stock, stock options, partnership interests, and convertible debt. It does not include interests in publicly-traded diversified mutual funds or similar investment vehicles where the individual investor has no direct control over the selection of holdings.

What must be disclosed as either a significant or material financial interest will be governed by the particular policy governing that area.

i. *Health Care Vendor:* A health care vendor is any individual or company that sells or markets health care services or items to the Institution and/or its patients, including, but not limited to pharmaceutical companies and their representatives, device or durable medical equipment (DME) manufacturers and their representatives, and equipment and/or service providers, and their representatives.

j. *Material Financial Interest:* Pursuant to Section 03.04.2, *Regents' Rules*, and [Texas Government Code § 572.005](#), a financial interest is presumed to be material if it entails:

- Any ownership or investment interest in a business (including stock, options, a partnership interest, or any other ownership or investment interest) valued at more than \$10,000, except equity in a publicly traded company amounting to less than 10 percent ownership interest in the company;
- A controlling interest in a business;
- Receipt of non-dividend compensation (including salary, consulting fees, royalty payments, or other remuneration) of more than \$10,000 in any 12-month period in the past three years, or the expectation of such compensation in the future;
- Any ownership interest, exclusive of personal residence and furnishings, in real property, personal property, intellectual property, or any other interest valued at \$10,000 or more;

- A position of real or apparent authority in an outside entity such as director, officer, trustee, partner, agent, controlling shareholder, shareholder with more than 10 percent voting interest, or a direct or indirect participating interest in any shares, stock or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the entity involved; or
  - Any position as an employee of the entity involved.
- k. *Outside Employment:* Pursuant to Section 03.07.1, *Regents' Rules*, outside employment means any compensated service or employment by an entity, other than the TTU System, of an institution employee.
- l. *Significant Business or Financial Interest:* On occasion, there may be a reference to significant financial interest as opposed to a material financial interest. In those instances, see section 3.g. as well as [OP 74.17, Disclosure of Significant Business or Financial Interests that may Represent Conflicts of Interest](#).

### 3. Conflict of Interest Guidelines

Conflicts of interest can arise under many circumstances. Employees shall not use their public offices for private gain and shall act impartially, not giving any preferential treatment to any private or public organization or individual. (Section 03.01.2.c. and d., *Regents' Rules*)

Employees should not:

- Accept other appointments or any employment or compensation that could reasonably be expected to impair their independent judgment in the performance of official duties; or
- Have personal investments that could reasonably be expected to create a substantial conflict between the employees' private interest and the public interest.

See Texas Government Code § 572.051(a)(3) and (4).

#### a. University Administration

The administration of the institution can present the potential for conflicts of interest. Employees with administrative responsibilities must take particular care to avoid relationships in which financial interests or personal interests conflict with the institution's interests and create the potential for inappropriate factors to be considered in administrative decisions. In particular, those who have institutional duties involving: the procurement, exchange, or sale of goods, services, or other assets; the negotiation or formation of contracts or other commitments affecting the assets or interests of the institution; the making of hiring decisions; the handling of confidential or privileged information; the provision of patient or client services; the conduct of sponsored research and the handling of any research results or resulting transfer of technology; or the rendition of professional advice to the institution must be particularly conscious of potential conflicts of interest or the appearance of conflicts of interest.

b. Business Relationships

In general, when employees or their family members have financial interests in a business or are involved in a business as an owner, operator, or executive officer, they must be alert to the possibility that a conflict of interest may arise if the business has a relationship with the institution. If the enterprise does business with the institution or proposes to do business with the institution, the employee is required to disclose that fact. Employees may not review, approve, or administratively control contracts or business relationships when the contract or business relationship is between the institution and a business in which the employee or his/her family member has a material financial interest.

This section is not intended to apply to the adoption of textbooks, software, or other teaching aids written by faculty members or their family members for use in their own course of instruction, which is addressed in [OP 30.18, The Adoption and Sale of Textbooks and Related Materials](#).

c. Use of Private Consultants

Any employee who has actual knowledge that a family member is seeking a consulting relationship with the institution shall disclose the relationship to the department seeking the consultant's services and the institution's procurement and/or contracting department.

Likewise, entities or individuals who seek to provide consulting services to the institution shall be required to disclose any family member relationship to the institution and the department receiving the services.

Approval of consulting agreements must be in accordance with Section 07.12, *Regents' Rules*.

d. Benefits, Gifts, and Honoraria

(1) General Concept

No benefits, gifts, or accommodations of any nature, including unrestricted grants, may be solicited, offered, or accepted by the institution or its employees when to do so would place them in a prejudicial or compromising position, interfere in any way with the impartial discharge of their official duties to the institution, interfere with the exercise of their official powers, result in performance of official duties in favor of another, or reflect adversely on their integrity or the institution (see Section 03.01.1.a. and e., and Section 03.01.4.)

All gifts given in support of an institutional mission must be directed through the Office of Institutional Advancement.

There are limited situations where employees may accept gifts and benefits without violating conflict of interest rules. These include acceptance of:

- Gifts or other benefits from family, friends and business relationships unrelated to their official status with Institution and not offered in exchange for official action or decision (see Section 03.01.4.d, *Regents' Rules*);



- A fee prescribed by law to be received by public servants or any other benefit to which the employee is lawfully entitled for which they give legitimate consideration in a capacity other than as a public servant;
- A gift, award, or memento from a lobbyist who is required to make reports under Texas Government Code, Chapter 305 (see Section 03.01.4.b, *Regents' Rules*);
- Plaques and similar recognition awards; and
- Items having a value of less than \$50, not including cash or negotiable instruments (see Section 03.01.4.b.(4), *Regents' Rules*).

However, even in the situations set forth above, the employee may be required to disclose such gift or benefit as required by federal or state law or institutional policy.

Furthermore, and notwithstanding the \$50 limit above, because of certain federal laws that more closely regulate allowable activities between health care providers and health care vendors, health care providers and their staff may not accept gifts or benefits of any amount from health care vendors (see 42 USC §1301 et seq.).

An employee who receives an unsolicited benefit that he or she is prohibited from accepting may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes (see Section 03.01.4.b, *Regents' Rules*).

## (2) Food, Lodging, Transportation, and Entertainment

Generally, employees may accept food, lodging, transportation, or entertainment from those who may be interested in or become interested in a contract, purchase, payment, claim, decision, or transaction involving the exercise of that employee's discretion, only when the person or representative of the entity providing the food, lodging, transportation, or entertainment is present at the time the food, lodging, transportation, or entertainment is received or enjoyed by the employee (see [OP 10.11, Ethics Policy](#), and Section 03.01.1.c, *Regents' Rules*). Any such acceptance of food, lodging, transportation, or entertainment must be for the benefit of the institution.

Employees who file annual disclosure statements with the Texas Ethics Commission pursuant to Texas Government Code § 572.021 or institutional policy are required to report any such benefits valued at over \$250 received in a year, in the aggregate. Employees who do not file an annual disclosure statement must report such benefits to their immediate supervisor.

Employees may never accept gifts or entertainment from health care vendors and may only accept food, lodging, and transportation from health care vendors under limited circumstances (see 42 USC § 1301 et seq.).

### (3) Honoraria

Employees may not solicit, accept, or agree to accept an honorarium in consideration for services they would not have been asked to provide but for their official position or duties as an employee of the institution. This prohibition includes a request for or acceptance of a payment made to a third party if made in exchange for such services. This provision does not prohibit an employee from accepting payment for providing services if the individual was asked to provide the service or services because of his or her expertise and not because of his or her official status as a TTU employee. Employees may accept the direct provision of or reimbursement for expenses for transportation and lodging incurred in connection with a speaking engagement at a conference or similar event. Meals provided as a part of the event or reimbursement for actual expenses for meals may also be accepted. Participation in the event by the employee must be more than perfunctory. Legitimate and significant services must have been provided for the payment received (see Section 03.01.4.f, *Regents' Rules* and Texas Penal Code §36.07).

#### e. Use and Appropriation of Institution Assets

Employees shall protect and conserve the institution's property and shall not use it for anything other than authorized activities (see Section 03.01.2, *Regents' Rules*).

The institution possesses both tangible and intangible assets that are state property. These assets include buildings, personnel, equipment, patents, copyrights, technology, trademarks, and work products, confidential and privileged information, as well as the institution's reputation and prestige. As custodian of these assets, employees owe a fiduciary duty to the institution to act in accordance with applicable institutional policies and procedures regarding the proper expenditure of the institution's funds, as well as the use and control of institutional assets. Employees are always expected to protect the best interests of the institution pertaining to its assets.

Conduct constituting the misappropriation or unauthorized use of the institution's assets in connection with any external activity is prohibited, including implying sponsorship or endorsement by the institution or otherwise trading on the reputation or goodwill of the institution. For purposes of this policy, "external activity" is not intended to prohibit incidental personal use of university library facilities or office equipment, including standard computer equipment provided by the university to the employee. Mere identification of the institution as one's employer and of one's position at the institution is permitted, provided that such identification is not used to imply the institution's sponsorship or endorsement.

#### f. Adoption and Sale of Textbooks and Related Materials

The university encourages faculty members to publish textbooks and other professional works. There is no prohibition against the use of such textbooks in classes taught by the faculty member or author, provided the textbook has been printed by a recognized and reputable publishing house at its own risk and expense, made available for open sale, and approved for such use by a textbook committee appointed by the department or area head (see [OP 30.18, The Adoption and Sale of Textbooks and Related Materials](#)).

g. Research Activities

Conflicts of interest in research involve situations in which financial, professional, or other personal considerations may compromise or have the appearance of compromising an individual's judgment in the design, conduct, or reporting of research. The bias that may result from such conflicts of interest may affect not only the collection, analysis, and interpretation of data but also the hiring of staff, procurement of materials, subcontracting, clinical referrals, sharing of results, choice of protocol, statistical methods, use of human participants, or otherwise influence the course or outcome of a research project.

Employees of the institution may not review, approve, or administratively control contracts, grants, clinical trials, or other research collaborations when such contract, grant, clinical trial, or other collaboration pertains to a research project involving the institution and a business or intellectual property in which the employee or a family member has a significant financial interest as defined by the institution's policy ([OP 74.17, Disclosure of Significant Business or Financial Interests that may Represent Conflicts of Interest](#)) when the employee or family member is an employee or owner of the business and directly involved with activities pertaining to the research project.

Absent compelling circumstances, employees may not conduct or control research if they have a significant business or financial interest in the sponsor of the research or any technology that could be affected by the outcome of the research. This presumption against research by financially interested employees may be rebutted by compelling circumstances that are reviewed in advance by the appropriate research conflict of interest committee or other appropriate review authority.

No research with human subjects that involves a conflict of interest may receive final approval from the Institutional Review Board until the conflict of interest is addressed under applicable policy (see [OP 74.09, Protection of Human Subjects in Research](#)).

For research regulated by federal or state agencies, there may be conflict of interest requirements that apply to the sponsor of the study and/or the investigators. Employees of the institution shall comply with all applicable regulatory requirements pertaining to conflict of interest whether the employee is the investigator or the sponsor or both.

Texas Tech University encourages research as a part of its core mission and anticipates that some research will result in innovations of potential commercial value. This policy is not intended to alter the policies and procedures that create specific incentives for creators of innovations of commercial potential to share in the revenue realized from such innovations (see Chapter 10, *Regents' Rules*).

Every employee participating or involved in research on behalf of the institution is responsible for learning and complying with all applicable policies and procedures.

h. Health Care Vendor Conflicts of Interest

Conflicts of interest in healthcare industry sponsored activities involve situations in which financial, professional, or other personal considerations may compromise or have the appearance of compromising an individual's judgment in the provision of patient care, procurement, or other professional activities. The bias that may result from such conflicts of interest may affect procurement of equipment, clinical referrals, choice of treatment, or

otherwise influence the provision of patient care or the execution of one's professional duties. As such, employees shall not accept gifts or other benefits from health care vendors, except as allowed by the institution's policies (see 42 USC § 1301 et seq.).

i. Intellectual Property Rights

While it is the policy of the TTUS Board of Regents to encourage scholarly activity without regard to potential gains from royalties and other forms of income, employees are subject to their obligations and those of TTUS under grants, contracts, and research agreements with governmental agencies and sponsors. Additionally all intellectual property will be handled in accordance with the institution's policies to avoid conflicts of interests (see Chapter 10, *Regents' Rules*).

j. Academic Supervisory, Teaching, or Evaluative Relationships

Employees shall avoid academic supervisory, teaching, or evaluative relationships with staff or other employees that pose actual or perceived conflicts of interest. If questions arise as to the propriety of such relationships, the department chair or appropriate dean or vice president shall develop a management plan (see [OP 32.33, Faculty, Staff, and Student Conflict of Interest](#)).

Employees must not direct or serve on committees that evaluate other employees where such service would pose a conflict of interest. Such committees include periodic staff evaluations, promotion, or other employment decisions or actions and annual, third year, or tenure evaluations.

k. Activities Related to Students

It is the institution's policy that employees with direct teaching, training, supervisory, advisory, or evaluative responsibility over students recognize and respect the ethical and professional boundaries that must exist in such situations.

An employee may not assign students, postdoctoral fellows, or other trainees to institution projects sponsored by any business if the employee or his/her family member has a material financial interest in the business. An employee may not assign students or permit students to participate in any consulting relationship in which the employee or a family member has a material financial interest.

An immediate supervisor in a non-institution employment relationship should not direct a student's research nor permit the enrollment of the student in her/his courses or other organized instructional activity, except for a research or teaching assistantship or a situation in which a student serves as a grader for another course taught by an employee.

Employees must not direct or serve on committees that evaluate a family member. Such committees include thesis, dissertation, or preliminary, comprehensive, or qualifying examination committees, or other periodic evaluations. Students should not enroll in courses offered by their parents, spouses, or others with whom they have a consensual relationship.

Deans and department chairs have the responsibility for protecting the interests of students, postdoctoral fellows, and trainees who may be directly or indirectly involved in a conflict of interest situation related to an employee or family member with a material financial interest



in the situation. Students, postdoctoral fellows, and other trainees should not be permitted to participate in consulting activities if the terms and conditions of those activities would prevent them from meeting applicable degree or training requirements. Students, postdoctoral fellows, and other trainees involved in any conflict of interest situation should be informed of the conflict of interest, the existence of a management plan, and that their concerns, if any, can be discussed with the appropriate institution official.

Faculty shall not charge a fee for tutoring any student enrolled in the faculty member's classes or engage in other activities that present the appearance of a conflict of interest (see [OP 32.06, Faculty Responsibility](#)).

#### l. Consensual Relationships – Faculty and Students

Consensual relationships are prohibited between faculty and:

- Students in the faculty member's class;
- Students with whom the faculty member has a supervisory or instructional connection; or
- Students with whom the faculty member is in a position of perceived authority.

Should such a relationship develop, the faculty member has the obligation to disclose the existence of the relationship to his or her immediate supervisor, cease the relationship, and cooperate in making alternative arrangements for teaching, training, advising, or supervising the student involved. Pre-existing consensual relationships of this nature shall be disclosed to and managed by the faculty member's chair, dean, and provost, as applicable (see [OP 32.33, Faculty, Staff, and Student Conflict of Interest](#)).

#### m. Employment Relationships and Activities Related to Family Members

Employees shall avoid employment, supervisory, or evaluative relationships with other employees or prospective employees that pose actual or perceived conflicts of interest. Whenever an appointment is made, either on a full or part-time basis, it shall be made on the basis of the qualifications and suitability of the appointee, subject to applicable statutes and the institution's policies (see Section 03.01.8, *Regents' Rules*).

No family member related to an administrator shall be eligible for initial appointment to a position over which that administrator has appointment authority, regardless of the source of funds from which the position's salary is to be paid, unless the Board of Regents approves such appointment and the administrator has no supervisory authority over the family member (see Section 03.01.8, *Regents' Rules*).

No employee may approve, recommend, participate, or otherwise be involved in the appointment, reappointment, promotion, salary, supervision, or other employment action of a family member (see Section 03.01.8, *Regents' Rules*, and [OP 70.08, Nepotism](#)).

### 4. Conflict of Commitment Guidelines

A conflict of commitment relates to an individual's distribution of effort between employment or faculty appointment at the institution and commitment to external business activities or employment, external professional activities, or personal activities. It is possible to have a conflict

of commitment even if the individual does not receive compensation for the external activity. External activities may include outside employment, involvement with professional societies, participation related to review panels, professional meetings, community service, conferences, consulting, other professional activities, and business activities related to outside entities including start-up companies.

It is the policy of the institution that all full-time employees shall devote their primary professional activities, time, and energy to their position for the institution. Faculty employees with appointments of less than 12 months shall devote their primary professional activities, time, and energy to their position for the institution during the period of their appointment. Part-time employees shall devote their primary professional activities, time, and energy to their position while performing duties for the institution. An employee's primary responsibility is the full and complete execution of all assigned duties, the fulfillment of professional obligations not ordinarily reduced to written assignment, and maintenance of current professional skills.

Outside employment must be compatible with the interests of the institution and TTUS and of such a nature that it will not detract from the effectiveness and performance of the employee (see Section 03.07.1, *Regents' Rules*, and [OP 70.15, Multiple and Other Employment](#)).

An employee shall not engage in any external activity that the employee might reasonably expect would require or induce him/her to disclose confidential information acquired by reason of his/her employment at the institution (see Section 03.01.1.(b), *Regents' Rules*).

An employee shall not engage in any external activity that could reasonably be expected to impair the employee's independent judgment in the performance of his/her official duties for the institution (see Section 03.01.1.(c), *Regents' Rules*).

Although a specific work-week may not be defined for full-time exempt employees, whether faculty or staff, it is expected that such positions constitute a full-time obligation during the period of their appointment and that, with the exceptions explicitly permitted by the institution's policies on external activities, they will not engage in other employment (see Section 03.07.2, *Regents' Rules*).

All employees shall disclose and discuss with their supervisor any external activities that could create a conflict of commitment or the appearance of a conflict of commitment to ensure proper management of any potential conflict.

External activities must be arranged so as not to interfere with the employee's commitments to the institution. External activities must not discredit the institution nor compromise any intellectual property of the institution. Employees should periodically re-examine the nature and extent of their external activities and conscientiously avoid engaging in activities that constitute conflicts of commitment.

Employees who are members of their school's income plan are required to follow the plan bylaws regarding income-generating activity.

External activities of employees must not detract from primary responsibilities and must not require such extensive absence so as to cause the employee to neglect his/her institutional obligations during the period of their appointment. In the case of faculty, such obligations include, but are not limited to, instructional obligations, research obligations, and availability to students and colleagues.

Individual schools and departments may implement more specific procedures and require additional information in furtherance of this policy (see [OP 70.15, Multiple and Other Employment](#)).

## 5. Disclosure

### a. Duty to Disclose Internally

In order to identify and review actual or perceived conflicts of interest or commitment, employees must disclose in advance all external activities and financial interests that create or have the appearance of creating conflicts of interest or commitment to their supervisor or the appropriate institutional officials as outlined in policy. The supervisor or the appropriate institutional officials will review the disclosures to determine whether a conflict of interest or commitment exists and what conditions or restrictions, if any, should be imposed in order to manage, reduce, or eliminate the conflict of interest or commitment. The supervisor or the appropriate institutional official shall document any such disclosure and/or related decisions.

Such disclosures shall be sufficiently detailed and timely as to allow accurate and objective evaluation prior to making commitments or initiating activities that create conflicts of interest or commitment. Each employee has an obligation to cooperate fully in the review of the pertinent facts and circumstances. Individual schools and departments may implement more specific procedures and require additional information in furtherance of this policy.

Certain activities on behalf of the institution may involve more specific procedures with respect to disclosure of conflicts of interest or commitment because of governmental or legal requirements. Anyone involved with sponsored research or the development and licensing of intellectual property under the auspices of the institution is responsible for complying with all applicable procedures.

### b. Duty to Disclose Externally

Employees shall comply with financial disclosure requirements of any governmental, accreditation, or other self-regulatory agency.

Additionally, disclosures of actual or perceived conflicts of interest or commitment shall be made to publications and journal editors when research manuscripts are submitted and to the audience during any oral presentation of research.

The Office of the President is available as a resource for questions involving the institution's policies and procedures and for guidance on any issues related to the disclosure process.

### c. Annual Disclosure Process

In addition to the duty of advance disclosure discussed above, executive administrators, as defined in Section 03.04, *Regents' Rules*, and others, as required by policy, shall provide a written disclosure of situations or relationships that create or have the appearance of creating a conflict of interest or commitment upon initial employment and annually thereafter. The President shall identify those who must annually disclose who must include faculty and staff in student financial aid, procurement, contracting, commercialization/technology, and regulatory oversight committees dealing with commercial sponsors. Individuals who must disclose must also provide updated disclosures throughout the year if changes in

circumstances arise that either (1) create a new conflict of interest or commitment, or (2) change or eliminate a conflict of interest or commitment previously disclosed. While the disclosure statements will be considered confidential, the information may be released in accordance with and as required by federal, state, or local law or court order.

## 6. Conflict Committees

### a. TTUS Institutional Conflict of Interest Committee

In the event of an institutional conflict of interest involving any component of TTUS, an ad-hoc Conflict of Interest Committee shall be convened by the TTUS General Counsel.

#### (1) Duties and Responsibilities

The committee is responsible for reviewing all conflict of interest cases involving the institution as a party.

This committee shall:

- Conduct a thorough review of each case brought before it;
- Approve or deny the proposed activity and develop an appropriate management plan to address any conflicts; and
- Report annually to the Board of Regents Audit Committee through the Office of Audit Services, summarizing the matters considered during the year by the committee and their resolution(s).

#### (2) Composition

The TTUS General Counsel shall appoint members with expertise relevant to the matter under review by the committee.

### b. The Institution's Conflicts of Interest/Commitment Committee (Non-Research)

#### (1) Duties and Responsibilities

The President shall establish a standing Conflicts of Interest Committee. This committee shall:

- Serve as a resource on individual conflict of interest or commitment matters not otherwise addressed by the institution's research conflict of interest committee ([OP 74.17, Disclosure of Significant Business or Financial Interests that may Represent Conflicts of Interest](#)) or other established review procedures;
- Conduct a thorough review of conflict of interest or commitment matters brought before it;
- Approve or deny the proposed activity and develop an appropriate management plan to address any conflicts; and



- Report annually to the Board of Regents Audit Committee through the Office of Audit Services, summarizing the matters considered during the year by the committee and their resolution(s).

The committee shall also maintain an ongoing awareness of procedures, practices, and standards and laws with regard to conflicts of interest with a view to assuring consistency with the terms of this policy. It shall carry on whatever dialogue is necessary with deans and directors or administrative officers to insure that its knowledge is sufficiently current and complete. It shall also ensure that a proper balance is maintained between confidentiality and its operations and standards.

## (2) Composition

This committee shall consist of representatives appointed by the President in consultation with the Faculty Senate with respect to faculty matters or in consultation with other relevant bodies regarding other matters from relevant areas across the institution, such as faculty, legal, finance, administration, or compliance. The President shall appoint the chair of the committee. The committee shall appoint at least one member with specialized knowledge in any area under review by the committee.

## 7. Oversight and Resources

The President shall ensure education is provided to new employees and that there are annual communication and/or awareness activities.

Employees may find additional information regarding conflicts of interest for state employees and/or obtain an opinion from the [Texas Ethics Commission](#).

Employees should report any violations of this policy or related conflicts of interest policies through the TTUS Compliance Hotline, either toll free at 1-866-294-9352 or [online at https://secure.ethicspoint.com/domain/en/report\\_custom.asp?clientid=12414](https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=12414).

## 8. References

### a. Texas Statutes

- Texas Government Code 572
- Texas Penal Code § 36.07

### b. Regents' Rules

- Chapter 03, *Regents' Rules*
- Chapter 10, *Regents' Rules*  
<http://www.texastech.edu/bor/rules.php>

### c. Conflict of Interest and Ethics Code

[http://www.depts.ttu.edu/officialpublications/facultyHB/FacultyAffairs\\_C-D.php# Ethics](http://www.depts.ttu.edu/officialpublications/facultyHB/FacultyAffairs_C-D.php# Ethics)

## d. TTU Conflict of Interest OPs

OP 10.11, Ethics Policy

<http://www.depts.ttu.edu/opmanual/OP10.11.php>

OP 30.18, The Adoption and Sale of Textbooks and Related Materials

<http://www.depts.ttu.edu/opmanual/OP30.18.php>

OP 32.07, Other Employment, Faculty Consulting, and Public Offices

<http://www.depts.ttu.edu/opmanual/OP32.07.php>

OP 32.25, Tutoring for Payment

<http://www.depts.ttu.edu/opmanual/OP32.25.php>

OP 32.33, Faculty, Staff, and Student Conflict of Interest

<http://www.depts.ttu.edu/opmanual/OP32.33.php>

OP 34.03, Student Grade Appeal

<http://www.depts.ttu.edu/opmanual/OP34.03.php>

OP 64.07, Graduate Student Appeals

<http://www.depts.ttu.edu/opmanual/OP64.07.php>

OP 70.10, Non-Faculty Employee Complaint Procedures

<http://www.depts.ttu.edu/opmanual/OP70.10.php>

OP 70.15, Multiple and Other Employment

<http://www.depts.ttu.edu/opmanual/OP70.15.php>

OP 70.31, Employee Conduct, Coaching, Corrective Action, and Termination

<http://www.depts.ttu.edu/opmanual/OP70.31.php>

OP 72.03, Conflicts of Interest Relating to Purchasing, Payments, and Contracts

<http://www.depts.ttu.edu/opmanual/OP72.03.php>

OP 72.17, Services of Independent Academic Personnel

<http://www.depts.ttu.edu/opmanual/OP72.17.php>

OP 74.02, Conduct of Research and Scholarly Activity

<http://www.depts.ttu.edu/opmanual/OP74.02.php>

OP 74.04, Intellectual Property Rights

<http://www.depts.ttu.edu/opmanual/OP74.04.php>

OP 74.08, Allegations of Misconduct in Research or Scholarly Activity

<http://www.depts.ttu.edu/opmanual/OP74.08.php>

OP 74.17, Disclosure of Significant Business or Financial Interests that may Represent Conflicts of Interest

<http://www.depts.ttu.edu/opmanual/OP74.17.php>

e. Operating Policies and Procedures Website

<http://www.depts.ttu.edu/opmanual>

f. Faculty Handbook Website

<http://www.depts.ttu.edu/officialpublications/facultyHB/general.php>

g. Federal Regulations

- National Institutes of Health Financial Conflict of Interest Regulations  
<http://grants.nih.gov/grants/policy/coi>
- National Science Foundation Conflict of Interest Policies for Grantees  
[http://www.nsf.gov/pubs/manuals/gpm05\\_131/gpm5.jsp](http://www.nsf.gov/pubs/manuals/gpm05_131/gpm5.jsp)
- USDA National Institute of Food and Agriculture:  
<http://www.csrees.usda.gov/about/glossary.html> (see Conflict of Interest)



TEXAS TECH UNIVERSITY

## Operating Policy and Procedure

### **OP 30.13: Visiting Speakers**

**DATE:** October 10, 2017

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure that all employees associated with Texas Tech University comply with a single philosophy and procedure in the consideration and use of visiting speakers.

**REVIEW:** This OP will be reviewed in April of odd-numbered years by the Senior Vice Provost with substantive revisions presented to the Provost and Senior Vice President.

### **POLICY/PROCEDURE**

Section 08.08, *Regents' Rules*, requires each component institution of the TTU System to develop “policies necessary for the administration of free speech activities, including placing reasonable restrictions upon the time, place, and manner of on-campus speech.”

The authorization for all on-campus speakers will be under the direction and responsibility of the President of the university. The following policy statement is in accordance with Section 08.08, *Regents' Rules*, regarding on-campus speakers.

1. This policy applies to all persons who wish to speak within the physical confines of Texas Tech University unless such person is a regular employee or student of the TTU system. Members of the Board of Regents are also exempt from the application of this policy.
2. No individual or group shall be denied the right to speak within the physical confines of Texas Tech University solely because the views sought to be advocated differ from those of the Board of Regents, its members, the Chancellor, the university President, or another officer or employee of the university.
3. Access to speak within the physical confines of Texas Tech University shall be denied to those who are likely to advocate:
  - a. Lawlessness or disregard for the laws of the United States or the state of Texas;
  - b. A change to the laws of the United States or the state of Texas by other than constitutionally or statutorily prescribed processes; or
  - c. The violent overthrow of the government of the United States or the state of Texas.

In determining the likely conduct or speech of the proposed speaker, consideration shall be given to past performance of the proposed speaker.



Information about requesting space to host a speaker event may be obtained on the [Events FAQ page](#). Arrangements for the payment of professional fees and expenses for speakers must be made through administrative channels in advance. Payment usually is made through a *Check Issuance Request* for professional services. These forms are available from Accounts Payable. If expenses involve petty cash, receipts are essential.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 30.18: The Adoption and Sale of Textbooks and Related Materials**

**DATE:** January 9, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure understanding and a standardized approach for the adoption and sale of textbooks and related materials by the faculty.

**REVIEW:** This OP will be reviewed in April of odd-numbered years by the Senior Vice Provost (SVP) and the Assistant Vice President for Auxiliary Services (AVPAS) with substantive revisions presented for approval to the Provost and Senior Vice President (PSVP).

### **POLICY/PROCEDURE**

1. The university president appoints the PSVP as Chief Academic Officer and Administrator responsible for developing and maintaining university regulations and procedures regarding the sale of educational materials.
2. Educational materials include any instruments, devices, or printed or electronically published forms used in the classroom, laboratory, or other instructional setting that are required to be purchased by the students. The pertinent TTU operating policy to ensure understanding and a standardized approach regarding the handling of materials controlled by a copyright is [OP 30.22, Guidelines for the Educational Use of Copyrighted Works](#).
3. All educational materials must be sold to students through an established bookstore or copy shop or as authorized by both the SVP and the AVPAS and approved by the PSVP. If sales of educational materials are made to students through means other than an established bookstore or copy shop, a written request for exception must be prepared and routed through appropriate administrative channels, including authorization by both the SVP and the AVPAS and approval by the PSVP.
4. The university encourages faculty members to publish textbooks and other professional works. There is no prohibition against the use of such textbooks in classes taught by the faculty member or author, provided the textbook has been provided by a recognized and reputable publishing house at its own risk and expense, made available for open sale, and approved for such use by a textbook committee appointed by the department or area head. Such approval must be in writing and is to be secured annually.
5. All educational material to be sold for use in courses or in laboratory work must be approved by the appropriate textbook committee. University departments that provide such instructional

material must recover no more than the cost required to reimburse producing and using the material.

6. Under no circumstances may money be paid by a student to a teacher or instructor for any educational materials or services unless otherwise authorized by both the SVP and the AVPAS and approved by the PSVP.
7. A committee appointed by the Faculty Senate will render an advisory opinion or hear any appeal lodged with the PSVP by faculty, administrator, or student in which a conflict of interest results from the sale of textbooks or other materials. The opinion of the committee is advisory to the PSVP.
8. Texas Tech is required to publish on the institution's website a list of textbooks to be used in all courses no later than the 30th day before the first day that classes are conducted for the semester. The official bookstore for Texas Tech publishes this information on its website on behalf of Texas Tech and provides this list to all local college bookstores. This necessitates that academic departments provide all textbook information to the campus bookstore no later than the 30th day before the start of classes. The official college bookstore for Texas Tech is the Barnes & Noble located in the Student Union.



## TEXAS TECH UNIVERSITY

### Operating Policy and Procedure

#### **OP 30.19: Texas Tech University Press**

**DATE:** October 24, 2016

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to define the purpose, responsibilities, structure, and procedures of Texas Tech University Press (TTUP) and to specify the role and function of the TTUP Editorial Committee.

**REVIEW:** This OP will be reviewed in August of every even-numbered year by the Director of Texas Tech University Press and the Dean of the University Libraries with substantive revisions presented to the Provost and Senior Vice President. This OP will be reviewed again in 2018.

#### **POLICY/PROCEDURE**

##### **1. Purpose**

As the official publishing authority of the university, TTUP assists the university in advancing knowledge and disseminating that knowledge to other members of the scholarly community and to the general public.

##### **2. Responsibilities**

In fulfilling its mission, TTUP has a primary obligation to ensure the accuracy, quality, and appropriateness of works issued under its imprint. It is responsible for the development of a list of titles that reflects not only the research and educational strengths of the university but, also, the highest standards maintained by legitimate university presses.

In addition to fulfilling its scholarly function, the press must perform as a responsible business entity and exercise sound fiscal management, both on a short-term basis and from a strategic perspective: the press must make continual efforts not only to maximize its sales revenues but, also, to augment its funding base by a variety of means.

To this end, the press publishes a number of commercially viable titles with broader popular appeal. Revenues deriving from these titles and from the development of endowments, title subsidies, and other sources of funding enable the press to continue its scholarly publishing activities by subvening the publication of the results of highly specialized research.

Also to this end, when a proposed project does not fit within TTUP's established list but is nonetheless of scholarly merit and reflects the research and educational strengths of the university, TTUP may present such project(s) to the Editorial Committee for inclusion in a secondary imprint, Toreador Publishing. This secondary imprint's scope will be to house open access projects and service projects for the Texas Tech University community. Any



publications included in this secondary imprint will be consistent with TTUP's primary obligation of ensuring accuracy, quality, and appropriateness of its works, and will, on a per project basis, be subject to appropriate peer review or other external vetting, as well as to approval by the Editorial Committee or a subcommittee appointed by the Editorial Committee. This secondary imprint must follow responsible business practices and exercise sound fiscal management.

### **3. Structure**

The governance of Texas Tech University Press is the responsibility of its Director, who is appointed by the Dean of the University Libraries in consultation with the Editorial Committee.

### **4. Procedures**

TTUP ensures that all manuscripts considered for publication are reviewed by qualified external referees, edited, and returned to the author for revision, when necessary. More detailed statements of editorial policies and procedures for the several categories of publications are available from the press.

### **5. The TTUP Editorial Committee**

The charge of the TTUP Editorial Committee is to assist the Texas Tech University Press in ensuring the quality of the scholarly books and journals issued under the press imprint. The committee's primary function is to certify that those titles represent the best and most important results of original scholarly pursuits.

This committee shall also aid and advise the Dean of the University Libraries and the Director of the press in the formation of general editorial policy and in the development of the character and nurturance of the press.

#### **a. Duties and Responsibilities**

As an advisory and a policy committee concerned with the intellectual and scholarly development of the press, the Editorial Committee has the following major duties:

- (1) To assist the Director and staff in establishing and maintaining sound publishing policies for the press by representing the point of view of the scholarly community. The committee is, therefore, involved in such issues as the development of the subject areas published and the consequent evolution of the character of the press. The committee considers and approves or disapproves manuscripts proposed by the press editors.
- (2) To serve as a medium of communication between the faculty and the press, providing accurate information about TTUP and bringing criticisms, suggestions, and other advice to the press from the faculty.
- (3) To provide periodic assessment of the activities of the press and to share these opinions with the Director. The committee will provide written reports to the Dean of the University Libraries upon request.

- (4) To support and encourage the Director and staff of the press in all aspects of publishing, which requires an influx of enthusiastic, enlightened, and constructive counsel on a continuing basis.
- (5) To assist the Dean of the University Libraries, should it become necessary, in search, screening, and selection of a Director of the press.

The committee is not an administrative body and has no part in the relationship of the press Director to the Office of the Dean of the University Libraries. It is not, except in general and indirect ways, involved with fiscal matters, which are the province of the press and the Dean of the University Libraries.

b. Membership

The Editorial Committee is comprised of representatives of (1) those academic areas in which TTUP has an active publishing interest, (2) other university entities with which the press shares publishing interests and goals. Because these areas evolve and are refined on a continuing basis, the composition of the committee will reflect that evolution and refinement. Members should be selected based on their expertise and likelihood to contribute to the committee's work.

The committee membership is comprised of the following individuals:

- (1) Two voting ex officio members and one non-voting ex officio member:
  - Dean, the University Libraries (chair)
  - Executive Director, the Museum of Texas Tech
  - Director, the University Press (non-voting)
- (2) A minimum of six members appointed from the university system community

c. Appointment

- (1) Appointments will be made upon recommendation by the Director of the press in consultation with the Dean of the University Libraries.
- (2) The term of membership of appointed members shall be three years. Members may be reappointed by their respective deans in consultation with the Dean of the University Libraries.

d. Operating Procedures

- (1) The Dean of the University Libraries shall serve as Chair of the Editorial Committee and shall consult the Director of the press in setting the agenda for each meeting. In the absence of the Dean of the University Libraries, the Executive Director of the Museum of Texas Tech University will chair the committee.
- (2) The frequency of committee meetings shall be determined by the Chair in consultation with the Director of the press.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 30.25: Housing and Dining for Students**

**DATE:** April 16, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to set forth Texas Tech University's policies and procedures for the housing and dining of students.

**REVIEW:** This OP will be reviewed in April of odd-numbered years by the Managing Director of University Student Housing with substantive revisions presented to the Senior Vice President for Administration & Finance and Chief Financial Officer.

### **POLICY/PROCEDURE**

#### **1. First-Year On-Campus Residency Requirement**

- a. The university requires enrolled first-year students to live in the university residence halls. Institutional research suggests that students who live on campus are significantly more inclined to remain in college and achieve higher GPAs in comparison to students living off campus.
- b. The on-campus residency requirement applies to students enrolled in more than six hours for the fall or spring semesters, and/or enrolled for three hours per summer session.
- c. Compliance with the university housing policy is a condition of enrollment, as set forth in the [\*Student Handbook\*](#) and the [\*Undergraduate and Graduate Catalog\*](#) and approved by the Board of Regents. Failure to comply with the on-campus residency requirement will result in the student being placed in a Non-Compliance Status and charged for all applicable Housing and Dining Plan fees.
- d. It is the responsibility of the student to update any incorrect information regarding place of residence with the Office of the Registrar.
- e. On-campus housing for administration, faculty, and other university employees generally is not provided. Special permission may be granted in exceptional circumstances.
- f. On-campus housing for married couples or families is not provided.
- g. Registered sex offenders and students convicted of any felony are not permitted to live in university-owned housing, which includes the university residence halls.

#### **2. On-Campus Residency Exemption Process**

- a. Subject to verification and authorization by the university, students may be eligible to live off campus provided any one of the 11 exemption categories listed below is satisfied:

- (1) A student is residing and continues to reside in the established primary residence of her/his parents (or legal guardian) if it is within a 60-mile radius of Texas Tech University. The parents must have established their primary Lubbock residency at least six months prior to the request for an exemption. Legal guardianship must have been established by a court of law at least one year prior to a request for an exemption in order to be considered;
- (2) A student presents sufficient evidence of an extreme financial hardship condition based on similar guidelines as for Student Financial Aid;
- (3) A student is married or has dependent children living with the student;
- (4) A student is 21 years of age or over on or before the first day of classes of the initial semester of enrollment;
- (5) A student has successfully completed 30 or more semester hours of academic credit prior to the student's enrollment or re-enrollment to Texas Tech University. Credit earned by exam (Advanced Placement, CLEP, ACT, SAT) and hours received while attending high school (dual-credit, concurrent-credit, dual-enrollment, etc.) are not considered;
- (6) A student is awarded a university scholarship/sponsorship managed by a university department or college, which minimally includes the equivalence of the current academic school year's room, board, tuition, fees, and textbooks (as estimated by the Student Financial Aid Office) during an academic school year. Upon prior approval from the managing department or college, the student may request to be exempted from living on campus. The managing department or college must provide verification in writing to University Student Housing prior to the student's enrollment and/or re-enrollment to the university;
- (7) A student is enrolled in the Graduate School or School of Law;
- (8) A student has served in active military service, as verified by a discharge certificate (DD214);
- (9) A student presents sufficient evidence of an extreme medical condition, as documented by her/his treating physician for which on-campus accommodations cannot be made;
- (10) A student presents sufficient and satisfactory evidence of extreme or unusual hardship that will be intensified by living in the residence halls; or
- (11) A student has completed a full academic year (fall and spring terms) of residence in the Texas Tech University residence halls prior to off campus residence eligibility or provides sufficient evidence of living on-campus at another university prior to off-campus residence eligibility.

To request an exemption to live off-campus, the student must submit an [Exemption Form](#) along with all required documentation. University Student Housing (USH) staff will review and send approval/denial notices to the student's TTU email account.

- b. Subject to verification and authorization by University Student Housing, students may be eligible to have their housing hold temporarily removed, and not be required to live on campus for the given term, provided any one of the three conditions listed below is satisfied:
  - (1) A student is enrolled in online classes only;
  - (2) A student is taking six hours or less during the academic year; or
  - (3) A student is enrolled in Texas Tech University or Texas Tech University Health Sciences Center at a campus other than the Lubbock campus.

To request a temporary hold removal, contact [housing@ttu.edu](mailto:housing@ttu.edu).

- c. In conjunction with the university's support of academic integrity, evidence of deliberate falsification of information, data, or any materials submitted, or providing false or erroneous information in connection with an application for exemption from the on-campus housing requirement will be grounds for disciplinary action. Such action may include, but is not limited to, revocation of a previously approved exemption, restitution of room and dining plan fees, or probation, as determined by the Office of Student Conduct and in accordance with the *Code of Student Conduct* of Texas Tech University.
- d. No exemptions will be approved once the student has moved into the residence halls.
- e. Signing an off-campus lease will not relieve the student of contractual obligations that may have been assumed with the university. Students will be expected to comply with all provisions of the signed contract.

### 3. Housing Signup Process

Residence halls, like all other services and facilities of Texas Tech University, are available to all students regardless of race, creed, national origin, age, sex, or disability.

- a. Applications for admission to the university and applications for residence hall accommodations are separate processes. To sign up for housing at Texas Tech University, students must first be admitted to the university. Students are encouraged to sign up for housing as soon as they are notified of their admission status and receive and activate their eRaider account information. To complete the housing sign-up process, please visit the [USH website](#).
- b. Students sign a *University Student Housing and Hospitality Services Contract* for the academic year (fall and spring semesters), a 12-month contract (fall, spring, and summer), or a summer-only contract. For spring admits, USH offers a spring-only contract. Any student wishing to move off campus or cancel their contract should consult the *University Student Housing and Hospitality Services Contract* for the cancellation provisions.
- c. Housing and dining plan rates are based on a per person charge. Rates are reviewed and approved by the President each academic year. All rates are subject to change, with appropriate notice. The most recent rates are posted on the [USH](#) and [Hospitality Services](#) websites.



d. Fees and Deposits

- (1) A \$75 non-refundable application fee is required with all housing applications. This is a one-time fee.
- (2) A \$400 initial deposit is required for all housing room reservations for all residence halls including traditional spaces and suite/apartment/pod style spaces and is due with the signed contract. The \$400 initial deposit is potentially refundable (less any fees or billed charges) if the contract is completed or properly canceled as outlined in the contract.
- (3) A \$250 additional deposit is required for a housing room reservation in a suite/apartment/pod style space (Talkington, Gordon, Carpenter/Wells, Murray, Honors Hall, and West Village) and is due with the signed contract if selecting a suite/apartment/pod style space or when the student elects to upgrade to a suite/apartment/pod style space.

The \$250 additional deposit is potentially refundable (less any fees or billed charges) if the contract is completed or if the student never reserves a suite/apartment/pod style space. The \$250 additional deposit is non-refundable if the contract is canceled at any time before the end of the contract period.

For additional information on fees, deposits, and cancellation procedures, please review the applicable housing contract on the [USH website](#).

- e. The university agrees to provide a room and dining plan only after the student has submitted the required application, properly signed the *University Student Housing and Hospitality Services Contract*, and paid the application fee and applicable deposit(s). The student agrees to pay the housing and dining plan fees and any billed charges (i.e., damage charges, lock change charges, late/improper check-out charges, etc.) at the time scheduled by the university. All housing and dining plan fees and charges are billed in a combined account with the university tuition and fees. These accounts are managed by Student Business Services.
- f. Students with academic year or 12-month contracts are charged 60 percent of the academic year housing and dining plan rate for the fall semester and 40 percent for the spring semester. Students entering the residence halls for the spring semester with a spring-only contract are charged 50 percent of the academic year rate.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.01: Promotion and Tenure Standards and Procedures**

**DATE:** October 15, 2018

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to define university-level standards and procedures concerning promotion and tenure. All faculty being considered for promotion and tenure are to be evaluated using the version of OP 32.01 effective on the date of hire, unless they elect to be evaluated using the current version of the policy (subject to the provisions of sections 6.a. and 9. herein).

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the Senior Vice Provost with substantive revisions presented to the Provost and Senior Vice President (PSVP) by December 15. Any change in this OP must be conducted in accordance with section 9 herein.

### **POLICY/PROCEDURE**

A university is a community of scholars whose members are engaged in the discovery, evaluation, transmission, and extension of knowledge. As such, they must be free to search for and express the truth as they find it, whether in the classroom, research/creative activity, or service as members of the community, and regardless of their tenure status. They must also be free from undue constraints, whether imposed from inside or outside the university.

Faculty members' privileges imply correlative responsibilities. In addition to maintaining standards of competence, particularly those relating to scholarship and teaching ability, faculty members are responsible for maintaining the proper attitude of objectivity, industry, and cooperation with their associates within the university. It is a faculty member's professional responsibility to contribute productively throughout his or her academic career.

As persons of learning, faculty members should remember that the public may judge their profession and institution by their utterances and other actions. They should, thus, at all times be accurate, exercise appropriate restraint, show respect for the opinions of others, and exercise every effort to make clear that, as individuals, they do not speak for the institution.

Members of the faculty who are employed in a full-time tenure-track position with Texas Tech University are covered by this OP. The tenure policy does not apply to strictly administrative positions, non tenure-track positions, or part-time appointments. Approval of continuing appointment of persons holding full-time instructional positions that do not acquire tenure is described in [OP 32.34, Approval of Faculty in Non Tenure-acquiring Ranks](#). The terms and conditions of every full-time tenure-track faculty appointment shall be stated in the faculty member's letter of appointment and should be in the possession of both the university and the faculty member at the time of initial employment. These terms and conditions shall include departmental guidelines, college guidelines, guidelines for third-year review procedures, and this OP.

Texas Tech University has adopted a statement of ethical principles (Attachment A) that calls on all members of the university community to accept responsibility for promoting shared ethical principles. All academic appointments and tenure judgments and recommendations rest upon honest evaluation of the faculty member's performance of his or her teaching, research and creative activity, and service responsibilities. Consistent with [OP 40.01 Equal Employment Opportunity Policy and Affirmative Action Program](#) and [OP 40.02 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws](#), and [OP 40.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure](#), such judgments and recommendations are to be made without regard to race, religion, gender, sexual orientation, age, national origin, or disability, as defined by the Americans with Disabilities Act, as amended.

In keeping with the mission of the university, tenure and promotion of quality faculty are essential values and processes in strengthening academic quality and reputation. Tenure and promotion also incentivize the university's strategies to promote excellence in teaching, expand and enhance research and creative scholarship, and to further notable outreach and engagement.

## 1. Concept and Purpose of Tenure

- a. Academic tenure is designed to assure the faculty freedom in teaching, research, opinion, and full participation as citizens in the community. The purpose of academic tenure at TTU is also to retain a body of faculty best qualified to help develop and execute the core university mission of advancing knowledge and educating students. The purpose of promotion at TTU is to recognize and reward faculty with records of sustained professional accomplishment that contribute to that mission. TTU is committed to retaining and promoting faculty whose work achieves a high standard of excellence and who demonstrate through the performance of their duties a commitment to professionalism and to the core university mission. The university receives guidance from the AAUP *Statement on Professional Ethics* (<http://www.aaup.org/AAUP/pubsres/policydocs/contents/statementonprofessionalethics.htm>) adopted in 1966, in determining standards for professionalism, and from the AAUP *Statement of Principles on Academic Freedom and Tenure* (<http://www.aaup.org/AAUP/pubsres/policydocs/contents/1940statement.htm>), adopted in 1940, in ensuring traditional safeguards for academic freedom.
- b. Academic tenure has been adopted so that Texas Tech University may have the benefit of the competent and honest judgment of its faculty. Tenure recognizes the professional status of university faculty and assures that tenured employment may be terminated only for adequate cause (see [OP 32.02 Faculty Non-reappointment, Dismissal, and Tenure Revocation](#)).
- c. Tenure aims at the retention, encouragement, and promotion of the ablest and most promising faculty.
- d. Tenure may normally be obtained only after a period of probationary service. After tenure is granted, the burden of proof rests upon the university when it wishes to dismiss a tenured faculty member.

## 2. Procedures for Admission to Tenure

- a. All departments shall have in place procedures for a third-year review for each untenured faculty member, which is to include a written assessment and recommendation regarding the faculty member's progress toward tenure and promotion ([OP 32.38 Third-Year Review of Tenure-Track Faculty](#).)

- b. A faculty member must complete a reasonable probationary period before acquiring tenure in the university. The maximum probationary period for admission to tenure is the same for all tenure-track ranks. Before the end of a six-year probationary period at Texas Tech University, a tenure-track assistant, associate, or full professor, librarian, or archivist must be notified in writing either that tenure has been awarded or that the appointment will not be renewed at the end of the seventh, terminal year.
- c. Computation of the maximum probationary period begins based on the written terms and conditions indicated in the faculty member's letter of appointment to a tenure-track rank. Probation is not reduced by previous non-tenure-track appointments or by promotions made during that period.
  - (1) The probationary period for admission to tenure shall begin in September of the calendar year in which the appointment is made.
  - (2) After the probationary period begins, all time accrued in full-time service at Texas Tech University in a tenure-track rank will be counted in the probationary period. If extenuating circumstances, as judged by the PSVP, justify a suspension of the tenure probationary period causing the years included not to be sequential, a request for an extension of the probationary period may be made to the PSVP. The request will be initiated by the faculty member, reviewed and commented upon by the department/division chairperson and college dean, and forwarded to the PSVP for a decision.
- d. Exceptions to tenure timeline
  - (1) In exceptional cases, associate professors, librarians, and archivists, and full professors, librarians, and archivists may be hired with tenure when the traditional tenure review procedure precedes the appointment.
  - (2) Faculty members who are promoted in rank shall not thereby acquire tenure unless the normal tenure review procedure has been completed.
  - (3) Tenure may be awarded prior to completion of the full probationary term, although a positive third-year review is strongly encouraged. A faculty member may request early tenure consideration prior to completing the full probationary period without prejudice for later reconsideration. For an early tenure bid, the faculty member's record of accomplishment at Texas Tech University on the standard criteria set by the department and college for admission to tenure is to be the equivalent or more than would be expected at the completion of a full probationary period.
- e. The faculty member has primary responsibility for preparation and submission of a dossier by the start of the sixth year of the probationary period, with guidance provided by the department chairperson, designated representative, or departmental committee (see Attachment B). Material submitted to the PSVP shall be limited to the designated format and should consist of no more than 20 pages, exclusive of all letters, annual reports, curriculum vitae, and department and college guidelines, which must be included in the package or submitted electronically. Any changes in the designated format (Attachment B) must be distributed to the deans by the PSVP no later than April 15 of the year in which the affected candidates are preparing their dossiers.

- f. A common format for promotion and tenure dossiers (Attachment B) shall be used to assure fairness in the decision-making process. As promotion and tenure require that a person's professional record and contributions be reviewed, the format calls for information on educational background, previous academic and professional experience, teaching and advising responsibilities, research and scholarly contributions, service and engagement activities since the most recent promotion or tenure decision. Some departments or colleges may wish to add other special categories for review at those levels. A copy of the dossier, either paper or electronic, shall be made available for review by the voting faculty within the department.
- g. Primary responsibility for the evaluation of the academic qualifications of candidates for tenure rests with the faculty. When the organizational structure permits, four sequential levels exist in the tenure review process. (Note: Colleges and schools may be organized by departments or divisions or function as a single unit. In this OP, "department" and "chairperson" will be used to refer to the basic academic unit of a college and that unit's administrative head.) The tenure review levels include:
  - (1) Evaluation by the department, which includes a vote by the tenured faculty, and a recommendation by the chairperson, who does not attend or participate in the faculty vote;
  - (2) Two events occur at the college level: first, a review by the college tenure committee, which provides a recommendation to the dean; and second, a letter of recommendation provided by the dean, who does not attend or participate in the department faculty vote, nor participate in the vote of the college tenure committee.
  - (3) Review by the PSVP, which includes review and a vote by the Dean of the Graduate School, except for candidates from the School of Law, and, at the PSVP's discretion, review and a vote by the vice president for research, and review, but not votes, by faculty members of the provostial staff. In any such deliberations, the greatest possible weight should be accorded to the department's and dean's assessments of the candidate, whose assessments should have carefully considered the faculty's evaluation of the candidate. Any decision to overturn a departmental or college vote by the PSVP should only be made after further consultation with the affected dean or chairperson.
  - (4) Review by the university President, who makes recommendations for tenure through the Chancellor to the Board of Regents. The action of the Board of Regents awards faculty members tenure.

### **3. Procedures for Promotion**

- a. Promotion from assistant to associate professor, librarian, or archivist normally occurs at the same time as the decision on tenure and follows the same procedures. Only faculty at a higher rank may participate in any promotion vote during the department or college review process.
- b. Promotion from associate to full professor, librarian, or archivist generally follows the same procedures as for promotion to associate, except that only faculty at the higher rank may participate in any vote during the department or college review process.



#### 4. General Criteria for Promotion and Tenure

Academic promotion and tenure are awarded to faculty who make continuing contributions in the areas of teaching, research and creative activity, and professional service, any of which may include outreach or engagement. While promotion and tenure determinations are separate and distinct, similar standards and procedures apply to both. The preservation of quality requires that all persons recommended clearly satisfy the general criteria presented herein. The relative weight given to each of the three components and specific criteria will depend on the standards in the individual disciplines as expressed in the departmental promotion and tenure standards, which must conform to documented college and university standards.

##### a. Teaching

Teaching includes activities that contribute to student learning. Evaluation of teaching shall include effectiveness of course content and delivery, student learning outcomes, and demonstration of up-to-date knowledge of the candidate's discipline. In some instances, teaching may be indirect, primarily in support of student learning activities. Faculty members also influence teaching by designing courses and curricula. Textbooks, articles and other contributions to creative pedagogy, and innovative instructional materials, including documentation related to service-learning outcomes, may be considered contributions to teaching. Leading students on studies abroad is another contribution to teaching. In addition, faculty members influence teaching in less tangible, but no less decisive ways, through activities such as counseling students.

Detailed and specific evidence of effective teaching shall be included in the dossiers of faculty members being recommended for promotion and tenure. Each department is to apply its documented procedures for peer evaluations of teaching to each tenure-track faculty member at least annually. Candidates for promotion should also be provided peer evaluations of teaching in, at latest, the semester prior to application for promotion. Evidence in the dossier should be limited to a one-page summary of peer evaluations and student evaluations for each year of service since appointment or previous promotion. The department chairperson, in consultation with the candidate, shall provide the summary of teaching effectiveness, including involvement in graduate education, as applicable. Faculty colleagues should be asked to evaluate the objectives, methods, and materials of courses designed and/or taught by the individual as part of summative peer evaluation. Charts, graphs, portfolios, and other data may be included in appendices and subsequently removed by the dean before submission to the PSVP.

##### b. Research and Creative Activity

Faculty are expected to contribute directly to the enhancement and expansion of Texas Tech University's research and creative scholarship. Research and creative activity serve to advance the discipline or the state of the art. Evidence of research and creative activity includes print or electronic publications, non-print presentations, funded grant applications and reports, patents and other intellectual property, curatorships, and artistic productions and performances. Textbooks and innovative instructional materials having significant value beyond this campus may be considered contributions to research and creative activity.

The dossier of an individual should provide substantiating evidence of quality submitted by appropriate observers within and outside the university, such as appraisal of the candidate's books or artistic performances. Outside reviewers who work in the same or a closely related

field, and who have an objective expertise to evaluate the faculty member, shall be selected by the chair in consultation with the faculty member. Wherever appropriate, at least three of the reviewers should be from TTU's national or international peer institutions or aspirational peer institutions. Candidates must disclose which letters come from reviewers with whom they have a relationship that might raise a potential conflict of interest, such as collaborators, coauthors, former professors, or students. The total number of letters is not restricted.

c. Professional Service

Faculty members are expected to make professional contributions through service to the department, college, university, discipline at large, and, as appropriate, to the broader community. These contributions to outreach and engagement may include discipline-related activities in service to the immediate community, to the state and region, and to society at large, as well as service in one's department and across the university as advisers, committee members, task force members, workshop and symposium participants, international development grant participants, and similar types of activities.

Participation in the activities of professional societies and organizations, especially through service in leadership roles, is a strong indication of professional commitment. Contributions through presentations and consultative services are regarded as further evidence of professional reputation. Such service and activities may include paid (compensated) as well as unpaid work on behalf of the profession.

## 5. Standards for Academic Ranks

Each department and college may have requirements defined for each rank that exceed those of the university. The minimum university requirements for each tenure-track academic rank are as follows:

a. Assistant Professor/Librarian/Archivist

In a tenure track, normally, one is appointed as an assistant professor. This initial appointment requires completion of the terminal academic degree (or its equivalent) defined by the department, as appropriate for the position to be held by the candidate, and an ability to teach effectively. Promise of growth in teaching, research and creative activity, and service are also necessary.

b. Associate Professor/Librarian/Archivist

Promotion from the rank of assistant professor to associate professor, and a tenure decision at this level, requires:

- (1) A demonstrated record of effectiveness as a teacher at Texas Tech University;
- (2) A record of peer-reviewed publication and/or peer-reviewed creative activity that has contributed to the discipline or field of study, to the candidate's intellectual and artistic development, and to the quality of the department;
- (3) Generation of external funding, or earnest effort to do so, according to departmental tenure guidelines and commensurate with terms of the faculty member's letter of appointment;

- (4) A record of engagement of undergraduates or graduate students in research, scholarship, and creative activity in disciplines where such efforts are specified by departmental tenure guidelines;
- (5) A record of professional service that meets departmental tenure guidelines; and
- (6) Promise of growth in teaching and research or artistic and creative activity.

c. Professor/Librarian/Archivist

For promotion to the highest academic rank or a tenure decision at this level, the candidate's academic achievement and professional reputation should be superior and should have resulted in national and/or international recognition. This rank can be earned only by the faculty member who has demonstrated continued growth in, and has a cumulative record of, teaching effectiveness, substantial peer-reviewed publication and/or peer-reviewed creative activity, external funding of scholarship (for those disciplines where such funding is available and expected), engagement of undergraduates or graduate students in research, scholarship, and creative activity, support for those students (for those disciplines where such support is expected), and professional service, which may include outreach and engagement.

## 6. Decision-Making Procedure

a. Review by the Department

Recommendations for promotion and tenure originate with the department. Each department will develop written procedures to be utilized in promotion and tenure considerations. Each department will also develop specific written standards for promotion to each professorial rank that reflect its mission and, at the same time, meet university criteria. These procedures and standards must have the approval of the dean and the PSVP. Subsequent changes in approved standards or procedures must be similarly approved. After the department, the dean, and the PSVP have ratified written standards, the primary responsibility for evaluating individual promotion and tenure requests in terms of those standards will be assigned to the faculty in the department in which the request is made. If changes are made to a department's promotion and tenure standards and procedures, or a candidate moves to another department, the candidate may choose to use either the new standards and procedures or the ones in effect when hired (if being considered for associate rank) or those in effect when the candidate was last promoted (if being considered for promotion to full professor).

- (1) Department procedures shall identify the nature and composition of promotion and tenure committees. Procedures must allow for a formal vote of appropriate faculty members. The faculty vote should be strongly considered throughout the promotion and/or tenure process. Each department shall determine in advance its voting criteria, subject to adhering to university guidelines, and the college of which the department is a part must approve these criteria. Faculty votes shall be unsigned. Voting faculty should be made aware that written ballot comments will become part of the promotion/tenure dossier. Written ballot comments are encouraged because of insights they provide to the pattern of voting and to peers' considerations of the candidate's record. The chairperson and one other individual shall count the ballots and certify the vote in writing. Faculty members holding ranks equal to or higher than that to which the person desiring promotion aspires shall constitute the eligible voters, whether or not these individuals are tenured.

- (2) The candidate shall prepare, in cooperation with the designated department representative or committee, the formal promotion and tenure dossier. Once the dossier has been submitted for consideration in the department, no further information should be added to the dossier, other than that required by department and collegiate procedures with regard to recommendations by review committees, department chairpersons, or the dean. Each dossier shall contain a signed statement by the candidate indicating that the candidate has reviewed all contents of the dossier as prepared for submission to the dean and the department/college committee.
- (3) In transmitting a recommendation to the dean, a department chairperson must indicate who has been consulted, the form of the consultation, the faculty vote, the vote of any departmental committee charged with the recommendation, and the chairperson's own vote, positive or negative (the department chairperson may not abstain). The recommendation of the department chairperson will be provided to the candidate at the time it is forwarded to the dean. Faculty members may then request without prejudice, in writing, that their dossiers be withdrawn from further consideration, in which case the dossiers will not be forwarded.
- (4) At Texas Tech University, it is not possible to hold different academic ranks in different departments. Therefore, for a faculty member who holds budgeted joint appointments in two academic departments, the recommendation for promotion and tenure must be a joint submission of both departments concerned, and the promotion and tenure recommendation shall be considered positive only if both departments make positive recommendations. Recommendations must be processed according to the regular procedures of both departments. It is incumbent upon the chairpersons of both departments to ensure initiation of the review process.
- (5) If a faculty member holds less than a half-time appointment in one department and more than a half in another department, the recommendation will be made by the department where the major responsibility lies. It is the primary department's responsibility to originate consideration and to inform the secondary department of its intent. For these unequal joint appointments, recommendations must be processed according to the regular procedures of both departments. However, while the secondary department must process the candidate according to its normal procedures, the outcome of its deliberation will be provided to the primary department. The primary department shall take into consideration the secondary department's opinion and shall include it as part of the dossier. These specifications apply to all joint appointments, whether or not the salary is divided by source.
- (6) In addition to the required consultation with faculty members of senior rank within the department and the joint consideration of joint appointments, originating departments are urged to consult with other individuals who may have special knowledge of the performance of candidates and to solicit letters from such persons. Examples of such persons include faculty members from other departments if candidates under consideration have taught a number of students from those departments, served on committees in those departments, or engaged in interdisciplinary teaching or research with members of those departments. It is also appropriate to solicit letters from administrative officers in various parts of the university concerning service by the candidate. Any such written correspondence is to be part of the dossier as prepared for submission to the dean and reviewed by the candidate.

- (7) The majority of comments related to a candidate's credentials should come from qualified persons outside Texas Tech University. Letters from reviewers shall be solicited by the chairperson or designated representative and become a part of the candidate's dossier. The reviewers shall be selected by the chair in consultation with the candidate. Reviewers shall be asked to comment on the quality of published research or creative activity of a candidate, on service to professional or other organizations, on the candidate's teaching, or on relevant matters within their competence to judge. Reviewers should not be asked simply "Does this individual merit promotion?"

All letters solicited from within or outside the university shall be included in the dossier so that review bodies may have access to all relevant information. Prospective reviewers shall be informed that the letters become a component of the dossier.

- (8) A department may have too few voting-eligible faculty to provide sufficient review. In such cases, the department chairperson, in consultation with the dean, should seek the advice of an existing executive committee or other college-wide body, or may appoint an appropriate advisory committee for review of a specific case. The composition of the committee and its recommendations must be reported in the dean's recommendation to the PSVP.

b. Review by the College or School

- (1) It is the responsibility of the dean to recommend either positively or negatively on all promotion and tenure recommendations forwarded by department chairpersons. The dean shall forward to the PSVP all dossiers and recommendations together with a statement indicating the reasons for each recommendation. In all cases, information regarding the dean's recommendation will be provided to the department chairperson and the candidate. A candidate for tenure and/or promotion may then request in writing that the dossier be withdrawn from further consideration, in which case the dossier will not be forwarded, without prejudice.
- (2) In the process of reviewing the recommendation, the dean will seek formal advice of an executive committee or other appropriate college-wide committee. In making a recommendation to the PSVP, the dean will specify the nature of the report and the vote of the committee.

c. Review by the Provost and Senior Vice President

It is the responsibility of the PSVP to receive dossiers and recommendations regarding promotion and tenure, to review them with respect to the department, college or school, and university standards, and to approve or disapprove all recommendations received.

A review and vote by the Dean of the Graduate School will be included at this stage in the decision-making process, except for candidates from the School of Law. At the PSVP's discretion, review and a vote by the vice president for research and review, but not votes, by faculty members of the provostial staff may also be included. The PSVP will meet with each collegiate dean and discuss that dean's recommendations. The PSVP will subsequently transmit dossiers and recommendations to the President.



d. Review by the President

It is the responsibility of the President to receive all recommendations regarding promotion and tenure from the PSVP, to review them, and to approve or disapprove the recommendations. After the review, the President will meet with the PSVP and discuss the recommendations. The approved recommendations will thereafter be transmitted to the Chancellor for review of the recommendations, and then to the Board of Regents for final consideration.

7. **Documentation**

a. Materials to be provided by the candidate to the academic unit

- (1) Appropriate supporting materials that cannot be provided from academic unit files;
- (2) All materials required by the academic unit's procedural guidelines, and in particular, each of the candidate's annual faculty reports with chairperson's assessments, and a report of the third-year review in the case of probationary assistant professors; and
- (3) Summaries of research and creative activity, including external funding activity, professional service, and, in consultation with the unit head, summaries of teaching effectiveness. The teaching summary should clearly delineate contributions to graduate education (if applicable) such as teaching of organized graduate courses, chairing or memberships on thesis and dissertation committees, mentoring individual graduate students, and similar activities.

b. Materials to be provided by the department chairperson to the dean

- (1) A separate letter concerning each candidate giving the following information:
  - (a) Chairperson's recommendation with evaluation of the candidate's teaching effectiveness, research and creative activity, and professional service;
  - (b) The summary vote of appropriate faculty members;
  - (c) The summary vote of any departmental committee making recommendations to the chairperson; and
- (2) Another section that includes the unsigned ballot comments, separated from the ballots.
- (3) A file concerning the candidate containing letters or memoranda of advice, opinion, evaluation, or recommendation. Chairpersons should prepare a summary of the qualifications and purpose for selection of each individual from whom a letter has been received, and must disclose which, if any, of the reviewers have had a personal relationship with the candidate (e.g., collaborator, coauthor, former professor, or student). This information shall be submitted along with the letters. Departmental procedures for soliciting letters shall be included in the written procedures for promotion and tenure developed by the unit.

- (4) Complete dossier of the candidate organized in the specified format (Attachment B). Copies of publications, works of art, etc., should be included only if specifically requested by the dean. Copies of these materials will not be forwarded to the PSVP unless requested.
  - (5) It is the responsibility of the department to clarify, when appropriate, why the candidate is uniquely qualified for promotion or tenure, i.e., to reflect any circumstances that are not readily apparent.
- c. Materials to be supplied by the dean to the Provost and Senior Vice President
- (1) A cover letter summarizing collegiate procedures;
  - (2) A letter of recommendation by the department chairperson for each candidate;
  - (3) A letter of recommendation by the dean for each candidate, including the department vote; and/or
  - (4) Recommendations of any college-wide review committee, including the summary vote of each such committee; and
  - (5) The dossier of each candidate, excluding appendices, but including letters solicited by the chairperson.

## 8. **Appeal of Decision Not to Recommend Tenure**

Faculty who contend they have been denied the recommendation for tenure or promotion improperly or unfairly due to (a) considerations that violate academic freedom; (b) constitutionally impermissible reasons; or (c) significant noncompliance with the university's established standards or procedures may address their concerns to the Tenure Advisory Committee through the PSVP, who shall forward them to chair of the Tenure Advisory Committee. The composition and responsibilities of the Tenure Advisory Committee and the Hearing Panel procedures are those set forth in [OP 32.02, Faculty Non-reappointment, Dismissal, and Tenure Revocation](#), Section 2.(b)(3).

## 9. **Policy Revision and Implementation**

Under the statutory authority of the state of Texas, the Board of Regents has the sole authority to revise this tenure policy. Proposal of revisions is the joint responsibility of the PSVP and the Faculty Senate in accordance with the principle of shared governance. In addition to the regular reviews, the Tenure Advisory Committee, the Faculty Senate, or other academic groups may submit proposals for revision at any time. Proposals approved by the PSVP will be reviewed by the Faculty Senate. If the Faculty Senate approves the proposed revisions but judges that they represent significant changes to the intent, standards, or procedures of the policy, the Faculty Senate shall present them to the voting faculty for consideration. In this process, the voting faculty\* will vote for approval or disapproval of the proposals. If approved by a majority of those voting, the proposals shall be forwarded by the PSVP to the President for his/her review. If the President approves the proposed revisions, they will be forwarded to the Chancellor and then to the Board of Regents for consideration. Proposed revisions that are not deemed by the Faculty Senate to require a faculty vote shall be sent directly from the PSVP to the President. If the President approves them, the President will take the recommendations to the Chancellor and then

to the Board of Regents. (\*All tenured or tenure-track faculty on full-time appointments who have completed a residence of at least one year at this university.)

The revised policy is to be implemented immediately upon approval by the Board of Regents. Faculty members being considered for promotion or tenure will have the opportunity to choose to be evaluated under the policy in effect on the date of their hire (if being considered for promotion to associate professor) or the date of their last promotion (if being considered for promotion to full professor) or the current policy (see Attachment B). The tenure of faculty members who have attained tenure under prior versions of this policy at Texas Tech University continues. This policy shall not be applied in derogation of any faculty member's contract rights as set forth in the faculty member's letter of appointment.

#### 10. Related Operating Policies

[OP 32.02, Faculty Non-reappointment, Dismissal, and Tenure Revocation](#)  
[OP 32.06, Faculty Responsibility](#)  
[OP 32.17, Faculty Appointments and Titles](#)  
[OP 32.34, Approval of Faculty in Non-tenure Acquiring Ranks](#)  
[OP 32.38, Third-Year Review of Tenure-Track Faculty](#)

*Attachment A: Texas Tech University Statement of Ethical Principles*

*Attachment B: Promotion and Tenure Dossier Format*

## **Texas Tech University Statement of Ethical Principles**

Attachment A, pg. 1  
OP 32.01  
7/11/12

## Texas Tech University Statement of Ethical Principles

### “DO THE RIGHT THING”

*Texas Tech University is committed to the values of mutual respect; cooperation and communication; creativity and innovation; community service and leadership; pursuit of excellence; public accountability; and diversity.*

— 2005 Texas Tech University Strategic Plan

Texas Tech University is committed to being an ethical institution. In recognition of the rights and inherent dignity of all members of the Texas Tech University community, the university is committed to supporting the following principles and to protecting those rights guaranteed by the Constitution, the laws of the United States and the state of Texas, and the policies adopted by the Board of Regents. As members of the Texas Tech community, faculty, students, staff, administration, and all stakeholders accept responsibility for abiding by and promoting the ethical principles of the university described below. Although legal behavior and ethical behavior overlap in many areas, they are quite distinct from each other. While we follow legal requirements, an ethical institution goes beyond them to achieve the following values.

#### **Mutual Respect**

Texas Tech University is committed to an open and diverse society. Each member of the Texas Tech community has the right to be treated with **respect** and dignity. This right imposes a duty not to infringe upon the rights or personal values of others. Professional relationships among all members of the Texas Tech community deserve attention so that they are not exploited for base motives or personal gain.

#### **Cooperation and Communication**

Texas Tech University is committed to the promotion of professional relationships and open channels of **communication** among all individuals. The university will publish and disseminate in a timely manner its values, policies, procedures, and regulations, as well as any other information that is necessary to protect and educate all members of our community. We encourage and provide opportunities for the free and open exchange of ideas both inside and outside the classroom. While the free expression of views in orderly ways is encouraged, personal vilification of individuals has no place in the university environment.

#### **Creativity and Innovation**

Texas Tech University is committed to ethical institutional programs that meet the teaching, research, and service objectives of each discipline and department, to policies that are consistent with those objectives, and to a working and learning environment that encourages active participation. Such exemplary environments often challenge existing worldviews, requiring trust in the process of discovery and the acceptance of uncertainty and ambiguity within ethical parameters. The university supports all its members in life-long learning—a process that is both challenging and rewarding—and encourages **creative** and **innovative** means to achieve this goal through both opportunities and incentives.

Attachment A, pg. 2  
OP 32.01  
7/11/12



### **Community Service and Leadership**

Texas Tech University is committed to ethical **leadership** practices at all levels and to our tradition of **community service**, both within the university community and in our relationships with the greater community. We strive for exemplary professional and **community service** through research, creative works, and service programs that extend beyond the university environment. We strive to provide excellent service in a caring and friendly environment and encourage such involvement in the community by all faculty, students, staff, and administration.

### **Pursuit of Excellence**

Texas Tech University is committed to achieving **excellence** in all aspects of its community. We expect this in the expertise and performance of our faculty, staff, and administration, as well as the continuing education of our students. A high standard of professionalism, including opportunities for professional contact and continuous growth, is expected of our faculty, students, staff, and administrators. The university is committed to academic integrity and to the effective and just implementation of a system designed to preserve and protect it. The university intends to be a model of **excellence**, following best practices in its professional work, displaying the highest standards in its scholarly work, and offering venues to showcase national and international examples of achievement.

### **Public Accountability**

Texas Tech University is committed to transparency in governance, personal responsibility, and both individual and organizational integrity. Being responsible requires us to be thoughtful stewards of our resources—**accountable** and respectful to ourselves, to each other, and to the publics we serve. A sense of institutional and public responsibility requires careful reflection on one's ethical obligations and the duty to respect commitments and expectations by acknowledging the context and considering the consequences, both intended and unintended, of any course of action. We promptly and openly identify and disclose conflicts of interest on the part of faculty, staff, students, administration, and the institution as a whole, and we take appropriate steps to either eliminate such conflicts or ensure that they do not compromise our procedures and values. When we make promises, we must keep those promises. We strive to do what is honest and ethical even if no one is watching us or compelling us to “do the right thing.”

### **Diversity**

Texas Tech University is committed to the inherent dignity of all individuals and the celebration of **diversity**. We foster an environment of mutual respect, appreciation, and tolerance for differing values, beliefs, and backgrounds. We encourage the application of ethical practices and policies to ensure that all are welcome on the campus and are extended all of the privileges of academic life. We value its cultural and intellectual **diversity** because it enriches our lives and the community as a whole, promoting access, equity, and excellence.

## **Promotion and Tenure Dossier Format**

Attachment B, pg. 1  
OP 32.01  
7/11/12

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Last Name

First Name

Middle Name(s)

Consideration for: Tenure \_\_\_\_\_ Promotion \_\_\_\_\_

Candidate elects to be evaluated by the following tenure policy (select one):

\_\_\_\_\_ **Tenure policy in effect at time of hire**

\_\_\_\_\_ **Tenure policy in effect at time of last promotion (promotion dossiers only)**

\_\_\_\_\_ **Tenure policy that is currently in effect**

## RECOMMENDATIONS

EVALUATOR	TENURE	PROMOTION
Department Committee (ballot count)	Approve _____ Disapprove _____ Abstention _____	Approve _____ Disapprove _____ Abstention _____
Department Chairperson (signature)	Approve _____ Disapprove _____	Approve _____ Disapprove _____
College or School Committee (ballot count)	Approve _____ Disapprove _____ Abstention _____	Approve _____ Disapprove _____ Abstention _____
Dean of College or School (signature)	Approve _____ Disapprove _____	Approve _____ Disapprove _____
Dean, Graduate School (signature)	Approve _____ Disapprove _____ Abstention _____	Approve _____ Disapprove _____ Abstention _____
Provost & Senior Vice President (signature)	Approve _____ Disapprove _____	Approve _____ Disapprove _____
President (signature)	Approve _____ Disapprove _____	Approve _____ Disapprove _____

## **GENERAL INFORMATION**

1. Dossiers should be submitted electronically according to instructions provided by the Provost's office.
2. The vita should include the chairperson's ratings of publications, exhibits, or performances adjacent to each item. Only those items since the candidate's most recent promotion at TTU need to be rated.
3. Include copy of the candidate's original letter of hire that set forth TTU's expectations for the faculty member.
4. Copies of the candidate's annual reports with chairperson's assessments and the report of the third-year review should be provided. Just the annual reports and assessments as of the most recent promotion should be provided for cases that are promotion only.
5. Solicited or unsolicited letters should be included in the submission to the dean and the provost/senior vice president (PSVP). Letters from individuals outside the university are required (see OP 32.01 section 4.b.). Unit heads should provide information on the qualifications to judge the candidate's work for each person who provides a letter.
6. Only one submission regarding departmental and collegiate procedures should be included for each department and college.
7. Format of the submission to the PSVP

The dossier should be submitted as an electronic file with the following sections:

- a. Dean's letter
- b. Chairperson's letter. If a department or area tenure and promotion review committee provided written recommendations to the faculty and/or chairperson, that committee's report should follow the chairperson's letter.
- c. Vita with chairperson's rating of publications and creative activity
- d. Letters from external reviewers
- e. Basic information, to include the faculty member's original letter of hire
- f. Applicant's summary of teaching effectiveness
- g. Applicant's summary of research and creative activities
- h. Applicant's summary of service activities



- i. Faculty annual reports with chairperson's assessments, including third-year review where applicable.

### **DEAN'S EVALUATION**

#### **Dean's Recommendation:**

The dean should submit in this section of the dossier a letter to the PSVP indicating the basis of the recommendation for the candidate. At the time the dossier is submitted to the PSVP, the candidate should also be provided information regarding the dean's recommendation.

(At this stage, only summary data should be submitted to the PSVP on student and peer evaluations, etc. Research and creative activity should be rated in the vita, but examples, publications, slides, etc. should not be forwarded unless requested.)

### **ACADEMIC UNIT EVALUATION**

1. Department Chairperson's Recommendation:

The department chairperson should submit in this section of the dossier a letter to the dean indicating the basis of the recommendation(s) for the candidate. At the time the dossier is submitted to the dean, the candidate should also be provided information regarding the recommendation.

2. Departmental Procedures:

The department chairperson should submit to the dean and college committee tenure and promotion ballots and ballot comments for each candidate. The ballot comments should be separated from the ballots when submitted to the college.

### **SUPPORTING INFORMATION**

1. Include a complete up-to-date vita with chairperson's rating of research and creative activity. After the applicant's submission to the department, the department chairperson must evaluate the reputation of the source publishing the results of the research, or standard for creative exhibition or performance, by placing a number in the left-hand margin of the curriculum vita. The chairperson may use additional sheets for notes and explanations if necessary. Include only publications or activities that have occurred since the last promotion. Only the applicant's summary and vita with chairperson's rating of publications or creative activity should be included for submission to the PSVP unless additional evidence is requested.

The scale is to be used for publications with the following definitions:

- 5 = Outstanding recognition in field, highly prestigious, refereed.
- 4 = Highly respected in field, refereed.
- 3 = Good reputation, selective in publication, refereed.
- 2 = Average, fairly easy to publish in, typically refereed.
- 1 = Below average publication, not discriminating on articles published.
- 0 = Not to be counted as publication.
- S = Special publication not ranked above.

2. Solicited and unsolicited letters of support, especially from outside the university, including information related to qualifications of the persons submitting letters to judge the candidate's work (see OP 32.01 section 4.b.).

3. Basic Information:

Original letter of appointment

- a. Date of employment
- b. Rank and title
- c. Highest degree
- d. Terminal degree for this position
- e. Special qualifications
- f. Experience in other institutions of higher education
- g. Nature of initial assignment
- h. Changes subsequent to employment:

Degrees completed:

University	Degree	Date Conferred
Promotions granted:		
(1) Date _____	from (rank) _____	to _____
(2) Date _____	from (rank) _____	to _____
(3) Number of calendar months from last promotion until beginning of this semester	_____	

Attachment B, pg. 6  
OP 32.01  
7/11/12

Percent of time allocated to teaching, research, and service in current position:

\_\_\_% Teaching                      \_\_\_% Research                      \_\_\_% Service

i. In support of this recommendation:

Percent of assignment to teaching (average for last 3 years): \_\_\_\_\_ %,  
i.e., the portion paid from teaching salaries for the 9-month academic year

Teaching load last 4 semesters, excluding summer:

<b>This Semester:</b>			<b>Last Semester:</b>		
Course #	Credits	Enrollment	Course #	Credits	Enrollment
(1)			(1)		
(2)			(2)		
(3)			(3)		
(4)			(4)		
(5)			(5)		
<b>Previous Semester:</b>			<b>Previous Semester:</b>		
(1)			(1)		
(2)			(2)		
(3)			(3)		
(4)			(4)		
(5)			(5)		

Student advising activities and responsibilities:

For chairperson's response: Compared to other teaching assignments in the department, this applicant's load has been:

High \_\_\_\_\_ Average \_\_\_\_\_ Low \_\_\_\_\_

## **TEACHING EFFECTIVENESS**

Summary evidence of teaching effectiveness prepared by the unit head in consultation with the applicant. Peer and student evaluation summaries are to be included.

## **RESEARCH AND CREATIVE ACTIVITY**

Summary evidence of research and creative activity prepared by the applicant.

## **PROFESSIONAL SERVICE**

Summary evidence of professional service prepared by the applicant.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 32.02: Faculty Non-reappointment, Dismissal, and Tenure Revocation**

**DATE:** July 11, 2012

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to outline and ensure understanding of procedures concerning the non-reappointment and dismissal of faculty or tenure revocation of tenured faculty.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the senior vice provost with recommended revisions presented to the provost and senior vice president (PSVP). Any change in this OP must be conducted in accordance with section 5 herein.

#### **POLICY/PROCEDURE**

##### **1. Involuntary Separation of Employment**

There are three categories of involuntary separation of employment for faculty:

- a. Revocation of tenure, which is termination of a tenured faculty member's employment;
- b. Non-reappointment, which is the cessation of a non-tenured faculty member's employment at the end of the stated appointment period; and
- c. Dismissal, which is immediate termination for cause of a non-tenured faculty member's employment before the expiration of the stated appointment period.

##### **2. Tenure Advisory Committee**

- a. The Tenure Advisory Committee may consider matters referred to it by members of the university community pertaining to tenure or academic freedom. The committee reports to the president. If the president does not approve a recommendation of the committee, the committee shall be informed in writing of the reasons for disapproval within 10 business days. This timeline may be extended by the president, as deemed necessary, by informing the committee of the reason for the delay.
- b. The Tenure Advisory Committee shall consist of five full-time tenured faculty, none of whom has served in any administrative post at or above the level of chair of a department during the preceding five years, and two ex-officio, non-voting members who are the PSVP (or a designate appointed by the PSVP) and a dean selected by the Provost's Council. The faculty members will be elected at large by the voting faculty<sup>1</sup> (with nominations solicited and voting tallied by the Faculty Senate) for staggered terms of five years, with one

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<sup>1</sup> The voting faculty consists of all tenured or tenure-track faculty on full-time appointments who have completed a residence of one year at this university.



membership position terminating August 31 of each year. No more than two faculty members elected from any college or school shall serve on the committee at the same time. No elected faculty member will be eligible for reelection to the committee until a period of one year has elapsed from the termination date of a prior term unless he or she was elected to serve less than two years of an unexpired term of a previous member. The dean member shall serve for three years but shall not be eligible to serve consecutive terms. The committee shall determine its own rules of procedure.

### 3. **Procedures for Tenure Revocation, Non-reappointment, and Dismissal Cases**

The procedures for dismissal described in this section do not negate the right of the president to suspend a faculty member from some or all duties when the president reasonably believes that the allegations, if true, create a likelihood of harm for persons or the university. The suspension shall be with pay until such time as the suspended faculty member has been accorded the procedural rights appropriate to his/her appointment type, as described in this section.

#### a. **Tenure Revocation**

Revocation of tenure, except by resignation, retirement, or under extraordinary circumstances because of demonstrable bona fide financial exigency, will be only for adequate cause shown with the burden of proof on the university.

Adequate cause for revocation of tenure must be directly and substantially related to the performance and/or fitness of faculty members in their professional duties and public trust to perform such duties as teachers and scholars.

The tenure revocation review procedures outlined in subsections (1) through (6) below apply to tenured faculty members. Reasons for a charge of tenure revocation may be brought by the faculty member's chairperson or area coordinator through the dean to the PSVP, or from the dean to the PSVP. If formal charges are to be filed, they will be filed by the president. The faculty member will be advised, in writing by the Office of the PSVP, of the proposed revocation of tenure and the basis/bases for it within 10 business days of the president's decision to file formal charges.

If a faculty member wishes to challenge the grounds for tenure revocation, the faculty member may do so utilizing the procedures specified below. The issue will be determined by an equitable procedure that affords protection to the rights of the individual and to the interest of the university. In cases where the respondent faculty member admits his/her conduct constitutes adequate cause, or does not choose to have a hearing, he/she may offer in writing his/her resignation, giving notice of resignation as early as possible to obviate serious inconvenience to the university, and so that department objectives and student needs are met.

- (1) Before the filing of tenure revocation charges, every reasonable effort shall be made to mediate and conciliate differences between the faculty member and the university. The chairperson of the Tenure Advisory Committee (or another member designated by the committee) shall make a rigorous attempt at confidential, equitable, and expeditious mediation.

If such attempted mediation has failed, and after the mediator has made a written report to the president and copied that report to the faculty member, a formal investigation shall be undertaken. Together, a member of the Tenure Advisory Committee who has been appointed by the chairperson of that committee and the PSVP (or his/her representative) shall conduct a thorough, confidential, expeditious review, which shall

be concluded within 30 business days, if possible. This review and the recommendations of the investigating team shall be considered by the president in determining whether to proceed with formal charges to dismiss the faculty member for cause.

In all cases of formal charges, the faculty member will be informed of the charges in writing by the Office of the PSVP, which, on reasonable notice, will be considered by a Hearing Panel convened by the president within 30 business days, if possible. In the event that a delay of an additional 30 days (maximum) is needed, the faculty member will be informed of the reason for the delay. The Hearing Panel will be made up of five members chosen by the Tenure Advisory Committee from a Tenure Hearing Committee, which is formed of twenty tenured faculty members who will be elected annually. Members of the Tenure Advisory Committee shall not be eligible for concurrent service on the Tenure Advisory Committee and the Hearing Committee.

- (2) The Hearing Panel shall be selected in this fashion:
  - (a) The Tenure Advisory Committee shall order the names of the members of the Tenure Hearing Committee by lot, assigning to them numbers one through twenty.
  - (b) Hearing Committee members deeming themselves biased shall remove themselves from the case.
  - (c) Either party in the dispute may strike no more than three names from those remaining on the list.
  - (d) The Tenure Advisory Committee shall designate the five with the lowest numbers remaining on the list to constitute the Hearing Panel.
- (3) The Hearing Panel will select a chairperson from its membership and may, if it chooses, request appropriate legal counsel from a member of the law school faculty or, if none is available, from a law firm of its choosing, provided that costs are affordable, but not from the Office of General Counsel.<sup>2</sup> The legal counsel will advise the Hearing Panel but will not vote.

The Hearing Panel may also consult with the general counsel of the university on technical or procedural questions not directly bearing on the merits of the case, if the panel considers such consultation appropriate and helpful.

- (4) The hearing will be private and confidential unless the faculty member elects to have a public hearing. The Hearing Panel shall determine procedures to be implemented in the hearing that shall afford both parties due process and fairness.

In every such hearing, the faculty member shall have the right to appear in person with legal counsel, retained by the individual, and to confront and cross-examine witnesses. The faculty member shall have the right to testify, but may not be required to do so, and may introduce in his/her behalf all evidence and material, written or oral, that he/she considers to be relevant or material to the case. Neither the Texas Rules of Civil Procedure nor the Texas Rules of Evidence shall apply to the hearing.

The university shall also have the right to legal counsel from the Office of General Counsel in the preparation and presentation of charges and will have the same rights in

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<sup>2</sup> The State of Texas requires that employment of outside counsel must be approved by the State Attorney General.

the hearing as those accorded to the faculty member. An audio recording of the proceedings shall be made and delivered to the president for submission to the Board of Regents, and a copy of this audio recording shall be made available to the faculty member. The record will be transcribed only on the request of either the faculty member or the president at the expense of the requesting party.

- (5) The Hearing Panel, by a majority of its total membership, shall make written findings of fact on each charge and make specific recommendations with regard to each of the charges and the charges as a whole. The panel, by a majority of its total membership, may make supplementary suggestions it deems proper concerning disposition of the case. If minority findings, recommendations, or suggestions are made, they shall be similarly treated. The chairperson of the Hearing Panel shall deliver the findings, recommendations, and suggestions to the president, who shall transmit them along with his/her recommendations to the faculty member and to the chancellor, and then to the Board of Regents 30 days or more in advance of the date scheduled for formulation of the next Board of Regents meeting agenda.
- (6) The Board of Regents, by a majority of its total membership, shall approve, reject, or amend the findings, recommendations, and suggestions to the Hearing Panel based on the record. Any amendment or change of such findings, recommendation, or suggestions, and the reasons, therefore, will be stated in writing and communicated to the president who will transmit them to the Hearing Panel, which will then study any additional matters presented to it and, within 45 days, submit its recommendations to the president. If the Board of Regents then overrules the recommendations of the Hearing Panel, it will state its reasons for its actions in writing to the president, who will transmit the decision to the Hearing Panel. The president shall also notify the faculty member in writing of the board's decision within 30 business days, and this communication shall include the findings and recommendations of the Hearing Panel, as well as those of the board. The decision of the Board of Regents shall be final.

b. Non-reappointment and Dismissal of Non-tenured Faculty Members

The following procedures on non-reappointment and dismissal for cause apply to untenured tenure-track faculty members, and to non tenure-track faculty members who have served more than six full years and been granted continuing appointment status.

- (1) The university is not required to give an untenured tenure-track faculty member a reason for a decision of non-reappointment, though such notification may be given, except in cases where it would harm the university. However, each faculty member is entitled to see all of his/her personnel file and, at his/her expense, to obtain a copy of the information contained therein.
- (2) If an untenured tenure-track faculty member alleges that a decision not to reappoint him/her is:
  - (a) Caused by considerations that violate academic freedom;
  - (b) For constitutionally impermissible reasons; or
  - (c) Significantly noncompliant with the university's established standards or procedures; then

The allegation of improper rationale for non-reappointment, as set forth above, shall be given preliminary consideration by a faculty committee. The Tenure Advisory

Committee is responsible for appointing the faculty committee from within or outside its own membership and for its functioning.

If the faculty committee concludes that there is probable cause for the faculty member's allegation, the Tenure Advisory Committee shall notify the PSVP and form the Hearing Panel, and the matter shall be heard in accordance with the following procedures. The faculty member shall be responsible for stating the specific grounds on which the allegations were based, and the burden of proof will rest upon the faculty member. If the faculty committee concludes there is no probable cause for the faculty member's allegation, the process will end.

- (3) The Hearing Panel shall be selected in this fashion:
  - (a) The Tenure Advisory Committee shall order the names of the members of the Tenure Hearing Committee by lot, assigning to them numbers one through twenty.
  - (b) Hearing Committee members deeming themselves biased shall remove themselves from the case.
  - (c) Either party in the dispute may strike no more than three names from those remaining on the list.
  - (d) The Tenure Advisory Committee shall designate the five members with the lowest numbers remaining on the list to constitute the Hearing Panel.
- (4) The Hearing Panel will select a chairperson from its membership and may, if it chooses, request appropriate legal counsel from a member of the law school faculty or, if none is available, from a law firm of its choosing, provided that costs are affordable, but not from the Office of General Counsel.<sup>3</sup> The legal counsel will advise the Hearing Panel but will not vote.

The Hearing Panel may also consult with the general counsel of the university on technical or procedural questions not directly bearing on the merits of the case if the Hearing Panel considers such consultation appropriate and helpful.

- (5) The hearing will be private and confidential unless the faculty member elects to have a public hearing. The Hearing Panel shall determine procedures to be implemented in the hearing, which shall afford both parties due process and fairness.

In every such hearing, the faculty member shall have the right to appear in person with legal counsel, retained by the individual, and to confront and cross-examine witnesses. The faculty member shall have the right to testify, but may not be required to do so, and may introduce in his/ her behalf all evidence and material, written or oral, that he/she considers to be relevant or material to the case. Neither the Texas Rules of Civil Procedure nor the Texas Rules of Evidence shall apply to the hearing.

The university shall also have the right to legal counsel from the Office of General Counsel in the preparation and presentation of charges and will have the same rights in the hearing as those accorded to the faculty member. An audio recording of the proceedings shall be made and delivered to the president, and a copy of this audio recording shall be made available to the respondent. The record will be transcribed only

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<sup>3</sup> The State of Texas requires that employment of outside counsel must be approved by the State Attorney General.

on the request of either the faculty member or the president at the expense of the requesting party.

- (6) The Hearing Panel, by a majority of its total membership, shall make written findings of fact on each charge and make specific recommendations with regard to each of the charges and the charges as a whole. The Hearing Panel, by a majority of its total membership, may make supplementary suggestions it deems proper concerning disposition of the case. If minority findings, recommendations, or suggestions are made, they shall be similarly treated. The chairperson of the Hearing Panel shall deliver the findings, recommendations, and suggestions to the president, who shall approve, reject, or amend them based on the record and then transmit them, along with his/her recommendations, to the faculty member and to the Hearing Panel. The decision of the president will be final.

#### **4. Timelines for Notice of Non-reappointment**

These notification timelines only apply to any notice of non-reappointment that is issued to untenured tenure-track faculty. They do not apply to dismissals issued to non-tenure-track faculty.

- a. Full-time faculty members in their first year with the university whose duties commence with the first semester of the academic year must be notified by the following March 1 if they are not to be reappointed.
- b. Full-time faculty members in their first year with the university whose duties commence after November 15 must be notified by the following April 15 if they are not to be reappointed.
- c. Full-time faculty members who are in their second year with the university and who are not to be reappointed shall be notified by December 15 of the academic year in which the appointment is to terminate.
- d. Full-time faculty members with more than two years with the university will be notified of non-reappointment by issuance of a terminal contract for one academic year.
- e. Full-time faculty members who hold a position by appointment for a fixed time period shall receive notice of non-reappointment in accordance with the terms of the appointment or in accordance with sections a., b., c., or d above.

#### **5. Policy Implementation and Revision**

This policy is to be implemented immediately upon approval by the Board of Regents. All tenured and tenure-track faculty members are subject to this policy's applicable provisions and procedures. Faculty members who have attained tenure under prior policies at Texas Tech University are governed by the tenure revocation policies in effect when they were awarded tenure. This policy shall not be applied in derogation of any faculty member's contract rights as set forth in the faculty member's letter of appointment, nor shall it be used to restrain faculty members in their exercise of academic freedom or constitutional rights.

Revisions to this policy may be proposed to the Board of Regents by the president upon concurrence of the chancellor. The Tenure Advisory Committee, the Faculty Senate, or other academic groups may submit proposals to the PSVP. Such proposals, regardless of their source, shall be reviewed and approved by the Tenure Advisory Committee and the Faculty Senate. Following this review, the Faculty Senate shall present approved proposals to the faculty for



consideration. In this process, the voting faculty<sup>4</sup> shall be polled for approval or disapproval of the proposals. If approved by a majority of those voting, the proposals shall be forwarded by the PSVP to the president for his/her review and then, if the president approves, to the chancellor, and then to the Board of Regents for its consideration. Under the statutory authority of the state of Texas, the Board of Regents has the sole authority to revise this policy.

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<sup>4</sup> The voting faculty consists of all tenured or tenure-track faculty on full-time appointments who have completed a residence of one year at this university.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 32.03: Academic Deans, Associate or Assistant Deans, and Department Chairpersons**

**DATE:** April 4, 2019

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to define the responsibilities and promote understanding of the academic deans, associate or assistant deans, and department, division, or area chairpersons, and to outline procedures for the appointment of interim or acting deans and chairpersons.

**REVIEW:** This OP will be reviewed in March of odd-numbered years by the Senior Vice Provost for Academic Affairs with substantive revisions presented to the Provost and Senior Vice President (PSVP) by April 15.

#### **POLICY/PROCEDURE**

1. Appointments for academic deans, associate or assistant deans, and department chairpersons (the latter including school directors and area coordinators) follow the same procedure as appointments of professors being granted tenure at initial appointment, with the exception that the appointment of a dean is initiated by the PSVP, and the appointment of a chairperson or an assistant or associate dean is initiated by the dean of the school or college involved. Appointments of academic deans and associate/assistant deans will be made after the faculty of the college have had reasonable opportunity to provide input on the suitability of the proposed candidate(s), and such feedback will be conveyed to the dean (in the case of assistant/associate deans) and to the PSVP (in all cases).

Appointments of chairpersons will be made after the faculty of the department have had reasonable opportunity to provide input on the suitability of the proposed candidate(s). This input, which is particularly important, should be collected in a means whereby all departmental faculty may advise the dean, anonymously if preferred, regarding the strengths and weakness and acceptability of the candidate(s). Such input may also take the form of a secret-ballot vote by the department, in which case the tally will only be advisory and will remain confidential. All input from individual faculty and/or the vote tally will be conveyed to both the dean and the PSVP.

Administrative appointments are held at the discretion of the immediate administrative supervisor of that assignment and may be terminated at any time.

2. In cases where the incumbent dean departs or will be absent for an extended period (three months or longer), the PSVP will solicit nominations from the departing dean, chairpersons, and tenured faculty for persons to be considered for appointment as the interim dean. For periods less than three months, an acting dean will be directly appointed by the PSVP in consultation with the incumbent dean. For either interim or acting dean appointments, preference will be given to nominees with administrative experience who can ensure effective administration of college functions during the absence of a permanent dean. Nominees may be from another college at TTU. The PSVP will interview up to three persons from the list of nominees who would be willing to serve as interim dean. The PSVP will select an interim dean from those interviewed.

Before making the appointment, the PSVP will communicate the decision to the President, who will coordinate notification of the Chancellor and the TTUS Board of Regents. The Office of the PSVP will then communicate the selection to the faculty, staff, and administrators of the college. Interim (and acting) deans serve at the pleasure of the PSVP.

3. Likewise, in cases where the incumbent chairperson departs or will be absent for an extended period (three months or longer), the dean will solicit nominations from the departing chairperson, the tenured faculty, and faculty holding continuing appointment for persons to be considered for appointment as the interim chairperson. For periods less than three months, an acting chairperson will be directly appointed by the dean in consultation with the incumbent chairperson. For either interim or acting chairperson, preference will be given to nominees with experience who can ensure effective administration of department functions during the absence of a permanent chairperson. Nominees may be from other departments within the college or another college in the university. The dean will interview up to three persons from the list of nominees who would be willing to serve as interim chairperson. Input from the faculty regarding proposed candidate(s) should be obtained as described in Section 1. The dean will select an interim chairperson from those interviewed. Before making the appointment of either an interim or acting chairperson, the dean will communicate the decision to the PSVP, who may discuss the decision with the President. The offer of the interim or acting appointment will be made by the dean with the approval of the PSVP. The dean will then communicate the selection to the faculty, staff, and administrators of the department and then to the college faculty. Interim and acting chairpersons serve at the pleasure of the dean.

4. The positions of academic dean, associate or assistant dean, and chairperson are defined below:

a. Academic Dean

The deans are the principal administrative officers of the colleges of Agricultural Sciences & Natural Resources, Architecture, Arts & Sciences, the Jerry S. Rawls College of Business Administration, Education, the Edward E. Whitacre College Engineering, Honors, Human Sciences, the Graduate School, the School of Law, Media & Communication, the J.T. & Margaret Talkington College of Visual & Performing Arts, and the University Libraries.

A dean's chief responsibility is the development, supervision, and operation of the academic programs of the college or school. The academic dean and staff serve as consultants on all academic matters such as course changes, choice of major, and degree requirements. Since all degrees given by Texas Tech University are granted through these colleges and schools, the respective dean and the faculty members of a specific college or school establish their own degree requirements. Deans serve in their administrative capacities without tenure and at the discretion of the PSVP. Each dean has an annual performance conference with the PSVP and a comprehensive review (no later than after 5 years of service) involving faculty, staff, and other constituents of the college.

b. Associate and Assistant Dean

Associate and assistant deans aid in the administrative work of the colleges and schools. These individuals serve in their administrative capacities without tenure and at the discretion of the dean. Each associate or assistant dean is to report on her/his performance at least annually through a conference with the dean.

c. Department Chairperson, School Director, and Area Coordinator

Instructional departments or areas are administered by chairpersons (or school directors in the J.T. & Margaret Talkington College of Visual & Performing Arts and area coordinators in the Jerry S. Rawls College of Business) who normally are appointed for three-year terms by the PSVP on the recommendation of the dean of the appropriate college. The chairperson, in cooperation with the faculty, is responsible for supervising activities of the department/school/area, scheduling classes, assisting in faculty evaluations, preparing budget requests, initiating appointment recommendations, and developing the curriculum.

Each chairperson is to report on her/his performance at least annually through a conference with the dean.

These individuals serve in their administrative capacities without tenure and at the discretion of the dean. Before a chairperson's term expires, the dean initiates an extensive review with the faculty, and input from the faculty regarding reappointment of the chairperson should be obtained as noted in Section 1. Reappointment of an individual as a chairperson may be recommended by the dean to the PSVP. Further, the dean may appoint an interim chair, per Section 3 above, should the decision be made not to reappoint the incumbent.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.04: Conduct of University Faculty**

**DATE:** March 2, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to set forth the university policy regarding the conduct of university faculty.

**REVIEW:** This OP will be reviewed in May of even-numbered years by the Senior Vice Provost for Academic Affairs with substantive revisions presented to the Provost and Senior Vice President for Academic Affairs (PSVPAA) by June 15.

### **POLICY/PROCEDURE**

1. Colleges and universities that are tax-supported must function in accordance with the public trust and the actions by faculty, staff, and students within them must be consistent with the execution of that trust. *\*In accordance with Section 03.02.1, Regents' Rules*
2. The following offenses are hereby defined to exemplify and define actions that are in breach of that trust: *\*In accordance with Section 03.02.1, Regents' Rules*
  - a. Academic dishonesty such as giving or receiving aid on a test, examination, quiz, or other academic assignment;
  - b. Plagiarism;
  - c. Forgery, alteration, or unauthorized use of university documents, records, or identification materials;
  - d. Knowingly furnishing false information to the university;
  - e. The use of force or violence or other methods of obstructing the functions of the university, which include teaching, research, administration, public service, presentations by guest lecturers and speakers, and other authorized activities;
  - f. Physical abuse of any person on university-owned or controlled property or at university-sponsored or supervised functions or conduct that threatens or endangers the health or safety of any such person;
  - g. Theft of or damage to the tangible property of the university or of a member of the university community or campus visitor;
  - h. Unauthorized entry to or use of university facilities;

- i. Unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, or any substance the possession or distribution of which is regulated by federal or Texas law, except where the manufacture, distribution, dispensing, possession, or use are in accordance with the laws of each;
  - j. Lewd, indecent, or obscene conduct on university-owned or controlled property or at a university-sponsored or supervised function;
  - k. Failure to comply with the lawful directions of university officials where such directions are issued in the performance of their duties; and/or
  - l. Violation of other promulgated university policies or rules.
- 3. Each faculty, staff, and/or student employee is required to notify the university of any criminal drug conviction no later than five days after such conviction. **\*In accordance with Section 03.02.2, Regents' Rules**
  - 4. Adjudication of a violation of the standards established in this policy will result in the assessment of a penalty ranging from an oral reprimand to separation from the university. **\* In accordance with Section 03.02.3, Regents' Rules**
  - 5. Each employee of the university shall be required to abide by the terms of this policy as a condition of employment.
  - 6. Violations in any of the above areas should immediately be brought to the attention of the chairperson to whom the individual is responsible, the dean of the college, the Senior Vice President for Academic Affairs, and the PSVPAA. The appropriate administrator will then, along with the individual reporting the complaint, make a joint decision of how or if the matter should be pursued further. The next superior level of administrator will be fully informed of the allegation and the results of any further inquiry or required action.





TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.06: Faculty Responsibility**

**DATE:** November 16, 2018

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure understanding and a standardized approach in the handling of faculty responsibilities.

**REVIEW:** This OP will be reviewed in April of even-numbered years by the Senior Vice Provost with substantive revisions presented to the Provost and Senior Vice President (PSVP).

### **POLICY/PROCEDURE**

Texas Tech University is a publicly supported institution that is obligated to provide instruction in higher education, to advance knowledge through scholarship and research, and to provide related services to the community, the state, and the nation. As a center for learning, the university has the obligation to maintain conditions that are conducive to freedom of inquiry and expression in the maximum degree compatible with the orderly conduct of its functions.

The responsibilities of the university dictate, to a major extent, the responsibilities of the individual faculty member. The faculty member is properly concerned with the whole process of education and is aware of the responsibilities of the university in a free society. Responsibility is assumed for performing several essential functions: teaching, research or creative activity, university service, professional service, and community engagement.

#### **1. Teaching**

As a teacher, the faculty member has responsibilities to students, to a discipline, to a profession, and to the university. These responsibilities entail facilitating the intellectual and emotional growth of students, encouraging free inquiry in the classroom, and striving to create and maintain a climate of mutual respect that will enhance the free interplay of ideas. A faculty member has a responsibility to recognize the varying needs and capabilities of students and to make every effort to assure that evaluation of a student's work reflects the student's level of achievement. The faculty member as a teacher also has the responsibility to uphold the highest scholarly standards and encourage respect for such standards in the classroom.

Teaching responsibility also includes regular conduct of classes at scheduled periods. Faculty who occasionally cannot meet classes at scheduled periods because of professional responsibilities or illness should arrange for substitute instructors or alternative academic experiences. There is also the responsibility to engage in a continual and critical study of the subject matter of one's discipline to ensure that class presentations contain the most current and useful knowledge and that the course being taught is consistent with the course of study outlined by a department or college.

The faculty member also should recognize the responsibilities of a teacher as a counselor and devote a reasonable portion of time to aiding, guiding, and counseling students outside the classroom. Under no circumstances should a faculty member charge a fee for tutoring students enrolled in the faculty member's classes. Finally, the faculty member has a responsibility to strive to maintain those skills and values that ensure the continuation of free and open inquiry.

Specifically, within the first week of the semester, faculty members must provide a course syllabus that includes:

- a. The course outline;
- b. The expected learning outcomes from the course;
- c. The methods of assessing those outcomes; and
- d. The criteria for grade determination.

Additionally, the faculty member should:

- a. Include in the course syllabus statements on university policy concerning academic honesty ([OP 34.12, Grading Procedures, Including Academic Integrity](#)), special accommodation for students with disabilities ([OP 34.22, Establishing Reasonable Accommodation for Students with Disabilities](#)), and student absence for observance of a religious holy day ([OP 34.19, Student Absence for Observance of Religious Holy Day](#));
- b. Provide feedback to students on their progress before the last day to withdraw from class;
- c. Check roll for the first two weeks of class and recommend that students not listed on the roll verify their registration; and
- d. Submit grades to the registrar on or before the due date.

## 2. **Research/Creative Activity**

Through research and creative activity, which may include the scholarship of engagement and the acquisition of external funding, a faculty member grows intellectually, stimulates student learning, and adds to the accumulated knowledge of a discipline. A faculty member should strive constantly to contribute to the growth and understanding of knowledge in one's particular field through research, scholarship, and creative activity. The faculty member has an additional responsibility to share the results of study by disseminating it to students, colleagues, professionals in one's discipline, and to the public.

## 3. **University Service**

A faculty member has a responsibility to participate in the various activities, programs, and functions related to the enhancement of the university such as participating in the formulation of academic policies, serving on university committees, and taking part in other assignments.

## 4. **Professional Service**

Within one's field of competence, and as time and resources permit, the faculty member has a responsibility to respond to requests for advice and aid and to participate in the activities of one's

profession. The faculty member should exercise care to avoid infringement upon obligations and responsibilities to the university.

**5. Community Service and Engagement**

As a member of a community, the faculty member has the same obligations and responsibilities as those incumbent upon other members of the community. Such services should be consistent with regulations of the university and the state.

6. In the case of both professional and community service, the faculty member should exercise discretion in distinguishing between acts carried out or statements made as an individual or a professional and those carried out or made as a representative of the university.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.07: Other Employment, Faculty Consulting, and Public Offices**

**DATE:** September 14, 2018

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish the university policy regarding other employment, faculty consulting, and the holding of public offices by university employees.

**REVIEW:** This OP will be reviewed in October of even-numbered years by the Senior Vice Provost with substantive revisions forwarded to the Provost and Senior Vice President.

### **POLICY/PROCEDURE**

#### **1. Policy**

- a. Outside Employment  
**Section 03.05, *Regents' Rules***

Outside employment is defined to be any compensated service or employment by any entity, other than the university, of a university employee.

The primary responsibility of university employees is the full and complete execution of all assigned duties, the fulfillment of those professional obligations not ordinarily reduced to written assignment, and the maintenance of current professional skills. Outside employment must be compatible with the interests of the university and of such a nature that it will not detract from the effectiveness and performance of the employee.

- b. Non-elective Offices  
**In accordance with Article 16, § 40 (c), *The Texas Constitution*, and Chapter 574, *Texas Government Code***

An employee may hold other non-elective offices or positions of honor, trust, or profit with the state of Texas or the United States, if holding other offices or positions is of benefit to the state of Texas or is required by state or federal law, and if there is no conflict between holding the office or position and holding the original office or position for which the employee receives salary or compensation.

Before an employee may accept an offer to serve in other non-elective offices or positions of honor, trust, or profit with the state of Texas or the United States, the employee must obtain from the appropriate administrative officials and the Board of Regents a finding that the requirements of this section have been fulfilled, including expected additional compensation to be received from such service. The finding of the Board of Regents shall be recorded in the official minutes of the meeting of the Board at which approval was granted.

An employee desiring to accept an offer to serve in other non-elective offices or in a position of honor, trust, or profit with the state of Texas or the United States should submit a letter of request through administrative channels for Board of Regents consideration.

c. Elective Offices

Employees may hold non-salaried public elective offices providing they meet their primary responsibilities to the university.

An employee who is elected or appointed to another position that pays a salary and the two positions are such that they cannot be held at one time by the same person, qualification and acceptance for the second position will automatically be considered as a resignation of employment with Texas Tech University.

d. Other University Employment

An individual in non-faculty status may be employed part time by two or more university departments provided the combined total of normally assigned hours of work does not exceed 40 hours per week (100 percent time) and all other conditions of employment are met.

A full-time employee employed to work in excess of 40 hours per week (100 percent time) must be compensated in accordance with normal overtime or additional compensation policies.

e. Faculty Consulting

It is desirable that the faculty be composed of persons with such competence in their fields that their service in a professional capacity will be sought outside the university. Hence, with prior approval of administrative authorities, a staff member may do outside work for pay during the months of regular employment. However, such work must not interfere with normal duties, including those extra responsibilities expected of all faculty members. Therefore, the amount of time involved and absence from the campus while rendering outside services are of primary concern. This ordinarily should not exceed ten hours per week.

2. **Procedure**

Each administrative officer shall be responsible for devising procedures and/or other appropriate methods for enforcement of this policy within individual areas of responsibility.

[Attachment: Other Employment, Faculty Consulting, and Public Offices Form](#)

## Attachment A:

# Other Employment, Faculty Consulting, and Public Offices Form (OP 32.07- Other Employment, Faculty Consulting, and Public Offices)

This form is to be used to request approval of outside employment as required by OP 32.07.

Faculty/Staff Name \_\_\_\_\_

Department/Unit \_\_\_\_\_ Rank \_\_\_\_\_

College/Unit \_\_\_\_\_

**REQUEST FOR APPROVAL OF OUTSIDE EMPLOYMENT.** I hereby request approval of the following outside employment or consulting in which I wish to engage under the policy outlined by the Board of Regents of Texas Tech University:

Name of Firm DQG Type of Activity:

Approximate Number of Hours per Week

_____	_____
_____	_____
_____	_____
_____	_____

Maximum Number of Hours per Week

These activities will not interfere with my assigned duties at Texas Tech University, nor will they exceed an average of 10 hours per week. For cases in excess of 10 hours per week, I will seek additional approval.

Approved ☐ with ☐ without limitations:

Approved ☐ with ☐ without limitations:

Department Chair \_\_\_\_\_ Date \_\_\_\_\_

Dean \_\_\_\_\_ Date \_\_\_\_\_

Approved ☐ with ☐ without limitations:

Describe limitations on attached sheet.

Vice Provost \_\_\_\_\_ Date \_\_\_\_\_

Hard copy forms are no longer used. The electronic system (<https://ttu.my.irbmanager.com/>) will route the information to appropriate individuals (e.g., chairs, deans, the Provost) for approval.





TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.08: Faculty Salary Increases**

**DATE:** October 15, 2018

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to define the university policies relating to the handling of faculty salary increases.

**REVIEW:** This OP will be reviewed in October of odd-numbered years by the Senior Vice Provost for academic affairs with substantive revisions presented to the Provost and Senior Vice President (PSVP) by November 15.

### **POLICY/PROCEDURE**

1. All salary increases for faculty, unless otherwise mandated by the legislature, will be on a merit basis and will be based on quality teaching, research productivity, and other contributory activities, including university community service. The procedure for merit salary increases is set forth in the prevailing *Budget Preparation Guidelines and Instructions for Instructional Departments*.
2. It is the initial responsibility of the department or area chairperson (where applicable) to recommend salary rates and merit increases. Their recommendations are, in turn, to be reviewed by the appropriate dean and the PSVP. Each faculty member is to provide annually a report on her/his work to the department or area chairperson for use in consideration of a merit increase. See [OP 32.32, Performance Evaluations of Faculty](#).
3. Faculty members who are part time or who are required to be students as a condition of employment may be paid according to a salary schedule established separate from the merit raises.
4. **Exceptions**
  - a. Faculty members who divide their time between teaching, administration, and/or other duties ordinarily will have their appointments prorated in increments of 50 percent, 33 ⅓ percent, or 25 percent in order to facilitate allocation of teaching loads. Assignments on other than these increments will require prior approval of the appropriate divisional vice president(s). Salary increases for these members will be established as follows:
    - (1) Salary increases for persons appointed 50 percent time or more as faculty will be determined by the faculty salary increase given.
    - (2) Salary increases for persons appointed less than 50 percent time as faculty will be determined by the non-faculty increase given. Individuals in this category will be eligible for university merit increase programs, and any increase granted as a result thereof will be matched by a corresponding faculty salary increase.

- b. Faculty members who divide their time between teaching and intercollegiate athletics are exempt from the provisions of Section 4.a above.

**Annual Faculty Evaluation:           (Date)**  
**Faculty Member's Statement**

\_\_\_\_\_  
Faculty Member

\_\_\_\_\_  
Department/Area

Indicate your major contributions in the areas of teaching, research, and other service in the university for the past calendar year. Add other information that you judge to be pertinent.

Return the completed form to your chairperson or area coordinator by           (Date)          

Teaching:

Research: List all proposals submitted and whether any funding was received.

Service:

**Annual Faculty Evaluation: \_\_\_\_\_ (Date)**  
**Chairperson's Assessment**

\_\_\_\_\_  
Faculty Member

\_\_\_\_\_  
Department/Area

The chairperson/area coordinator is to review the statements made by the faculty member concerned and, using such other evidence as may be available, make an assessment of the faculty member's contributions for the past year.

This assessment is to be discussed with the faculty member concerned before this and the faculty member's statements are forwarded to the dean.

\_\_\_\_\_  
Chairperson/Area Coordinator



## **Texas Tech University**

### **Operating Policy and Procedure**

#### **OP 32.11: Faculty Sick Leave**

**DATE:** September 12, 2006

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure understanding and a standardized approach to handling faculty sick leave in accordance with Chapter 661 of the Texas Government Code.

**REVIEW:** This OP will be reviewed in April of even-numbered years by the senior vice provost for academic affairs with recommended revisions presented to the provost/senior vice president for academic affairs (PSVPAA) by May 15.

### **POLICY/PROCEDURE**

#### **1. Definition of Regular Faculty Member**

An employee with academic rank, paid to teach in full or in part from the line item "Faculty Salaries" for at least 50 percent time for at least four and one-half months per year, excluding students employed in positions that require student status as a condition of employment.

#### **2. Policy**

A regular faculty member shall be entitled to sick leave, without deduction in salary, subject to the following conditions:

- a. An employee will earn sick leave entitlement beginning on the first day of employment with the state and terminating on the last day of duty. Credit for one month's accrual will be given for each month or fraction of a month of employment with the state and will be posted to each employee's leave record on the first day of employment with the state and on the first day of each succeeding month of employment thereafter.
- b. Sick leave entitlement shall be earned at the rate of eight hours for each month or fraction of a month of employment for a full-time employee and accumulate with the unused amount of such leave being carried forward each month. Part-time employees shall accrue sick leave on a proportionate basis. Sick leave shall terminate on the last day of duty.
- c. Sick leave with pay may be taken when sickness, injury, or pregnancy and confinement prevent the employee's performance of duty or when the employee is needed to care for and assist a member of her/his immediate family who is actually ill. For purposes relating to regular sick leave, immediate family is defined as those individuals who reside in the same household and are related by kinship, adoption, or marriage, as well as foster children certified by the Texas Department of Family and Protective Services. Minor children of the employee, whether or not living in the same household, will be considered immediate family for purposes of regular sick leave. An employee's use of sick leave for family members not residing in that employee's household is strictly limited to the time necessary to provide care

and assistance to a spouse, child, or parent of the employee who needs such care and assistance as a direct result of a documented medical condition. An employee who must be absent from duty because of illness, injury, or pregnancy and confinement shall notify her/his supervisor or cause her/him to be notified of that fact at the earliest practicable time.

- d. To be eligible to take accumulated sick leave with pay during a continuous period of more than three working days, an employee who is absent due to illness, injury, or pregnancy and confinement shall send to the administrative head of her/his employing agency a doctor's certificate showing the cause or nature of the condition or some other written statement of the facts concerning the condition that is acceptable to such administrative head. It is within the discretion of the administrative head to require documentation concerning conditions resulting in absences of three working days or less.
- e. Upon return to duty after sick leave, the employee concerned shall complete, without delay, the prescribed application for sick leave and submit the same through proper channels to the appropriate approving authority for consideration.
- f. Faculty members at institutions of higher education must submit prescribed leave forms for all sick leave taken if the absence occurred during the normal workday for regular employees, even if no classes were missed.

### 3. **Procedures**

- a. A faculty member transferring between university departments or state agencies shall retain unused sick leave, provided service is uninterrupted.
- b. When an official university holiday occurs during a paid sick leave, the holiday shall not be charged against sick leave.
- c. Malingering and other abuses of sick leave shall constitute grounds for dismissal from university employment.
- d. In the event of a faculty member's death, one-half unused sick leave accumulation, not to exceed 336 hours, shall be paid to the estate as a death benefit.
- e. A faculty member terminated under a reduction-in-force shall have sick leave balance restored if reemployed by the state within 12 months after the end of the month in which state employment terminated.
- f. Absence of a faculty member because of illness ordinarily shall be defined in terms of half-day or whole-day units. Requests for a half-day of sick leave are to be made when the faculty members are not present during normal working hours at their normal duty station (office, classroom, laboratory, etc.) for a major portion of the half-day period. Illnesses of longer duration shall be reported in whole (eight hour) or whole and half-day (four hour) units.
- g. Absence from significant responsibilities outside the normal workday, such as teaching an evening class, should be levied against the half-day in which the absence occurred, but the faculty member shall not be charged with more than one day of absence for any calendar day period.
- h. The proper reporting and accounting for sick leave is mandated by the Texas Legislature.



#### 4. **Exceptions**

Exceptions to the amount of sick leave an employee may take must be authorized by the president on an individual basis after a review of the merits of each particular case. Requests must be made through administrative channels to the PSVPAA and then to the president.

A statement of any such authorized exceptions or the reasons for them shall be attached to the agency's duplicate payroll voucher for the payroll period affected by such authorized exceptions.

#### 5. **Sick Leave Pool**

- a. The sick leave pool established for employees of Texas Tech University is intended to provide for the alleviation of the hardship caused to an employee and the employee's family if a catastrophic illness or injury forces the employee to exhaust all leave time earned by that employee and to lose compensation from the state. (See OP 70.01 for additional information.)
  - b. An employee may voluntarily transfer not less than one day or more than three days of accrued sick leave to the sick leave pool per fiscal year. Transfers are made on an annual basis.
  - c. An employee is eligible to use time contributed to the sick leave pool if, because of a catastrophic injury or illness or a previous donation of sick leave time to the pool, the employee has exhausted all the sick leave time to which that employee is otherwise entitled. An employee may not draw time from the sick leave pool in an amount that exceeds the lesser of one-third of the total amount of time in the pool or 90 days.
  - d. The estate of a deceased employee is not entitled to payment for unused sick leave acquired by that employee from the sick leave pool of Texas Tech University.
  - e. The president shall appoint a pool administrator to administer the university's sick leave pool who is authorized to adopt rules and to prescribe procedures relating to the operation of the sick leave pool.
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## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 32.12: Faculty Absence for Observance of Religious Holy Day**

**DATE:** May 4, 2016

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure understanding and a standardized approach to handling faculty absence for observance of a religious holy day.

**REVIEW:** This OP will be reviewed in April of even-numbered years by the senior vice provost with substantive revisions presented to the provost and senior vice president.

#### **POLICY/PROCEDURE**

##### **1. Definition**

**Regular Faculty Member:** An employee with academic rank paid to teach in full or in part from the line item faculty salaries for at least fifty percent of time or for at least four and one-half months per year, excluding students employed in positions that require student status as a condition for employment.

##### **2. Policy**

A regular faculty member shall be entitled, without deduction in salary, to absence for observance of religious holy days subject to the following conditions:

- a. "Religious holy day" means a holy day observed by a religion whose places of worship are exempt from property taxation under Texas Tax Code §11.20.
- b. A faculty member who is absent from work for the observance of a religious holy day and gives proper notice of that absence will not be discriminated against or penalized.
- c. Proper notice should be provided by the faculty member to the department chairperson before the observance of the holy day. This notice will consist of a listing of religious holy days to be observed during the semester.
- d. Notice must be in writing and should be delivered personally to the chairperson of the department, with receipt of the notice acknowledged and dated by the chairperson, or by certified mail, return receipt requested, addressed to the chairperson.
- e. The chairperson will attempt to provide class coverage from among regular faculty of the department or area.
- f. Advance written notice, if needed, will be provided to all students whose class would be cancelled because of the faculty member's absence.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.17: Faculty Appointments and Titles**

**DATE:** December 11, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure understanding and a standardized approach to conferring faculty appointments and titles.

**REVIEW:** This OP will be reviewed in April of odd-numbered years by the Senior Vice Provost with substantive revisions presented to the Provost and Senior Vice President (PSVP).

### **POLICY/PROCEDURE**

#### **1. Titles**

- a. The titles for tenure-eligible appointments to the faculty of Texas Tech University are Horn Distinguished Professor, professor, librarian, or archivist; associate professor, librarian, or archivist; and assistant professor, librarian, or archivist. Titles for non-tenure-eligible appointments to the faculty are assistant professor of practice, associate professor of practice, professor of practice, research assistant professor, research associate professor, research professor, lecturer, senior lecturer, and instructor.
- b. The terms *adjunct* and *visiting* are used with the appropriate faculty rank for non-continuing, non-tenure-acquiring appointments. *Part-time* is used with the appropriate faculty rank for less than full-time academic appointments. The teaching assistant title and graduate part-time instructor title are reserved for graduate students who serve part time in the instructional role.
- c. Endowed chairs and professorships shall carry the designation in accordance with the conditions of the award and following [OP 32.22, Selection of Endowed Chairs and Professorships](#).

#### **2. The following definitions should be considered with respect to appointments:**

- a. Horn Distinguished Professor

Horn Distinguished Professorships, the highest honor the university may bestow on members of its faculty, are granted to professors in recognition of national or international distinction for outstanding teaching, research, or other creative achievement. The number is not limited and no attempt is made to maintain any fixed ratio among colleges or departments. See [OP 32.09, Selection of Paul Whitfield Horn Distinguished Professorships](#), for detailed information regarding appointment procedures.

b. Professor/Librarian/Archivist

Individuals appointed to this rank meet the criteria for associate professors, librarians, or archivists and provide evidence of sustained achievement and productivity in the areas of teaching, research or creative activity, and service. These individuals should be outstanding teachers, contributing members of their disciplines, and provide substantial service to the institution. Criteria for appointment of professor, librarian, or archivist include maturity of thinking, demonstrated ability to communicate and inspire students and less experienced colleagues, continued respect of colleagues in their field of work, and evidence of ability for continued professional growth.

c. Associate Professor/Librarian/Archivist

The term *associate professor, librarian, or archivist* should reflect that the individual so appointed meets the criteria for the assistant professor, librarian, or archivist rank and, in addition, has demonstrated substantial achievement in teaching, research or creative activity, and service to the institution and the profession. The individual must have demonstrated the capacity for independent creative thinking and the willingness to participate as a respected colleague in deliberations concerning the department, college, and university.

d. Assistant Professor/Librarian/Archivist

The term *assistant professor, librarian, or archivist* is assigned to an individual employed full time. The individual ordinarily possesses the degree considered terminal for her/his field and has demonstrated prior experience in teaching, research or creativity, or the equivalent in professional accomplishment. This appointment anticipates distinct ability as a teacher with adequate educational and professional experience in the area(s) of specialization. Assistant professors, librarians, or archivists are expected to perform in the areas of teaching, research or creative activity, and service.

e. Assistant Professor of Practice, Associate Professor of Practice, and Professor of Practice

These appointments are subject to the following restrictions:

- (1) For individuals with exceptional backgrounds and achievement in academic, business, government, or other professional practice for a decade or more. The appointment rank is to be based upon an evaluation of the level of responsibility to be assumed and should be supported by evidence of the level of experience and/or education required at another institution, in industry, or in a corporation or organization to support such rank.
- (2) Primary responsibilities normally will be to teach in an area of expertise, mentor students in professional and career preparation, and liaise with professional contacts and entities on behalf of the department or program.
- (3) In some instances, there may be opportunities and expectations for these individuals to produce research, publications, or creative expressions relative to their professional expertise.
- (4) A master's degree in the discipline or the substantiated equivalent in professional experience is a qualification.

- (5) These appointments are annually renewable contingent on successful annual and cumulative performance evaluations and a majority affirmative vote of the tenured faculty of the department/unit (see [OP 32.32, Performance Evaluations of Faculty](#)). Appointment for the fourth consecutive year would follow a successful third-year review. In the sixth consecutive year, an academic unit, by a majority affirmative vote of the tenured faculty, may recommend that a faculty member with one of these titles be considered by the dean for continuing appointment (see [OP 32.34, Continuing Appointment and Promotion of Faculty in Lecturer, Professor of Practice, and Research Professor Titles](#)) and, for assistant and associate professors of practice, promotion to the next rank. Criteria for continuing appointment and for promotion should reflect expectations and outcomes documented in the appointment agreement and the annual and third-year performance reviews.
- (6) The positions may be eligible for graduate faculty status, subject to a majority affirmative vote of the academic unit, in accordance with [OP 64.10, Graduate Faculty](#), section 3.b.

f. Instructor

The appointment as instructor (or graduate part-time instructor) designates a part-time, non-tenure-acquiring role with exclusive duties in teaching organized classes and/or instructional labs. As they are part-time appointments, instructors are not eligible for continuing appointment.

g. Lecturer

The appointment as lecturer designates a full-time, non-tenure-acquiring role with primary duties in teaching organized classes and/or instructional labs. Lecturers are eligible for continuing appointment, in accordance with [OP 32.34, Continuing Appointment and Promotion of Faculty in Lecturer, Professor of Practice, and Research Professor Titles](#). Lecturers approved for continuing appointment are eligible for promotion to the rank of senior lecturer.

h. Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor

These appointments are subject to the following restrictions:

- (1) The positions are of limited duration, usually one semester or one academic year. Extension of an appointment in a visiting position beyond one academic year requires permission from the PSVP.
- (2) Tenure or credit for service toward tenure is not acquired during the visiting appointment.
- (3) The level of visiting rank is based upon an evaluation of the level of responsibility to be assumed and should be supported by evidence of the level of experience and education required at another institution, in industry, or in a corporation or organization to support such rank.
- (4) The visitors are expected to perform instructional duties that include teaching one or more regularly scheduled classes, supervising graduate research projects, theses, or

dissertations, participating regularly in team teaching projects, or combinations of the above.

i. Research Professor, Research Associate Professor, Research Assistant Professor

Research professor, research associate professor, research assistant professor, or comparable titles (e.g., visiting research professor) are special faculty titles and are to be assigned to individuals appointed, usually full time, to research positions. These appointments do not lead to tenure but may be eligible for continuing appointment and promotion to the next-higher rank after five years of full-time service. These appointments are under the control of the PSVP.

j. Adjunct

The term *adjunct* is used to indicate that appointees, because of their expertise, will be called upon by Texas Tech University for their opinions on matters of importance. The rank at which the appointment is made is determined by an evaluation of the previous achievements of the appointee. Individuals who already hold a faculty appointment in one academic unit of the university typically are not eligible for an adjunct appointment in another academic unit; rather, adjunct appointments recognize persons with appropriate expertise from outside the university, including those associated with TTUHSC.

k. Joint

The term *joint* is used to indicate that appointees, because of their expertise, will serve as support faculty to another department in addition to the primary department in which they hold tenure or are on a tenure-acquiring track. Such appointments must originate in the department and proceed through the dean of the college, Graduate Dean, and PSVP for final approval. Although the joint appointment provides for listing the faculty members in the budgets of two departments, the faculty members usually are paid from the budget of the primary department.

Joint appointments may be terminated at any time through the channels used for the appointment. The *Electronic Personnel Action Form* (ePAF) will be used in such cases (see attachment).

l. Principal Investigator and Co-principal Investigator

When tenure-eligible faculty members are supported by research for a portion of their salary, that portion of the appointment shall carry the title principal investigator or co-principal investigator. This designation should also be used for summer appointments when appropriate.

### 3. Appointment of Faculty

- a. [OP 32.16, Faculty Recruitment Procedure](#), applies to positions of professor, librarian, and archivist; associate professor, librarian, and archivist; assistant professor, librarian, and archivist; professor of practice (at all professorial ranks); and research professor (at all professorial ranks) at Texas Tech University. Although the specific procedures set out in OP 32.16 are not required for other faculty titles such as instructors, lecturers, or visiting



- professors, these positions must nonetheless be posted, at a minimum, on the TTU website and open to multiple applicants.
- b. The request for appointment is initiated by the department chairperson/area coordinator and recommended by the dean of the instructional school or college and by the Graduate Dean. In the case of research personnel, the principal investigator recommends the appointment to the chairperson. At the time of appointment, official faculty transcripts, curriculum vitae, and proof of authorization to work in the United States must be sent with the ePAF to Human Resources. It is the responsibility of the department chairperson or area coordinator of the department/area to which the faculty member is appointed to obtain the transcripts and the vita from the faculty member. Official transcripts for all tenure-track and tenured faculty are required to be on file in Human Resources.
  - c. Faculty appointments of individuals who have completed all requirements for the doctoral degree except the dissertation must be made in accordance with [OP 32.28, Faculty Applicants Not Holding Doctoral Degrees in Departments/Areas Requiring the Doctorate](#).
  - d. The initiation of the appointment form (ePAF) is a culmination of the establishment of a position and search and selection procedures. Procedures for recruitment and selection of faculty members are detailed in [OP 32.16, Faculty Recruitment Procedure](#). Initial appointment of all faculty, including visiting faculty, adjunct appointments, teaching assistants, and graduate part-time instructors, must be accompanied by a *Certification of Faculty Qualifications* as specified in [OP 32.36, Certification of Faculty Qualifications](#).
  - e. Appointment to an academic position must be reviewed by the PSVP, who considers the recommendation of the dean of the instructional school or college involved. Approval by the PSVP of all conditions of employment (including start-up resources) is required.
  - f. Appointment to a research position must be reviewed by the PSVP, who considers the recommendation of the instructional school or college involved.
  - g. The PSVP approves non-tenure-acquiring appointments after considering recommendations from the dean of the college or school involved.
  - h. The initial appointment of a professor, librarian, or archivist or an associate professor, librarian, or archivist with tenure must receive the recommendation of the PSVP, received through designated university procedures for consideration of a faculty member for tenure. The President reviews the recommendation and, if he/she agrees, recommends the appointment with tenure to the Board of Regents. Only the Board of Regents may grant tenure.
  - i. The PSVP will notify the appointee, the Secretary of the Board of Regents, the chairperson, and the appropriate dean of the approval of faculty appointments.
  - j. If the appointment is accepted, the Office of the PSVP shall send a copy of the ePAF to the appointee.
  - k. When the account distribution section of the appointment form indicates that the appointee is to be paid from a research account, the Budget Office, upon receiving its copy of the appointment form, will make a copy of the form and send it to the Office of Research Services.

- l. In the case of a continuing appointment, reappointment will occur unless the appointee is notified of termination. Full-time faculty members who are not reappointed must be notified as outlined in [OP 32.02, Faculty Non-reappointment, Dismissal, and Tenure Revocation](#).

#### **4. Non-tenure-acquiring Reappointments**

In the case of a non-tenure-acquiring reappointment, an ePAF must be processed indicating reappointment for the new budgetary period.

Individual responsibilities are as follows:

- a. The signature of the principal investigator indicates that a research appointee is qualified to perform the duties required on the project involved and that the position has been approved at the designated salary level.
- b. The signature of the department chairperson requesting the appointment certifies that the appointee is fully qualified to hold the rank and perform the duties indicated and that the position has been approved in the budget. The chairperson further certifies that the appointment, if offered, will be accepted by the appointee at the rank, salary, and time indicated on the appointment form.
- c. The signature of the dean of the instructional school or college certifies that the recommended appointment does not exceed the number of authorized positions for the department concerned, nor for the funds budgeted. The dean further certifies approval of the rank and salary to be offered.
- d. The signature of the Graduate Dean certifies that the appointee is qualified to teach graduate-level courses and to participate on graduate student committees if the appointment is for any of the professorial ranks. If the appointment is for a rank below that of assistant professor or a research appointment other than research scientist, the appointee is not to teach graduate-level courses or to participate on graduate student committees, unless specifically approved by the Dean of the Graduate School.
- e. The signature of the PSVP officially approves the appointment of academic personnel other than those acquiring tenure with initial appointment. In the case of academic personnel acquiring tenure with initial appointment, the signature of the PSVP serves as a recommendation to the President that the faculty member be approved for tenure. This signature also verifies that the position has been reviewed and approved for continuation or creation. Only the Board of Regents may grant tenure.
- f. The signature of the PSVP officially approves the appointment of research personnel or personnel appointments to sponsored projects.

[Attachment: ePAF \(Electronic Personnel Action Form\)](#)



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 32.18: Academic Workload Calculation**

**DATE:** August 11, 2017

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish rules for calculating the statutory workload of faculty in order to comply with Sections 51.402 and 51.403 of the Texas Education Code. This OP is a mechanism for ensuring that each faculty member meets the statutory teaching load minimum.

**REVIEW:** This OP will be reviewed in April of odd-numbered years by the Office of the Provost and Senior Vice President with substantive revisions presented to the Provost and Senior Vice President (PSVP) by May 31 and to the Board of Regents for approval.

#### **POLICY/PROCEDURE**

1. The workload of faculty members encompasses a variety of teaching, research, technology transfer, and service activities. Teaching load, the number of credit hours taught or equivalent duties assigned to a faculty member, is but one aspect of faculty workload. In carrying out their responsibility to distribute workload, unit heads (chairpersons or comparable academic administrators) and deans must assign teaching loads such that:
  - a. Overall workloads are distributed as equitably as possible and in a fashion that is consistent with the unit's mission;
  - b. The university meets its instructional obligations for both undergraduate and graduate programs;
  - c. Each faculty member meets statutory minimum teaching load requirements; and
  - d. Faculty participation in research, technology transfer, and service is accommodated.
2. In compliance with Sections 51.402 and 51.403 of the Texas Education Code, the minimum teaching load for faculty members paid 100 percent from funds appropriated for instructional purposes is equivalent to 18 semester credit hours of instruction in organized undergraduate and/or graduate classes each nine-month academic year. For purposes of this document, 18 semester credit hours of organized undergraduate and/or graduate instruction equals 18 hours of teaching load credit.
3. For faculty members with less than full-time appointments from funds appropriated for instructional purposes, the minimum teaching load is proportionally less. When more than one instructor teaches a single course, the teaching load credit will be apportioned according to the effort expended. Normally, extended learning courses, freshman seminar courses, and other courses compensated outside regular faculty salary are not counted as part of a faculty member's

minimum teaching load. Credit for teaching in summer sessions that is uncompensated by funds appropriated for instructional purposes will be applied to the following academic year.

4. A reduced teaching load may be granted if classes do not materialize because of insufficient enrollment and when additional classes or equivalent academic work cannot be assigned to the faculty member. This exception will not be made for any particular faculty member in successive years.
5. The responsibility for assigning teaching duties rests with unit heads and deans. The Office of the PSVP monitors these assignments for compliance and equity and provides appropriate reports in accordance with state requirements and the *Regents' Rules*.
6. In calculating teaching load, the equivalencies in the following section will be applied. Normally, a faculty member paid by funds appropriated for instructional purposes will comply with the statutory teaching load requirement by serving as the instructor of record for four or more organized courses in an academic year. In no case, however, will a faculty member paid full-time from funds appropriated for instructional purposes teach fewer than two organized courses in an academic year without the approval of the PSVP.

#### 7. **Equivalencies**

\* In accordance with Section 04.06, *Regents' Rules*, October 9, 2015

- a. One semester credit hour of organized graduate instruction is equal to **1.5** semester credit hours of organized undergraduate instruction.
- b. Teaching load credit for a large class that requires extensive grading and evaluation of student work is equal to the number of semester credit hours of the course weighted as follows: **1.1** for 60-69 students, **1.2** for 70-79 students, **1.3** for 80-89 students, **1.4** for 90-99 students, **1.5** for 100-124 students, **1.6** for 125-149 students, **1.7** for 150-174 students, **1.8** for 175-199 students, and **1.9** for 200-249 students. Unit heads will review classes with more than 250 students enrolled for possible additional teaching load credit.
- c. Teaching load credit for courses designated as writing intensive is equal to the number of semester credit hours of the course weighted as follows: **1.1** for 15-19 students and **1.2** for 20 or more students.
- d. One class contact hour of laboratory or discussion section teaching (e.g., science and engineering laboratories and performance classes subject to minimum student enrollment requirements) in courses scheduled to meet more hours per week than the semester credit hour designation of the course is equivalent to **.67** teaching load credits. If a course is a combined lecture/laboratory class that includes a laboratory for which no separate registration is required, the load credit will be assigned in the same manner as specified in this policy for lecture classes and laboratories.

One class contact hour of professional studio (*professional* as defined by state of Texas professional licensure requirements), subject to the minimum student enrollment requirements, in courses scheduled to meet more hours per week than the semester hour designation of the course is equivalent to **.75** teaching load credits.

- e. One class contact hour of teaching in one-on-one, private-instruction performance or activity courses, which are not subject to minimum enrollment requirements (e.g., studio courses), is equivalent to **.5** teaching load credits.
- f. Faculty members developing courses primarily for electronic delivery, as part of the normal teaching load, will be granted teaching load credit equal to the course semester credit hours for one semester before the course is to be delivered. The first semester the course is taught by electronic means, faculty members will receive teaching load credit that is **1.5** times the semester credit hours of the course. Faculty will receive normal workload credits for the second and subsequent offerings of these courses.
- g. One semester credit hour of organized instruction in a Texas Higher Education Coordinating Board designated field-based course is equal to **1.5** teaching load credits.
- h. Teaching load credit for doctoral dissertation direction will be granted to graduate student committee chairpersons on the basis of **.33** of the semester credit hour enrollment in their dissertation courses or, at the discretion of the unit head, on the basis of **1** credit per doctoral student. Teaching load credit for master's thesis direction will be granted to graduate student committee chairpersons on the basis of **.2** of the semester hour enrollment in their thesis courses or, at the discretion of the unit head, on the basis of **.6** credits per master's student. Normally, no more than six teaching load credits per semester can be counted toward the statutory teaching load through chairing dissertation or master's committees. This credit may be increased to nine hours with the approval of the line dean and the dean of the Graduate School.
- i. Teaching load credit to members of thesis and dissertation committees will be granted (in addition to any directed study credits for which the student is appropriately enrolled) on the basis of **.5** credits per student to be awarded once per student after the student files the *Statement of Intent to Graduate*.
- j. Teaching load credit for individual instruction classes (e.g., individual research projects, student teaching supervision, clinical or intern supervision) will be granted on the basis of **.3** of the course semester credit hour designation for individual graduate instruction and **.2** of the course semester credit hour designation for individual undergraduate instruction per student enrolled. In no case will individual instruction in a single course generate more teaching load credits than if the course were taught as a regularly scheduled, organized class.
- k. Teaching load credit will be granted to a faculty member for coordinating several sections of a single course and/or supervising teaching assistants or graduate part-time instructors who are in charge of a course on the basis of **.2** teaching load credits per section coordinated and/or supervised up to a maximum of **three** teaching load credits.
- l. When a faculty member is responsible for developing a new course (lecture, laboratory, studio, etc), one additional teaching load credit will be assigned in the first semester the course is taught. Additional teaching load credits, up to a total of **two**, may be granted upon approval of the unit head.
- m. When a faculty member is teaching a course (lecture, studio, etc.) that the he or she has not taught in the last five years, **.5** additional teaching load credits will be assigned in the semester that the faculty member resumes teaching the course.

- n. A new tenure track faculty member, in the first two years of teaching, will be given **three** teaching load credits per semester for faculty development.
  - o. Teaching load credit may be granted for a faculty member who is a department chairperson, area coordinator or head of a comparable unit, up to a maximum of **six** hours of teaching load credit.
  - p. Up to **three** teaching load credits per semester may be granted, with prior approval of the line dean, to faculty members for significant administrative responsibilities, for significant academic advisement, and for duties associated with appointment as an associate chairperson or other non-teaching academic service to the department.
  - q. Up to **three** teaching load credits per semester may be granted, with prior approval of the line dean, to a faculty member who is engaged in significant, peer-reviewed research or service such as development of a major research proposal (e.g., an interdisciplinary proposal or one involving several co-principal investigators) or an equivalent effort in unfunded research, leadership in a major professional organization, editorship of a professional journal, service as president of the Faculty Senate, chairing university committees, service as director of a university-sponsored center or institute, development of a significant interdisciplinary program, or a major teaching-related professional development activity.
  - r. With the approval of the president, limited teaching load credit may be granted to carry out major responsibilities, not covered above, that are performed in the best interest of the institution's instructional programs as determined by the president. Teaching load credit granted by the president of the university for such purposes is limited to one percent of the total semester credit hours taught at the university during the previous year.
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TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.22: Selection of Endowed Chairs and Professorships**

**DATE:** January 9, 2018

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure understanding and a standardized approach in the selection process for endowed faculty positions.

**REVIEW:** This OP will be reviewed in October of even-numbered years by the Vice Provost for Faculty Affairs with substantive revisions forwarded to the Provost and Senior Vice President (PSVP) by November 15.

### **POLICY/PROCEDURE**

#### **1. Endowed Faculty Positions**

##### **a. Endowed Chair**

An endowed chair is a named faculty position established by a donor or donors with a funded endowment of one million dollars or more. Chairs may be named for the donor or a person or other entity of the donor's choosing. A purpose of such a position is to provide a salary supplement, or in some cases an entire salary, from the earnings on the endowment sufficient to attract and retain faculty members of exceptional quality and significance in their fields. Other allowed uses of endowment earnings include support of the chair's research or creative activity.

##### **b. Endowed Professorship**

An endowed professorship is a named faculty position established by a donor or donors with a funded endowment of one million dollars or less. Endowed professorships may be named for the donor or a person or other entity of the donor's choosing. A purpose of such a position is to provide a salary supplement from the earnings on the endowment sufficient to attract and retain faculty members of exceptional quality and significance in their fields. Other allowed uses of endowment earnings include support of the professor's research or creative activity.

##### **c. The qualifications and quality of faculty selected to hold endowed faculty positions directly affect the national and international reputation of Texas Tech University and the university's educational mission. Therefore, the President shall approve those faculty members to be granted endowed faculty positions upon recommendation by the PSVP.**

## 2. Search, Selection, and Nomination Procedure

### a. General

Documents associated with endowed faculty positions may establish selection criteria agreed to between the donor and Texas Tech University or the particular college in which the endowed position is established. It is Texas Tech policy to honor the intentions of the donor as agreed to in the endowing documents; however, as a matter of law, only an authorized university official can actually select a member of the university faculty.

### b. External vs. Internal Selection Process

In preparing to fill a vacant endowed position, the dean of the college, in consonance with the endowing documents, may decide to limit the applicant search to external candidates or to internal candidates or may open the search to both internal and external candidates. In the case of an endowed chair, a dean considering limiting the search to internal candidates should first discuss her/his rationale for such a limitation with the PSVP.

### c. Diversity and Equal Opportunity

Regardless of the selection process chosen, the college dean will ensure that the selection process encompasses both the law and the spirit of university diversity and equal opportunity policies as stated in [OP 32.16, Faculty Recruitment Procedure](#). The methodology used to comply with these policies will be sufficiently detailed in the packet the dean forwards nominating a person for approval by the PSVP and the President to allow them to accurately evaluate the openness and fairness of the selection process.

### d. Procedure

- (1) To the extent not prohibited by law or university operating policies, colleges seeking to fill endowed faculty positions may initially follow those search and selection procedures appropriate to a particular college or academic field as guided by the endowing documents, if any. Whatever the procedure used, the goal should be to identify one or more persons whose qualifications and quality will bring significant distinction in terms of academic ability, scholarship, and overall contribution to the reputation and educational mission of Texas Tech University.
- (2) The names of the nominees selected by the college will be forwarded by the dean with her/his endorsement to the PSVP. The forwarded packet will include an explanation of the selection process used, including those methods employed to ensure equal opportunity as described in section 2.c above, and a description of the endowed faculty position, including the amount of the endowment and the prior holders of the position, if any. The packet will also include a complete dossier for the nominee or nominees and any other material or information deemed relevant to the selection process.
- (3) After receiving the nomination packet, the PSVP will appoint an ad hoc advisory committee to evaluate the nominee or nominees. The advisory committee may consist of five or seven persons, including at least one dean and one faculty member holding an endowed position. A member of the advisory committee may come from the nominating college. The PSVP will designate one member as chair. The purpose of the evaluation is to ensure that all persons selected for endowed faculty positions are

persons of academic and scholarly distinction who will bring both significant talent and significant credit to Texas Tech. If the person nominated is nominated to a position established in support of a university-wide theme of excellence, the committee will also make a recommendation concerning the ability of the nominee to contribute to that theme. Evaluation criteria the committee may consider include:

- (a) The publication of books, articles, reviews, works of art, and other evidence particular to the field of scholarly achievement. Publications shall be in scholarly journals or sources customary to the field of interest.
  - (b) Awards and prizes from professional organizations and foundations;
  - (c) Grants in support of research, study, or creative works;
  - (d) Offices and memberships held in learned societies;
  - (e) Papers read before learned societies;
  - (f) Lectures or performances delivered at other academic, industrial, or professional venues;
  - (g) Services such as expert, consultant, etc., to business, industry, governmental agencies, and educational organizations;
  - (h) Indicia of teaching distinction; and
  - (i) Examples of extraordinary service to the university or community.
- (4) Following full consideration of the nominee or nominees, including, if practical, a personal appearance before the committee, each member of the advisory committee will vote “yes” or “no” on each candidate. Based on the committee vote, the chair will list the candidates by order of the number of “yes” votes received and forward the vote tally and recommendation to the PSVP.
  - (5) The PSVP will consider the recommendation and vote of the advisory committee and, following her/his own evaluation of the nomination packets, will recommend to the President whether or not the position should be offered to a nominee. The President will then approve the PSVP’s recommendation or direct another action.
  - (6) The PSVP will inform the nominating dean of the President’s decision.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.25: Tutoring for Payment**

**DATE:** June 17, 2016

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure that the integrity of the faculty and students is protected from misunderstanding regarding payment for tutoring of students.

**REVIEW:** This OP will be reviewed in August of even-numbered years by the Senior Vice Provost with recommended substantive revisions presented to the Provost/Senior Vice President by September 1.

## **POLICY/PROCEDURE**

### **1. Background**

Texas Tech University has the responsibility to protect the integrity of the roles of the faculty and students during the period of students' graduate or undergraduate enrollment in any university course. For purposes of this OP, "faculty" refers to all tenured, non-tenured tenure-track, and non tenure-track faculty, including instructors and teaching assistants.

### **2. Criteria**

Faculty and teaching assistants must avoid charging a fee for tutoring any student enrolled in the faculty member's classes. The appearance of conflict of interest should be avoided; therefore, the department chair should be notified of any tutoring arrangement made by a faculty member/teaching assistant.

### **3. Procedure**

- a. Tutoring for payment of any student registered in a faculty member's/teaching assistant's class is not allowed.
- b. Faculty members/teaching assistants may tutor students for pay if the student is not enrolled in any class for which the faculty member/teaching assistant is responsible as instructor, grader, discussion leader, etc.
- c. Students who wish to employ a tutor for payment should check with the department in which the class is offered in order to find acceptable tutors in that subject.
- d. Students are free to choose tutors as long as they are not enrolled in the tutor's classes.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.29: Faculty Development Leaves**

**DATE:** June 24, 2014

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to provide a standardized approach for faculty development leaves of absence.

**REVIEW:** This OP will be reviewed in May of even-numbered years by the senior vice provost with substantive revisions presented to the provost and senior vice president.

### **POLICY/PROCEDURE**

1. Sections 51.102 - 51.108 of the Texas Education Code provide for faculty development leaves of absence, and this OP conforms to the legislative directive.
2. The Board of Regents may grant a faculty development leave of absence for study, research, writing, field observations, or other suitable purposes to a faculty member within the constraints of the legislation.
3. A college Faculty Development Leave Committee shall serve in an advisory capacity to the college dean and prioritize applications from within each college. The chairperson and dean of the faculty member requesting a development assignment will complete the *Faculty Development Leave Rating Form*, Attachment B, and forward it with the application.
4. The university Faculty Development Leave Committee elected by the general faculty should receive applications by faculty members for faculty development leaves (see Attachment A). The committee reviews these applications and makes recommendations to the PSVP pursuant to published criteria for selection and announced availability of such leaves. The committee reviews criteria for selection and the extent of availability and makes appropriate recommendations.

The PSVP makes recommendations to the president, who then makes recommendations to the Board of Regents on which applications should be granted.

5. A faculty member is eligible by reason of service when that person has served as a member of the faculty of Texas Tech University for at least five academic years, two of which must have been consecutive. This service may be as an assistant, associate, or full professor, or an equivalent rank, and must be full-time academic duty, but need not include teaching. The faculty member must be tenured at the beginning of the leave in order to receive the leave. A second leave ordinarily will not be granted to the same faculty member within five years of the first leave.
6. Faculty development leave may be granted for either one academic year at one-half regular salary or for one-half academic year at full regular salary.

7. A faculty member on faculty development leave may accept a grant for study, research, or travel from any institution of higher education, from a charitable, religious, or educational corporation or foundation, from any business enterprise, or from any federal, state, or local governmental agency. An accounting of all grants shall be made to the PSVP by the faculty member and a copy will be sent to the granting body. A faculty member on faculty development leave may not accept employment from any other person, corporation, or government unless the governing board determines that it would be in the public interest to do so and expressly approves the employment.
8. Not more than 6 percent of the faculty members of the university may be on faculty development leave at any one time.
9. A faculty member on faculty development leave continues to be an active participant of the Teacher Retirement System of Texas or the Optional Retirement Program just as any other member of the faculty on full-time duty. Deposit and membership dues required to be paid to the Teacher Retirement System or the Optional Retirement Program, and any other amounts required or authorized to be conducted from the compensation paid any faculty member will be deducted from the compensation of those faculty members on leave.
10. A member of the faculty on faculty development leave is a faculty member for purposes of participating in the programs and receiving the benefits made available by or through the institution or the state to full time faculty members. Health insurance benefit premiums may be affected by selecting a full year's leave at half pay.
11. A member of the faculty on faculty development leave is a faculty member for purposes of participation in departmental business and may vote on such matters as hiring, tenure and promotion, etc.
12. Faculty of development leave shall not be penalized for the period of faculty leave in the calculations of service and teaching for the purposes of promotion, merit raises, or future duties.
13. Faculty returning from development leave must report to the college dean on the accomplishments of the leave.

[Attachment A: Faculty Development Leave Application Form](#)

[Attachment B: Faculty Development Leave Rating Form](#)



## Faculty Development Leave Application Form

Requested by \_\_\_\_\_ Rank \_\_\_\_\_

Department / Area \_\_\_\_\_ College \_\_\_\_\_

Brief statement of the nature of the proposed leave:

1. **Employment at Texas Tech University**

- a. How many academic years have you been employed at TTU? \_\_\_\_\_
- b. Have you served as a member of the faculty for at least two consecutive academic years? \_\_\_\_\_
- c. Have you previously had a faculty development leave at TTU? \_\_\_\_\_  
If yes, when? \_\_\_\_\_ Describe the results of your leave.

2. **Period for which leave and compensation are requested:**

- a. From (date): \_\_\_\_\_ To: \_\_\_\_\_

Note: A one-semester leave will be at full salary, while an academic year leave will be at one-half salary.

3. **Scholarly and Professional Activities** (identify any projects that have facilitated the development of skills related to the proposed leave)

Attach a brief, current vita as related to the project and, if not included in the vita, information about:

- a. Publication and creative activities
- b. Participation in international, national, and regional scholarly professional organizations
- c. Related professional experience (exclude material covered in another section)
- d. Honors, certificates, faculty fellowships, professional licenses, etc.

- e. Research grants and/or leaves received during the past five years and disposition of research conducted with the aid of these grants

4. **Project Information**

Using **no more than five (5) double spaced pages**, describe your project clearly, completely, and as concisely as possible. Your statement should cover the following points:

- a. General Statement of Development Project, Including Objectives (state how you and Texas Tech University will benefit from your activities)
- b. Related Development Work (in the discipline and/or by project personnel)
- c. Brief but Explicit Explanation of Intended Procedures to be Followed (include location of project, facilities to be used, and a schedule, when appropriate)
- d. Project Personnel other than the Applicant (describe responsibilities)
- e. Financial and Budgetary Matters (state origins and amounts of financial resources for the project)

5. **Assurances and Recommendations**

- a. Chairperson's/Coordinator's and Dean's Assurance  
The chairperson/coordinator and dean shall complete the *Faculty Development Rating Form* to be forwarded with this application.

- b. Letters of Recommendation  
  
Have at least two letters of recommendation, preferably from individuals outside Texas Tech University and not associated with the project, sent to the Office of the Provost and Senior Vice President.

6. **Terms of Leave**

The undersigned agrees to return to the employment of Texas Tech University for a period of at least one year following completion of this leave unless mutually agreed otherwise. In accordance with § 51.105 (b), Texas Education Code, the undersigned agrees not to hold employment (during the period of development leave) from any other person, corporation, or government unless the Board of Regents finds that it is in the public interest and that it otherwise meets requirements of law. It is understood that the leave of absence for faculty development will be subject to cancellation for violation of the conditions under which the leave was granted.

Date: \_\_\_\_\_ Signature of Applicant \_\_\_\_\_

## Faculty Development Leave Rating Form

To be completed by the chairperson and dean of the faculty member requesting a development assignment.

Proposal of \_\_\_\_\_ Dept./Area \_\_\_\_\_

**For the chairperson** (omit if the applicant is the chairperson)

1. \_\_\_\_\_ The applicant meets the eligibility requirement.  
  
\_\_\_\_\_ The proposal is acceptable for review based on the information requested in the application form.
2. Evaluation of the proposal in terms of the stated goals or purpose (including clarity, completeness, reality, and implication).
3. Evaluation of the probability that the experience outlined in the proposal will enable the applicant to achieve the ends originally stated (including nature of experience, quality of experience, time of experience, intensity of experience, and record of productivity).
4. Evaluation of the proposal in terms of the probable value of the achievement or improvement to the department, college, and university (including instructional in nature, broadly beneficial, growth oriented).  
  
\_\_\_\_\_ I have elected to attach additional information regarding my evaluation of this project.  
(Initial only if action is taken.)

\_\_\_\_\_  
Chairperson / Area Coordinator

\_\_\_\_\_  
Date submitted to Dean

**For the dean:**

- \_\_\_\_\_ I have read this proposal and support the belief of its author that it will make a significant contribution.
- \_\_\_\_\_ I have elected to attach additional information regarding my evaluation of this project.  
(Initial only if action is taken.)

\_\_\_\_\_  
Dean

\_\_\_\_\_  
Date submitted to Senior Vice Provost



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 32.31: Comprehensive Performance Evaluations of Tenured Faculty Members and Faculty Members Who Receive an Academic Promotion**

**DATE:** June 26, 2000

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish uniform guidelines and procedures for comprehensive performance evaluations of tenured faculty members and faculty members who receive an academic promotion.

**REVIEW:** This OP will be reviewed by February 1 of every even-numbered year by the vice provost with recommendations for revision presented to the provost by March 1 and to the Board of Regents for approval.

#### **POLICY/PROCEDURE**

##### **1. Background**

In accordance with VTCA, Education Code, § 51.942, and Section 04.04, *Regents' Rules*, "Guidelines for comprehensive performance evaluation of tenured faculty and faculty members receiving academic promotions," each faculty member who is tenured or who receives an academic promotion at Texas Tech University is subject to a comprehensive performance evaluation. The evaluation shall be conducted no more often than once every year, but no less often than once every six years after the date the faculty member was granted tenure or received an academic promotion. Notice of the comprehensive performance evaluation must be given no later than September 1, the evaluation to begin no earlier than February 1 and end no later than May 1, all of the same academic year. The initial evaluation shall be completed no later than January 1, 2004.

##### **2. Procedures**

Standardized procedures will be followed by each department, college, or school and shall be directed toward the professional development of the faculty member. These procedures include the following:

- a. The comprehensive performance evaluation is to be based on the professional responsibilities of the faculty member in teaching, research, service, and administration, when applicable, and includes peer review of the faculty member.
- b. The constitution of the peer review body and the precise form of the review shall be determined by the responsible academic unit in accordance with college or school guidelines and procedures agreed upon by a majority of the voting members of the faculty member's academic unit, approved by the academic dean, and in effect at the time the faculty member is given notice of his or her upcoming review.
- c. Annual performance reviews conducted under the terms of OP 32.32 for the period since the previous comprehensive performance review or promotion-tenure decision will comprise the

primary element in the comprehensive review process. The faculty member may submit such additional supporting documentation as he or she deems is relevant for the comprehensive performance evaluation.

### **3. Due Process and Rights to Appeal**

The comprehensive performance evaluation process incorporates commonly recognized academic due process rights, as specified in the Texas Tech University tenure policy. Due process rights include notice of the timing, manner, and scope of the evaluation and, before a faculty member may be subject to disciplinary action on the basis of a comprehensive performance evaluation conducted under this policy, notice of specific charges and the right to a hearing on those charges. In all such cases, the burden of proof shall be on the university. In the case of a disputed peer review, the faculty member may request that additional reviews in writing be solicited from no more than three specialists in the faculty member's area of teaching and/or research who are not members of the academic unit. The outside reviewers will be selected by mutual agreement between the faculty member and the administrator of the academic unit responsible for the evaluation. The specialist reviews shall be included with the evaluation materials that are forwarded to the responsible academic dean, the provost, and the president and shall be considered in any administrative action that results from the comprehensive performance evaluation process.

### **4. Actions**

A faculty member may be placed in a development program as specified in OP 32.32, Section 5, or other appropriate disciplinary action, or subject to revocation of tenure if incompetency, neglect of duty, or other good cause is determined to be present. If termination is recommended as a result of the comprehensive performance evaluation, the faculty member shall be given the opportunity of referral of the matter to a non-binding alternative dispute resolution process as in Chapter 154 of the Civil Practices Code or another agreed upon dispute resolution method. Termination will only be pursuant to conditions of the termination procedure specified in the Texas Tech University Tenure Policy Section VII, Termination Procedure, as printed in the 1996 edition of the *Texas Tech University Faculty Handbook* (also printed in the 1998 edition). (*Faculty Handbook*, August 1996 edition, page 68, Appendix A).

### **5. Application**

The comprehensive post-tenure review process may not be waived for any tenured faculty member of Texas Tech University.

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TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.32: Performance Evaluations of Faculty**

**DATE:** March 11, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish uniform guidelines and procedures for performance evaluations of members of the faculty.

**REVIEW:** This OP will be reviewed in February of odd-numbered years by the Senior Vice Provost with substantive revisions presented to the Provost and Senior Vice President for Academic Affairs (PSVPAA) by March 15.

### **POLICY/PROCEDURE**

#### **1. Background**

Texas Tech University administrators and faculty conduct periodic evaluations of faculty performance when making decisions concerning tenure and promotion, merit salary increases, research support, development leaves, and teaching and research awards. The evaluation of faculty at Texas Tech University is continuous and includes a mandatory Annual Performance Evaluation. The Annual Performance Evaluation includes the faculty member's Annual Report and Chair Evaluation, with or without an optional Annual Plan.

Students evaluate teaching, faculty members judge each other's work continuously as decisions on promotion and tenure are made, products of research and other creative activity are reviewed and critiqued, and award competitions are conducted. Moreover, evaluation of faculty members and the programs of departments and colleges occurs during reviews conducted by accreditation agencies, the Graduate School, and other concerned groups and individuals.

#### **2. Criteria**

The responsibilities of the university dictate, to a major extent, the responsibilities of the individual faculty member. Therefore, faculty members are responsible for teaching; research and other creative activity; and service to the profession, university, and community. Performance in these three areas of responsibility will provide the basis for the evaluation of faculty members.

In making individual evaluations, consideration should be given to standards expected of faculty members in similar fields of study in institutions of higher education comparable to this university in terms of mission and status.

#### **3. Procedures**

Standardized procedures will be followed by each college or school. These procedures include the following:



- a. Each faculty member shall provide, according to a uniform format, a written record of achievements for the year immediately past (see Attachment A). This information (hereafter “Annual Report”) shall be submitted directly to the faculty member’s department chair/school director/area coordinator (hereafter “Chair”). In addition to the Annual Report, any faculty member may provide a brief Annual Plan for the year then in progress, outlining expected professional activities in the areas of research, teaching, service, or community outreach and engagement, as relevant to the faculty member’s specific appointment, in addition to outlining goals for professional advancement within the university. The Annual Report (required) and Annual Plan (optional) will be provided to the Chair by January 31.
- b. The Chair responsible for evaluating a faculty member shall provide written evaluations of the faculty member's performance for the preceding year (hereafter “Chair Evaluation”). As one part of the Chair Evaluation, the Chair will verify the inclusion in the course syllabi of the expected student learning outcomes and the methods used to assess those outcomes (as required by [OP 32.06, Faculty Responsibility](#)). In addition, the Chair will consider performance for the three previous years, using the information provided in the faculty member’s Annual Report as the principal basis for the evaluation. The Chair Evaluation, along with the Annual Report (required) and Annual Plan (optional), will be provided to the dean and the faculty member by March 31 with any unsatisfactory evaluation so noted. Both the Chair and faculty member will sign the evaluation.
- c. Student evaluations of teaching ability will be conducted at least once each academic year by each faculty member using a standard university form (see Attachment B). Other evaluation forms may be used in addition to the standard one if the faculty member chooses to do so. These evaluations should not be available for review by the faculty member until **after** submission of final grades. The evaluations will be considered by the Chair in the annual performance evaluation of faculty members. Student evaluations should be retained in the department office for at least six years. Student evaluations should be retained or summarized for probationary faculty for use in tenure decisions.
- d. Each year, the dean, in consultation with the Chair of each department/area, shall review each faculty member's evaluation. The dean may provide an evaluation or approve the Chair’s evaluation. In those cases where the dean and the Chair agree that incompetence, continuing or repeated substantial neglect of professional responsibilities, or other good cause is present in the performance of a faculty member, the procedures outlined in section 5 shall be followed.

The dean will review with each Chair the process used for determining the merit of each faculty member’s performance to ensure compliance with all policies and procedures and to be certain that each faculty member has received fair consideration of their work.

- e. If approved by a majority of the voting members of the academic unit, discipline-specific evaluation procedures such as goal setting, peer evaluations of teaching, or comparisons with mission and goal statements of the academic unit may be developed.
- f. All units should have a procedure established whereby a committee of peers will be available to mediate disagreement between an individual faculty member and the Chair regarding an annual review at the faculty member's request. If the mediation is not successful, a copy of the committee's recommendation shall become part of the annual evaluation. This procedure and/or the possibility of filing a grievance provide the non-binding alternative dispute-resolution processes described in [Chapter 154 of the Civil Practice and Remedies Code](#).

- g. Such a peer review committee shall be chosen by pre-established procedures agreed to by a majority of the voting members of the faculty member's academic unit.

#### **4. Recognition**

Performance evaluations will provide data for use in the recognition of faculty for merit salary increases, research support, academic awards, development leaves, and teaching and research awards.

#### **5. Development Procedures**

Follow-up development procedures will also be standardized, although specific activities designed to improve performance may vary according to the individuals involved. These procedures are as follows:

- a. Any faculty member whose evaluation reflects a pattern of incompetent performance, continuing or repeated substantial neglect of professional responsibilities, or other good cause as agreed to by the dean and Chair, will be informed in writing of deficiencies in teaching, creative activity or research, or service.

A written program of development for a reasonable time, but no more than two years, will be established in consultation with the Chair and the faculty member. Each academic unit will develop pre-established procedures agreed to by the voting members of the faculty member's academic unit for involving other faculty in the formulation of a written program of development when requested by the faculty member involved.

- b. The faculty member and the Chair will continue to provide reports at the end of each semester summarizing progress toward development objectives. For the individual on a development program, the dean and the Chair will provide an evaluation report at the end of each academic semester to the individual, which will be reviewed by a committee of peers if requested by the faculty member, and will be signed by the dean, Chair, and faculty member.
- c. For any case in which the dean and the Chair deem that there has been a failure to improve performance to acceptable standards of competence within the allotted time, they will refer the matter to the PSVPAA.

#### **6. Referral Decisions**

Consideration by the PSVPAA may result in one of the following decisions:

- a. The PSVPAA may determine that satisfactory progress has been made and take no further action.
- b. The PSVPAA may determine that because of extenuating circumstances the development program should be extended for an additional year.
- c. The PSVPAA may refer the case to the President for further action, including the possibility of resorting to pertinent provisions of the Texas Tech University Tenure Policy ([OP 32.01, Promotion and Tenure Standards and Procedures](#), and the [Faculty Handbook](#)).

## **7. Communication**

Prompt and full communication is essential. The following actions should occur:

- a. The written evaluations completed by the Chair shall be given to the individual faculty member and signed by both as evidence that the evaluation is known to all concerned.
- b. Any faculty member whose performance has been deemed incompetent by the dean and the Chair must be provided a meeting with the dean and the Chair involved in the evaluation. This conference will take place prior to any further action.
- c. Evaluations indicating incompetence may be appealed to the next higher administrative level and must be initiated within 30 working days of the receipt of the evaluation specified in section 7.a. of this policy.
- d. The PSVPAA must provide a written decision on any referral or appeal within 30 working days of receipt.
- e. Administrative determinations made based on this policy are subject to faculty grievance procedures and to the tenure policy.

## **8. Changes**

Any changes of procedure or criteria shall be developed to allow reasonable implementation dates. Proposed changes will be made only after faculty of the affected unit(s) have had time and opportunity to make recommendations or respond to proposals. Departmental or area changes must be reviewed and approved by the dean and the PSVPAA prior to implementation.

## **9. Implementation**

Annual faculty reports will be submitted to the Chair by January 31 each year.

[Attachment A: Annual Faculty Report - Faculty Member's Statement](#)

[Attachment B: Course and Instructor Evaluation](#)

[Attachment C: Annual Faculty Evaluation – Chairperson's Assessment](#)



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.33: Faculty, Staff, and Student Conflict of Interest**

**DATE:** September 18, 2018

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure that the integrity of faculty/student roles is protected from conflict of interest.

**REVIEW:** This OP will be reviewed in February of even-numbered years by the Dean of the Graduate School and the Senior Vice Provost with substantive revisions forwarded to the Provost and Senior Vice President (PSVP)

### **POLICY/PROCEDURE**

#### **1. Background**

Texas Tech University has the responsibility to protect the integrity of the roles of the faculty and students during the period of graduate or undergraduate enrollment in any university offering and involvement in other evaluation processes of the university.

#### **2. Criteria**

Faculty must avoid academic supervisory, teaching, or evaluative relationships with students, staff, or other faculty that pose significant conflicts of interest from the standpoint of personal or professional connections. Such connections might include husband/wife or other affectional liaisons, supervisor/employee relationships, or parent/child relationships. The appearance of conflict of interest should be avoided; the department chair should be consulted if questions arise.

#### **3. Procedure**

- a. Spouses, parents, or those involved in other affectional relationships must not direct or serve on committees that evaluate their partners, children, or other close relatives. Such committees include thesis, dissertation, or preliminary, comprehensive, or qualifying examination committees, periodic staff evaluations, or annual, three-year, or tenure evaluations.
- b. Students should not enroll in courses offered by their parents, spouses, or partners in affectional liaisons.
- c. An immediate supervisor in an employment relationship (except for a research or teaching assistantship or a situation in which a student serves as a grader for another course taught by a faculty member) should not direct a student's research nor permit the enrollment of the supervisee in her/his courses or other organized instructional activity.

#### 4. **Exceptions**

- a. No member of the faculty who has held rank higher than instructor normally is eligible to pursue a graduate degree at Texas Tech; exceptions require prior approval of the dean of the appropriate college/school.
- b. Any exceptions should be approved and monitored by the chair of the faculty member's unit, unless the chair is involved; in case of involvement, the chair must refer the decision to the dean. If the dean is involved, the exception decision must be referred to the PSVP.

#### 5. **Appeals**

- a. Faculty and Staff

In unusual circumstances, an appeal can be submitted to a committee consisting of the department chair, a representative of Human Resources, dean or dean's representative, and Senior Vice Provost. This committee shall submit its recommendations to the PSVP who shall have final decision authority for exceptions.

- b. Graduate Student

In unusual circumstances, an appeal can be submitted to a committee consisting of the Graduate Dean or Associate Graduate Dean, Associate Vice President for Research, Senior Vice Provost, one additional faculty member from the Student Affairs Subcommittee of the Graduate Council chosen by lot, and the student representative to the Graduate Council. This committee shall have final decision authority for exceptions.

- c. Undergraduate Student

In unusual circumstances, an appeal can be submitted to a committee consisting of the faculty member's dean, Senior Vice Provost, student's dean (if different from faculty member's dean), Student Association president, Dean of Students, and the chair of the faculty member's department. This committee shall have final decision authority for exceptions.

- d. If a person is involved in an appeal, that person may not serve on the hearing panel named in sections 5.a or 5.b of this OP.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.35: Modified Instructional Duties Policy**

**DATE:** June 16, 2016

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish a modified instructional duties policy for full-time faculty.

**REVIEW:** This OP is effective immediately and will be reviewed in May of even-numbered years by the Senior Vice Provost and the Managing Director for the Office of Equal Employment Opportunity with substantive revisions forwarded to the Provost and Senior Vice President.

### **POLICY/PROCEDURE**

#### **1. Overview**

Texas Tech University is strongly committed to the success and well-being of its faculty. The university is dedicated to fostering a supportive and productive working environment that allows faculty opportunities to maintain a productive balance between their professional and personal lives. The Modified Instructional Duties Policy (MIDP) is designed to offer eligible faculty a modified workload that supports work-life balance and provides flexibility in the teaching obligations of faculty who experience a significant life event. These significant life events include, but are not limited to, serious personal illness, caring for a newborn infant or a newly adopted infant or child, and/or illness or injury to one's immediate family members.

#### **2. Eligibility**

The MIDP applies to tenured faculty members, tenure-track faculty members, and non-tenure track faculty members with continuing employment status who have nine-month appointments and who have been employed full-time for no less than one full appointment term. If requesting modified instructional duties for care of a newborn infant or newly adopted infant or child, the request must occur within one year of the date of birth or adoption. If requesting modified instructional duties for care of an immediate family member, the faculty member must be the principal caregiver or be required to care for or assist an immediate family member. The following persons are considered immediate family members in this policy:

- a. Individuals who reside in the faculty member's household and are related by kinship, adoption, or marriage;
- b. Foster children who reside in the faculty member's household and are under the conservatorship of the Texas Department of Protective and Regulatory Services;
- c. Minor children, whether or not living in the faculty member's household;



- d. A child for whom the faculty member is legal guardian by court appointment; or
- e. A parent of the faculty member (see OP70.32, Section 3c).

### 3. **Application Requirements**

To apply, the faculty member must complete a Modified Instructional Duties Request Form (MIDRF) (see attachment) and submit the form to his/her department chair, dean, or immediate supervisor. The request should be submitted as far in advance as possible prior to the semester in which the leave may be needed in order to accommodate the instructional needs of the department and the schedules of other involved faculty.

### 4. **Application Review**

The department chair, dean, or immediate supervisor to whom the MIDRF is submitted shall review the request to determine the faculty member's eligibility. The eligibility decision shall be based upon

- a. the faculty member meeting the eligibility requirements set forth in section 2,
- b. the faculty member describing the work to be done while on modified instructional duties in a way that benefits the university's research, service, teaching, and/or outreach missions. This work may involve significant scholarly research, new course development, curriculum development, or other work done in the best interest of the university's instructional program. The proposal must describe the work in detail and define a work product that can be evaluated by the department chair, dean, or immediate supervisor.

Within 14 calendar days of receipt of the request, the department chair, dean, or immediate supervisor shall review and submit the application with his/her recommendation to the Office of the Provost. Upon final review, the provost will communicate the decision to the department chair, dean, or immediate supervisor who will be responsible for communicating the decision to the faculty member within three business days. The decision of the provost is final.

### 5. **Period of Modification**

Modified instructional duties shall run for a period of one full semester (fall or spring). Faculty may request one additional semester of modified instructional duties for the same event (e.g., serious personal illness, birth, adoption, illness or injury to one's immediate family member) to run consecutively with the first request for a total of two consecutive semesters of modified instructional duties per event. Faculty will be required to submit an MIDRF for each semester requested.

## 6. Scope of Modification

a. The Modified Instructional Duties policy allows for the following:

(1) For tenured or tenure-track faculty members:

- (a) exemption from all or a portion of all teaching assignments during the leave semester; a faculty member may request a full exemption (i.e., release from all teaching) or a partial teaching exemption (i.e., release from a portion of teaching responsibilities);
- (b) replacement of face-to-face teaching assignments with online teaching assignments and/or additional administrative or service assignments that may be completed remotely.

(2) For non-tenure track faculty members with continuing employment status:

replacement of face-to-face teaching assignments with online teaching assignments and/or additional administrative or service assignments that may be completed remotely.

- b. *Extension of Tenure Probationary Period.* For faculty members on the tenure track, an approved request for modified instructional duties includes an automatic one-year extension of the tenure probationary period per event (e.g., serious personal illness, birth, adoption, illness or injury to one's immediate family member). This extension is automatic unless the faculty member specifically opts out of the extension on the MIDRF. Faculty on the tenure track may request up to four semesters of modified instructional duties during the probationary period and may receive up to two one-year extensions of the tenure probationary period. Participation in modified instructional duties is without prejudice to performance reviews or applications for promotion or tenure.
- c. *Benefit Continuance.* Compensation and benefits of the faculty member do not change because a faculty member is on modified instructional duties.
- d. Retaliation in any form (e.g., an arbitrary change in instructional duties) is prohibited.

## 7. Combination with Faculty Sick Leave and FMLA

The Modified Instructional Duties Policy may run concurrently and/or sequentially with the Faculty Sick Leave Policy (OP 32.11) and the Family and Medical Leave Act (see OP 70.32).

Attachment: *Modified Instructional Duties Request Form*



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 32.38: Third-Year Review of Tenure-Track Faculty**

**DATE:** February 12, 2021

**PURPOSE:** This Operating Policy/Procedure (OP) outlines the requirements and procedure for the third-year review of tenure-track faculty. The third-year review process is intended to be primarily a department-level (or basic academic unit) mentoring process to help guide tenure-track faculty to successful tenure and promotion at Texas Tech University. This requires an honest and constructive review of each faculty member's strengths and weaknesses, which will yield both formative and summative assessments of the faculty member's progress toward tenure and promotion.

**REVIEW:** This OP will be reviewed in May of even-numbered years by the Senior Vice Provost with substantive revisions presented to the Provost and Senior Vice President (PSVP) by June 30. Any change in this OP must be conducted in accordance with section 4 herein.

## **POLICY/PROCEDURE**

### **1. Departmental-Level Evaluation**

- a. Guidelines for reviewing the performance of tenure-track faculty in their third year are set by the departments. Departments are expected to develop their own specific criteria for faculty evaluation within the guidelines of the respective colleges and the university. While framing such criteria, faculty input needs to be requested, and tenured and tenure-track faculty will vote on guiding policies. Requirements may be changed based on the majority vote of tenured and tenure-track faculty in the respective departments. The guidelines approved by faculty will be reviewed by the deans of the colleges in October of even-numbered years and forwarded to the Office of the PSVP. (Note: Colleges and schools may be organized by departments or divisions or function as a single unit. In this OP, "department" and "chairperson" will be used to refer to the basic academic unit of a college and that unit's administrative head.)
- b. Faculty under third-year review may choose to undergo evaluation based on newly changed requirements or based on the requirements in place at the time of hire.
- c. The timeframe for conducting the third-year review will be during the sixth long semester (spring term). If the faculty member under review is hired at mid-year (November through May), the next fall semester will commence their first semester for purposes of the third-year review. The faculty member under review will submit the third-year dossier by January 20 of the sixth long semester of service. The dossier should include, at a minimum, the faculty

- member's original offer letter, a current CV, annual reports (including chairperson's evaluations for all three years), and teaching evaluations by peers and students. The faculty member under review may submit additional materials as part of their dossier. Reviews of the dossier will be completed and a formal notification from the dean of the college delivered to the faculty member under review by April 15 of the spring term of the third year.
- d. The review begins during the first week in February of the sixth long semester of the faculty member's service at the departmental level with the help of a third-year review committee. The chairperson or area coordinator, in consultation with the departmental faculty, will organize a third-year review committee. The committee should consist of a minimum of three tenured faculty members from the department. If three tenured faculty members are not available in the department, the chairperson or area coordinator should, in consultation with the faculty member under review, appoint faculty members from other departments within the college. The third-year review committee will objectively evaluate the dossier and issue a written assessment of the faculty member's progress toward tenure with recommendations. The review of this complete dossier should be concluded by the last day of February of the sixth long semester. The committee will provide its written report to the faculty member under review, tenured faculty of the department, and the chairperson.
  - e. Tenured faculty should have the opportunity to review the committee's report and give additional feedback to the faculty member under review by a procedure set by the department or unit.
  - f. The chairperson of the department will approve the committee's report or, in the case of a disagreement with the report, make an independent assessment of the faculty member under review, which will be shared with the faculty member under review, included in the dossier, and forwarded to the college by March 15 of the sixth long semester.

## **2. College-Level Process**

- a. The dean's office will check to ensure that the process at the departmental level has been followed, that all documents (the dossier, the committee report, and the chairperson's assessment) are present, and will share its finding with the dean and the chairperson no later than April 1 of the sixth long semester.
- b. The dean will review the dossier and, taking into account the committee report and the chairperson's assessment, will prepare a written statement of the outcome of the third-year review. The dean's letter, which may contain general observations and suggestions for helping the faculty member achieve a positive outcome in the promotion and tenure process, will be shared with the faculty member under review and the department chairperson by April 15 of the sixth long semester of service.
  - (1) In the event of a disagreement between the third-year review committee and the chairperson, the dean will provide a manner of resolution of the disagreement.
  - (2) When the review committee and the chairperson find that the faculty member under review is not making satisfactory progress toward tenure, the dean, in consultation with the chairperson, may recommend remediation or non-reappointment. In the case of a decision of non-reappointment, the faculty member under review will be eligible for a terminal year of employment in the following academic year.

### 3. Appeal Procedure

- a. If the decision is made to issue a letter of non-reappointment, the faculty member under review will be provided an opportunity to appeal the outcome directly to the Office of the PSVP. The faculty member under review is expected to submit a written statement, which includes a clear reasoning for the appeal, by the last day of their sixth long semester of service. The appeal process will be governed by procedures set in [OP 32.02, Faculty Non-reappointment, Dismissal, and Tenure Revocation](#).
- b. The Office of the PSVP will evaluate the appeal of the faculty member under review in consultation with the parties involved in the review and any other advisors deemed appropriate. The Office of the PSVP will provide a written response to the appeal by no later than the end of the next fall semester.

### 4. Policy Revision and Implementation

Revisions to this OP may be submitted by any member of the faculty or administration at any time and will include review by the Faculty Senate pursuant to [OP 10.01, Operating Policy and Procedure Manual for Texas Tech University](#), as well as the Senior Vice Provost and the PSVP. When only minor revisions are made (e.g., changes in format, administrative titles, or numbers of other referenced OPs), the OP Office will notify the Faculty Senate of the revisions before the OP is published. Notification entails presenting wording of the revisions themselves to the Faculty Senate with enough time for their consideration and deliberation. The Faculty Senate, or a group representing the Faculty Senate, will respond to the revision with an acceptance, a rejection, or suggestions for changes in the revisions before they are finalized and implemented. Final approval will be made by the PSVP.

### 5. Other Related Policies

- [OP 32.02, Faculty Non-reappointment, Dismissal, and Tenure Revocation](#)
- [OP 32.20, Notice of Non Renewal for Non Tenured Tenure-Track Faculty and Non Tenure-Track Faculty](#)
- [OP 32.26, Faculty Departure Notification Procedure](#)
- [OP 32.31, Comprehensive Performance Evaluations of Tenured Faculty Members and Faculty Members Who Receive an Academic Promotion](#)
- [OP 32.32, Performance Evaluations of Faculty](#)
- [OP 32.34, Continuing Appointment and Promotion of Faculty in Lecturer, Professor of Practice, and Research Professor Titles](#)



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 34.03: Student Grade Appeal**

**DATE:** May 11, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure understanding of the policy and procedures involved with handling student grade appeals.

**REVIEW:** This OP will be reviewed in March of even-numbered years by the Senior Vice Provost for Academic Affairs with substantive revisions presented to the Provost and Senior Vice President for Academic Affairs (PSVPAA) by April 15.

#### **POLICY/PROCEDURE**

##### **1. Grade Appeals Policy**

- a. The responsibility for determining all grades and for judging the quality of academic performance in a course rests with the instructor assigned to the course. A grade can be formally appealed only when there is demonstrable evidence that prejudice or arbitrary or capricious action on the part of the instructor has influenced the grade.
- b. Only letter grades used in calculating the grade point average may be appealed. The indications of "plus" or "minus" may not be appealed.
- c. The burden of proof that such an unfair influence has affected a grade rests with the student who appeals the grade.
- d. Only final course grades may be formally appealed to the responsible dean. If a student is suspected of cheating on a final exam, the faculty member should withhold the grade until the matter is resolved. When a faculty member determines according to Part II B 2 of the *Student Handbook* that academic dishonesty has occurred and assigns a grade of **F** for the course, the grade of **F** will stand as a final grade, notwithstanding a subsequent withdrawal from the course by the student. A faculty member shall notify the registrar of the intention to assign a grade of **F** for the course, in addition to the notifications of the department chairperson and the student's academic dean, as provided in Part II B 2 of the *Student Handbook*.
- e. Due process will be followed in all formal grade appeal procedures.
- f. A grade appeal may result in review of any or all aspects of a student's performance in a course.
- g. Processing formal grade appeals is the responsibility of the college that administers the course (Agricultural Sciences & Natural Resources, Architecture, Arts & Sciences, Business Administration, Education, Engineering, Honors, Human Sciences, Law, Media & Communication, Veterinary Medicine, and Visual & Performing Arts). The decision on a grade appeal is the responsibility of the dean of the college that administers the course. For



students in the Graduate School, that dean's decision will be forwarded to the Dean of the Graduate School for final disposition.

## 2. Grade Appeals Procedures

- a. A student who believes that a received grade is incorrect should first discuss the grade with the instructor who assigned it.
- b. The student who is not satisfied with the outcome of this effort should contact the chairperson of the department/division/area in which the course was offered. (In the case of a cross-listed course, the chairperson of the department/division/area in which the instructor holds academic appointment should be chosen.) This contact, like that with the instructor, normally is informal, and the department/division/area chairperson may take what action is deemed advisable in attempting to resolve the issue. All parties concerned should make every effort to resolve the issue without going beyond this level.
- c. If the student still is not satisfied following these meetings and discussions and if the dispute is over a final course grade, then a formal grade appeal may be made to the office of the dean of the college administering the course. This appeal must be filed with the office of the dean using the Texas Tech University *Grade Appeal Form* (see attachment) within 45 calendar days of the start of the next long semester after the term in which the grade was received. The appeal must include supporting information. After it is filed, it will be triplicated and sent to the student, the instructor, and the chairperson of the department/division/area involved.
- d. The dean of the college will request written information about the case from the instructor involved and will present the grade appeal and this information to the college grade appeals board, whose constitution is described below. This information will also be triplicated and sent to the student, the instructor, and the chairperson of the department/division/area involved. The appeals board will examine the evidence and hold what hearings and meetings it deems necessary in order to make a recommendation in the case. Due process for all parties to the dispute will be followed in these proceedings. It is not necessary for the parties to appear unless requested by the appeals board, but parties have the right to appear if they wish to do so. The appeals board will give the dean a written recommendation as to whether the grade should be changed and, if so, to what other grade and will make any other recommendations that it deems advisable in the disposition of each specific case.

Board members who voted in favor of the board's decision must sign the recommendation; dissenting members may sign it if they wish.

- e. A college grade appeals board consisting of a voting chairperson, two other faculty members, and two students will be appointed by the dean to consider all grade appeals occurring during the academic year. Any member of the board who thinks that the professional or personal relationship with either party in a grade dispute would create a hindrance to objective judgment or a conflict of interest must recuse himself or herself and a replacement member for that appeal will be chosen by the dean.

The dean of the college or a designee may attend meetings of the appeals board and presentations of evidence to it. The dean may request presentations of evidence but must not be present during the board's deliberation of its final recommendation. In a case involving a law student, the grade appeal process is as specified in the above procedures. In a case involving a student in the Graduate School, the appeal is processed through the college administering the course, with the grade decision being forwarded to the Dean of the Graduate School for final disposition.

- f. Taking into account the recommendation(s) of the appeals board, the dean of the college administering the course will make a decision on the grade appeal and send it in writing to the student, the instructor, the chairperson of the grade appeals board, and the PSVPAA. If the student is in a different college from that of the appeal, the dean of the college administering the course will notify the student's dean. If the originally assigned grade needs to be changed, the instructor will need to submit a change of grade form.
- g. An appeal of the dean's decision may be made to the PSVPAA by either the student or the instructor, but only on the basis that due process has not been followed. The appeal must be made within ten working days of receipt of the dean's decision. The decision of the PSVPAA is final and will be sent in writing to all parties involved.
- h. A copy of this OP will be provided by the office of the dean to each student initiating a grade appeal.

### **3. Correspondence or Extension Courses**

The same procedure will be followed for correspondence or extension courses.

[Attachment: Grade Appeal Form](#)

**TEXAS TECH UNIVERSITY**

**GRADE APPEAL FORM**

**Student Identification:**

Name \_\_\_\_\_ Matriculation No. \_\_\_\_\_

Major \_\_\_\_\_ Classification \_\_\_\_\_

Lubbock Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
(Street Address) (Zip Code)

**Course Identification:**

Dept. \_\_\_\_\_ Course No. \_\_\_\_\_ Section \_\_\_\_\_ Term \_\_\_\_\_

Instructor's Name \_\_\_\_\_ Grade Received \_\_\_\_\_

Have you discussed this case with the instructor? \_\_\_\_\_

Have you discussed this case with the department/division/area chairperson?\* \_\_\_\_\_

I understand that this appeal may result in review of any or all aspects of my performance in the course. My statement and supporting evidence concerning the appeal are attached.

Signed \_\_\_\_\_  
(Student) (Date)

\* If needed, you may seek assistance from your department/division/area chairperson to prepare a grade appeal.



## **Texas Tech University Operating Policy and Procedure**

### **OP 34.06: Sponsorship of Student Activities and Off-campus Trips**

**DATE:** September 21, 2006

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to provide information regarding faculty sponsorship of student activities and off-campus trips.

**REVIEW:** This OP will be reviewed in March of even-numbered years by the senior vice provost for academic affairs with recommended revisions presented to the provost/senior vice president for academic affairs by April 15.

### **POLICY/PROCEDURE**

#### **1. Sponsor**

- a. The sponsor of a student activity is selected by the organization from faculty or full-time staff members who have been employed by the university for at least one year. The function of the sponsor is to aid the organization in attaining its announced objectives, develop leadership within the membership of the organization, and aid the development of the individual member through constructive criticism and suggestion whenever the relationship makes this function possible. Responsibility rests with the organization to ask the sponsor's assistance in solving the problems and handling the business of the organization.
- b. The sponsor's attendance at the organization's meetings is desirable, though not mandatory. The sponsor frequently serves as chaperone at the organization's social events.
- c. The sponsor may call upon the Center for Campus Life for interpretations of university rules and policies regarding university organizations.

#### **2. Off-campus Student Trips and Activities**

- a. Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Students and their parents should understand that participation in such off-campus trips and activities is at the student's own risk. If personal injury or accident should occur to students or other persons during such activities, Texas Tech will assume no responsibility, financial or otherwise.

Faculty and staff sponsors and organization officers are urged to take all possible precautions to ensure the safety and well-being of all persons participating in the off-campus activity. Each group making an off-campus trip should identify specifically the questions of financial liability for accident or injury and appropriate insurance coverage as either the responsibility of each individual student or a responsibility that has been assumed by the group for that specific occasion.

- b. There is no official registration procedure for official off-campus trips, and there are no official excused class absences for students who participate in off-campus trips by student organizations. Students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip. Instructors will be free to set their own requirements for class work missed under such circumstances; they must grant students an opportunity to make up all course work missed while participating in an official off-campus trip.
- c. The university provides an optional group accident and health insurance plan for students, with enrollment during registration for the fall and spring semesters. Also available is a very economical trip insurance plan for student groups and their faculty or staff sponsor. The sponsor may obtain insurance application forms at the Contracting Office. Trip insurance also may be purchased from private insurance companies.

3. **Policy Concerning Student Releases and Medical Authorizations**

The following applies to travel undertaken by one or more students presently enrolled at Texas Tech to reach a university-related activity located more than twenty-five miles from the university. It applies to travel required by a registered student organization.

Each student who travels by motor vehicle (or any other form of transportation) to participate in a university-related activity, including, but not limited to, academically-related field trips, courses, competitions or contests, or non-academic activities such as those sponsored by Recreational Sports, must execute a copy of the Student Activity Release Form prior to such activities. That document follows this OP as an attachment. (Refer to OP 79.13 for additional information regarding university-related travel by motor vehicle, commercial carrier, and aircraft.) **\*Board of Regents Meeting, December 13 – 14, 2001**

*Attachment: Student Activity Release Form*

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## Student Activity Release Form

I, \_\_\_\_\_, understand and agree that university-related activities of Texas Tech University involve certain known risks, including but not limited to, transportation accidents, personal injuries, and loss or destruction of my property. I understand and agree that Texas Tech University cannot be expected to control all of said risks. In consideration of the benefits I will receive through my participation in the activities of Texas Tech University, I hereby expressly and knowingly **RELEASE TEXAS TECH UNIVERSITY, ITS OFFICERS, AGENTS, VOLUNTEERS, AND EMPLOYEES FROM ANY AND ALL CLAIMS AND CAUSES OF ACTION I MAY HAVE FOR PROPERTY DAMAGE, PERSONAL INJURY OR DEATH SUSTAINED BY ME ARISING OUT OF ANY TRAVEL OR ACTIVITY CONDUCTED BY, OR UNDER THE AUSPICES OF TEXAS TECH UNIVERSITY, WHETHER CAUSED BY MY OWN NEGLIGENCE OR THE NEGLIGENCE OF TEXAS TECH UNIVERSITY, ITS OFFICERS, AGENTS, VOLUNTEERS, OR EMPLOYEES.**

I hereby give my consent for any medical treatment that may be required during my participation with the understanding that the cost of any such treatment will be my responsibility.

**Further, I voluntarily and knowingly agree to HOLD HARMLESS, PROTECT, AND INDEMNIFY Texas Tech University, its officers, agents, volunteers, and employees, against and from any and all claims, demands, or causes of action for property damage, personal injury or death, including defense costs and attorney's fees, arising out of my participation in the activities of Texas Tech University, REGARDLESS OF WHETHER SUCH DAMAGES, INJURY OR DEATH ARE CAUSED BY MY OWN NEGLIGENCE, OR BY THE NEGLIGENCE OF TEXAS TECH UNIVERSITY, ITS OFFICERS, AGENTS, VOLUNTEERS, OR EMPLOYEES.**

Texas Tech University shall notify me promptly in writing of any claim or action brought against it in connection with my participation in these activities. Upon such notification, I, or my representative, shall promptly take over and defend any such claim or action.

I HAVE READ AND UNDERSTOOD THIS DOCUMENT, AND MY SIGNATURE EVIDENCES MY INTENT TO BE BOUND BY ITS TERMS.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
(PARTICIPANT)

If the participant is under 18, I am signing as a parent or guardian to reflect my agreement to indemnify (that is, protect by payment or reimbursement) Texas Tech University from any claim which may be brought by or on behalf of the participant, or any member of the participant's family, for injury or loss resulting from those inherent risks of the course, described above, and from the negligence of the participant or Texas Tech University.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
(PARENT OR GUARDIAN)



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 34.10: Final Examinations**

**DATE:** February 12, 2018

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure understanding and standardized procedures concerning final examinations.

**REVIEW:** This OP will be reviewed in March of odd-numbered years by the Office of the Registrar and the Senior Vice Provost with substantive revisions presented to the Provost and Senior Vice President (PSVP).

### **POLICY/PROCEDURE**

1. The "last week of classes" is defined as the last five weekdays or calendar class days prior to "individual study day" and the first day of final examinations, or the last two days in the summer session.
2. During the two long semesters, an "individual study day" will be scheduled before the first day of final examinations.
3. The final examination policy is as follows:
  - a. Five days are to be scheduled for final examinations at the end of each long semester – fall and spring. Two days are scheduled for finals at the end of each summer term.
  - b. A 2 ½ -hour period of time is to be available for administering individual final examinations. Within the time period, instructors may limit the time of a given exam by prior announcement.
  - c. Individual faculty members determine whether a final examination or some other summary submittal or performance is appropriate for the course being taught. Program objectives, student welfare, and faculty responsibilities should be considered in reaching this decision. Faculty members make the final decision about whether or not to give a final exam unless there is a departmental exam for that course, in which case the departmental exam will be given.
  - d. Individual faculty members decide whether student exemptions from a final examination are appropriate unless there is a departmental exam for that course, in which case the coordinator or faculty group overseeing the exam will be involved in determining the exemption.



- e. Final exam times are based on the credit-bearing portion of the course.
  - f. All faculty members giving final examinations must adhere to the printed scheduled time. Examinations will take place in the rooms in which the individual classes have been meeting unless a change is announced or a common final examination is given. A change in the final examination time or room assignment may only be made with the written approval from the department chair and dean of the college or school in which the course is taught. Classroom space desired for final examinations different from that assigned for class use during the semester should be requested in writing to the Assistant Registrar of Section Inventory in the Office of the Registrar at least 30 days prior to the first day of final exams that semester. Reservations are confirmed in writing by the Office of the Registrar. Approvals and justifications should be sent to the Office of the Registrar, and the request with the recommended accommodations will then be forwarded to the Senior Vice Provost for final approval.
  - g. Examinations, other than bona fide make-up examinations, are not to be given during the last week of classes. Lab examinations and design studio reviews normally scheduled the week prior to finals are excluded from this policy. For summer sessions, two days before final examinations will be set aside as days of no examinations, except for administering bona fide make-up or lab examinations.
  - h. No extracurricular activities may be scheduled within individual study days and the final examination period except on rare occasions for which certain exceptions can be made. Written exception requests with justifications should be submitted to the Assistant Managing Director of Events and Instructional Space Management in the Operations Division Planning and Administration office. If needed, the request will be forwarded to the Senior Vice Provost for final approval.
  - i. Days of no classes are designated as study days and no class review sessions, make-up exams, etc., may be scheduled then or during final exams.
4. A departmental exam, or common exam, covers several sections of the same course taught by different instructors for the purpose of establishing uniformity in test administration and scale of achievement. Departmental, or common exams, are scheduled through the Office of the Registrar using the following guidelines:
- a. Multiple section courses (courses with two or more sections in a semester) may schedule a common final exam with approval from the department or area head, dean, and the Senior Vice Provost. Approval should be sought prior to the start of the semester in which the common exam is to be scheduled to avoid potential conflicts in students' individual exam schedules and to optimize assignment of classroom space.
  - b. Multiple sections of a single course taught by the same instructor are not eligible to give common examinations unless they are among sections of the same course taught by more than one instructor.

- c. The same exam is to be given to all sections of the same course in the semester for which a common exam is scheduled for that course. (An exception could be an honors section of the course taught separately from the standard sections.)
  - d. Room assignments for common exams will be made according to the total number of students enrolled in the course for that term and not on a section-by-section basis. Requests for modifications or additions to room assignments for common exams must be submitted in writing to the Office of the Registrar for consideration at least 30 days prior to the first day of final examinations.
5. Off-time-cycle courses have final exams at the same time as the on-time-cycle course immediately preceding their class time. For example, a MWF 3:30 pm class will test at the same time as the MWF 3:00 pm classes. For more information regarding standard university time-start and time-stop cycles, refer to [OP 61.23, Use of University Classrooms and Academic Facilities](#). Courses that meet daily should use the final exam time slot dedicated to MWF classes. For example, if a class meets every weekday at 11:00 am, the class should use the exam time slot allotted to 11:00 am MWF courses and not to 11:00 TR courses. Departments should contact the Office of the Registrar for clarification regarding exam times or if conflicts are anticipated.
  6. Instructors of sections taught exclusively online who wish to give a final exam should select a 24 hour period within the final exam week (excluding Sunday) in which to make the exam available. A period of up to 2 ½ hours will be used for timed exams.
  7. Classroom doors must be unlocked by academic departments during final examinations, including Saturdays. Doors should be unlocked at least 15 minutes prior to the first exam time slot and should be locked at the conclusion of the last exam time slot.
  8. There is no university policy that provides relief to students who have three or more examinations scheduled the same day; in that situation, students may seek the assistance of the course instructors, department or area head, and/or dean of the college. Students should check the Final Examination Schedule prior to registration in order to avoid an inconvenient overload during final exams.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 34.12: Grading Procedures, Including Academic Integrity**

**DATE:** May 12, 2017

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to clearly articulate grading procedures.

**REVIEW:** This OP will be reviewed in March of even-numbered years by the Senior Vice Provost with substantive revisions presented to the Provost/Senior Vice President.

### **POLICY/PROCEDURE**

#### **1. Grades and their Interpretations**

The instructor of record determines all grades for a course. The method of determining the grade will be included in the course syllabus presented to the students at the beginning of the semester. The grades used with their interpretations are: **A** = Excellent; **B** = Good; **C** = Average; **D** = Inferior (passing, but not necessarily satisfying degree requirements); **F** = Failure; **P** = Passing; **PR** = In Progress; **I** = Incomplete; and **W** = Withdrawal. The letter **R** designates a course repeated to remove an **I** for undergraduate courses only. The grades of **CR** (credit) and **NC** (no credit) are given in certain instances.

Instructors may choose to add a plus or a minus to the grade. These will be entered on the transcript but will not be used in the calculation of the student's cumulative grade point average.

The grade of **PR** is given only when the work in a course extends beyond the semester or term; it implies satisfactory performance. The grade of **PR** is not to be used for graduate students except for when a course spans multiple terms; e.g., Rawls College of Business working professional MBA courses.

The grades of **CR** (credit) and **NC** (no credit) are used primarily in thesis and dissertation courses, and in other instances deemed necessary by the academic unit; e.g., in the College of Education for student teaching.

The grade of **I** is given only when a graduate or undergraduate student's work is satisfactory in quality but, due to reasons beyond her/his control, course requirements have not been completed. It is not given in lieu of an **F**, **W**, **PR**, or **NC**. The instructor assigning the grade must stipulate in writing at the time the grade is given, the conditions under which the **I** may be removed and the specific date by which the make-up work is to be completed. The assigned work and a change of grade must be recorded within one calendar year from the date the **I** is awarded. Failure to do so results in an **F** for that course for graduate and undergraduate coursework. In rare cases, an extension may be approved and processed by filling out the same incomplete form. The **I** may be replaced by an **R** if the undergraduate course is repeated within one year (not available for graduate courses). The appropriate grade will be given for the

second registration. The incomplete (I) form should be initiated by the instructor of record [online](https://www.depts.ttu.edu/registrar/private/default.aspx) through the Office of the Registrar at <https://www.depts.ttu.edu/registrar/private/default.aspx>

Mid-Semester and Semester Grade Reports: Instructors of record shall post mid-semester grade reports for freshmen, student athletes, and undergraduate students in a negative academic standing. After mid-term grades are posted between the 34th and 40th class days, students can view the grades on Raiderlink (MyTech). At the close of each long semester and each summer term, final course grades are available on raiderlink.ttu.edu (MyTech).

Failure to meet certain university obligations may result in an administrative hold being placed on a student's access to such university procedures as registration, release of transcripts, and course add/drops. It is the student's responsibility to get the hold released, which can be accomplished by meeting the requirements of the department placing the hold.

Faculty members may not publicly post grades for any examinations, including final examinations, unless the department chairperson grants permission and a substantiated random identification procedure specifically without students' names, student IDs, and/or social security numbers is in place.

## **2. Dropping a Course**

Students may officially drop a course through the 45th class day of a long semester or the 15th class day of a summer term and receive a drop grade indicator regardless of their progress in the class. All students who attend a Texas state institution of higher education are restricted to a maximum of six course drops during their undergraduate academic career. This includes all courses that were dropped at any Texas state institution of higher education the student has attended.

Undergraduate students who find it necessary to withdraw (drop to zero hours) from the university before the end of the semester will not have to use their state drop count for withdrawal.

## **3. Grade Changes**

- a. Grade changes must be initiated by the instructor of record through the system provided by the Office of the Registrar. Justification for the change must be documented. Common justifications are completion of requirements satisfied for a previous "I", grading error, clerical error, etc.
- b. On the rare occasion when an instructor of record is unable to be reached after due diligent effort, a department chair may initiate a grade change on behalf of the instructor of record. This grade should not be in conflict of the instructor of record and may only be initiated after documentation of due diligent efforts to reach the faculty member.
- c. In the event of a successful grade appeal under [TTU OP 34.03, Student Grade Appeal](#) an academic dean may initiate an administrative grade change on behalf of the instructor of record by providing the outcome of the grade appeal as justification.

## **4. Texas Tech University Statement of Academic Integrity**

Academic integrity is taking responsibility for one's own class and/or course work, being individually accountable, and demonstrating intellectual honesty and ethical behavior. Academic integrity is a personal choice to abide by the standards of intellectual honesty and

responsibility. Because education is a shared effort to achieve learning through the exchange of ideas, students, faculty, and staff have the collective responsibility to build mutual trust and respect. Ethical behavior and independent thought are essential for the highest level of academic achievement, which then must be measured. Academic achievement includes scholarship, teaching, and learning, all of which are shared endeavors. Grades are a device used to quantify the successful accumulation of knowledge through learning. Adhering to the standards of academic integrity ensures grades are earned honestly. Academic integrity is the foundation upon which students, faculty, and staff build their educational and professional careers. [Texas Tech University (“University”) Quality Enhancement Plan, Academic Integrity Task Force, 2010]

## 5. Academic Dishonesty Definitions

Students must understand the principles of academic integrity, and abide by them in all class and/or course work at the University. Academic Misconduct violations are outlined Part I, section B.1 of the [\*Code of Student Conduct\*](#). If there are questions of interpretation of academic integrity policies or about what might constitute an academic integrity violation, students are responsible for seeking guidance from the faculty member teaching the course in question.

Academic misconduct includes cheating, plagiarism, collusion, falsifying academic records, misrepresenting facts, violations of published professional ethics/standards, and any act or attempted act designed to give unfair academic advantage to oneself or another student. Additional information about academic misconduct is available in the Texas Tech University Handbook in Part II, section B of the Community Policies section in the [Student Handbook](http://www.depts.ttu.edu/dos/handbook/) at <http://www.depts.ttu.edu/dos/handbook/>.

### a. Cheating

- (1) Copying from another student’s academic work, test, quiz, or other assignment
- (2) Receiving assistance from and/or seeking aid from another student or individual to complete academic work, test, quiz, or other assignment without authority.
- (3) The use or possession of materials or devices during academic work, test, quiz or other assignment which are not authorized by the person administering the academic work, test, quiz, or other assignment.
- (4) Possessing, using, buying, stealing, transporting, selling, or soliciting in whole or in part items including, but not limited to, the contents of an unadministered test, test key, homework solution, or computer program/ software. Possession, at any time, of current or previous course materials without the instructor’s permission.
- (5) Obtaining by any means, or coercing another person to obtain items including, but not limited to, an unadministered test, test key, homework solution, or computer program/software, or information about an unadministered test, test key, homework solution, or computer program.
- (6) Transmitting or receiving information about the contents of academic work, test, quiz, or other assignment with another individual who has completed or will complete the academic work, test, quiz, or other assignment without authority.
- (7) Substituting for another person, or permitting another person to substitute for oneself, in order to take a course, take a test, quiz, or other assignment or sign in/register attendance.
- (8) Taking, keeping, misplacing, damaging, or altering the property of the University or of another if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct.

- (9) Falsifying research data, laboratory reports, and/or other academic work offered for credit.
- (10) Failing to comply with instructions given by the person administering the academic work, test, quiz, or other assignment.

b. Plagiarism

- (1) The representation of words, ideas, illustrations, structure, computer code, other expression, or media of another as one's own and/or failing to properly cite direct, paraphrased, or summarized materials.
- (2) Self-plagiarism, which involves the submission of the same academic work more than once without the prior permission of the instructor and/or failure to correctly cite previous work written by the same student.

c. Collusion

The unauthorized collaboration with another individual to complete academic work, test, quiz, or other assignment, providing unauthorized assistance to another student, allowing another student access to completed academic work, and/or conspiring with another person to commit a violation of academic dishonesty.

d. Falsifying academic records

- (1) Altering or assisting in the altering of any official record of the University and/or submitting false information.
- (2) Omitting requested information that is required for, or related to, any official record of the University.

e. Misrepresenting facts

- (1) Providing false grades, falsifying information on a resume, or falsifying other academic information.
- (2) Providing false or misleading information in an effort to injure another student academically or financially.
- (3) Providing false or misleading information or official documentation in an effort to receive a postponement or an extension on academic work, test, quiz, other assignment, credit for attendance, and/or obtain an academic or financial benefit for oneself or another individual.

*NOTE: Examples include, but are not limited to, fabricated, altered, misleading, or falsified documentation for medical excuses, family and personal emergencies, and signing into class and failing to remain the entire time.*

f. Violation of Professional Standards

Any act or attempted act that violates specific Professional Standards or a published Code of Ethics.

*NOTE: Students are held accountable under this policy based on their college or school of enrollment, declared major, degree program, and/or pre-professional program.*

g. Unfair Academic Advantage

Any other action or attempted action that may result in creating an unfair academic advantage for oneself or may result in creating an unfair academic advantage or disadvantage for another student that is not enumerated in items a-f.

## 6. Academic Dishonesty and Instructor Responsibilities

Any person becoming aware of alleged violations of academic integrity should report the allegation to the instructor of record in the course. The instructor in a course is responsible for initiating action in each case of dishonesty or plagiarism that occurs in that class. The instructor should contact the [Office of Student Conduct](#) to discuss the nature of the violation and the student's record of academic integrity violations. Instructions for reporting allegations of academic dishonesty are available in Part I, section C of the [Code of Student Conduct](#). The instructor should attempt to discuss the matter with the student and receive a response from the student about the allegations. Then, the instructor may notify the student of possible academic sanctions including, but not limited to, assigning a paper or research project related to academic integrity, make-up assignment that is different than the original assignment, issue no credit for the original assignment, reduce the grade for the assignment and/or course, issue a failing grade on the assignment, and/or issue a failing grade for the course. The academic penalty will not be implemented or assigned until all disciplinary procedures are complete. All academic integrity violations should be referred to the Office of Student Conduct as a central clearinghouse of violations and for adjudication as a *Code of Student Conduct* violation where disciplinary sanctions will be assigned.

## 7. Academic Integrity Allegations and Withdrawal/Assignment of Grades

- a. If a student is referred to the Office of Student Conduct for an academic integrity allegation, the student may not drop the course until the academic integrity processes are complete. If a student drops or withdraws, the student will be reinstated to the course in question. A student should continue attending class and participating in course work until the disciplinary process is complete. If it is determined that the student was not responsible for academic integrity violations and/or the referring faculty member allows the student to withdraw from the course, the student may file a request with the Associate Vice Provost for Student Affairs for approval to drop the course or withdraw from the University retroactively.
- b. If a referring faculty member must submit a final course grade before an academic integrity violation allegation is resolved, the faculty member should leave the final grade blank, and notify the department chair and the student's academic dean. The involved student may be given a temporary grade of X by the Office of the Registrar, which does not affect the student's GPA, until the academic integrity adjudication process is complete. When the academic integrity adjudication process is complete, the final grade will be assigned through the completion of a grade change form by the instructor of record.

## 8. Academic Integrity Appeals

Appeals of Academic Integrity decisions are separate from the grade appeal process. The designated appellate officer in Academic Integrity cases is the Associate Academic Dean of the college where the student is enrolled or the Associate Academic Dean of the college housing the course where the violation occurred. In situations where the Associate Academic Dean



participated in the Hearing as the Student Conduct Officer/Investigator or Instructor of Record, the designated appeal officer is the Academic Dean. The appeals process related to academic integrity violations is detailed in Part I, section C.5 (Disciplinary Appeals Procedures) of the *Code of Student Conduct*.

9. Grading procedures in the School of Law are set forth in the School of Law's academic policies. For more information, please contact the School of Law's Associate Dean for Academic Affairs or the Assistant Dean for Academic Services. Law Students are subject to disciplinary procedures as described in the Honor Code for the School of Law as well as the TTU Code of Student Conduct.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 34.15: Grade Replacement Policy**

**DATE:** February 22, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish procedures for replacement of a grade in a previous course with the grade in a subsequent course.

**REVIEW:** This OP will be reviewed in March of odd-numbered years by the Senior Vice Provost with substantive revisions presented to the Provost and Senior Vice President by April 15.

#### **POLICY/PROCEDURE**

##### **1. Replacing a Grade**

- a. After a Texas Tech University course that was not completed with a grade of C or better has been retaken at Texas Tech, the course may be eligible for grade replacement.
- b. Grade replacement is for the purpose of adjusting the cumulative grade point average. On the transcript, the original grade will remain visible but will include a notation indicating that the original grade was subsequently replaced. A pure grade point average including all coursework taken at Texas Tech will be used for honors designations. Additional rules concerning grade replacements are below:
  - (1) Only grades of D and F are eligible for grade replacement.
  - (2) There is no limit on the number of times that a student may attempt to grade replace a course. However, after the third attempt, the student will be charged the non-resident, undergraduate tuition rate for any and all subsequent enrollments in that same course (per the authority granted by [Rule 13.105 of Title 19, Part 1, Chapter 13, Subchapter F of the Texas Administrative Code](#)).
  - (3) Regardless of the number of attempts made by a student to grade replace a course, only the grade of D or F associated with the most recent attempt of the course will be factored into the student's cumulative grade point average until such time as the student successfully achieves a grade of C or better.
- c. Grade replacements are processed in the Registrar's Office during the end of term processes, and no action is required by the student.

##### **2. Restrictions**

- a. Students who attended Texas Tech prior to the fall 2004 term and who have not yet completed a degree may contact the Registrar to inquire about grade replacement procedures.

- b. First-time freshmen and transfer students who entered Texas Tech in the fall of 2004 or thereafter will not be allowed to repeat a course in which he/she has earned a grade of C or above.
- c. A student placed on academic suspension or probation at the end of the semester will not be removed from suspension or probation on the basis of grade replacements that can be or are made after the semester grades are reported.
- d. Courses taken at other institutions may not replace Texas Tech University course grades.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 34.22: Establishing Reasonable Accommodation for Students with Disabilities**

**DATE:** October 12, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to outline the procedures for establishing reasonable accommodation for students with disabilities.

**REVIEW:** This OP will be reviewed in August of even-numbered years by the Managing Director of Student Disability Services with substantive revisions forwarded to the Vice Provost for Student Affairs and the Senior Vice Provost and final approval by the Provost and Senior Vice President.

### **POLICY/PROCEDURE**

#### **1. Background**

The [Americans with Disabilities Act \(ADA\) of 1990 \(PL101-336\)](#) mandates equal opportunities for persons with disabilities in all public facilities, programs, activities, services, and benefits derived from them. [Section 504 of the Rehabilitation Act of 1973 \(PL93-112\)](#), as amended, mandates equal opportunity for qualified persons with disabilities in all programs, activities, and services of recipients of federal financial assistance. Both ADA and Section 504 are civil rights statutes that prohibit discrimination on the basis of disability, obligate colleges and universities to make certain adjustments and accommodations, and offer to persons with disabilities the opportunity to participate fully in all institutional programs and activities. Texas Tech University adheres to these regulations and the [Texas Commission on Human Rights Act](#).

#### **2. Faculty Notice**

- a. Faculty members are required to insert the following statement into each course syllabus:

Any student who, because of a disability, may require special arrangements in order to meet the course requirements should contact the instructor as soon as possible to make any necessary arrangements. Students should present appropriate verification from Student Disability Services during the instructor's office hours. Please note: instructors are not allowed to provide classroom accommodations to a student until appropriate verification from Student Disability Services has been provided. For additional information, please contact Student Disability Services in Weeks Hall or call 806.742.2405.

#### **3. Eligibility and Procedures for Establishing Reasonable Accommodation**

- a. A student must register with Student Disability Services and file appropriate documentation in order to be eligible for any disability benefits and services described in this operating policy.

- b. The university-approved mechanism for establishing reasonable accommodation is written notification in the form of a Letter of Accommodation from Student Disability Services. The Letter of Accommodation indicates to faculty that the student has given proof of her/his disability and that the accommodation noted is considered appropriate and reasonable. No further proof of disability should be required of the student. Students presenting other kinds of verification should be referred to Student Disability Services for the appropriate identification. No requirement exists that accommodation be made prior to completion of the approved university process.
- c. Faculty members are not permitted to provide accommodations for a student's disability needs unless the student provides a *Letter of Accommodation* from Student Disability Services. Ideally, *Letters of Accommodation* should be presented to instructors at the beginning of the semester; however, *Letters of Accommodation* may be submitted at any point during a semester. If a *Letter of Accommodation* is presented after a semester begins, the accommodation applies only from the date presented to and signed by the faculty member until the completion of the semester. One week is considered a reasonable amount of time to allow the faculty member to implement the accommodation.

#### **4. Procedures for Course Substitution in All Academic Areas**

- a. The student must first register with Student Disability Services and be eligible for services based on the documentation submitted.
- b. Course substitutions will be considered on an individual basis using the following criteria:
  - (1) The documentation supports the student's request; and
  - (2) The course for which the substitution is being requested is not an essential element for the degree requirements of the program in which the student is enrolled.
- c. Once Student Disability Services determines that the documentation submitted does support a course substitution request, Student Disability Services will write a letter of recommendation for such request to the associate academic dean of the college in which the student is enrolled or her/his designee.
- d. If the course substitution request is granted, the dean or her/his designee and the student will meet to discuss options for course substitution. The nature of the substitution will be determined by the dean or her/his designee.

#### **5. Course Load Reduction for Full-time Status Designation**

- a. The student must first register with Student Disability Services and be eligible for services based on the documentation submitted.
- b. The student must provide documentation for the disability from a licensed professional, and the assessment report must indicate a recommendation of a reduced course load. This document will authorize the course load reduction. If the report does not contain a specific recommendation for the reduced course load, then a letter of support from the licensed professional who conducted the assessment must be submitted that specifically recommends a reduced course load.

- c. The Office of Student Disability Services will then write a letter of recommendation for the student to the associate academic dean of the college in which the student is enrolled or her/his designee.
- d. Students who drop below 12 hours will not be eligible for most federal financial aid but may be eligible for state and local assistance.

## **6. Service Animals, Service Animals in Training, and Assistance Animals**

### **a. Service Animals**

- (1) Individuals with disabilities may be accompanied by their service animals in all Texas Tech University buildings where members of the public or participants in services, programs, or activities are allowed to go. By law, a service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. In some cases, the university may permit miniature horses on campus on a case-by-case basis, consistent with applicable law.
- (2) The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of such tasks include, but are not limited to, assisting an individual with low vision with navigation, alerting individuals who are hard of hearing to the presence of people or objects, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with a mobility disability.
- (3) If an individual's need for a service animal and the qualifications of the animal are not obvious, the individual may be asked (a) whether the animal is required because of a disability; and (b) what work or task(s) the animal has been trained to perform.
- (4) Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the university's grounds and facilities where members of the public; participants in services, programs or activities; or invitees are allowed to go.
- (5) A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether unless the handler is unable, because of a disability, to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks. In either of those cases, the service animal must be under the handler's control by voice control, signals, or other effective means.
- (6) If a service animal is properly excluded under the foregoing provision, the individual with a disability shall be given the opportunity to participate in the service, program, or activity without having the service animal on the premises.

- (7) The university is not responsible for the care or supervision of a service animal. If a person with a disability remains on the premises after his or her service animal is properly excluded, it is that person's responsibility to arrange for the animal's care and supervision.

b. Assistance Animals in University Housing

- (1) Federal law allows individuals with disabilities the presence of a broader range of animals ("assistance animals") in university housing as compared with the campus as a whole. By law, an assistance animal means any service animal, as defined above, as well as an animal needed for emotional support. An individual may keep an assistance animal as an accommodation in university housing if:

- (a) The individual has a disability;
- (b) The animal is necessary to afford the individual an equal opportunity to use and enjoy a dwelling; and
- (c) There is an identifiable relationship between the disability and the assistance the animal provides. Assistance animals are NOT allowed in any other university buildings.

- (2) Exceptions

The university may exclude an assistance animal from university housing if the animal is not housebroken, would cause substantial physical damage to the property of others or university facilities, would pose a direct threat to the health or safety of others, would fundamentally alter the nature of a program or activity, or is not being cared for by the individual. Students will be liable for damage caused by assistance animals in the same manner they are responsible for personal damages to university property.

- (3) Responsibilities of Individuals with Assistance Animals

The university is not responsible for the care or supervision of an assistance animal. Individuals with disabilities are responsible for the control of their assistance animals at all times and for ensuring the immediate cleanup and proper disposal of all animal waste. Individuals must comply with all applicable laws and regulations, including vaccination, licensure, and animal health and leash laws, as well as the university's rules in lease provisions regarding vaccination, licensure, leash control, cleanup rules, animal health, and community relationships.

c. Service Animals in Training

- (1) State of Texas Law allows for Service Animals in Training to be permitted in the same areas where Service Animals are permitted. Students will be permitted to have Service Animals in Training by completing the following:
  - (a) Complete the Student Disability Services Verification Form for Service Animals in Training. This form does not register the student with Student Disability Services for classroom accommodations, but if the student wants



to apply for services, he/she can do so. This SDS Verification Form, along with documentation certifying the student as an approved trainer (#2), will be kept on file in the Student Disability Services Office.

- (b) Provide Student Disability Services a Certification of Training document. An *approved trainer* recognized by Texas Tech University is an individual who has been certified by an organization whose primary mission is to train service animals for people with disabilities. *If the student is not an approved trainer, the student must provide proof an approved trainer will be with the student and the dog while in campus buildings.*
- (c) Meet with Student Disability Services Staff to obtain approval for bringing a Service Animal in Training into campus buildings. A *campus building* is any building on campus, including housing facilities. During this meeting, SDS Staff and student will:
  - Review published ADA language that allows for the person to train the dog themselves but *does not* recognize service animals in training as a protected accommodation.
  - Review State of Texas statute that does allow service animals in training to access the same areas as Service Animals **as long as** they are accompanied by an approved trainer.
  - Review TTU's policy on what constitutes a recognized approved trainer.
  - Review TTU policy that Service Animals in Training must be identified by a vest or tag indicating they are in training, and must comply with and abide by the same University policies and procedures that any Service Animal or Assistance Animal follows. This includes the [Student Code of Conduct](#).
- (d) Housing Requirements – If the student resides in TTU Student Housing, then the Verification Form will be sent to Housing as well.

## 7. Temporary Accommodations for Students

- a. The Student Disability Services (SDS) Office offers a wide variety of services to students with temporary documented disabilities. Services are extended to students with temporary disabilities only for the duration of the functional limitations associated with their disability. In consultation with an SDS counselor, students granted temporary status will be provided appropriate academic accommodations, depending on limitations due to the temporary disability. Students will be responsible for requesting the letters of accommodation outlining the approved accommodations, as well as speaking to their instructors to set up the needed accommodations.
- b. The eligibility process is the same for a temporary disability as for permanent disability cases. A student must apply for services online and provide the necessary documentation to support their temporary disability. After reviewing

the student's application and documentation, an SDS counselor will meet with the student to determine appropriate academic services and accommodations dependent on temporary limitations the student has in the academic setting.

- c. Although temporary disability cases are generally short-term mobility issues, Student Disability Services will also grant temporary accommodations to a student if the student has no documentation, or is working to obtain updated or relevant documentation. In this instance, a student will be granted accommodations only for the semester in which the testing is being completed and updated documentation must be submitted by the end of the semester for accommodations to become permanent.
- d. Students provided temporary accommodation will have their file/case reviewed at the end of each semester. The individual SDS counselor assigned to the student will conduct an initial evaluation by contacting the student to confirm temporary status, substantiate further need of services, or to seek appropriate documentation. Once the initial review is complete, the SDS staff will meet with the student and complete the intake process to establish reasonable accommodations.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 36.07: Authorization for Small Classes**

**DATE:** May 5, 2016

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure a complete understanding for policy on small classes by faculty, administration, and students.

**REVIEW:** This OP will be reviewed in April of even-numbered years by the senior vice provost with substantive revisions presented to the provost and senior vice president (PSVP).

### **POLICY/PROCEDURE**

1. The offering of small classes (undergraduate-level courses with less than ten registrations and graduate-level courses with less than five registrations) is a matter of academic and economic concern and shall be engaged in only when appropriate justification is offered\*. In keeping with legislative directives and guidelines approved by the Texas Higher Education Coordinating Board, organized small classes may be authorized if they meet the conditions stated below. **\*In accordance with Texas Education Cod Sec. 51.403, and Section 04.10, *Regents' Rules***
2. The PSVP shall approve or disapprove the proposed offering of small classes, monitor the offerings, and provide reports in accordance with state requirements.
3. Small classes that meet the requirements of any one of the following conditions\*, may be authorized to be taught if the course is: *\*In accordance with Section 04.10, *Regents' Rules**
  - a. Approved by the governing board of the university;
  - b. A required course for graduation (the course is not offered each semester or term and, if cancelled, may affect the date of graduation of those enrolled);
  - c. A required course for majors in this field and should be completed this semester (or term) to keep proper sequence of courses;
  - d. In a newly established degree program, concentration, or support area;
  - e. Part of an interdepartmental (cross-listed) course taught as a single class by the same faculty at the same station, provided the combined enrollments do not constitute a small class;
  - f. A first-time offering of the course;
  - g. Class-size limited by accreditation or state licensing standards;
  - h. Class-size limited by availability of laboratory or clinical facilities; or

- i. Voluntarily offered by a faculty member in excess of the institutional teaching load requirement and for which the faculty member receives no additional compensation.

**Note:** The guidelines for Section 3 notwithstanding, small classes require justification and approval by the PSVP before the third class meeting. Only rarely can small classes be allowed.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 40.02: Non-Discrimination and Anti-Harassment Policy and Complaint Procedure**

**DATE:** August 14, 2020

**PURPOSE:** Texas Tech University (TTU) is an Equal Employment Opportunity (EEO) employer and is committed to compliance with federal and state employment laws and regulations; providing and strengthening an educational, working, and living environment where students, employees, and visitors are free from any form of unlawful discrimination; and fostering and supporting a culture of mutual respect and communication. In the event an individual believes their rights under law have been violated, this Operating Policy/Procedure (OP) adopts procedures to address these concerns in a fair, equitable, and prompt manner.

**REVIEW:** This OP will be reviewed in December of odd-numbered years by the Texas Tech University System (TTUS) Office of Equal Opportunity (OEO), TTUS Vice Chancellor and General Counsel, TTU Title IX Coordinator, and the TTU Assistant Vice President for Human Resources, with substantive revisions forwarded to the TTU Associate Vice President for Administration and Chief of Staff to the President.

## **POLICY/PROCEDURE**

### **1. Policy**

TTU does not tolerate unlawful discrimination or harassment. TTU's non-discrimination and anti-harassment policy is set forth in Texas Tech University [System Regulation 07.10](#), which can be found [here](#).

### **2. Complaint Procedure**

Complaints of discrimination or harassment under this policy should be directed to the Texas Tech University System Office of Equal Opportunity. Contact information for the Office of Equal Opportunity is as follows:

CONTACT	PHONE	ADDRESS	WEBSITE & EMAIL
Charlotte Bingham Assistant Vice Chancellor of Administration, TTU System Office of Equal Opportunity	806.742.3627	TTU System Administration Building 1508 Knoxville Avenue, Suite 309 TTUS Office of Equal Opportunity Box 41073 Lubbock, TX 79409	<a href="https://www.texastech.edu/offices/equal-employment/">https://www.texas tech.edu/off ices/equal- employment/</a>  <a href="mailto:charlotte.bingham@ttu.edu">charlotte.bingh am@ttu.edu</a>

### **3. Sexual Misconduct**

While sexual harassment, sexual assault, or other forms of sexual misconduct may constitute prohibited acts of discrimination, such complaints will be addressed under [TTU Operating Policy 40.03, Sexual Misconduct](#), and [System Regulation 07.06](#), rather than pursuant to this OP.

### **4. Expectations of the University Community**

TTU expects all members of the University Community to comply with applicable laws, regulations, and policies. Members of the University Community who violate applicable laws, regulations, or policies may be subject to disciplinary action pursuant [TTU Operating Policy 70.31, Employee Conduct, Coaching, Corrective Action, and Termination](#), and [System Regulation 07.07](#).



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 40.03: Sexual Misconduct**

**DATE:** August 14, 2020

**PURPOSE:** Texas Tech University (TTU) is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. Therefore, TTU prohibits discrimination based on sex and other types of sexual misconduct, including but not limited to sexual harassment, sexual assault, dating violence, and stalking. The purpose of this Operating Policy/Procedure (OP) is to (1) state TTU's requirements for reporting incidents of sexual misconduct; (2) state TTU's policy on sexual misconduct; (3) implement electronic reporting protocols for such incidents; (4) develop a comprehensive prevention and outreach program; (5) establish penalties for noncompliance with this OP; and (6) provide amnesty or immunities to students and employees who report incidents of sexual misconduct.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the TTU Title IX Coordinator, Dean of Students, and Assistant Vice President for Human Resources, in consultation with the System Offices of Equal Opportunity and General Counsel, with substantive revisions forwarded to the Associate Vice President for Administration and Chief of Staff to the President. Any substantive changes to this policy must be approved by the Board of Regents.

#### **POLICY/PROCEDURE**

1. Discrimination based on sex and other types of sexual misconduct (including the reporting and prevention of, and the grievance process and remedies for sexual misconduct) in the TTU community is governed by Texas Tech University [System Regulation 07.06](#), which includes two distinct policies and procedures based on applicable federal and state law:
  - a. [System Regulation 07.06.A Title IX Sexual Misconduct](#), and
  - b. [System Regulation 07.06.B Non-Title IX Sexual Misconduct](#).

The Sexual Misconduct Policy Applicability [Flowchart](#), attached to each policy, summarizes these policies' applicability and their respective procedures. Questions regarding the applicability of these policies should be directed to the Title IX Coordinator or System Office of Equal Opportunity, whose contact information is provided in Section 2 of this OP.

2. TTU Title IX Coordinator and designated Deputy Coordinator for TTU students and employees:

CONTACT	PHONE	ADDRESS	EMAIL
<i>TTU Title IX Coordinator:</i> Kimberly Simón Texas Tech Office of the President	806.834.1949	TTU Administration Building, Room 115D Office of the President Texas Tech University Box 42005 Lubbock, TX 79409	<a href="mailto:kimberly.simon@ttu.edu">kimberly.simon@ttu.edu</a>



<b>CONTACT</b>	<b>PHONE</b>	<b>ADDRESS</b>	<b>EMAIL</b>
<i>TTU Assistant Title IX Coordinator:</i> Meredith Holden, Title IX Case Manager	806.834.5556	Suite 232E, Student Union Building Office for Student Rights & Resolution Texas Tech University Lubbock, TX 79409	<a href="mailto:meredith.holden@ttu.edu">meredith.holden@ttu.edu</a>
<i>TTU Title IX Deputy Coordinator for Students:</i> Matthew Gregory Dean of Students	806.742.2984	Suite 201 AA, Student Union Building Office of the Dean of Students Texas Tech University Lubbock, TX 79409	<a href="mailto:deanofstudents@ttu.edu">deanofstudents@ttu.edu</a>
<i>TTU Title IX Deputy Coordinator for Employees:</i> Charlotte Bingham, Assistant Vice Chancellor of Administration, Texas Tech University System Office of Equal Opportunity	806-742-3627	TTU System Administration Building 1508 Knoxville Ave., Suite 309 Office of Equal Opportunity Texas Tech University System, Box 41073, Lubbock, TX 79409	<a href="mailto:charlotte.bingham@ttu.edu">charlotte.bingham@ttu.edu</a>
<i>TTU Title IX Deputy Administrator for Athletics:</i> Judi Henry, Executive Senior Associate Athletics Director and Senior Woman Administrator	806.834.0976	Athletic Office, Room 109 Texas Tech University 2526 6th Street Lubbock, TX 79409	<a href="mailto:judi.henry@ttu.edu">judi.henry@ttu.edu</a>
<i>TTU Title IX Deputy Administrator for Academic Affairs:</i> Sean Cunningham, Associate Professor and Chair, Department of History	806.742.3744	131 Holden Hall Texas Tech University 1011 Boston Ave Lubbock, TX 79409	<a href="mailto:sean.cunningham@ttu.edu">sean.cunningham@ttu.edu</a>

3. The following additional resources are available:

<b>CONTACT</b>	<b>PHONE</b>	<b>ADDRESS</b>
Office for Student Civil Rights and Sexual Misconduct	806.742.7233	Suite 232-E Student Union Building Lubbock, Texas 79409
Office of the Dean of Students	806.742.2984	Suite 201 AA Student Union Building Lubbock, Texas 79409
Texas Tech University System Office of Equal Opportunity	806.742.3627	TTU System Administration Building 1508 Knoxville Ave., Suite 309, Box 41073 Lubbock, TX 79409

<b>CONTACT</b>	<b>PHONE</b>	<b>ADDRESS</b>
Human Resources	806.742.3851	160 Doak Conference Center 2518 15th Street Lubbock, Texas 79409
Student Counseling Center	806.742.3674	Student Wellness Center, Room 201 Lubbock, Texas 79409
Employee Assistance Program	806.743.1327	3601 4th Street Lubbock, Texas 79430
Psychology Clinic	806.742.3799	TTU Psychology Building, Room 111A Lubbock, Texas 79409
Family Therapy Clinic	806.742.3060	TTU Human Sciences Building, Room 165 Lubbock, Texas 79409
TTU RISE Office	806.742.2110	Drane Hall, Room 247 Lubbock, Texas 79409
Lubbock Voice of Hope	806.763.7273	P.O. Box 2000 Lubbock, Texas 79457
Legal Aid of NorthWest Texas	806.763.4557	1711 Avenue J Lubbock, Texas 79401
Legal Aid Society of Lubbock	806.762.2325	906 Main St. #103 Lubbock, Texas 79401
University Medical Center	806.775.8200	602 Indiana Ave. Lubbock, Texas 79415
Covenant Medical Center	806.725.0000	3615 19th Street Lubbock, Texas 79410

4. The following outside agencies are available as additional resources:

- a. Nothing in this OP or the incorporated regulations shall limit an individual from seeking assistance or filing a complaint with an outside agency.
- b. Administrative Agencies:

<b>CONTACT</b>	<b>PHONE</b>	<b>ADDRESS</b>
U.S. Equal Employment Opportunity Commission	1.800.669.4000	300 E. Main Dr., Suite 500 El Paso, Texas 79901
Texas Workforce Commission	512.463.2222	101 E. 15th Street Austin, Texas 78778
U.S. Department of Education, Office of Civil Rights	214.611.9600	1999 Bryan Street, Suite 1620 Dallas, Texas 75201

- c. Law Enforcement Agencies:

<b>CONTACT</b>	<b>PHONE</b>	<b>ADDRESS</b>
TTU Police Department	806.742.3931	413 Flint Ave. Lubbock, Texas 79409
Lubbock Police Department	806.775.2865	916 Texas Ave. Lubbock, Texas 79401

CONTACT	PHONE	ADDRESS
Lubbock County Sheriff's Department	806.775.1400	811 Main Street P.O. Box 10536 Lubbock, Texas 79407
Texas Department of Public Safety	512.424.2000	5805 North Lamar Blvd. Austin, Texas 78752

**AUTHORITATIVE REFERENCES**

- Title VII of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- 34 CFR Part 106
- Texas Labor Code Chapter 21
- Violence Against Women Act (VAWA)
- Campus Sexual Violence Elimination Act of 2013 (Campus SaVE)
- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
- Texas Education Code Sections 51.9363, 51.251 – 51.260, and 51.281 – 51.295
- Texas Family Code Sections 71.004 and 71.0021
- Texas Penal Code Section 42.072



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 60.15: Smoke-free and Tobacco-free Environment**

**DATE:** May 25, 2017

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to provide for the health and safety of students, faculty, and staff by controlling fire hazards, assuring a smoke-free environment in all academic and administrative facilities, and meeting the requirements of 25 Texas Administrative Code, §703.20.

**REVIEW:** This OP will be reviewed in September of even-numbered years by the Managing Director of Environmental Health and Safety with substantive revisions forwarded through the Associate Vice President for Research (Research Integrity) and the Senior Associate Vice President for Research (Research Services) to the Vice President for Research.

### **POLICY/PROCEDURE**

1. In the interest of providing a smoke-free environment, smoking is prohibited in all campus academic, administrative, and athletic facilities.
2. Smoking areas must be located 25 feet from any facility with LEED designation and pedestrian entrance (ingress or egress) or public place. This includes any entryways or walkways leading to entrances.
3. There will be no smoking above the first floor of any building.
4. In the case of athletics, the prohibition applies to both indoor and outdoor facilities. Smoking is allowed in designated areas only.
5. All buildings that are under the control of the Housing and Residence Life and Hospitality Services are nonsmoking buildings, including the Student Union, all dining areas, and all areas of residence halls, including individual rooms.
6. The use of all tobacco products is prohibited by all employees and visitors in all buildings and structures where projects funded by the Cancer Prevention and Research Institute of Texas (CPRIT) are taking place as well as the sidewalks, parking lots, walkways, and attached parking structures immediately adjacent. A list of CPRIT projects and the facilities in which they are being conducted can be found on the website of the Office of the Vice President for Research.
7. Employees interested in tobacco use cessation services should contact the Office of Human Resources for information and referral.
8. Persons having reason to complain about violations of this policy should first seek resolution of the problem by asking the smoker(s) to comply voluntarily with this OP. If resolution of the

problem cannot be achieved by this means, a complaint should be made to the head of the unit or office of the shop manager. If the head of the unit is part of the smoking activity, the complaint should be made to the next level supervisor. Heads of units are advised that such complaints can be made without risk to student or employee evaluation.

9. When continued and/or obvious abuse of the policy is evident, appropriate actions will be taken by the following individuals to assure compliance.
  - a. The Division of Undergraduate Education and Student Affairs will be responsible for cases involving students.
  - b. The college dean will be responsible for cases involving faculty.
  - c. The appropriate vice president will be responsible for handling cases involving non-faculty employees.
  - d. The Chief of Police will be responsible for handling cases involving individuals who are not student, faculty, or staff of the university.
10. Electronic cigarettes will not be permitted other than in the areas already mentioned in this OP.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 61.01: Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited**

**DATE:** November 11, 2020

**PURPOSE:** This Operating Policy/Procedure (OP) establishes the prohibition of the use of university facilities for private purpose.

**REVIEW:** This OP will be reviewed in September of odd-numbered years by the Chief Procurement Officer with substantive revisions forwarded to the Vice President for Administration & Finance and Chief Financial Officer.

#### **POLICY/PROCEDURE**

1. [Article 16, Section 6 of the Texas Constitution](#) provides that: "No appropriation for private or individual purposes shall be made." [Article 8, Section 6](#) provides that: "No money shall be drawn from the Treasury but in pursuance of specific appropriations made by law. . ." Section 03.02.1.h, *Regents' Rules* defines as a breach of public trust, "unauthorized entry to or use of (university) facilities" by faculty, staff, or students.
2. It is clear that it is the intent of the Texas Constitution and the Board of Regents that university facilities, equipment, supplies, and services are to be used only for duly authorized university purposes. Accordingly, the use of university-owned resources or resources for which the university has acquired stewardship responsibilities in which title is vested to others including, but not limited to, buildings, equipment, materials, supplies, telephones, utilities, and services of university personnel for personal purposes is prohibited.

#### **3. Services of Personnel**

The use of university personnel for personal work is strictly prohibited. This work includes, but is not limited to, typing and secretarial services on personal and/or private consulting correspondence, running personal errands, and other like personal services.

#### **4. Use of Equipment**

Equipment that the university owns or is responsible for shall not be used for personal purposes. University-owned or controlled equipment should not be removed from the university premises. In the event a tagged item of equipment is needed to be removed from university property to an employee's personal residence or other like property to accomplish university work on business "at home," then appropriate property custodian approval must be requested and obtained prior to removing the equipment from university premises. A copy of the request document with the property custodian approval must be filed with the Property Management department. Small, untagged items such as dictating equipment, calculators, and other like property used in "at home" university work and business are exempt from this provision. The form is available online:

<https://www.depts.ttu.edu/accountingservices/Property-Management/Temporary-Use-of-Property-Authorization-Form.pdf>.

## **5. Telephones**

Directory Assistance, TEX-AN, WATS, and Direct Dial 1+ and 0+ personal calls are not authorized over university telephone system. Any person placing emergency directory assistance or long distance telephone calls over an official telephone will reimburse the university for the bill amount of the call plus applicable U.S. federal excise tax.

## **6. Use of Vehicles**

As set forth in the [Government Code, Section 2203.004](#), and [Penal Code, Chapter 39](#), no state-owned vehicle will be used for personal reasons.

Misuse of a state vehicle is a state jail felony.

The use of a state vehicle to conduct personal business such as banking, shopping, transporting family members, or use in a parade of any kind requires complete written justification from the department head prior to such use. Further, vehicles will not be kept overnight at one's place of residence. Written justification requesting exception to the policy must be sent by the department head to the vehicle fleet manager for consideration. The request will then be forwarded to the President or her/his authorized representative for approval and signature. A fully executed copy of the justification will be forwarded to Vehicle Fleet Management, TTU – Physical Plant, MS/Box 43142.

## **7. Office Supplies**

Office supplies are for business use only. Personal use of university supplies will be considered fraud and could be grounds for termination.

- 8.** Persons required to reimburse the university for personal phone calls, copies, or supplies will do so by depositing the cost of the service or material, plus applicable federal excise or Texas sales taxes at the Financial Services Office. The cost of the services or materials will be credited to the FOAP that originally paid for the services or materials. Receipts for these reimbursements will be retained on file in the department records for one fiscal year after the fiscal year in which the deposit was made.
- 9.** Any questions regarding this policy should be directed to the Chief Procurement Officer.





## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 61.02: Use of University Grounds, Facilities, and Amplification Equipment**

**DATE:** October 20, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish the approval process for the use of university grounds, facilities, and amplification equipment for faculty, staff, academic, and administrative departments. Texas Tech University System (TTUS) [Regulation 07.04](#) governs expressive activities of all persons in outdoor common areas, and the *Student Handbook* governs use of space, facilities, and amplification equipment by students and student organizations.

**REVIEW:** This OP will be reviewed in July of each year by the Associate Vice President for Operations, the Provost and Senior Vice President (PSVP), and the Vice President for Administration & Finance and Chief Financial Officer (VPAF/CFO).

#### **POLICY/PROCEDURE**

##### **1. General Policy**

With the exception of expressive activities controlled by TTUS [Regulation 07.04](#), or as otherwise outlined herein, the following policies shall apply to the use of university grounds and facilities.

###### **a. Prioritization**

Texas Tech University space and facilities are available according to the following priorities:

- (1) Regular institutional programs;
- (2) Programs sponsored and conducted by the TTU system and/or a component institution's academic and administrative departments or organizations that are affiliated with such departments; and
- (3) Activities that have as their purpose, service, or benefit to the TTU System community and that are sponsored by registered student organizations, or individual faculty, students, and employees.

###### **b. Non-registered Student Groups or Off-Campus Groups or Organizations**

Except as specifically provided herein, Texas Tech University space and facilities are not available for use by non-registered student groups or off-campus groups or organizations.

## 2. Implementation

### a. Attendance by Off-Campus Groups at Sponsored Events

Off-campus persons may attend public functions on Texas Tech University property that are sponsored by or affiliated with a Texas Tech University department or registered student organization. There may be a charge for attendance at some functions.

### b. Off-Campus Group Guidelines

A department or registered student organization may not gain permission to use space or facilities on campus and then permit the space or facilities to be utilized by any other person, organization, or off-campus group. The penalty for violation of this provision may include forfeiture of the privilege of using Texas Tech University space or facilities for a period not to exceed one year.

### c. Non-Profit Organizations

Office space and other assistance including, but not limited to, utilities, telephone service, custodial service, maintenance, and use of Texas Tech services may be provided to non-profit organizations that exist for the purpose of supporting the educational undertaking of Texas Tech, and thereby serve a public purpose, and where the provision of this assistance is not otherwise prohibited by law. Organizations authorized for this support include, but may not be limited to:

- (1) Museum of Texas Tech University Association;
- (2) Ranching Heritage Association;
- (3) Texas Tech Alumni Association;
- (4) Texas Tech Parents Association;
- (5) Texas Tech Foundation, Inc.;
- (6) Texas Tech Research Park, Inc.;
- (7) Texas Tech University Federal Credit Union; and
- (8) Texas Tech Physicians Association.

### d. Department of Athletics Facilities

Jones AT&T Stadium, Dan Law Field at Rip Griffin Park, R.P. Fuller Track, John Walker Soccer Complex, McLeod Tennis Center, Rocky Johnson Field, and other facilities under the control of the Department of Athletics are available for the following uses, but may not be limited to:

- (1) Department of Athletics events;
- (2) TTU band and spirit activities;

- (3) High School Band Day;
- (4) Texas high school all-star football games;
- (5) High school playoff games; and
- (6) Intramural playoffs between leagues.

e. Expenses Incurred for Use of Athletics Facilities

Responsibility for expenses incurred for cleaning, provision for security officers, and any other expenses will be mutually determined by the Director of Athletics and the activity proposing to use the facility.

f. Approved Use of Athletics Facilities

The Director of Athletics is responsible for determining whether use of the athletics facilities falls within the scope of the above policy.

### 3. Reservation Requirements

With the exception of expressive activities controlled by TTUS [Regulation 07.04](#), or as otherwise outlined herein, reservations must be made for the use of certain space and facilities under the control of the university. This requirement applies to all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks). Requests for reservations will be granted according to the priorities of the designated area.

Requests to use university academic buildings should be made through Events and Instructional Space Management <http://www.depts.ttu.edu/odpa/spi/eism>. Requestors who wish to use facilities under the direction of the VPAF/CFO (e.g., Student Union, residence halls, Recreation Center, United Supermarkets Arena, International Cultural Center, etc.) should apply directly to the facility director/manager.

Requests to use university grounds (any university property outside of the buildings) should be submitted on the proper forms to the Outdoor Events Coordinating Committee via Student Union & Activities at <http://www.depts.ttu.edu/sub/UniversityGrounds/Index.php>. See Attachment A for the request form.

University departments and/or registered student organizations co-sponsoring activities and events with an outside agency/group must schedule a meeting with the Outdoor Events Coordinating Committee and all co-sponsors prior to approval. The application must be submitted to Student Union & Activities.

The university reserves the right to refuse to honor contracts or agreements signed or pledged by departments, organizations, groups, or individuals for the use of university properties if the correct procedures for reserving such properties have not been followed, including the review and approval requirements for services of alcohol on campus ([OP 72.05, Expenditures for Official Functions, Business Meetings, and Entertainment](#)). Contracts must be reviewed and approved by the TTU Contract Administration Office and must include required contract language.

Without written permission from the Outdoor Events Coordinating Committee, departments, organizations, groups, or individuals may not contractually agree to rent, lease, or make available space inside any university facility if the planned event also takes place on university grounds.

If a special event will be taking place in any facility or on university grounds and food not prepared and provided by the university will be served, Environmental Health & Safety must be contacted to apply for a temporary food permit. There are guidelines and requirements one must follow in order to receive this permit. Contact Environmental Health & Safety at 806.742.3876 with any questions.

Requests for grounds use will be reviewed by the Outdoor Events Coordinating Committee, which is comprised of representatives from Events and Instructional Space Management; Texas Tech Police; Grounds Maintenance; Athletics; Recreational Sports; Transportation & Parking Services; Student Union & Activities; Contract Administration Office; Environmental Health & Safety; TTUS Office of Risk Management; Hospitality Services; University Student Housing; Texas Tech Alumni Association; and any other department deemed appropriate by the PSVP, VPAF/CFO, and/or the Outdoor Events Coordinating Committee.

The task of the Outdoor Events Coordinating Committee is to research requests, determine if the use of the facilities is in accordance with university policy, and coordinate campus resources required for the requested activity. The Outdoor Events Coordinating Committee will use whatever resources are necessary to ensure that the use of the space is consistent with the mission of the university. All requests must be submitted on a *Grounds Use/Solicitation Request* form, which can be found online at <http://www.depts.ttu.edu/sub/UniversityGrounds/Index.php>. The applicant must sign all requests. Registered student organizations' applications must be signed by the applicant **and** by their faculty/staff advisor or department head.

Student Union & Activities, Events and Instructional Space Management, and the facilities manager/director of a specific building reserve the right to approve administratively, deny, or cancel grounds use requests for their respective areas of responsibility through consultation with various university departments or offices.

#### **4. Procedures and Priorities for Designated Facilities**

##### **a. Student Union**

Priority for use of space in the Student Union is given to programs and activities that are conducted by the various departments within the Office of the VPAF/CFO. Secondary priority is given to registered student organizations and university departments. Requests for the use of the Student Union must be made in the Student Union & Activities Office room 203. The Student Union shall establish a procedure for use of the Student Union by off-campus groups. A standard contract will be utilized and must be reviewed by the Contract Administration Office.

##### **b. Academic Buildings**

Space in academic facilities must be reserved through the Office of Events and Instructional Space Management (<http://www.depts.ttu.edu/odpa/spi/eism/>). See [OP 61.41, Use of University Classrooms and Facilities for Events.](#))

c. Residence Halls

Regularly enrolled students who live in the residence halls and participate in the residence hall governments have first priority for all residence hall facilities. Facilities also may be provided for individuals or groups whose activities are sponsored by or affiliated with a university organization. University departments or registered student organizations may use residence hall facilities during the summer for workshops, institutes, short courses, and conferences. Requests for the use of residence hall space must be made to the Managing Director of University Student Housing.

d. Intercollegiate Athletic Facilities

Jones AT&T Stadium, Dan Law Field at Rip Griffin Park, R. P. Fuller Track, John Walker Tennis Complex, McLeod Tennis Center, Rocky Johnson Field, the Sports Performance Complex, and athletic practice fields are owned and maintained by the university for the primary use and benefit of the intercollegiate athletic programs of the university, of allied non-university athletic activities consistent with such programs, and of official academic events of the university. The use of these facilities shall be limited to these purposes unless otherwise authorized by the Intercollegiate Athletics Office. Requests for use of any of these intercollegiate athletic facilities must be made to the Intercollegiate Athletics Office.

e. United Supermarkets Arena

Space in the United Supermarkets Arena is reserved through the United Supermarkets Arena. Facilities available for lease within the United Supermarkets Arena include the four meeting rooms in the City Bank Conference Center, the east side club, the arena concourse, the arena floor, and the arena bowl area. Registered student organizations receive a rental discount for use of the City Bank Conference Center meeting rooms. Texas Tech University commencement, Health Sciences Center commencement, Texas Tech University convocation, Texas Tech basketball and volleyball games, and major arena events such as concerts have priority in booking the United Supermarkets Arena.

f. Museum and National Ranching Heritage Center

Grounds and facilities of the National Ranching Heritage Center (NRHC) may be used only for university and public educational, research, and entertainment purposes. No personal uses of facilities, equipment, or grounds are permitted. This restriction shall apply to all requests regardless of sponsorship (see [OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#), section 2).

Reservations for space and services may be made by university and civic groups, support groups, and other non-profit organizations, as they qualify under university, Museum, and NRHC policies. Specific rooms and areas of the Museum and the NRHC are designated for special events, meetings, catered meals, lectures, symposia, etc. The Museum and the NRHC may not appear to endorse any political party or cause, religious faith, or commercial product (see [OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#)).

Groups that reserve Museum or NRHC space will be responsible for the care of that space during the event and for cleanup afterward. Reparations for damage to the facility through negligence or abuse will be assessed to the responsible group. Caterers must comply with the

rules and regulations established by the Museum, NRHC, and Texas Tech University. Caterers disregarding instructions given by authorized Museum, NRHC, or university personnel may be denied future access and may be debarred from doing further business with the university.

Specific areas of the Museum and NRHC grounds have been designated for outdoor activities. The Pitchfork Pavilion at the NRHC and the picnic areas at the Lubbock Lake Landmark Historical Park are designated for meals. Priority use of the Pitchfork Pavilion at the NRHC will be given to schoolchildren on prearranged tours during lunchtime. Cleanup is the responsibility of the school group using the facility. Reenactments (with or without costumes or other paraphernalia), games, and athletic activities are not permitted on Museum and NRHC grounds, except during Museum- and NRHC-approved, institutionally sanctioned special events.

All activities at the Museum and the NRHC require the presence of security personnel. No substitutions may be made for security staff, nor may staff members volunteer their services to serve in a security role (see [OP 76.03, Texas Tech Police](#)).

Vehicular traffic on the grounds of the Museum or the NRHC, other than on surfaced, public-access streets, is limited to sanctioned university activities unless otherwise approved by the directors. Public parking is permitted in designated lots. Faculty, staff, and students must register their vehicles and obtain an ePermit from Transportation & Parking Services (see [OP 78.01, Traffic and Parking Rules and Regulations](#) and [OP 61.18, Traffic and Parking Control Devices](#)). Smoking and the other uses of tobacco products are not permitted in the Museum buildings, on the grounds of the NRHC, or within the fence of the Goodman Cotton Gin (see [OP 60.15, Smoke-free and Tobacco-free Environment](#)).

Live human-controlled animals, other than laboratory animals or service and security dogs, are not authorized in Museum buildings or on the grounds (see [OP 61.38, Animals in Texas Tech Buildings](#)). Laboratory animals may not be kept in the building beyond the immediate needs of research. Open flames, including pit fires, chimney or stove fires, flares, fireworks, kerosene heaters and lamps, candles, matches, etc., are prohibited on the grounds and in the Museum buildings unless approved by the President.

All events within or on the grounds of the Museum and the NRHC will require the use of a standard contract that must be reviewed by the Contract Administration Office.

g. Recreation Facilities

The Robert H. Ewalt Recreation Center and all areas within, Aquatic Center, Leisure Pool, amphitheater, sand volleyball, recreation fields, and recreational tennis courts are intended primarily for the student recreational and instructional use on an organized group and individual basis. Requests for the use of recreation facilities must be made to Recreational Sports.

h. International Cultural Center

The International Cultural Center (ICC) grounds and facilities may be used for university and public educational, research, and entertainment purposes. No personal uses of facilities, equipment, or grounds are permitted. This restriction shall apply to all requests, regardless of

sponsorship (see [OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#), section 2).

University and civic groups, support groups, and other non-profit organizations may make reservations for space and services, as they qualify under university and ICC policies. The ICC may not appear to endorse any political party or cause, religious faith, or commercial product (see [OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#)).

Specific rooms and areas of the ICC are designated for special events, meetings, catered meals, lectures, symposia, etc. The events coordinator will act as the point of contact for all spaces and service reservations for the ICC. That office will maintain a list of available designated areas, make reservations for these events, keep records, and coordinate facility preparation activities. Resource encumbrance charges will be assessed to reserving groups to help defray costs for security personnel, equipment depreciation, and facility maintenance and preparation.

All before- and after-hour activities at the ICC will require the presence of security personnel or a member of the ICC staff. If an event has been approved for serving alcoholic beverages, ICC security must be present.

Groups that reserve the ICC space will be responsible for the care of that space during the event and for cleanup afterward. Reparations for damage to the facility through negligence or abuse will be assessed to the responsible group. Caterers must comply with the rules and regulations established by the ICC and [OP 72.05, Expenditures for Official Functions, Business Meetings, and Entertainment](#). Caterers disregarding instructions given by authorized ICC or university personnel may be denied future access.

Live human-controlled animals, other than laboratory animals or service and security dogs, are not authorized to be housed in the ICC or on the grounds. Open flames, including pit fires, chimney or stove fire, flares, fireworks, kerosene heaters and lamps, candles, matches etc., are prohibited on the grounds and in the ICC.

All events within the ICC will require the use of a standard contract that must be reviewed by the Contract Administration Office.

i. Visitors Center (West Hall)

The Visitors Center and its facilities may be used for university and public educational, research, and entertainment purposes. No personal uses of the facility are permitted. This restriction shall apply to all requests regardless of sponsorship (see [OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#)).

University and civic groups, support groups, and other non-profit organizations may make reservations, as they qualify under university policies. The Visitors Center may not appear to endorse any political party or cause, religious faith, or commercial product (see [OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#)). See Attachments B through G.



The Office of Undergraduate Admissions will act as the point of contact for reservations. Offices, organizations, or groups wishing to host an event in the Visitors Center must submit a written request through the Visitors Center 15 days before the date of the proposed event. The rental fee for the Visitors Center is \$200. Additional charges may apply for events that are held before or after regular business hours. Host organizations must utilize TTU's Hospitality Services for food and beverage service. The Office of Undergraduate Admissions must approve any additional decorations for events. Groups that reserve the Visitors Center are responsible for providing any audio-visual equipment needed for their event. Events that occur before or after regular business hours or on weekends or holidays will require security through the Texas Tech Police Department. Special parking arrangements must be made through Transportation & Parking Services. The host organization is responsible for making all parking arrangements by completing the event registration form at [www.parking.ttu.edu](http://www.parking.ttu.edu). Transportation & Parking Services may be reached by phone at 806.742.7275.

The Office of Undergraduate Admissions offers the Presentation Room (Room 101) on the first floor of West Hall for use by campus and other groups and organizations. The Presentation Room will only be available for use during normal business hours Monday through Friday 8 a.m. to 5 p.m. The Presentation Room seats 31-35 people theatre-style and has audio-visual equipment. Use of the Presentation Room does not require a fee, but a written request must be submitted to the Visitors Center 5 days before the proposed date.

## 5. University Grounds Use

With the exception of expressive activities controlled by TTUS [Regulation 07.04](#), or as otherwise outlined herein, university grounds are available for use only in accordance with the following policies and procedures:

- a. Selected grounds areas (other than those described above) are available for activities that are sponsored and approved by university departments, registered student organizations, or individual faculty, students, and employees. Academic use by departments and colleges has priority, and assignments may be changed or canceled if conflicts with regular academic programs develop.
- b. Individuals, registered student organizations, or departments desiring to use university grounds must apply for grounds use through the Student Union & Activities Office or at <http://www.depts.ttu.edu/sub/UniversityGrounds/Index.php>. The Outdoor Events Coordinating Committee must approve each use. As a general policy, recurring use assignments shall not be permitted.
- c. Registration for use of a university grounds area must be made at least 6 university working days before the intended use.
- d. Student Union & Activities and Events and Instructional Space Management will coordinate all grounds use/solicitation request applications and shall grant only grounds use/solicitation requests that are consistent with applicable university and TTUS regulations and local, state, and federal law.
- e. A permit granting grounds use shall specify the boundaries of the area to be used, the date for which the use is approved, the time at which the proposed activity may begin, the time at which the reservation for the use expires, and any special provisions concerning the use of

the space. No request will be approved for activities occurring during individual study days and/or final examination period.

- f. Individuals, departments, or registered student organizations using a designated area are subject to the following requirements:
  - (1) Use of amplification equipment must comply with section 8 of these regulations;
  - (2) A structure may not be erected on campus grounds without prior written approval, which will include arrangements for cleaning up after the activity; and
  - (3) If any expenses will be incurred in the course of an event, the sponsor or co-sponsor will be required to supply a university financial account number before the activity can be approved by the Outdoor Events Coordinating Committee.
- g. Firearms, explosive weapons, and illegal knives are prohibited on university property unless pursuant to [OP 10.22, Concealed Carry of Handguns on Campus](#), or other written regulation or written authorization. The use of ammunition is prohibited at all times. Any request for authorization to bring a weapon onto university property must be coordinated through the Texas Tech Police in conjunction with Student Union & Activities and/or Events and Instructional Space Management. The President or a designated representative shall grant final approval.
- h. Individuals, departments, and registered student organizations desiring grounds use may be required to provide evidence of appropriate liability insurance in accordance with recommendations from the TTUS Office of Risk Management, TTU Procurement Services, other university departments, or others, as necessary, prior to approval from the Outdoor Events Coordinating Committee.
- i. Events in which any alcohol is served must comply with all requirements of [OP 72.05, Expenditures for Official Functions, Business Meetings, and Entertainment](#), including the requirement for an approved contract, liability insurance, liquor licenses, security guards, and proper approvals.
- j. Participants in and/or sponsors for events may be required to sign a "Hold Harmless" release. The sponsors shall be required to maintain the release documentation for a period of three years or the prior required by Texas retention laws.
- k. No animals other than laboratory animals or service and security dogs are authorized on university grounds unless approved by the Outdoor Events Coordinating Committee.
- l. The sponsor should contact Environmental Health & Safety to make necessary arrangements for any event that includes concessions or a mobile concession stand. In order for any person, vendor, or organization to operate a temporary food service or mobile food service unit on Texas Tech property, the Environmental Health & Safety Department must issue a valid Temporary Food Service Permit, as outlined in [OP 60.18, Temporary Food Service Permit System](#).

## **6. Appeals of Grounds Use/Solicitation Request Denials**

Faculty, staff, academic, and administrative departments whose requests for the use of campus grounds or non-academic facilities are denied may appeal in writing to the PSVP. Students and registered student organizations whose requests are denied may appeal to the Managing Director of Student Union & Activities, in accordance with the *Student Handbook*.

## **7. Freedom of Expression Activities**

Texas Tech recognizes freedom of speech and expression as a fundamental right and seeks to ensure free, robust, and uninhibited debate and deliberation by students enrolled at Texas Tech as well as other persons. Expressive activities on the Texas Tech campus are governed by TTUS [Regulation 07.04](#). In the event of any conflict between Regulation 07.04 and this OP, the provision of Regulation 07.04 shall control.

## **8. Academic Use of Amplified Sound**

- a. The appropriate use of loudspeakers for official university activities inside academic buildings, or on the campus as a part of the academic instructional program, is determined and approved by the Office of the PSVP.
- b. Permission for use of the victory bells or carillon bells in the towers of the Administration Building must be requested through the Office of the PSVP at least one university working day before the time of intended use. Use of the bells must not interfere with the normal functions and programs of the university. See [OP 30.21, Ringing Bells on Campus](#).

[Attachment A: Use of University Grounds Policy and Grounds Use/Solicitation Request form](#)

Texas Tech University  
**GROUND'S USE / SOLICITATION REQUEST**

Return this form **no later than six university working days** prior to your event.  
**NOTE:** You **Must** apply to use non-Forum Area space for free expression activities.

Date Received: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

Registered SO: \_\_\_\_\_

**CONTACT INFORMATION**

Sponsoring Organization/Department: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

☐Grounds Use ☐Solicitation ☐Both **REQUEST INFORMATION**

Date(s) of Requested Use: \_\_\_\_\_

Requested

Location: \_\_\_\_\_

Beginning Time(s): \_\_\_\_\_ Ending Time(s): \_\_\_\_\_

Event Name: \_\_\_\_\_ Expected Attendance: \_\_\_\_\_

Purpose of Solicitation (if applicable): \_\_\_\_\_

Amount to be charged: \$ \_\_\_\_\_ per \_\_\_\_\_

*Attached exact copy of T-shirt, hat, etc. design that will be used on items for sale or bring one for us to view.*

For what purpose will the proceeds be used? \_\_\_\_\_

Activity Description (Please describe what you will be doing at the requested location. Add additional page if needed.)

**Sponsoring Organization/Department/Student/Employee**

The sponsoring organization agrees to abide by all pertinent University conditions and regulations pertaining to Grounds Use and/or Solicitation requests at Texas Tech University as highlighted in Part VII and/or Part VIII of the Student Handbook (view at [www.studentaffairs.ttu.edu](http://www.studentaffairs.ttu.edu)).

I, \_\_\_\_\_ certify on behalf of \_\_\_\_\_  
that this Grounds Use/Solicitation Request meets the requirements of the Student Handbook, Part VII/Part VIII.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Advisor Signature & Phone

\_\_\_\_\_  
Date

Return to: Student Union & Activities 203 Student Union (MS2031) Fax (806) 742-0655  
**Questions? Call (806) 742-3636**

**Grounds Use/Solicitation Request Review** (office use only)

All for use of grounds will be reviewed weekly by the Outdoor Events Coordinating Committee, which reserves the right to approve, change, deny, or cancel requests through consultation with various TTU Departments/Offices and in accordance with TTU Operating Policy 61.02.

Approved ☐ Approved w/conditions ☐ Tabled ☐ Denied ☐

Decision Date: \_\_\_\_\_

**Approval Conditions/ Reasons for Tabling or Denial:****Food**

- |   |  |
|---|--|
| <input type="checkbox"/> Temp. Food Permit - EHS Tim Riojas 2-3876<br>www.ehs.ttu.edu | <input type="checkbox"/> Drinks must be Coke products    |
| <input type="checkbox"/> Plywood under grill  | <input type="checkbox"/> Bring trash bags                |
| <input type="checkbox"/> Dispose of coals off-campus                                  | <input type="checkbox"/> Have water turned off for event |
| <input type="checkbox"/> Clean up after event   | <input type="checkbox"/> Don't block walkway             |

**General**

- |   |   |
|---|---|
| <input type="checkbox"/> <u>Tables</u><br>SUB main office 2-3636<br>Signs must be attached or free standing             | <input type="checkbox"/> <u>Run/Walks</u><br>TTPD for assistance 2-3931<br>Use road markers- do not block street          |
| <input type="checkbox"/> <u>Tents</u><br>Charles Leatherwood<br>Grounds 2-3801  | <input type="checkbox"/> <u>Rec Center 2-3351</u><br>For softball/volleyball fields,<br>gazebo, Urbanovsky, Sports fields |
| <input type="checkbox"/> <u>SUB</u><br>West of Bookman (rain-north facade)<br>No signs on glass<br>Clean up after event |   |

**Merchandise**

- ☐ Must have cash box  
-\$100, & two attendants at all times

**Parking**

- |   |  |
|---|--|
| <input type="checkbox"/> Do not block handicap access       | <input type="checkbox"/> Load/unload from curb |
| <input type="checkbox"/> No vehicles on grass/running track |  |

*In accordance with TTU OP 61.02, **appeals** of Outdoor Events Coordinating Committee for faculty, staff, academic and administrative **departments** must be submitted to the **Office of the Provost** and for **registered student organizations** to the **Managing Director of the Student Union & Activities**.*

Department	Phone	MS	Signatures
Academic Support and Facilities	2-3658	2020	_____
Alumni Association	2-3641	5001	_____
Athletics	2-3355	3021	_____
Contracting	2-3841	1101	_____
Environmental Health & Safety	2-3876	1090	_____
Grounds Maintenance	2-3801	3144	_____
Hospitality Services	2-1966	2184	_____
Housing & Residence Life	2-1140	1141	_____
Recreational Sports	2-3351	2151	_____
Risk Management	2-0212	2003	_____
Student Union & Activities	2-3636	2031	_____
Texas Tech Police	2-3931	3041	_____
Transportation & Parking Services	2-3811	3161	_____



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 61.44: Freedom of Expression**

**DATE:** July 26, 2021

**PURPOSE:** Texas Tech University (TTU) recognizes freedom of speech and expression as a fundamental right and seeks to ensure free, robust, and uninhibited debate and deliberation by students enrolled at TTU as well as other persons. The purpose of this Operating Policy/Procedure (OP) is to ensure the fundamental right of freedom of speech and expression on the TTU campus.

**REVIEW:** This OP will be reviewed in July of odd-numbered years by the Associate Vice President for Operations, the Provost and Senior Vice President, and the Senior Vice President for Administration & Finance and Chief Financial Officer.

### **POLICY/PROCEDURE**

Expressive activities on the TTU campus are governed by Texas Tech University System Regulation 07.04, which can be found [here](#).

[Attachment: Joint Report Regarding Institutions' Implementation of the Requirements of Senate Bill 18](#)



## TEXAS TECH UNIVERSITY SYSTEM

November 12, 2020

Hon. Greg Abbott  
Governor  
c/o Brady Franks  
[brady.franks@gov.texas.gov](mailto:brady.franks@gov.texas.gov)

Hon. Dan Patrick  
Lieutenant Governor  
c/o Marian Wallace  
[marian.wallace@ltgov.texas.gov](mailto:marian.wallace@ltgov.texas.gov)

Hon. Dennis Bonnen  
Speaker of the House  
c/o Andrea Sheridan  
[andrea.sheridan@speaker.texas.gov](mailto:andrea.sheridan@speaker.texas.gov)

Hon. Bryan Hughes  
State Senator, District 1  
c/o Drew Tedford  
[drew.tedford@senate.texas.gov](mailto:drew.tedford@senate.texas.gov)

Hon. Brandon Creighton  
State Senator, District 4  
c/o Joel Resendez  
[joel.resendez\\_sc@setnate.texas.gov](mailto:joel.resendez_sc@setnate.texas.gov)

Hon. Joan Huffman  
State Senator, District 17  
c/o Sean Opperman  
[sean.opperman@senate.texas.gov](mailto:sean.opperman@senate.texas.gov)

Hon. Chris Turner  
State Representative, District 101  
c/o Julie Young  
[julie.young\\_hc@house.texas.gov](mailto:julie.young_hc@house.texas.gov)

Hon. Charlie Geren  
State Representative, District 99  
c/o Peyton Spreen  
[peyton.spreen@house.texas.gov](mailto:peyton.spreen@house.texas.gov)

Re: Report regarding implementation of the requirements of Senate Bill 18 (2019) on behalf of Texas Tech University, Texas Tech University Health Sciences Center, Angelo State University, and Texas Tech University Health Sciences Center El Paso

Dear Governor Abbott, Lt. Governor Patrick, Speaker Bonnen, and Members of the Texas Senate and House,

On June 10, 2019, Governor Abbott signed Senate Bill 18, an act relating to the protection of expressive activities at public institutions of higher education ("SB 18"). This act amended the Texas Education Code to add Section 51.9315, which in part requires each Texas public institution of higher education to "submit to the governor and the members of the legislature a report regarding the institution's implementation of the requirements" of SB 18.

The four component institutions of the Texas Tech University System ("TTUS") worked collaboratively and with the TTUS Office of General Counsel to implement the requirements of SB 18. We are therefore submitting the attached joint report of Texas Tech University, Texas Tech University Health Sciences Center, Angelo State University, and Texas Tech University Health Sciences Center El Paso in satisfaction of each component institution's reporting obligation under Texas Education Code 51.9315(k). We appreciate your review of our compliance with SB 18. Any questions may be directed to the TTUS Office of General Counsel.

Sincerely,

  
Tedd L. Mitchell, M.D.  
Chancellor, Texas Tech University System

Enclosure

cc: Dr. Lawrence Schovanec, President, *Texas Tech University*  
Dr. Lori Rice-Spearman, President, *Texas Tech University Health Sciences Center*  
Lt. Gen. Ronnie Hawkins, Jr., President, *Angelo State University*  
Dr. Richard Lange, President, *Texas Tech University Health Sciences Center El Paso*





TEXAS TECH UNIVERSITY SYSTEM™

**Joint Report of:**

Texas Tech University,  
Texas Tech University Health Sciences Center  
Angelo State University, and  
Texas Tech University Health Sciences Center El Paso

**Regarding the Institutions' Implementation of the Requirements of**

**Senate Bill 18 (2019)**

**An Act Relating to the Protection of Expressive Activities at  
Public Institutions of Higher Education**

**Codified as Texas Education Code § 51.9315**

November 12, 2020

# **JOINT REPORT REGARDING INSTITUTIONS' IMPLEMENTATION OF THE REQUIREMENTS OF SENATE BILL 18**

November 12, 2020

## **Background**

The 86<sup>th</sup> Texas Legislature approved Senate Bill 18, an act relating to the protection of expressive activities at public institutions of higher education ("SB 18"). This bill was signed into law by Governor Abbott on June 10, 2019. SB 18 directs that "freedom of expression is of critical importance" and requires all Texas public institutions of higher education "ensure free, robust, and uninhibited debate and deliberations by students" by satisfying the requirements of the new Texas Education Code § 51.9315, including, but not limited to:

1. Ensuring common outdoor areas of campus are deemed traditional public forums and permitting any person (including members of the university community and members of the public at large) to engage in expressive activities in those areas freely;
2. Adopting a policy that imposes reasonable restrictions on the time, place, and manner of expressive activities in the common outdoor areas of campus;
3. Adopting a policy regarding approval of outside speakers and the charges for use of the institution's facilities; and
4. Adopting a policy detailing students' rights and responsibilities regarding expressive activities, including disciplinary sanctions for undue interference with expressive activities of others and a grievance procedure for addressing complaints.

Consistent with Texas law, the Texas Tech University System ("TTUS") and each of its four component institutions recognize freedom of speech and expression as fundamental rights and seek to ensure free, robust, and uninhibited debate and deliberations by students enrolled at TTUS universities as well as other persons. As required by SB 18, TTUS and its component institutions have complied with all requirements of the new law.

## **Joint Report**

Texas Education Code § 51.9315(k) requires each Texas public institution of higher education to "submit to the governor and the members of the legislature a report regarding the institution's implementation of the requirements" of SB 18. This Joint Report is submitted by the TTUS in satisfaction of such obligation on behalf of all four of its component institutions: (1) Texas Tech University, (2) Texas Tech University Health Sciences Center, (3) Angelo State University, and (4) Texas Tech University Health Sciences Center El Paso.

## Texas Tech University System Regulation 07.04

Many of SB 18's requirements are satisfied by [TTUS Regulation 07.04 Freedom of Expression](#). A System-wide working group worked diligently from the law's enactment in June 2019 to prepare this System-wide policy. In preparing this Regulation, the working group consulted with the presidents of each institution, attorneys in the TTUS Office of General Counsel, and individuals on each campus responsible for the Regulation's implementation, including campus law enforcement officials and student affairs professionals.

The Board of Regents approved TTUS Regulation 07.04 *Freedom of Expression* during their August 2019 meeting, effective immediately. While the Regulation immediately took effect at each component institution upon the Regents' approval, each university also expressly adopted the Regulation through a university Operating Policy and Procedure ("OP"). The Regulation and university OPs are available online at the following links:

Institution	Policy No.	URL
Texas Tech University System	Reg. 07.04	<a href="http://www.texastech.edu/offices/cfo/system-regulation-07.04-freedom-of-expression.pdf">http://www.texastech.edu/offices/cfo/system-regulation-07.04-freedom-of-expression.pdf</a>
Texas Tech University	OP 61.44	<a href="https://www.depts.ttu.edu/opmanual/OP61.44.pdf">https://www.depts.ttu.edu/opmanual/OP61.44.pdf</a>
Texas Tech University Health Sciences Center	OP 61.27	<a href="https://www.ttuhsc.edu/administration/documents/ops/op61/op6127.pdf">https://www.ttuhsc.edu/administration/documents/ops/op61/op6127.pdf</a>
Angelo State University	OP 74.07	<a href="https://www.angelo.edu/content/files/14561-op-7407-freedom-of-expression-activities">https://www.angelo.edu/content/files/14561-op-7407-freedom-of-expression-activities</a>
Texas Tech University Health Sciences Center El Paso	OP 61.27	<a href="https://el Paso.ttuhsc.edu/opp/documents/61/op6127.pdf">https://el Paso.ttuhsc.edu/opp/documents/61/op6127.pdf</a>

### Implementation of the Requirements of SB 18

TTUS's component universities implemented each requirement of SB 18 on or before the statutory deadlines. The universities' implementation of each of the various requirements of SB 18 are described below, in the order each requirement appears within SB 18.

#### **1. Ensure the common outdoor areas of campus are deemed traditional public forums and permit any person to engage in expressive activities in those campus areas freely.**

Required by: Texas Education Code § 51.9315(c).

Implementation: [TTUS Regulation 07.04](#), Section 2(a), requires that each TTUS component university's "common outdoor areas (operated and either owned or leased by the University) are deemed traditional public forums, and any person is permitted to engage in expressive activities in those areas of the University campus." As required by Texas Education Code § 51.9315(e), this policy does not limit the right of student expression at other campus locations or prohibit faculty members from maintaining order in the classroom.

**2. Adopt a policy that imposes reasonable restrictions on the time, place, and manner of expressive activities in the common outdoor areas of the institution's campus.**

Permitted by: Texas Education Code § 51.9315(d).

Implementation: [TTUS Regulation 07.04](#), Sections 2(b), 3, and 4, establish reasonable restrictions on the time, place, and manner of expressive activities in the common outdoor areas of the TTUS universities' campuses that: (1) are narrowly tailored to serve a significant institutional interest; (2) employ clear, published, content-neutral, and viewpoint-neutral criteria; (3) provide for ample alternative means of expression; and (4) allow members of the university communities to assemble or distribute written material without a permit or other permission from the institution. As required by Texas Education Code § 51.9315(e), this policy does not limit the right of student expression at other campus locations or prohibit faculty members from maintaining order in the classroom.

**3. Adopt a policy detailing students' rights and responsibilities regarding expressive activities at the institution.**

Required by: Texas Education Code § 51.9315(f).

Implementation: [TTUS Regulation 07.04](#) sets forth students' rights and responsibilities regarding expressive activities. Specifically, Sections 2 and 3 permit "any person to, subject to reasonable restrictions . . . engage in expressive activities on campus, including by responding to the expressive activities of others."<sup>1</sup> Section 5 permits "student organizations and faculty to . . . invite speakers to speak on campus."<sup>2</sup> Section 6 "establish[es] disciplinary sanctions for students, student organizations, or faculty who unduly interfere with the expressive activities of others on campus"<sup>3</sup> by applying each institution's existing disciplinary policies and procedures outlined in their applicable University Student Code of Conduct, Student Handbook, University Catalog, or University operating policies and procedures. Section 7 "include[s] a grievance procedure for addressing complaints of a violation of [the policy]"<sup>4</sup> by applying the "applicable University Student Code of Conduct, Student Handbook, University Catalog, Faculty Handbook, or employee/personnel manual" procedures.

TTUS Regulation 07.04 was "approved by a majority vote of the [TTUS Board of Regents] before final adoption"<sup>5</sup> at the Regents' August 2019 meeting. The Regulation is "posted on [TTUS's and each component university's] Internet website"<sup>6</sup> at the URLs set forth on page 3 of this Joint Report.

**4. Not take action against a student organization or deny the organization any benefit generally available to other student organizations at the institution on the basis of a**

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<sup>1</sup> Texas Education Code § 51.9315(f)(1)(A).

<sup>2</sup> Texas Education Code § 51.9315(f)(1)(B).

<sup>3</sup> Texas Education Code § 51.9315(f)(2).

<sup>4</sup> Texas Education Code § 51.9315(f)(3).

<sup>5</sup> Texas Education Code § 51.9315(f)(4).

<sup>6</sup> Texas Education Code § 51.9315(f)(5).

**political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or of any expressive activities of the organization.**

Required by: Texas Education Code § 51.9315(g).

Implementation: [TTUS Regulation 07.04](#), Section 4(c) requires that institutions' decisions regarding expressive activities be viewpoint neutral and "not be based on political, religious, philosophical, ideological, or academic viewpoints."

**5. Adopt a policy regarding approval of outside speakers and the charges for use of the institution's facilities.**

Required by: Texas Education Code § 51.9315(h).

Implementation: [TTUS Regulation 07.04](#), Section 5, sets forth the institutions' policy for speaker fees and approvals. Specifically, the Regulation requires that "in determining the amount of a fee to be charged for use of the institution's facilities for purposes of engaging in expressive activities, an institution . . . may consider only content-neutral and viewpoint-neutral criteria related to the needs of the event, such as . . . the proposed venue and the expected size of the audience; any anticipated need for campus security; any necessary accommodations; and any relevant history of compliance or noncompliance by the requesting student organization or faculty member with the institution's policy . . . and any other relevant policies; and may not consider any anticipated controversy related to the event."<sup>7</sup>

**6. Ensure the institution's policies adopted in accordance with Section 51.9315 are made available to students enrolled at and employees of the institution.**

Required by: Texas Education Code § 51.9315(i).

Implementation: [TTUS Regulation 07.04](#) is incorporated by reference and fully integrated into each TTUS component institution's student handbook,<sup>8</sup> available at the following links:

<b>Institution</b>	<b>URL</b>
Texas Tech University	<a href="http://www.depts.ttu.edu/dos/docs/2020_2021_Handbook.pdf">http://www.depts.ttu.edu/dos/docs/2020_2021_Handbook.pdf</a>
Texas Tech University Health Sciences Center	<a href="https://www.ttuhscc.edu/student-affairs/documents/2020-2021_Handbook.pdf">https://www.ttuhscc.edu/student-affairs/documents/2020-2021_Handbook.pdf</a>
Angelo State University	<a href="https://www.angelo.edu/content/files/27603-student-handbook-2020-21">https://www.angelo.edu/content/files/27603-student-handbook-2020-21</a>
Texas Tech University Health Sciences Center El Paso	<a href="https://el Paso.ttuhscc.edu/studentservices/documents/Institutional-Handbook-2020-2021.pdf">https://el Paso.ttuhscc.edu/studentservices/documents/Institutional-Handbook-2020-2021.pdf</a>

<sup>7</sup> Texas Education Code § 51.9315(h).

<sup>8</sup> Texas Education Code § 51.9315(i)(1).

These student handbooks are made available to students “during [each] institution’s freshman or transfer orientation [and] . . . on the institution’s website,”<sup>9</sup> as set forth above. Finally, these policies are applied and made available to all institution “personnel”<sup>10</sup> through the institutional operating policies and procedures described on page 3 of this Joint Report.

**7. Develop materials, programs, and procedures to ensure the institution’s employees responsible for educating or disciplining students understand the requirements and all policies adopted by the institution in accordance with Section 51.9315.**

Required by: Texas Education Code § 51.9315(j).

Implementation: After the adoption of TTUS Regulation 07.04, TTUS and university leaders and “employees responsible for educating or disciplining students” were engaged in workshops, trainings, and conversations regarding SB 18 and the resulting expressive activities policy.<sup>11</sup> The Vice Chancellor and General Counsel led discussions during separate meetings and conference calls with the Board of Regents, Chancellor, Cabinet, and Presidents regarding development and implementation of these policies.

The TTUS Office of General Counsel led workshops and trainings regarding SB 18, TTUS Regulation 07.04, and processes and procedure for expressive activities with all component universities’ student affairs administrators, university police departments, and provost’s offices. Additionally, the TTUS Office of General Counsel invited the Texas Attorney General’s office to lead interactive trainings relating to these policies, including separate trainings for the System Chancellor and university presidents, and another for the TTUS Office of General Counsel and each university’s student affairs and academic administrators.

To aid in the implementation, communication, and understanding of SB 18 and TTUS Regulation 07.04, all TTUS university communities were notified of the new law and policies by email and/or online announcement system. Finally, student affairs offices at each university partnered with counsel to develop and post *FAQ* documents to assist students in understanding the policies’ applicability. These *FAQ* documents are publicly available on each TTUS component university’s Dean of Students or Student Affairs website, available at the following links:

<b>Institution</b>	<b>URL</b>
Texas Tech University	<a href="http://www.depts.ttu.edu/dos/docs/ExpressiveActivitiesFAQs.pdf">http://www.depts.ttu.edu/dos/docs/ExpressiveActivitiesFAQs.pdf</a>
Texas Tech University Health Sciences Center	<a href="https://www.ttuhscc.edu/student-affairs/expressive-activities.aspx">https://www.ttuhscc.edu/student-affairs/expressive-activities.aspx</a>
Angelo State University	<a href="https://www.angelo.edu/services/student_services/expressive-activities.php">https://www.angelo.edu/services/student_services/expressive-activities.php</a>
Texas Tech University Health Sciences Center El Paso	<a href="https://el Paso.ttuhscc.edu/studentservices/student-resources/expressive-activities.aspx">https://el Paso.ttuhscc.edu/studentservices/student-resources/expressive-activities.aspx</a>

<sup>9</sup> Texas Education Code §§ 51.9315(i)(2), (3).

<sup>10</sup> Texas Education Code § 51.9315(i)(1).

<sup>11</sup> Texas Education Code § 51.9315(j).

- 8. Prepare, post on the institution’s Internet website, and submit to the governor and the members of the legislature a report regarding the institution’s implementation of the requirements under Section 51.9315 not later than December 1, 2020.**

Required by: Texas Education Code § 51.9315(k).

Implementation: This Joint Report satisfies this requirement. It is publicly posted to each institution’s website as an exhibit to each university’s operating policy and procedure that incorporates TTUS Regulation 07.04, available at the following links:

<b>Institution</b>	<b>URL</b>
Texas Tech University	<a href="https://www.depts.ttu.edu/opmanual/OP61.44.pdf">https://www.depts.ttu.edu/opmanual/OP61.44.pdf</a>
Texas Tech University Health Sciences Center	<a href="https://www.ttuhsc.edu/administration/documents/ops/op61/op6127.pdf">https://www.ttuhsc.edu/administration/documents/ops/op61/op6127.pdf</a>
Angelo State University	<a href="https://www.angelo.edu/content/files/14561-op-7407-freedom-of-expression-activities">https://www.angelo.edu/content/files/14561-op-7407-freedom-of-expression-activities</a>
Texas Tech University Health Sciences Center El Paso	<a href="https://el Paso.ttuhsc.edu/opp/_documents/61/op6127.pdf">https://el Paso.ttuhsc.edu/opp/_documents/61/op6127.pdf</a>





TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 63.08: Property Management**

**DATE:** June 25, 2014

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to define the scope of property management at Texas Tech University System and Texas Tech University.

**REVIEW:** This OP will be reviewed in August of even-numbered years by the managing director of Financial Services & Tax (FST), the managing director of Procurement Services, and the chief of police with substantive revisions forwarded through the assistant vice president for financial & managerial reporting services to the vice president for administration and finance and chief financial officer and the university counsel.

## **POLICY/PROCEDURE**

### **1. Background**

As a state-supported educational institution, Texas Tech University System (TTUS) and Texas Tech University (TTU) must meet the requirements of the state Purchasing and General Services Act (Texas Government Code § 403.271 [a] and [b]) with regard to personal property and the Texas Capital Trust Fund (Texas Government Code § 403.271 [a] and [b] and § 2201.002) relating to real property. These requirements apply regardless of funding source.

Specific requirements for property purchased with federal funds can be found in OP 65.14, Federal Equipment. If the property was acquired with non-state fund sources or by donations, the requirements associated with those funds or donations must be met.

The inventory system is subject not only to these requirements, but also to those of the State Auditor's Office.

### **2. Definitions**

- a. **Controlled Property**–The Comptroller of Public Accounts (CPA) has defined controlled property as certain property, which, due to the nature of the asset, is required to be managed by the state. Controlled property includes handguns and rifles regardless of acquisition cost and certain other property with an acquisition cost of \$500 to \$4,999. Please refer to Attachment K for a complete list of controlled property class codes.
- b. **Personal Property**–The CPA has defined personal property as all non-consumable property having an acquisition cost of \$5,000 or more or any property of the state of Texas, which, due to the nature of the asset, is required to be managed by the state.
- c. **Real Property**–The Texas Capital Trust Fund defines real property as land, land improvements, buildings, and building improvements.

- d. **Property Custodian**–The property custodian is an employee of TTUS or TTU to whom property has been assigned. The property custodian is responsible for the safekeeping of all property within the department and may be held financially responsible for the loss, damage, or misuse of university property. The property custodian is usually the department head, unless the responsibility has been delegated by the department head to another employee.
- e. **Property Manager**–The property manager is an employee in FST who has been designated as the property manager for TTUS and TTU and is charged with the responsibility of accounting for all institutional property to the CPA for the state of Texas.
- f. **Surplus Property**–Property that becomes surplus, obsolete, or uneconomically repairable will be disposed of under the control of the surplus property manager. Please refer to OP 63.07 for the policy and procedures regarding surplus property.
- g. **Surplus Property Manager**–The surplus property manager is an employee in Procurement Services who has been designated as the surplus property manager for TTUS and TTU and is charged with the responsibility for the disposal of surplus property in accordance with OP 63.07.

### 3. **Responsibility**

- a. **Property Manager**–Under the General Services Act, it is the responsibility of the property manager to account to the CPA for all TTUS and TTU personal property. The property manager is an employee within the FST department. To comply with State Property Accounting policies, Property Management is also responsible for conducting spot check audits or inventory reviews on all certified or uncertified inventories by organization. Organizations are randomly selected for this process. The audit will include verifying asset tag number, serial number, and room number where the asset is located.
- b. **Financial Services & Tax**–It is the responsibility of the Property Inventory group within FST to place a numbered inventory label that identifies controlled property or personal property as property of Texas Tech University and the state of Texas. If applicable, based on funding source, Property Inventory is responsible for placing an additional tag identifying assets as property of U.S. Government.
- c. **Department/Property Custodian**–Items of personal property are assigned to individual departments. The department head is usually the property custodian of personal property assigned to the department and is responsible for the safekeeping of the items. The CPA permits that a "custodian" may be designated for specific items of personal property who will then have responsibility to manage, control, and account for those items within his/her department.
  - (1) The property custodian must report to the property manager if new equipment has not been tagged within a timely manner. An email should be sent to [property.management@ttu.edu](mailto:property.management@ttu.edu).
  - (2) The property custodian must complete the *Temporary Use of Property Authorization Form* (Attachment D) and retain the completed form for his/her departmental inventory records. If the equipment is being loaned to another department, the equipment should be transferred to that department through the online inventory system. Return of the

equipment to the lending department should also be done through the online inventory system. If the equipment is being loaned outside of the state or country, the property custodian must submit the *Temporary Use of Property Authorization Form* to [property.management@ttu.edu](mailto:property.management@ttu.edu). Please refer to OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited.

- (3) The property custodian must notify the property manager if an item is transferred from another institution or agency to the department so that the item may be added to the department's inventory. See section 4.b. below.
  - (4) The property custodian must notify the property manager if an item is fabricated on campus by the department so that the item may be added to the department's inventory. See section 4.b. below.
  - (5) The property custodian is responsible for tracking property costing less than \$5,000.00 and items not on the controlled asset list. If the property custodian desires to track these items with inventory tags, tagging can be requested from [property.management@ttu.edu](mailto:property.management@ttu.edu).
  - (6) The property custodian is responsible for certifying an annual inventory through the online Property Inventory System ([www.fiscal.ttuhs.edu/propinv/](http://www.fiscal.ttuhs.edu/propinv/)).
- d. Procurement Services—It is the responsibility of Procurement Services to ensure proper coding of all purchases and payments meeting the definition in sections 2.a., b, or c above.
  - e. Institutional Advancement—It is the responsibility of the Office of Institutional Advancement to provide the property manager with the description, manufacturer, value, date of acquisition, and name of designated property custodian for all donated property so that the item may be added to the department's inventory. An email should be sent to [property.management@ttu.edu](mailto:property.management@ttu.edu).

#### 4. Procedures

- a. Fixed Asset System—The Fixed Asset System is maintained by FST, Property Inventory group. The following data are included:
  - (1) Inventory Tag Number—The number assigned by TTU to the specific item;
  - (2) Description—Description of the item (e.g., computer);
  - (3) Model Number —Model of the item (e.g., Precision 390);
  - (4) Manufacturer—Manufacturer of the item (e.g., Dell);
  - (5) Serial Number—Serial number assigned by the manufacturer;
  - (6) Cost—Purchase price or other established value for the item, such as fair market value, at the time of donation;
  - (7) Date Acquired—Date purchased or otherwise identified as belonging to TTUS or TTU;

- (8) Department Org Code–Org Code for the department to which the item is assigned;
- (9) Building and Room Number–Location of item;
- (10) Custodian–Individual to whom item has been assigned;
- (11) Paid Account(s)–Account number(s) from which item was paid. This also includes grant/contract number of paid account (if applicable);
- (12) Purchase Order Number and Paid Voucher Number(s)–Number(s) assigned by the Procurement Services Department at the time of procurement and Banner reference number for invoice payments related to the purchase order; and
- (13) P-Card Purchases–Computers with a unit cost of more than \$500 are considered controlled assets by the state and must be properly tagged and tracked. These transactions must be processed in TechBuy. Under special circumstances, Procurement Services will make an exception and allow the purchase. Notification of the credit card purchase must be sent to [property.management@ttu.edu](mailto:property.management@ttu.edu). Computers costing less than \$500 will be allowed on the P-Card.

b. Additions to Fixed Asset System

(1) Purchases

If an item is purchased through TechBuy, the information required to add the item to the Fixed Asset System is provided by Procurement Services to FST.

(2) Transfers In

If an item is transferred from another Texas institution or Texas agency, the department receiving the asset must submit an *Inter-Agency Property Transfer Request* (Attachment F) to [property.management@ttu.edu](mailto:property.management@ttu.edu) so that the item can be added to the Fixed Asset System.

Equipment Transfers in from the Following:

- Out-of-State College or University–Any university/college that is outside the state of Texas, such as Northeastern University, Stanford University, etc.;
- Private Institution–Any higher education institution within the state of Texas that is not part of the state system, such as Trinity University in San Antonio, Texas; or
- Non-Texas State Agency–Any state agency outside the state of Texas, such as New Mexico Health Department

Equipment transfers to Texas Tech University from any of the above require that the out-of-state college/university, private institution, or non-Texas state agency complete the *Out-of State, Private Institution, or Non-Texas State Agency Incoming – Property Transfer Receipt Form* (Attachment L) and submit it to Property Management for processing. Usually, these transfers are a result of a principle investigator (PI) coming to the university from another university, institution, or agency with equipment that is not received by the university Development Office. The property manager or a

designee must be made aware of any equipment transferred to the university if the transfer is not received through the university Development Office.

If there is a question whether the agency or institution is classified as one of the entities listed above, please contact the Property Management Office for assistance and clarification.

A written explanation for the transfer, along with any payments that will be received for the equipment, must accompany an *Out-of State, Private Institution, or Non-Texas State Agency Incoming – Property Transfer Receipt Form* and be sent to [property.management@ttu.edu](mailto:property.management@ttu.edu). A physical inventory must be completed by the department receiving the equipment before signing off on the property transfer receipt form.

Once completed with the required signatures and approvals and received by Property Management, Property Management will add the transferred equipment that meets the controlled or capitalized thresholds to the department's inventory listing. Property Management will also assign the appropriate tag numbers and tag the equipment that has been confirmed as received.

(3) Fabrication of Equipment

If an asset is fabricated on campus, the department must submit a *Fabrication of Equipment Authorization* (Attachment H) to [property.management@ttu.edu](mailto:property.management@ttu.edu) so that the item may be added to the Fixed Asset System.

There are times when equipment needed for a project is not available or when it can be constructed for less than the cost to purchase the equipment. This practice is referred to as “fabrication of equipment.” When the equipment to be fabricated meets the criteria for capitalization (acquisition cost of \$5,000 or more and a useful life of at least one year) or as a controlled asset (defined in Attachment K), prior approval from the property manager for these projects is required, and an email should be sent to [property.management@ttu.edu](mailto:property.management@ttu.edu) requesting approval. When purchasing the materials needed to fabricate equipment in TechBuy, complete the *Fabrication of Equipment Authorization* form and attach this form to your purchase requisition or reference the original purchase order if it is for a continued project. When purchasing materials needed to fabricate equipment with the procurement card, complete the *Fabrication of Equipment Authorization* form and send the form and a copy of the receipt/invoice to [property.management@ttu.edu](mailto:property.management@ttu.edu).

Account code 7J0060 should be used when the equipment to be fabricated meets the criteria for capitalization. This account code is not to be used for those projects that do not meet the criteria for capitalization.

(4) Donated Vehicles

Motor vehicles donated to the institution must comply with all the standards set forth in OP 80.07, Vehicle Fleet Management Program, and OP 02.03, Acceptance of Gifts and Grants from Private Philanthropic Sources. Acceptance of the vehicle is subject to approval by the Vehicle Fleet Management Office.

c. Deletions from Fixed Asset System

(1) Surplus Property

Transferring inventory items to surplus is done through the online property inventory system (<https://www.fiscal.ttuhsc.edu/propinv/>). Step-by-step instructions are provided in Attachment A. Please refer to OP 63.07, Disposal of Surplus, Obsolete, or Uneconomically Repairable Inventory.

(2) Missing or Stolen Property

- (a) Missing, Damaged, or Destroyed Property—Missing, damaged, or destroyed property should be reported immediately to [property.management@ttu.edu](mailto:property.management@ttu.edu) by completing the *Request to Report Missing or Damaged Property Report* form (Attachment B). Misplaced property is not considered missing. All efforts should be made to determine that the equipment is actually missing. If missing property is a computing device, the institutional information security officer must be notified immediately. Missing property may be deleted only after that property is not found for a minimum of two physical inventories and/or two calendar years from the date that the property was reported missing. Damaged or destroyed property may be deleted immediately depending on the circumstances reported by the property custodian.
- (b) Stolen Property—Stolen property must be reported to Texas Tech Police Department immediately after the theft is noticed. If the stolen property is a computing device, the institutional security officer must be notified immediately. The *Request to Delete Stolen Property Report* (Attachment C) must be completed and sent with a copy of the police report to [property.management@ttu.edu](mailto:property.management@ttu.edu).

(3) Vehicles

If a university vehicle of any type is deleted from inventory, an email should be sent to [property.management@ttu.edu](mailto:property.management@ttu.edu) and the Vehicle Fleet Management Office. Institution vehicles being disposed of as surplus property shall also comply with OP 80.04, Disposal of Motor Vehicles as Surplus Property. The *Request for Authority to Remove Vehicles from Department Inventory* form must be filled out and sent to Fleet Management. This form is found under OP 80.04.

(4) Items with Software and Data Files

Departments are responsible for software and data files on computing devices and equipment before they are transferred or surplused unless the software license is transferable. In the event that the computing device contains any confidential information in electronic media, the department is responsible to ensure that all electronic media is destroyed prior to being transferred or surplused.

d. Trade-in of Equipment and Vehicles

Equipment that has become inadequate for the needs of the department may be used as a trade-in toward the purchase of new equipment when the property custodian determines that

such action is in the best interest of the institution. The department must send an email to [property.management@ttu.edu](mailto:property.management@ttu.edu) and the Vehicle Fleet Management Office (in cases of vehicle trade-ins) stating that the equipment will be used as a trade-in toward the purchase of new equipment. The amount allowed for the equipment used as a trade-in must be shown on the request to have the equipment deleted from inventory. The purchase order number that was used to order the new equipment and references the trade-in must be included in the deletion reason section. In the event the equipment is a computing device that contains confidential information in electronic media, the department shall destroy all electronic media before trade-in. Requirements for the replacement of equipment acquired with federal funds can be found in OMB Circular A-110 C.34(e).

If an institution-owned vehicle of any type is to be traded toward another vehicle and is to be deleted from inventory, the department making the trade will comply with the guidelines provided in OP 80.01, Painting University Vehicles and Equipment, OP 72.15, Purchasing/Leasing Motor Vehicles, and OP 80.07, Vehicle Fleet Management Program.

e. Property Transfers

Property that is surplus to a department or activity may be transferred to another TTU department through the online Property Inventory System at [www.fiscal.ttuhs.edu/propinv](http://www.fiscal.ttuhs.edu/propinv). For an inter-agency transfer, the property custodian should prepare an *Inter-Agency Property Transfer Request* form (Attachment F) for transfers to another state agency and send it to [property.management@ttu.edu](mailto:property.management@ttu.edu).

The transfer will be made on a non-reimbursable basis unless the department originating the transfer makes prior arrangement with the recipient for reimbursement. Any proposed reimbursement arrangement, except directly between the losing and gaining accounts, must have the prior approval of the managing director of FST and the assistant vice president for financial & managerial reporting to ensure compliance with state rules and regulations. When a transfer to another state agency is to be made on a reimbursable basis, the managing director of FST and the assistant vice president for financial & managerial reporting will arrange for FST to handle the necessary billing.

If an institution-owned vehicle of any type is transferred to another department within the institution, the transferring department will provide a fully executed copy of the *Request to Transfer Vehicles between Departments* (Attachment E) to the Vehicle Fleet manager for approval. The transfer request must include justification and appropriate approvals as outlined in OP 72.15. Upon approval, the Vehicle Fleet manager will forward the request to [property.management@ttu.edu](mailto:property.management@ttu.edu). Non-approved requests will be returned to the department that originated the request with recommendations for disposal.

NOTE: Property purchased with federal funds may only be transferred or disposed of in accordance with O P 65.14, Federal Equipment.

f. Cannibalization of Equipment

In some instances, the benefits to the institution from cannibalization of obsolete equipment may outweigh the benefits that would otherwise be realized from the sale of the equipment or the transfer of the equipment to another department. In such cases, the department must contact [property.management@ttu.edu](mailto:property.management@ttu.edu). The equipment should not be dismantled prior to the approval of this request.



## g. Changes

If any data in the Fixed Asset System is incorrect, changes can be made by the property custodians. Requests for assistance should be emailed to [property.management@ttu.edu](mailto:property.management@ttu.edu). Requests to add equipment that has been discovered should be made by completing a *Request to Add Property to Departmental Inventory that has been Discovered* form (Attachment G). Changes in location of equipment should be made by the property custodian through the online Property Inventory System at [www.fiscal.ttuhs.edu/propinv](http://www.fiscal.ttuhs.edu/propinv).

## h. Other Dispositions

If a department believes it has a need to dispose of an item in a manner that is not addressed in the items above, it must send an email to [property.surplus@ttu.edu](mailto:property.surplus@ttu.edu) to determine the appropriate action.

## 5. Title to Equipment

## a. Title

- (1) Title to purchased equipment vests in TTUS/TTU and the state of Texas. Refer to OP 65.14, Federal Equipment, for title regulations governing equipment purchased with federal funds.
- (2) Title to transferred equipment vests in TTUS/TTU and the state of Texas unless the former owner notifies the institution in writing of other arrangements or conditions upon accepting the equipment.
- (3) Title to loaned equipment does not vest in TTUS/TTU and the state of Texas.
- (4) Title to donated equipment vests in TTUS/TTU and the state of Texas by virtue of the fact that TTUS/TTU is a Texas state agency.
- (5) Title to equipment acquired/fabricated under a state or private grant vests in TTUS/TTU and the state of Texas unless the award terms and conditions state otherwise.
- (6) The presumption in all cases is that title vests in TTUS/TTU and the state of Texas unless explicitly stated otherwise by an authoritative source.

## b. Disposition

- (1) If title vests in TTUS/TTU and the state of Texas and there are **no** sponsor (donor) regulations or advice pertaining to disposition of property:
  - (a) After the approval of the CPA (and the Department of Information Resources in the case of computer and telecommunications hardware and software), the item may be transferred to another agency of the state of Texas; or
  - (b) The item may be declared surplus and disposed of in accordance with OP 63.07, Disposal of Surplus, Obsolete, or Uneconomically Repairable Inventory.

- (2) If title vests in TTUS/TTU and the state of Texas and there **are** sponsor (donor) regulations or advice pertaining to disposition of property:
  - (a) After the approval of the CPA (and the Department of Information Resources in the case of computer and telecommunications hardware and software), the item may be transferred to another agency of the state of Texas;
  - (b) The item may be declared surplus and disposed of in accordance with OP 63.07; or
  - (c) The item may be disposed of in accordance with sponsor (donor) regulations or advice, provided TTU and the state of Texas are reimbursed at fair market value in proportion to the percentage of TTU/state participation in the acquisition cost.
- (3) TTU and the state of Texas have no control over loaned equipment other than stewardship responsibilities to protect such property from loss, damage, or unauthorized use. Disposition is completely at the discretion of the owner.

## 6. Private Use Prohibited

Equipment that the institution owns or for which it is responsible shall not be used for personal purposes. Institution-owned and controlled equipment should not be removed from the premises. In the event a tagged item of equipment needs to be removed from institution property to an employee's personal residence or other like location to accomplish work or business "at home," a *Temporary Use of Equipment Authorization Form* (Attachment D) must be completed and the department should retain the form for its departmental inventory records. For property that is removed out of the university, out of state, or out of the country, both the temporary custodian and the property custodian (department chairperson) must sign the *Temporary Use of Equipment Authorization*. In the event that the temporary custodian is also the department chairperson, the approval of the dean or the appropriate vice president/vice provost is also required. These forms must be sent to [property.management@ttu.edu](mailto:property.management@ttu.edu). All equipment that is university-owned or controlled must be tagged as property of the university before it can be removed from the university premises. When loaned equipment is returned to the department, notification should be sent to [property.management@ttu.edu](mailto:property.management@ttu.edu) for removal of the loan status.

Please also refer to OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited.

## 7. Annual Physical Inventory

State law requires that a complete physical inventory be taken each fiscal year. OMB Circular A-110 C.34(f)(3) requires the physical inventory requirement for equipment acquired with federal funds and federally owned equipment. This inventory will be taken by the property custodian using the most recent listing from the Fixed Asset System. The listing and instructions will be provided through the online Property Inventory System at [www.fiscal.ttuhs.edu/propinv](http://www.fiscal.ttuhs.edu/propinv).

FST Property Management personnel will be available to assist and advise departments that encounter problems during the physical inventory.

## 8. Insurance

The institution does not insure against the loss or damage of most property. If insurance does not exist, departments must replace lost, damaged, stolen, or destroyed property from their own departmental funds. For high value items that need to be insured, submit an email to [techbuy.purchasing@ttu.edu](mailto:techbuy.purchasing@ttu.edu). The cost of insurance must be covered by the department.

## 9. Reports

External report requirements will be managed and coordinated between FST and SPAR.

## 10. Changes to Departmental Inventory

Changes to departmental inventories may be completed through the online Property Inventory System ([www.fiscal.ttuhs.edu/propinv](http://www.fiscal.ttuhs.edu/propinv)) or by use of the following forms. Instructions for completion of these forms are also included as attachments to this OP.

[Attachment A: Online Instructions for Moving Inventory Items to Surplus](#)

[Attachment B: Request to Report Missing or Damaged Property Report](#)

[Attachment C: Request to Delete Stolen Property Report](#)

[Attachment D: Temporary Use of Property Authorization Form](#)

[Attachment E: Request to Transfer Vehicles between Departments](#)

[Attachment F: Inter-Agency Property Transfer Request](#)

[Attachment G: Request to Add Equipment to Departmental Inventory that has been Discovered](#)

[Attachment H: Fabrication of Equipment Authorization](#)

[Attachment I: Request to Transfer Property to another Institution \(Outgoing\) \(see OP 65.14\)](#)

[Attachment J: Subcontractor Form \(See OP 65.14\)](#)

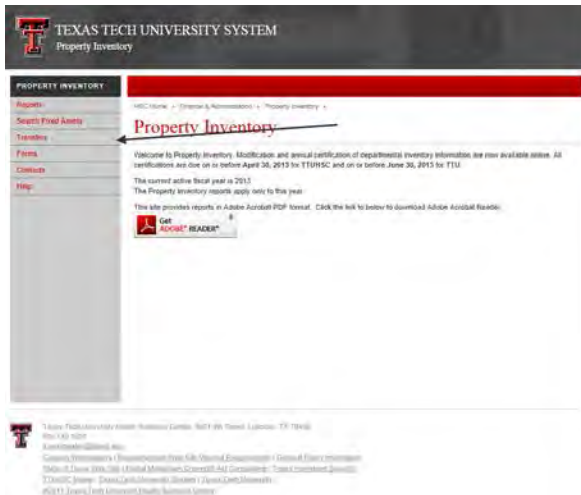
[Attachment K: Controlled Property Class Codes](#)

[Attachment L: Out-of-State University, Private Institution, or Non-Texas State Agency Incoming-Property Transfer Receipt Form](#)

[Attachment M: Request to Have Property Picked up by Surplus](#)

## Online Instructions for Moving Inventory Items to Surplus

1. Log on to the web site: <https://www.fiscal.ttuhsc.edu/propinv/>
2. Click on “Transfers” and then click on “Initiate”:



3. You will be directed to log in with your eRaider credentials. This says Texas Tech University Health Sciences Center, but it will direct you to the TTU site after you sign in.



- Make sure your department name is listed and, if so, proceed. Make sure the radio button “Departmental Inventory” is pushed and then click “Go to Report”:

**TEXAS TECH UNIVERSITY SYSTEM**  
Property Inventory

**PROPERTY INVENTORY**

Home / Departmental Inventory / Property Inventory

### Select Report

Below is a list of Organizations within the Department and a list of reports available. Select an Organization, and then select the report you wish to view. Click the Go To Report button to proceed.

Edit assets or Transfer an asset by choosing the Departmental Inventory or Items Not Yet Tagged report.

You are authorized to view inventory for items that are in your department. To change departments, choose a different department from the drop-down menu below and click Change Dept.

1. [X] Departmental Inventory [X] Change Dept

Organizations for Accounts Payable (C13001)	Available Reports:
C13001 - Travel Conference	<input checked="" type="radio"/> Departmental Inventory Listing (allows ability to edit and transfer)
	<input type="radio"/> Items Not Yet Tagged (includes ability to edit and transfer)
	<input type="checkbox"/> Missing Property
	<input type="checkbox"/> Lost and Stolen Property
	<input type="checkbox"/> Annual Certification

Go To Report

1 Texas Tech University System / Departmental Inventory / Property Inventory

Home / Departmental Inventory / Property Inventory

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- After running the report, click “Transfer”:

**TEXAS TECH UNIVERSITY SYSTEM**  
Property Inventory

**PROPERTY INVENTORY**

Home / Departmental Inventory / Property Inventory

### Departmental Inventory

C13001 - Travel Conference

Jennifer Adling

Below is a list of inventory items for the selected Organization. To edit an item click the edit link to put the row in "edit mode". In this mode there are four fields which you are able to edit: Condition, Serial Number, Room, and Building. After editing one or more fields, either save the changes by clicking the Update link for that row or cancel the changes by clicking the Cancel link. After updating items that have been changed are highlighted in yellow. When done, click the Save Changes button. This will queue your changes to process in the background. To cancel all your changes, click the Undo All Changes button.

Assets will remain on the "Items Not Yet Tagged" report until a location and serial number are submitted to complete the tagging process.

\*The Serial Number field must contain only the serial number of the asset. Placing other information in the field renders the asset unsearchable by the Property Management office.

Select Different Report to Organization

Home / Departmental Inventory / Property Inventory

Click here to get a PDF version of this report.

Item	Code	Type	Tag #	Description	Manufacturer	Model	Serial Number	Room	Assigned Date	Amount
1	G	OFF	200387	Computing Desktop/monitor	Monocycle Electronics			Quaker Run Bldg	3/15/1981	54,875.00

Total: 54,875.00

1 Texas Tech University System / Departmental Inventory / Property Inventory

Home / Departmental Inventory / Property Inventory

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6. On the 1<sup>st</sup> dropdown labeled “Department,” pick Surplus-C1303; On the 2<sup>nd</sup> dropdown labeled “Orgn,” pick C13013-Property Surplus; On the 3<sup>rd</sup> dropdown labeled “Building” pick 0340 TTU Warehouse Building; On the 4<sup>th</sup> dropdown labeled “Room” pick Remote Inventory. Make sure you put a reason on the “Transfer Reason” box and then hit the “Submit” button.

The screenshot shows the 'Transfer' form in the Texas Tech University System Property Inventory system. The form is titled 'Transfer' and includes a sidebar with navigation links: Home, Search Fixed Assets, Transfers, Forms, Contacts, Help, and Admin. The main form area contains the following fields:

- Initiated by: Maria Riccardi
- Tag #: 257750
- Dept: S2 Plasma Hall
- Orgn: C14027
- Room: CN for Addition Recovery Room 6
- Department: Surplus - C1303 (dropdown)
- Orgn: C13013 - Property Surplus (dropdown)
- Building: 0340 TTU Warehouse Building (dropdown)
- Room: Remote Inventory (dropdown)
- Transfer Reason: (text box)
- Submit button

A red arrow points from the 'Dept' field to the 'Department' dropdown. The footer of the page includes the Texas Tech University System logo, address (2807 W. Loop, Lubbock, TX 79420), phone number (806.742.7000), and a list of links: Home, Search Fixed Assets, Transfers, Forms, Contacts, Help, Admin, and a link to the Texas Tech University System's website.

7. After submitting, please send an email to [property.surplus@ttu.edu](mailto:property.surplus@ttu.edu) listing the items that have been transferred to surplus using the form *Request to Have Property Picked up by Surplus*. Be sure to list the Transfer #, Asset Tag #, Description, and Serial Number and fill out the necessary certifications required. The email notifies Surplus Property to physically pick up the items that have been transferred to surplus through the online inventory system.

**Note: Surplus will not accept any online transfers without email notification.**

8. There will not be any more paper work needed to move surplus inventory to the warehouse.



# TEXAS TECH UNIVERSITY

## REQUEST TO REPORT MISSING OR DAMAGED PROPERTY REPORT

Note: If property is missing (not misplaced), damaged, or destroyed, this form should be completed and sent to [property.management@ttu.edu](mailto:property.management@ttu.edu)

Name of Department
--------------------

Organization No.
------------------

Please check the appropriate occurrence.

Is the asset? ☐ Missing  
☐ Damaged  
☐ Destroyed

What date did you become aware of the occurrence?
---

Asset Tag #	Description	Purchase Date	Purchased Amount	Serial Number	Location

Person(s) responsible for asset(s)	Property Custodian	Phone
------------------------------------	--------------------	-------

Report in detail the circumstances regarding this report.

**REQUIRED: Please check the appropriate box**

☐ Our investigation of the circumstances surrounding the state property listed herein indicates reasonable cause to believe that the missing property **was** through the **negligence** of the person(s) charged with the care and custody of this property.

☐ Our investigation of the circumstances surrounding the state property listed herein indicates reasonable cause to believe that the missing property **was not** through the **negligence** of the person(s) charged with the care and custody of this property.

sign here ➡	Date
Printed Name and Title	

Retain this form for your files. If the property is missing due to employee negligence, submit a copy of this form to [property.management@ttu.edu](mailto:property.management@ttu.edu)

Attachment B

OP 63.08

4/18/14





# TEXAS TECH UNIVERSITY

## REQUEST TO DELETE STOLEN PROPERTY REPORT

Note: If property has been stolen, this form should be completed and sent to  
[property.management@ttu.edu](mailto:property.management@ttu.edu)

Name of Department	Organization No.
--------------------	------------------

Place of occurrence	City	County
Police agency notified	Police report number	Estimated value at date of loss

Asset Tag #	Description	Purchase Date	Purchased Amount	Serial Number	Location


Person(s) responsible for asset(s)	Property Custodian	Phone
------------------------------------	--------------------	-------

Report in detail the circumstances regarding this report and what security measures were in place at the time.
--

**REQUIRED: Please check the appropriate box**

☐ Our investigation of the circumstances surrounding the state property listed herein indicates reasonable cause to believe that the loss, destruction, or damage to this property **was** through the **negligence** of the person(s) charged with the care and custody of this property.

☐ Our investigation of the circumstances surrounding the state property listed herein indicates reasonable cause to believe that the loss, destruction, or damage to this property **was not** through the **negligence** of the person(s) charged with the care and custody of this property.

sign here 	Date
Printed Name and Title	

Retain this form for your files. If the property was stolen due to employee negligence, submit a copy of this form and a copy of the policy report, if applicable, to  
[property.management@ttu.edu](mailto:property.management@ttu.edu)

Attachment C

OP 63.08

4/18/14

**TEXAS TECH UNIVERSITY**  
**Temporary Use of Property Authorization Form**  
**Texas Tech University Property Management**  
[property.management@ttu.edu](mailto:property.management@ttu.edu)

This completed and signed form documents the loan of the following property:

Inventory Number	Description (Please include Manufacturer, Model number and serial number where applicable)

This is a (check one):

\_\_\_ Short-term loan (less than 30 days) To be returned on or before: \_\_\_\_\_

\_\_\_ Long-term (greater than 30 days) To be returned on or before: \_\_\_\_\_

I, \_\_\_\_\_, understand that I am responsible for the property listed above while it is on loan to me. I will exercise reasonable care of this equipment and safeguard it against theft, damage and misuse. I will use this equipment only for activities benefitting Texas Tech University. I will return the property by the date listed above or upon separation from the University.

X \_\_\_\_\_  
Signature

Date \_\_\_\_\_

Approval of Loan:

\_\_\_\_\_  
Printed Name - Department Head/Director/  
Departmental Property Custodian

Date \_\_\_\_\_

\_\_\_\_\_  
Signature Name - Department Head/Director/  
Departmental Property Custodian

**SUBMIT THIS FORM TO PROPERTY.MANAGEMENT@TTU.EDU FOR EQUIPMENT LOANED OUT OF STATE OR COUNTRY, OTHERWISE PLEASE RETAIN FOR YOUR DEPARMENTAL INVENTORY RECORDS.**

**TO BE COMPLETED WHEN PROPERTY IS RETURNED ( NOT TO EXCEED ONE YEAR):**

Date Returned: \_\_\_\_\_ Building Name: \_\_\_\_\_ Room #: \_\_\_\_\_

Verified by: \_\_\_\_\_

Immediate Supervisor's Approval: \_\_\_\_\_

Property Custodian \_\_\_\_\_

**TEXAS TECH UNIVERSITY**

## REQUEST TO TRANSFER VEHICLES BETWEEN DEPARTMENTS

The following item (s) have been transferred from \_\_\_\_\_  
(Department Name)

to \_\_\_\_\_ Date \_\_\_\_\_  
(Department Name)

[illegible]

Property Custodian/Losing Department

Property Custodian/Gaining Department

Recorded in Property Inventory System

## INTER-AGENCY PROPERTY TRANSFER REQUEST

TRANSFEROR _____	AGENCY NO. _____
PROPERTY CUSTODIAN _____	DATE _____
(Signature)	
TRANSFeree _____	AGENCY NO. _____

[illegible]

<b>TO BE COMPLETED BY FINANCIAL SERVICES AND TAX</b>	
<b>DATE ENTERED</b>	<b>SIGNATURE</b>
<b>DATE ACCEPTED</b>	<b>SIGNATURE</b>

## REQUEST TO ADD PROPERTY TO DEPARTMENTAL INVENTORY THAT HAS BEEN DISCOVERED

I request that the following items be added to the \_\_\_\_\_ inventory.  
(Department Name)

[illegible]

**Property Management**  
Signed when added to Departmental Inventory

**ATTACHMENT G**  
**OP 63.08**  
**4/18/14**

FABRICATION OF EQUIPMENT AUTHORIZATION

NAME OF FABRICATED EQUIPMENT: \_\_\_\_\_

NEW PROJECT ☐      EXISTING PROJECT ☐

PROJECT DESCRIPTION/EQUIPMENT DESCRIPTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ESTIMATE DATE OF COMPLETION: \_\_\_\_\_

ESTIMATED COST OF COMPLETED EQUIPMENT: \_\_\_\_\_

GRANT/CONTRACT NO: \_\_\_\_\_

ORIGINAL PURCHASE ORDER NO FOR PROJECT: \_\_\_\_\_

PRINCIPAL INVESTIGATOR: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

APPROVED \_\_\_\_\_  
Property Manager

### REQUEST TO TRANSFER PROPERTY TO ANOTHER INSTITUTION (OUTGOING)

**NO**

[illegible]

**APPROVALS FOR EQUIPMENT THAT IS PART OF AN ACTIVE SPONSORED PROJECT:**

If an active TTU sponsored project is being transferred to another institution, equipment must be transferred in accordance with the terms and conditions of the award.

---

Print Name of Requestor \_\_\_\_\_

---

Signature of Requestor

---

Signature of Department Chair

---

Signature of College Dean

Grant ID

---

Signature of Office of Research Services

---

Signature of Vice President for Research

Signature of Property Manager  
(after property has been removed from Fixed Asset System)

**APPROVALS FOR ALL OTHER EQUIPMENT:**

---

Print Name of Requestor \_\_\_\_\_

---

Signature of Requestor

---

Signature of Department Chair

---

Signature of College Dean

---

Signature of Vice President for Research

Signature of Property Manager  
(after property has been removed from Fixed Asset System)

(SEND TO: [property.management@ttu.edu](mailto:property.management@ttu.edu))



# TEXAS TECH UNIVERSITY SUBCONTRACTOR FORM

<b>SUBCONTRACT NUMBER:</b> <span style="border: 1px solid black; display: inline-block; width: 150px; height: 15px;"></span>	<b>PRIME CONTRACT:</b> <span style="border: 1px solid black; display: inline-block; width: 150px; height: 15px;"></span>
<b>Company Name:</b> <span style="border: 1px solid black; display: inline-block; width: 250px; height: 15px;"></span>	
<b>Address:</b> <span style="border: 1px solid black; display: inline-block; width: 250px; height: 15px;"></span>	
<b>City, State, Zip:</b> <span style="border: 1px solid black; display: inline-block; width: 250px; height: 15px;"></span>	
<b>Contact Name:</b> <span style="border: 1px solid black; display: inline-block; width: 250px; height: 15px;"></span>	
<b>Phone:</b> <span style="border: 1px solid black; display: inline-block; width: 250px; height: 15px;"></span>	

	Yes	No	N/A	Select Correct Answer
Do you have a Government approved property system?	0	0	N/A	N/A
Is there Government Property accountable under this subcontract?	0	0	N/A	N/A
If yes, is the Government Property only used to support this subcontract?	0	0	N/A	N/A
Number of Line Items: <span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span> Total Value: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px;"></span>				
Is the property identified in your subcontract?	0	0	N/A	N/A
If no, was it properly transferred to the current subcontract?	0	0	N/A	N/A
Has an inventory been performed in the past year?	0	0	N/A	N/A
If yes, date completed: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 15px;"></span>				
Are property records maintained?	0	0	N/A	N/A
Is all property tagged and properly identified?	0	0	N/A	N/A
Have you acquired any Government property under this subcontract in the past year?	0	0	N/A	N/A
If yes, was it furnished?	0	0	N/A	N/A
If yes, was it a purchase order?	0	0	N/A	N/A
If yes, do you have a receiving and inspection process?	0	0	N/A	N/A
Have you disposed of any property, in the past year, accountable under this subcontract?	0	0	N/A	N/A
Are there any lower tier subcontractors under this subcontract?	0	0	N/A	N/A
If yes, are they authorized to use or acquire Government property?	0	0	N/A	N/A
Are any consumable materials being used in support of this subcontract?	0	0	N/A	N/A
Are there any requirements to move property under this subcontract?	0	0	N/A	N/A
Does this subcontract require you to store any property?	0	0	N/A	N/A

Survey Completed By: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 15px;"></span>	Date: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px;"></span>
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QUESTIONS REGARDING THIS FORM SHOULD BE DIRECTED TO [PROPERTY.MANAGEMENT@TTU.EDU](mailto:PROPERTY.MANAGEMENT@TTU.EDU)

Attachment J  
OP 63.08  
4/18/14

## Controlled Property Class Codes

<b>Note:</b> Class codes 106 and 107 are controlled at any cost. All other class codes are controlled at \$500 to \$4,999.				
<b>Class</b>	<b>Useful Life (months)</b>	<b>Controlled Property - Class Code Description</b>		
106	120	Hand Guns		
107	120	Rifles and Shotguns		
129	84	Sound Systems & Other Audio Equipment		
130	84	Portable Cameras		
131	84	TVs, Video Players/Recorders		
204	48	Computer, Desktop		
214	48	CPU Desktop - Apple		
218	72	Data Projectors		
219	48	Smartphones, Tablets & Other Handheld Devices		
284	48	Portable CPU - not Apple		
294	48	Portable Apple CPU/Laptops		



TEXAS TECH UNIVERSITY  
OUT-OF-STATE UNIVERSITY, PRIVATE INSTITUTION, OR NON-TEXAS STATE  
AGENCY INCOMING - PROPERTY TRANSFER RECEIPT FORM

Numbers 1-12 must be completed by the out-of-state University, private institution, or non-Texas state agency transferring the equipment:

1. Institution/Agency Name: \_\_\_\_\_

2. Transferring Institution/Agency Property Manager (or authorized signer):

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed*

3. Transferring Institution/Agency Inventory Contact (or authorized signer):

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed*

4. Transferring Institution/Agency Contact Email and Phone Number

\_\_\_\_\_  
*Email*

\_\_\_\_\_  
*Phone Number*

5. Equipment Transferred Date: \_\_\_\_\_

**Capital Equipment List**

6. Institution/Agency Property Number	7. In-Service Date	8. Description	9. Serial Number	10. Historical Cost	11. Accumulated Depreciation	12. Cash Proceeds or Estimated Fair Market Value

Numbers 13-18 must be completed by the TTU department receiving the equipment. **Note: Please attach a list of equipment if you have more than 5 items to enter.**

*My department accepts financial liability for loss or damage to this Item(s). All listed property numbers/serial numbers have been verified and are hereby received.*

13. Receiving TTU Department Name: \_\_\_\_\_

14. Department (6-digit) Org Code: \_\_\_\_\_

15. Department Head (or authorized signer):

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed*

16. Inventory Contact (or authorized signer):

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed*

17. Inventory Contact Email and Phone Number:

\_\_\_\_\_  
*Email*

\_\_\_\_\_  
*Phone Number*

18. Equipment Received Date: \_\_\_\_\_

19. Email a PDF copy of the Proposed Property Transfer Receipt Form to Property Management at [property.management@ttu.edu](mailto:property.management@ttu.edu).

[illegible]

Attachment M  
OP 63.08  
4/18/14



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 64.07: Graduate Student Appeals**

**DATE:** December 19, 2018

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to outline the disposition of cases involving graduate student appeals.

**REVIEW:** This Operating Policy/Procedure (OP) will be reviewed in October of even-numbered years by the Dean of the Graduate School with substantive revisions forwarded to the Senior Vice Provost and the Provost and Senior Vice President (PSVP).

### **POLICY/PROCEDURE**

1. This policy applies to specific grievances arising from matters affecting students' academic standing and performance, other than admission to the Graduate School (see [OP 64.01, Admission to the Graduate School](#)) and academic dishonesty (see the *Code of Student Conduct*). Such matters include, but are not limited to, disputes concerning comprehensive and qualifying examinations, theses and dissertations, academic probation and suspension, publications, and graduate assistantships. Appeals, other than probation and suspension, may be made only when alleged prejudice or arbitrary or capricious action is involved. Appeals of course grades are made through the dean of the college in which the course is offered and, therefore, are excluded from consideration in this OP.
2. The burden of proof of unfair influence or action rests with the student.
3. A student wishing to appeal a decision or action first should discuss the matter with the faculty member or members involved.
4. If not satisfied with the outcome of this effort, the student should contact the chairperson of the department concerned. This contact, like that with the faculty members, normally is informal, and the department chairperson may take whatever action is deemed advisable in attempting to resolve the issue. All parties involved should make every effort to resolve the issue without going beyond this level.
5. If still not satisfied following these meetings and discussions, the student may make a written formal appeal to the Office of the Dean of the Graduate School. The appeal must include supporting information that details specifically all aspects of the student's grievance.
6. The Dean of the Graduate School may first convene an informal committee of at least two associate deans to evaluate the information and seek further information from the academic department involved. The Dean may render a decision on the basis of this investigation and evaluation or may choose to defer a decision until the case has been considered by a hearing committee (normally the Student Affairs Committee of the Graduate Council). Ordinarily, this committee will meet only in the fall and spring semesters, due to the difficulty of securing

relevant participants in the summer months.

7. If an appeals committee is convened, it will examine the evidence and hold what hearings and meetings it deems necessary to make a recommendation in the case. It is not necessary for the parties to appear unless requested by the committee, but parties have the right to appear if they wish to do so. The Dean of the Graduate School may attend meetings of the appeals committee but will not be present during the committee's deliberation of its final recommendation. Members of the committee who have professional or personal relationships with either party in a dispute that would create a hindrance to objective judgment or a conflict of interest must withdraw themselves or be recused from the committee. The Dean will name a replacement. After appropriate deliberation, the committee will make its recommendation to the Graduate Dean.
8. Taking into account the recommendation of the appeals committee (if convened), the Dean of the Graduate School will make a decision on the appeal, which will be sent in writing to the student, the department involved, and the chairperson of the appeals committee.
9. Appeal of the Dean's decision may be made in writing, with evidence and history provided to the Office of the PSVP either by the student or by the faculty member(s) involved.
10. If an appeal is made to the office of the PSVP, the PSVP or designee will determine whether to hear the appeal. If the appeal is heard, the office of the PSVP will render a decision on the basis of the evidence and history provided. The decision will be sent in writing to the student, the department involved, the chairperson of the appeals committee, and the Dean of the Graduate School. The decision of the office of the PSVP will be considered the final disposition of the case, without any further appeal at Texas Tech University.



TEXAS TECH UNIVERSITY™

Operating Policy and Procedure

**OP 70.01      Employee Leave**

**DATE:**            June 10, 2021

**PURPOSE:**    The purpose of this Texas Tech University (University) Operating Policy/Procedure (OP) is to establish policies for all forms of leave available to all System and University employees.

**REVIEW:**        This OP will be reviewed in December of odd-numbered years by the Assistant Vice President for Human Resources, System Vice Chancellor and General Counsel, and System Office of Equal Opportunity, with recommended revisions forwarded to the University President.

**POLICY/PROCEDURE:**

Employee leave is governed by Texas Tech University System Regulation 07.12, available [here](#).





## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 70.07: Optional Retirement Program**

**DATE:** September 28, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to define policies and procedures applicable to the Optional Retirement Program (ORP). This policy, in conjunction with the Texas Tech University System Optional Retirement Plan document, Texas Higher Education Coordinating Board (THECB) Rules, and the Internal Revenue Code of 1986, as amended, including, but not limited to, [Section 403\(b\)](#), thereof, and [Section 830.001](#) et seq. of the Texas Government Code will be the governing documents.

**REVIEW:** This OP will be reviewed in June of even-numbered years by the Assistant Vice President for Human Resources and the Chief Payroll Officer for Payroll & Tax Services with substantive revisions forwarded to the Chief of Staff and Associate Vice President for Administration, the Vice President for Administration & Finance and Chief Financial Officer, and the Senior Vice Chancellor/Chief Financial Officer.

#### **POLICY/PROCEDURE**

##### **1. General Policy**

- a. The Texas Tech University System (TTUS) provides employees in eligible positions the opportunity to participate in the Optional Retirement Program (ORP) in lieu of participation in the Teacher Retirement System (TRS) of Texas. The ORP is a tax deferred defined contribution retirement plan authorized under [Section 403\(b\) of the Internal Revenue Code](#) and [Section 830 of the Texas Government Code](#). The plan year for ORP is defined as the tax year as reported on each employee's Form W-2.
- b. Within 15 business days of an employee's initial ORP eligibility date, Human Resources will notify each newly eligible employee of the availability of the program by providing a written acknowledgment and information developed by the THECB titled "An Overview of TRS and ORP for Employees Eligible to Elect ORP." This document can be provided through electronic media resources or paper format.
- c. Enrollment in the program is solely at the discretion of each eligible employee. The employee must select the company and annuity contract or mutual fund that best fits his/her retirement objectives. It is the responsibility of the employee to monitor the company selected and investments.
- d. An employee must exercise an option to participate in the ORP within 90 days following the date of eligibility. If no election is made within 90 days, the employee shall be deemed to have chosen membership in the TRS.

- (1) An employee who does not elect ORP during the 90-day eligibility period shall never again be eligible to elect ORP in lieu of TRS, even if subsequently employed in a different ORP-eligible position.
- (2) An election of ORP shall be irrevocable.
- e. Individuals employed in ORP-eligible positions do not become ORP eligible until they are eligible for TRS membership as determined by TRS rules.
- f. TTUS assumes no liability or responsibility for the income tax aspects of ORP, the terms and provisions of any contract issued thereunder, monitoring of the financial stability of participating companies, or the market condition of the participants' investments. TTUS Human Resources employees are specifically prohibited from providing advice on the above.

## 2. Eligibility

**\* In accordance with Rules and Regulations of the Texas Higher Education Coordinating Board (THECB), [Chapter 25, § 25.4 \(k\)](#)**

- a. ORP is available as an alternative to active TRS membership for some full-time higher education employees. "Full-time" for initial ORP eligibility purposes is employment at 100 percent effort in an ORP-eligible position that is expected to last at least one full semester or four and one-half months. Eligible positions must fall into one of the following categories defined by the THECB:
  - (1) Faculty Member – A member of the faculty whose duties include teaching and/or research as a principal activity and who holds the title of professor, associate professor, assistant professor, instructor, lecturer, or equivalent faculty title, including "visiting professor" if the position is at least one full semester in duration.
  - (2) Faculty Administrator – An administrator responsible for teaching and research faculty whose principal activity is planning, organizing, and directing the activities of faculty and who holds the title of dean, associate dean, assistant dean, director, department chair, or head of an academic department.
  - (3) Executive Administrator – An administrator who holds the title of chancellor, deputy chancellor, vice chancellor, associate vice chancellor, assistant vice chancellor, or the equivalent, and an administrator who holds the title of president, executive vice president, provost, vice president, associate vice president, assistant vice president, or the equivalent.
  - (4) Other Key Administrator – An administrator other than a faculty administrator or an executive administrator whose position is considered a key administrative position within the institution's organizational structure and that meets the requirements of this paragraph. All positions in this category shall meet the following criteria:
    - (a) Serves as director or other administrative head of a major department or budget entity;

- (b) Is responsible for the preparation and administration of the budget, policies, and programs of the major department or budget entity;
  - (c) Usually reports to the office of a chancellor, president, vice chancellor, vice president, dean, or equivalent; and
  - (d) Is generally and customarily recruited from the same pool of candidates from which other colleges and universities across the nation are recruiting for this type of position by, for example, advertising in national publications such as *The Chronicle of Higher Education* or in newsletters or websites of national professional associations or at meetings of such associations.
  - (e) A position shall not be considered ORP eligible under this category unless it can be reasonably demonstrated that all of the applicable criteria have been met. If there is significant ambiguity concerning whether a position meets the criteria for this category, the default finding shall be that the position is not ORP eligible.
- (5) Librarian – A professional librarian who holds, at a minimum, a master’s degree in library science or information science and whose principal activity is library services.
- (6) Athletic Coach – An athletic coach, associate athletic coach, or assistant athletic coach whose principal activity is coaching, excluding an athletic trainer and excluding an athletic director or assistant athletic director unless the principal activity is coaching rather than administrative.
- (a) Athletic trainers may be included in the “professional” category if the position requires the trainer to be a physician.
  - (b) Athletic directors whose principal activity is not coaching normally shall be included in one of the administrator categories.
- (7) Professional – An employee whose principal activity is performing the duties of a professional career position including, but not necessarily limited to, physician, attorney, engineer, and architect and that meets the following criteria:
- (a) Requires a terminal professional degree in a recognized professional career field that requires occupation-specific knowledge and appropriate professional licensure;
  - (b) Is a non-classified position; and
  - (c) Is generally and customarily recruited from the same pool of candidates from which other colleges and universities across the nation are recruiting for this type of position by, for example, advertising in national publications such as *The Chronicle of Higher Education* or in newsletters of national professional associations or at meetings of such associations.
  - (d) A position shall not be considered ORP eligible under this category unless it can be reasonably demonstrated that all of the applicable criteria have been met.

If there is significant ambiguity concerning whether a position meets the criteria for this category, the default finding shall be that the position is not ORP eligible.

- (8) Board Administrative Staff – A member of the executive or professional staff of the Board, as determined by the Commissioner of Higher Education, who fills a position with the following requirements:
  - (a) College graduation and prior experience in higher education or experience of such kind and amounts to provide a comparable background; and
  - (b) National mobility requirements similar to those of faculty.

b. Position-required Qualifications

An employee who meets the qualifications of a “professional” or a “librarian” as defined above shall not be considered eligible to elect ORP as a professional or librarian unless the position requires the professional or librarian qualifications, respectively, as a principal activity. For example, an attorney who fills a position that does not require that the position be filled by an attorney shall not be considered ORP-eligible based solely on the fact that the person is an attorney.

c. Identification

Eligible job categories are identified in the TTUS personnel pay plan.

d. Eligibility Date

The eligibility date of participation will be the date of hire or the date of a new position transfer or classification into an ORP eligible position.

e. Employment Changes Affecting Eligibility

- (1) Eligible employees who have elected to participate in ORP for the first time must remain employed in an ORP-eligible position on a full-time basis (100% effort) for a period of at least one full semester or four and one-half months during their initial ORP eligibility period in order to remain eligible for participation in the ORP program. Employees who fail to satisfy this requirement will be required to return to TRS membership for the remainder of their employment in Texas public higher education.
- (2) Employees who are vested in Texas ORP and become employed in a position not eligible for ORP participation will be required to continue to participate in ORP and will not be eligible for TRS membership.
- (3) Employees who are vested and participating in ORP must continue to participate if their appointment is reduced, provided it is not reduced below 50% time.
- (4) Employees who are vested and participating in Texas ORP at another Texas public state institution of higher education and who transfer to Texas Tech must continue to participate in ORP. If the transferring participant currently utilizes an ORP company

that is not already approved to do business with TTUS, the employee must select a new company that is currently approved to conduct business with TTUS and its employees.

- (5) Employees who, at one time, were eligible and participated in ORP at another Texas state institution, but subsequently became employed in the Texas public school system and were required to return to TRS, will not be eligible to participate again in ORP if later employed by Texas Tech.
- (6) An employee shall not be eligible to participate in ORP while employed in a non-benefits eligible position regardless of vested status.
- (7) A participant's transfer of employment between Texas public institutions of higher education without a break in service is not considered a termination of employment for ORP purposes, unless the new position is non-benefits eligible.

### **3. Dual Employment in TRS/ORP Positions**

Simultaneous retirement plan membership is not permitted.

- a. A member of TRS who is employed in the Texas public school system (including all Texas independent school districts and regional educational service centers) or with any other Texas public educational institution or state agency that is covered by TRS but does not offer ORP in lieu of TRS, and who concurrently becomes employed in an ORP eligible position with a TTUS institution and elects to participate in ORP, may not remain an active member of TRS. Once ORP participation has started, no TRS contributions may be made by the non-higher education TRS covered employee while he/she is actively participating in ORP.
- b. A member of TRS who is employed with TTUS and becomes concurrently employed with another Texas public institution of higher education in a position that is ORP eligible and who elects to participate in ORP, may not remain an active member of TRS once ORP participation has started. No TRS contributions may be made by the TTUS institution for that employee.

### **4. Election to Participate**

- a. All public higher education employees hired into a TRS eligible position are automatically enrolled in TRS on their first day of employment. Employees will have 90 days from the first day of ORP-eligible employment to make a one-time irrevocable decision to elect and enroll in the ORP.
- b. Employees participating in TRS who have a change of status that makes them eligible to participate in ORP will have the option to elect ORP within the first 90 days of eligibility, which would be the effective date of the change.
- c. The ORP election decision to elect ORP in lieu of the applicable retirement system is available only once during an employee's lifetime, including any future periods of employment within Texas public higher education, and the election may never be revoked.

- d. Employees who elect ORP participation choose the ORP in lieu of TRS membership and benefits. Upon election of ORP, members of TRS lose all benefit rights in TRS, other than a right to the return of annual contributions. However, employees who are required to return to TRS under a provision of law are entitled to any TRS benefits that may accrue thereafter, in addition to any ORP benefits to which the employee may be entitled.
- e. Prior enrollment, participation, or vested status in any plan other than the ORP authorized under [Texas Government Code, Chapter 830](#), shall have no bearing on an employee's eligibility to elect ORP.
- f. Participation in ORP shall be an alternative to active membership in TRS. Therefore, since employees who have retired from TRS are no longer active members of TRS, they cannot enroll in TRS should they return to work. ORP retirees are not eligible to elect ORP in lieu of TRS should they return to work.
- g. If TTUS fails to notify an ORP eligible employee of his/her eligible status on or before the employee's initial ORP eligibility date, the institution shall notify the eligible employee as soon as the oversight is discovered, provided that it is still within 151 days of the date of eligibility, to allow the employee at least 30 days to make the election. An ORP election would not be permitted beyond 180 days after the initial ORP eligibility date. If the institution fails to notify the employee before the 151st day after the initial eligibility date, the employee is no longer eligible to elect ORP.
- h. Participants may pay certain investment advisory fees with tax deferred funds in their ORP account in accordance with the following conditions:
  - (1) The fee shall not exceed more than 2% of the annual value of the participant's account as of the last day of that fiscal year.
  - (2) Fees shall be paid directly to a registered investment advisor that provides advice to the participant.
  - (3) The investment advisor to whom the fees are paid shall be registered with the Securities and Exchange Commission and any other applicable federal or state agencies and shall be engaged full time in the business of providing investment advice.
  - (4) An investment advisory contract is deemed to be between the participant and the investment advisor. No TTUS institution representative will participate in or sign any agreement, authorization, or other document pertaining to investment advisory agreements.

## 5. Enrollment Procedures

All new, promoted, re-classed, and transferred employees eligible to participate in ORP may enroll via Retirement Manager [www.myretirementmanager.com/?ttu](http://www.myretirementmanager.com/?ttu), or a paper ORP *Salary Reduction Acknowledgement/Change of Company* form (Attachment A) can be completed and returned to Human Resources before the payroll cut-off date for the most current payroll processing period.

- a. The employee must select the company and annuity contract or mutual fund that best fits his/her retirement objectives. A list of currently approved companies and representatives may be obtained from Human Resources or by visiting the HR website.
- b. Only authorized representatives from approved companies are permitted to conduct business with eligible employees.
- c. Representatives of approved companies are not authorized to initiate contact with employees. Employees interested in ORP should contact one of the listed representatives of the company of their choice to obtain information and to secure forms to apply for the program of their choice.
- d. The employee must submit appropriate TRS election forms to Human Resources.
- e. Failure to select an approved ORP company may result in the employee being enrolled in the default retirement of TRS. Retirement contributions are required by law as a condition of employment.

## **6. Effective Date of Participation**

The effective date of participation is determined in accordance with the following provisions:

- a. The effective date of participation will be the participation start date, provided all necessary and properly executed forms are signed, received by Human Resources, and processed before the payroll cutoff date for the month in which the election is made. The employee may also log into the Retirement Manager system to execute participation.
- b. Forms received after the monthly payroll cutoff will be effective on the first of the following month. Elections to participate made in the Retirement Manager system after payroll cutoff date will also be effective the first of the following month.

## **7. Withdrawal of Teacher Retirement System Contributions**

- a. Employees electing to participate in ORP may withdraw all prior TRS contributions. Employer contributions to TRS are not refundable. The employee is responsible for satisfying any federal income tax liability accrued by the withdrawal of a TRS account.
- b. To withdraw TRS deposits, the appropriate TRS form must be completed and submitted to TRS. Enrollment in ORP must also be initiated (see section 4 above).

## **8. Contributions**

- a. Both the employee and the employer contribute to the participant's ORP account on a tax-deferred basis. Participant and employer contribution rates are established by the ORP statute, the General Appropriations Act for each biennium, and the TTUS Board of Regents and are subject to revision. Employees who were participating in the ORP on or before August 31, 1996, will receive the FY 95 supplemented employer contribution rate of 8.5%, subject to legislative change.



Each TTUS institution may provide a supplement to the state base rate under the following conditions:

- (1) The rate does not exceed the maximum employer rate established in the ORP statute (currently 8.5%).
  - (2) The TTUS Board of Regents shall determine the amount of the supplement for each TTUS institution once per fiscal year to be effective for the entire fiscal year.
  - (3) Each participant whose first date to participate in ORP at any Texas ORP employer is prior to September 1, 1996, shall receive the supplement regardless of any break in service. This group of participants shall be referred to as the “grandfathered” group.
- b. [Internal Revenue Service Code 401\(a\)\(17\)](#) limits the amount of compensation that may be considered for purposes of calculating retirement plan contributions. The limit is indexed annually for inflation.

An individual who first participated in ORP prior to September 1, 1996, regardless of a subsequent break in service, shall qualify for the “grandfathered” rate established by [Internal Revenue Service Code 401\(a\)\(17\)](#).

- c. Participation does not occur during any calendar month that an employee is on leave without pay for the entire month. Contributions to a participant’s ORP account shall not exceed the maximum amount allowed under [Internal Revenue Code 415\(c\)](#).
- d. An employee’s contributions to the TTUS voluntary, supplemental Tax-Deferred Account Program shall be included in the calculation of the [IRC 415\(c\)\(1\)\(A\)](#) limit.
- e. Non-Texas ORP funds or funds contributed through the TTUS Tax-Deferred Account Program may not be rolled over or transferred to an ORP account prior to the participant’s termination of ORP participation.
- f. ORP contributions may only be made to currently authorized or grandfathered ORP vendors. An employee who experiences a break in service other than a routine semester break who has been contributing to a grandfathered vendor, upon return, must make a selection of a currently approved vendor, regardless of previous contribution history.

## 9. Vesting

- a. Employees shall be considered vested in ORP on the first day of the second year of participation in one or more optional retirement plans operating in one or more public institutions of higher education in Texas. A year shall mean 12 cumulative full months, not necessarily consecutive. A full calendar month of leave without pay shall not be included in the calculation of such year. An academic faculty member shall be credited with the summer months toward vesting in ORP, provided the faculty member is employed in an ORP-eligible position during the spring semester immediately preceding the summer, and during the fall semester immediately following the same summer.

- b. An ORP participant who, prior to satisfying the vesting requirement, directly transfers from one ORP eligible position to another at the same or a different Texas public institution of higher education shall retain credit for previous ORP participation.
- c. Once a participant has vested in ORP, such participant's vesting status shall not be affected by any partial or total withdrawals made after termination of participation in ORP or attainment of age 70 ½ years. Upon reemployment in a public institution of higher education in Texas, a vested participant shall not be required to satisfy the vesting period again.
- d. An ORP participant who terminates employment in all public institutions of higher education in Texas prior to satisfying the vesting requirements shall retain credit for previous ORP participation upon reemployment in an ORP-eligible position. Such credit shall not be affected by any partial or total withdrawals made after termination of participation in ORP or attainment of age 70 ½.
- e. Once the employee is vested in ORP, the institution employing the participant in a position that would otherwise be eligible for TRS shall enroll the individual in ORP.
- f. Any unvested participant's employer contributions are forfeited upon termination. When vesting is completed in subsequent employment, the participant will have a vested right only to employer contributions made during the subsequent and any future employment periods.

## **10. Change of Companies and Transfers**

- a. A change of company is the only change a participant can make after the initial election to participate in ORP.
  - (1) Participants can change companies by submitting a new ORP *Salary Reduction Acknowledgement/Change of Company* form (Attachment A) to Human Resources.
  - (2) The change will be effective the following payroll date provided all necessary and properly executed forms are signed, received by Human Resources, and processed before the payroll cutoff date for the month in which the election is made. The employee may also log into the Retirement Manager system to execute a change in company.
  - (3) Participants may change ORP companies without transferring contributions from the prior company to the new company.
- b. Participants may transfer prior contributions in connection with or following a company change as follows:
  - (1) The participant must complete an *ORP/In-Service Exchange* form (Attachment B), including the receiving company information and the name of the company representative authorized by TTUS. The company representative name is not required if the employee is transferring funds to a company that does not have individual company representatives.

- (2) The *ORP/In-Service Exchange* form (Attachment B) should be forwarded to Human Resources. An employee may not withdraw accumulated deposits from a previous ORP company before or after a change of companies until termination, retirement, or attainment of age 70 ½.
- (3) Upon receipt of the *ORP/In-Service Exchange* form (Attachment B), Human Resources will verify that the receiving company is an approved ORP company. A transfer may not be made to a grandfathered company unless that employee is currently making contributions through payroll deduction to that company.
- (4) The completed *ORP/In-Service Exchange* form will be returned to the employee if the receiving company is not an approved ORP company or if the representative has not been approved by TTUS.
- (5) All transfers will be made in accordance with IRS Ruling 90-24, which authorizes partial and full transfers to and from 403(b)(7) mutual fund accounts and/or 403(b)(1) annuity accounts and states that such transfers are nontaxable if the following conditions are met:
  - (i) A direct transfer from the "old" company to the "new" company is made; and
  - (ii) The transferred funds continue to be subject to the same or more stringent early distribution restrictions.

## 11. ORP Distribution Rules

- a. A distribution of funds will be made only upon the occurrence of a distributable event, defined in [Title 8, Section 830.105 of the Texas Government Code](#), as follows:
  - (1) Death;
  - (2) Retirement (including disability retirement);
  - (3) Termination of employment in all public institutions of higher education in Texas; or
  - (4) Attainment of age 70 ½.
- b. Distributions may be made only by the company upon receipt of a properly completed and signed *Certificate of Vesting*. All applicable company cash surrender forms, as well as surrender checks, should be sent directly to the former employee of TTUS. Employer contributions made on behalf of an employee who does not meet the program's vesting requirements at the time of the distributable event will be refunded to TTUS.
- c. Loans, financial hardship withdrawals, or any other access to ORP funds prior to age 70 ½ are not permitted.
- d. A domestic relations order is a notice of entitlement that awards an interest in the ORP account value to an alternate payee. [Title 8, Chapter 804, of the Texas Government Code](#), makes the company responsible for qualifying a domestic relations order and administering

benefits in accordance with the Code. If a dispute arises over determination of whether a domestic relations order is a “qualified” domestic relations order (QDRO) that cannot be resolved by the procedure described in [subsection \(g\) of Section 804.03](#), the court that issued the order or that otherwise has jurisdiction over the matter shall resolve the dispute.

The following procedure should be used when executing a QDRO for a TTUS ORP participant:

- (1) The domestic relations order decree must be sent to the employee’s ORP company to determine if the order meets the criteria for a “qualified” domestic relations order (QDRO).
  - (2) If the company determines that the domestic relations order meets the criteria established in Chapter 804, the company will communicate its determination to the employee and alternate payee in writing. The company also will send a copy of the determination to the employee’s TTUS component of Human Resources for inclusion in the employee’s benefits file.
  - (3) The Texas ORP withdrawal restrictions still apply to the employee.
- e. A 10% additional tax is imposed on distributions made before age 59 ½, regardless of when the contributions to which the accumulations are attributable were made. The 10% additional tax does not apply to distributions made prior to age 59 ½ if the distribution is:
- (1) Made after the employee separates from employment and is part of a scheduled series of substantially equal periodic payments for the life expectancy of the employee, or the joint lives or life expectancies of the employee and a beneficiary;
  - (2) Made to an employee due to early retirement under the plan after attainment of age 55;
  - (3) Made to an employee who has separated from service and used to pay medical expenses to the extent that they are tax deductible under the Internal Revenue Code;
  - (4) Made to a beneficiary or the employee's estate after death; or
  - (5) Subject to a special exception that applies to payments to an alternate payee, not to the employee, according to a QDRO.
- f. A participant who has terminated employment must begin to receive benefits no later than April 1 of the calendar year following the year in which he/she attains age 70 ½, if termination of employment occurred prior to age 70 ½. If the participant continues to work in a retirement participation eligible capacity after age 70 ½, then the participant must begin to receive benefits no later than April 1 of the calendar year following the year of eligible employment termination. Distributions that do not begin by these deadlines will be subject to an additional tax equal to 50% of the minimum amount that should have been distributed. It is the employee's responsibility to meet these distribution requirements.

- g. A participant who is employed in a retirement participation eligible capacity upon attainment of age 70 ½ may begin to receive benefits upon attainment of age 70 ½ without employment termination. An employee who is still actively employed must continue contributions to ORP even if electing to receive benefits from the ORP.
- h. Termination of employment under ORP is defined as removal from the payroll of Texas Tech for one full calendar month without any expectation of returning to employment with any Texas public institution of higher education.
- i. It is the company's responsibility to process all withdrawals of contributions in compliance with federal regulations, to make required tax withholdings, and to provide employees with any required notices describing the taxation of distributions, rollover rights, and withholding rules.

## **12. Retiring Under the Optional Retirement Program**

- a. Participants, regardless of date of termination, may retire under the ORP provided they:
  - (1) Have at least 10 years of creditable service under the ORP, TRS, or the Employees Retirement System (including public community/junior college service);
  - (2) Are at least 65 years of age or their age plus years of creditable service is equal to or exceeds 80; and
  - (3) Have not voluntarily forfeited benefits through the withdrawal of ORP service.
- b. Former employees with 10 years of service creditable under either ORP, TRS, or the Employees Retirement System are required to complete the appropriate forms no later than 30 days following attainment of age 65 or satisfaction of the Rule of 80 (employee's age plus credible service equals 80), in order to receive retiree insurance benefits. Refer to [OP 70.05, Eligibility for Insurance and Other Benefits](#).
- c. ORP retirees who later return to employment with the same or another Texas public institution of higher education shall not be eligible to participate in ORP, subject to the exception listed in [Chapter 25, subsection A of Texas Administrative Code](#). All retirees must observe a break in service of one full calendar month after retirement in order to have an effective retirement.

## **13. Selection and Approval of Optional Retirement Program Companies**

Texas Tech will provide a selection of at least four, and up to 10, ORP companies that are qualified and admitted to do business in the State of Texas. Periodically, but not more frequently than every three years, TTUS will issue a Request for Proposal (RFP) to all currently approved ORP providers and other companies to apply for the privilege of providing ORP contracts to eligible employees of the TTUS.

**14. Program Subject to Change**

Future laws may change the provisions, tax status, and/or benefits available from individual ORP contracts. The Texas Tech Board of Regents and/or administration also reserve the right to make changes in TTUS regulations governing the ORP.

**15. Right to Change Policy**

Texas Tech reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.

**16. Authoritative References**

Employee Retirement Income Security Act of 1974 ([ERISA](#))

Retirement Equity Act of 1984 ([REACT](#))

Tax Reform Act of 1986 ([TRA](#))

[1997 Tax Reform Act](#)

Economic Growth and Tax Relief Reconciliation Act of 2001 ([EGTRRA](#))

Texas Higher Education Coordinating Board, [Chapter 25](#)

Rules of the Board of Trustees, Teacher Retirement Systems, Section 25.172 & 25.4

[Texas Government Code 830](#)

This material is intended to describe available benefit plans and provide a general explanation of the plan provisions. This document is not meant to include the complete details of all benefits available. Every effort has been made to ensure that the information is complete and accurate; however, if there is ever a conflict or difference between this document and the governing entity, the governing entity rules will prevail.

[Attachment A: Optional Retirement Plan \(ORP\) Salary Reduction Acknowledgement/Change of Company Form](#)

[Attachment B: Optional Retirement Plan \(ORP\)—In-Service Exchange form](#)





## Optional Retirement Plan (ORP) Salary Reduction Acknowledgment/Change of Company

Name (Print)

Social Security Number

Department

Institution or Agency Name

### INSTRUCTIONS

1. Complete section A or B as appropriate, then sign Section C.
2. Attach copy of company application (if available).
3. Attach a TRS-28 form and a TRS-29 (if required) for initial Optional Retirement Program (ORP) election.
4. Make a copy for your records.
5. Return to Human Resources.

### A. ELECTION TO PARTICIPATE

As my initial election to participate in the TTUS ORP, I select (name of company) \_\_\_\_\_ and certify that:

1. I understand that my decision not to become a member or not to continue membership in the Teacher Retirement System of Texas (TRS) is irrevocable as required by law, unless I become an eligible employee in the Texas Public School System, other than in a Texas institution of higher education, or before my vesting date become employed in a position not eligible for continued participation in the ORP. By electing to participate in the ORP, I relinquish all rights to TRS benefits that I have previously accrued. I also understand that my previous contribution to TRS may not be rolled over to my ORP account.
2. I have been provided information regarding the benefits available through TRS, including TRS's life insurance and disability benefits, and it is my decision to select the ORP.
3. I understand that the applicable employer's contribution for the first full year of participation or fractional part thereof will be refunded to the employer by the company in accordance with the provisions of the Optional Retirement Statute in the event I do not begin a second year of employment with TTUS.
4. I understand and acknowledge that both my contribution and the employer's contribution to the ORP will be treated as non-elective, non-forfeitable, non-transferable contributions under Section 403(b) of the Internal Revenue Code (IRC). Additionally, my contributions to the ORP will be made by salary reduction as required by S.B. 1301, Acts of the 70th Texas Legislature. The contribution rates are subject to change at the discretion of the Texas Legislature. This agreement is irrevocable as long as I am a participant in the ORP or until it is determined by the appropriate authority that employee ORP contributions are elective within the meaning of Section 402 of the IRC.

### B. CHANGE OF COMPANY

I elect to change my ORP company

To:

From:

### C. EMPLOYEE SIGNATURE

This election supersedes all previous elections. I understand that my election will become effective on my day of hire or eligibility, provided all necessary and properly completed ORP enrollment forms are signed and received by Human Resources office before the monthly payroll calculation for that month. Forms received after the monthly payroll calculation will be effective on the first of the following month. I understand that I bear the risk of the product(s) of my choosing, that the Texas Tech University System has no fiduciary responsibilities for the market value of any investments or the financial stability of this company, and that the Texas Tech University System is not liable for any tax consequences occurring under these programs.

Employee Signature

Date

### D. TO BE COMPLETED BY HUMAN RESOURCES

Processed By

Date

### RETURN TO:

Human Resources - Employee Services Center Doak Conference Center Room 160  
MS 1093 OR hrs.employee.services@ttu.edu OR fax: 806-742-1371





## Texas Tech - Optional Retirement Plan (ORP) - In-Service Exchange

Request Date

Employer

SSN

Name

Plan

### In-Service Exchange Request

Current Provider

New Provider

Requested Amount: ☐ Full ☐ Partial

% =

\$ =

(If you choose 'Partial,' fill one)

### Participant Approval

I am aware that this request must be reviewed in order to determine that it complies with all plan provisions and regulatory guidance. I do hereby certify that all the information provided is true and complete to the best of my knowledge and belief.

I hereby authorize any selected investment provider(s) to verify any information regarding the request limited to sources identified herein. This authorization to verify and release information shall include, but not be limited to, past disbursement requests, account balances, employment status and all other information necessary to process the information.

I acknowledge that in order to complete this request I may need to provide additional paperwork to selected investment provider(s) along with this In-Service Exchange eligibility certificate.

Date

Employee Signature

### Employer Approval

When this certificate is submitted to an investment provider along with the necessary paperwork, the investment provider is hereby authorized to contact other investment providers as noted on this certificate to verify any and all information.

The Employee ☐ is ☐ is not vested in ORP.

Date

Human Resources Signature



## TEXAS TECH UNIVERSITY

### Operating Policy and Procedure

#### **OP 70.08: Nepotism**

**DATE:** September 8, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish procedures to implement university policy on nepotism (employment of relatives) in accordance with the [Texas Government Code, § 573](#), and [Section 03.01.11, Regents' Rules](#).

**REVIEW:** This OP will be reviewed in September of even-numbered years by the Assistant Vice President for Human Resources with substantive revisions forwarded through appropriate administrative channels to the Chief of Staff for the President.

### **POLICY/PROCEDURE**

#### **1. General Policy**

- a. All appointments shall be made on the basis of qualifications and suitability of the appointee, subject to applicable statutes and the provisions of Section 03.01.11, *Regents' Rules*.
- b. Prohibition Applicable to TTU System and System Component Officials

No person related to any member of the board, to any component institution's president, or to the Chancellor within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) shall be eligible for appointment to any position in the TTU System.

- (1) The above does not apply to any employee who has been continuously employed for thirty or more days prior to the appointment of a member to the board, a president, or the Chancellor who is related to the employee within a prohibited degree, and it does not apply to honorary or non-remunerative positions.
- (2) Any employee who has been continuously employed for less than thirty days prior to the appointment of a member to the board, a president, or the Chancellor who is related within a prohibited degree will be removed from the individual's position.
- (3) When good cause exists, the board may grant an exception to this prohibition.

- c. Prohibition Applicable to Administrators, Supervisors, and Others

No person related to an administrator within a prohibited degree shall be eligible for initial appointment to a position in an area of responsibility over which an administrator has appointive authority, in whole or in part, regardless of the source of funds from which the position's salary is to be paid. Exceptions to this restriction on the initial appointment of an individual may be made only by the board upon recommendations of the President and the

- Chancellor and, then, only when the administrator in question does not directly supervise the person to be appointed.
- d. No employee may approve, recommend, or otherwise take action with regard to the appointment, reappointment, promotion, salary, or supervision of an individual related to the employee within a prohibited degree.
  - e. If the appointment, reappointment, reclassification, or promotion of an employee places the employee under an administrative supervisor who is related within a prohibited degree, all subsequent personnel and compensation actions affecting the employee shall become the responsibility of the next higher administrative supervisor.
  - f. If the appointment, reappointment, reclassification, or promotion of an employee makes the employee an administrative supervisor over an employee who is related within a prohibited degree, all subsequent personnel and compensation actions affecting the subordinate employee shall become the responsibility of the next higher administrative supervisor.
  - g. The provisions of subsections e. and f. shall apply to situations where two employees marry and one spouse is the administrative supervisor of the other.
  - h. All instances where an employee marries an administrative supervisor, is placed under the administrative supervision of a relative, or is made the administrative supervisor of a relative within the prohibited degree will be reported to the board as an information item.
  - i. Exception: The provisions of the policy do not apply to the appointment or employment of a personal attendant by any member of the board, a president, the Chancellor, or an employee for attendance on the officer or employee who, because of physical infirmities, is required to have a personal attendant.
  - j. Enforcement: An individual who is appointed in violation of this policy will be removed from the individual's position.

## **2. Definitions**

Persons related within the prohibited degrees are identified in the following definitions:

- a. Affinity (Marriage)
  - (1) First degree: The employee's spouse, the spouse's children and parents, and the spouses of the employee's children and parents
  - (2) Second degree: The brothers, sisters, grandparents, and grandchildren of the employee's spouse, as well as the spouses of the employee's brothers, sisters, grandparents, or grandchildren
- b. Consanguinity (Blood)
  - (1) First degree: The employee's parents and children
  - (2) Second degree: The employee's brothers, sisters, grandparents, and grandchildren

- (3) Third degree: The employee's great-grandparents, great-grandchildren, aunts, uncles, nephews, and nieces

### 3. Procedures

- a. Each new employee is required, at the time of hire, to acknowledge they have read and understood the nepotism laws and procedures associated with Texas Tech, which can be found in Section 03.01.11, *Regents' Rules*, at <http://www.depts.ttu.edu/oppol/>.
- b. The name and relationship of all university employees to whom a new employee is related within the third degree by consanguinity or the second degree by affinity will be listed on the new employee's initial appointment form.
- c. The initial appointment of an individual related to an administrator within a prohibited degree to a position in an area of responsibility over which the administrator has appointive authority, in whole or in part, will require the approval of the Board of Regents. In order to secure that approval, the administrator must complete an *Application for Waiver of Nepotism*, which can be found on the Human Resources website at <https://www.depts.ttu.edu/hr/formsPolProc/forms.php>, and submit it through administrative channels to the President and the Chancellor for their recommendation so it can be submitted to the Board of Regents for approval. Any employment offer made to an individual related to the hiring administrator within a prohibited degree will be contingent upon the Board of Regents' approval.
- d. In the event an employee's marriage, reappointment, reclassification, promotion, or reassignment places the employee under an administrative supervisor who is related within a prohibited degree, or makes the employee an administrative supervisor over an employee who is related within a prohibited degree, the employee's administrator must complete an *Application for Waiver of Nepotism* and submit it through administrative channels to the President and the Chancellor for their approval so it can be reported to the Board of Regents as an information item.
- e. Administrative officers are responsible for ensuring that no appointment is made in their area of responsibility in violation of this policy.

The Assistant Vice President for Human Resources is responsible for interpreting the nepotism policy.

### 4. Fines and Penalties

Violation of the nepotism statutes is a misdemeanor involving official misconduct and subjects the violator to a fine of not less than \$100 or more than \$1,000 and removal from Texas Tech employment.

### 5. Authoritative References

[Texas Government Code, Section 573 Degrees of Relationship; Nepotism Prohibitions](#)  
[Section 03.01.11, \*Regents' Rules\*](#)

## **6. Right to Change Policy**

Texas Tech University reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 70.09: Tax Deferred Account Program**

**DATE:** May 21, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to define policies and procedures applicable to the Tax Deferred Account (TDA) Program of Texas Tech University.

**REVIEW:** This OP will be reviewed in June of even-numbered years by the Assistant Vice President for Human Resources and the Chief Payroll Officer with substantive revisions forwarded through administrative channels to the Senior Vice President for Administration & Finance and Chief Financial Officer.

#### **POLICY/PROCEDURE**

##### **1. General Plan Description**

The Texas Tech University System Tax Deferred Account (TDA) Program is authorized under [Section 403 \(b\) of the Internal Revenue Code](#). Traditional and Roth accounts are available. The TDA program is a governmental plan and is not covered by the Employee Retirement Income Security Act of 1974 (ERISA).

Traditional TDA – the employee’s contributions will be deducted from his/her pay before federal income tax is calculated, so the employee does not pay current income tax on the contribution or on the investment earnings.

Roth TDA – the employee’s contributions will be deducted from his/her pay after federal income tax is calculated, so the employee pays current income tax on the contributions. The employee does not pay income tax on the investment earnings now or in the future.

A 403(b) plan, also known as a tax-sheltered annuity (TSA) plan, is a retirement plan for certain employees of public schools and employees of certain tax-exempt organizations.

Individual accounts in a 403(b) plan can be one of the following types:

- An annuity contract, which is a contract provided through an insurance company
- A custodial account, which is an account invested in mutual funds

The TDA Program may be combined with participation in the Teacher Retirement System, the Optional Retirement Program, and/or the Texa\$aver 457 Plan up to the limits prescribed by law.

Under the TDA Program, employees enter into an agreement with Texas Tech to reduce gross salary up to specified limits, and to request that Texas Tech apply the proceeds of such reduction to the purchase of a 403(b) fixed annuity, variable annuity, or custodial mutual fund account from

vendors approved by Texas Tech. Contributions made under the TDA Program that are within the prescribed limits are not subject to income tax until received by the employee, unless they are designated Roth contributions. The employee owns and controls all rights to the benefits of the plan selected. The investments values of the plan will accumulate income tax free until retirement, death, disability, or until such time the employee elects to receive the benefit payments, subject to provisions of the IRS Code.

No contract issued under the TDA Program may provide a life insurance feature. Participation in the TDA Program is voluntary.

## **2. Eligibility**

All employees, except students performing services described in [Internal Revenue Code section 3121\(b\)\(10\)](#), are eligible to participate in the TDA Program.

## **3. Contribution Limits**

a. The maximum amount that an employee may contribute to the TDA Program is the lesser of:

- (1) 100 percent of includable income, or
- (2) The IRS regulated limit for the current calendar year

The limit is determined annually by federal legislative action.

b. The combined tax deferred account and optional retirement deferrals cannot exceed 100 percent of compensation or the [IRS Code Section 415\(c\)\(1\)\(a\)](#) deferral limits.

c. Participants who are or will be age 50 or older at any time during a calendar year are allowed to make additional catch-up contributions. This limit is determined annually by federal legislative action.

d. Participants who have at least 15 years of service and a history of low contributions may qualify for an additional \$3,000 per year deferral, subject to a lifetime maximum of \$15,000.

e. The calculation of the maximum allowable contribution allowed is the responsibility of the employee. [IRS Publication 571, Tax-Sheltered Annuity Plans \(403\(b\) Plans\)](#) is available from the Internal Revenue Service to aid individuals in complying with sheltering limits.

f. Employees are advised that if the Internal Revenue Service rules adversely against the TDA Program or the sheltering of an individual employee, only the employee assumes liability for the payment for all taxes due. If federal income tax laws, state laws, and/or court rulings result in adverse rulings against the taxability of any of these contributions and/or earnings, the employee will be solely liable for the payment of all taxes due. Texas Tech assumes no responsibility for the individual's tax liability with respect to the Tax Deferred Account Program.

Texas Tech payroll system in coordination with Human Resources monitors TDA contributions to assist employees with total yearly contributions, but the responsibility of the maximum allowable contribution limits rests solely with the employee. The employee may want to consult a tax professional or financial advisor.



#### 4. Election to Participate and Effective Date of Participation

Texas Tech University utilizes an online system called Retirement Manager. This system can be accessed through [www.myretirementmanager.com/?ttu](http://www.myretirementmanager.com/?ttu) or the Human Resources website. Within the Retirement Manager system, employees can create individual accounts as well as manage contributions to the TDA Program.

- a. Employees may elect to participate in the TDA Program at any time during the calendar year. The cut-off dates in Retirement Manager will mandate the payroll effective date. It is the responsibility of each employee to have all company-required forms completed and submitted to the company to set up the account. Employees may submit a *Tax Deferred Account (TDA) Salary Reduction Agreement* form to Human Resources as an alternative to enrolling online through Retirement Manager.
- b. An employee's TDA Program contributions are deducted from the employee's regular pay, as long as the regular pay exceeds the amount of the elected TDA contribution and any other required deductions. If there is a pay period where there is no regular pay or if there is not enough money remaining from regular pay after the required deductions, no contribution will be made. Partial TDA contributions will not be made from any pay period where the amount exceeds regular pay after the required deductions.
- c. Employees must make their own determination whether or not to participate in the TDA Program and must select the company and annuity contract or mutual fund that best fits their individual retirement objectives. Texas Tech assumes no liability or responsibility for the federal income tax consequences of participating in the TDA or the terms or provisions of any annuity contract or mutual fund option selected under the TDA.

#### 5. Income Tax Deferral of Contributions

- a. Multiple 403(b) salary reduction agreements may be executed during a calendar year. For the purpose of this subsection, a change in an employee's salary reduction agreement means a change in the amount that an employee authorizes the institution to withhold from salary and remit to a Tax-Sheltered Annuity Program company. Texas Tech will continue the *Tax Deferred Account (TDA) Salary Reduction Agreement* from one tax year to the next tax year unless a change is received.
- b. The tax year for Texas Tech is defined as the period reported on each employee's W-2 form for tax purposes. Since December earnings for monthly salaried employees are reported in the next tax year, the tax year for monthly salaried employees is December of one calendar year through November of the next calendar year.

#### 6. Approval of Companies and Representatives

- a. Only companies approved by Texas Tech may provide tax-sheltered annuity products to Texas Tech employees.
- b. Only representatives authorized in writing by an officer of the company and approved by Texas Tech may conduct business for employees of Texas Tech. The company is responsible for the actions of its representatives and for ensuring that they are informed of and abide by all Texas Tech rules and regulations, federal laws, and Texas Higher Education Coordinating Board rules.

- c. A list of currently approved companies and representatives may be obtained from the Employee Services Center of the Human Resources office, the Human Resources website at <http://www.depts.ttu.edu/hr/EmpBenefits/Retiring/RetirementPlans.php>, or from Retirement Manager at <https://www.myretirementmanager.com/?ttu>.
- d. Employees are requested to notify Human Resources of any violations of Texas Tech rules and regulations by companies or representatives.

## **7. Solicitation Regulations**

- a. Only authorized representatives from approved companies are permitted to conduct business with eligible employees.
- b. Representatives of approved companies are not authorized to initiate contact with Texas Tech employees. Employees interested in the TDA Program should contact one of the approved representatives of the company of their choice to obtain information about an annuity or the mutual funds available and to secure forms to apply for the program of their choice.
- c. Company representatives are not to initiate contact with Texas Tech employees under the guise of marketing a non-TDA product and then make a TDA sales presentation to an employee.
- d. Authorized representatives are permitted to make sales presentations to eligible employees on Texas Tech premises only at the employee's request and may not solicit business with any employee unless contacted first by the employee.
- e. Representatives of companies are permitted on Texas Tech facilities as guests of Texas Tech and are expected to comply with all applicable rules and regulations.
- f. No campus mailings or telephone campaigns are permitted to campus offices.
- g. Providing gifts or monetary rewards in exchange for information on newly hired employees is strictly prohibited.
- h. All company representatives are expected to abide by the parking regulations in effect at the various campus locations.
- i. Approved representatives are responsible for supplying administrative service to Texas Tech.
- j. Company forms are the responsibility of the company and the employee. It is the responsibility of the employee to set up user information on the Retirement Manager website. The changes submitted and transmitted to the university will determine the effective date of the participation.
- k. Company representatives must be familiar with the benefits provided under the Teacher Retirement System, and with applicable Texas laws, Texas Higher Education Coordinating Board rules and regulations, and Internal Revenue Service Codes.
- l. Texas Tech reserves the right to limit or revoke the privileges of any representative or company at its discretion.

## 8. Transmittal of Funds to Companies

- a. All tax-sheltered annuity contributions will be transmitted to companies through the Texas Tech Retirement Manager system following each payroll processing period.
- b. It is the TDA company's responsibility to promptly credit each employee's account and to distribute the funds among the various product options as may have been selected by the employee.
- c. Accountability for funds transmitted to carriers in accordance with the above procedure becomes the responsibility of the company.

## 9. Change of Companies and Transfers

- a. Employees may change TDA Program companies without transferring contributions or deposits with the prior company. However, a nontaxable transfer, in-service withdrawal, is permitted only between Texas Tech approved companies. These kinds of transfers can be facilitated in Retirement Manager. The employee must access the Retirement Manager system and print an *In-service Exchange* certificate to accompany required company forms.
- b. IRS Ruling 90-24 authorizes partial and full transfers to and from 403(b)(7) mutual fund accounts and/or 403(b)(1) annuity accounts and states that such transfers are nontaxable if the following conditions are met:
  - (1) A **direct** transfer from the "old" company to the "new" company is made; and
  - (2) The transferred funds continue to be subject to the same or more stringent early distribution restrictions.

## 10. Cancellation

Employees may stop participation in the TDA Program at any time during the plan year. Cancellations are processed through the Retirement Manager website or a *TDA Salary Reduction* form may be submitted to the Human Resources office. The payroll processing calendar will determine the date it will be effective.

## 11. Withdrawal of Contributions

- a. The total value of a tax deferred account on December 31, 1988, is available for withdrawal without restrictions; however, such accounts are subject to income tax and may be subject to an additional penalty tax.
- b. Withdrawal of amounts attributable to contributions made after December 31, 1988, and to earnings credited after December 31, 1988, on all contributions may **not** be made prior to age 59 ½, unless a qualifying event occurs. Qualifying events are:
  - (1) Separation from service;
  - (2) Disability; and
  - (3) Hardship

"Separation from service" is defined as removal from the payroll of Texas Tech for one full calendar month without any expectation of returning to employment with any Texas public institution of higher education.

"Disability" is defined in [Internal Revenue Code section 72\(m\)\(7\)](#) as being unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or to be of long-continued and indefinite duration.

"Hardship distributions" from an employee's elective deferrals account can only be made if the distribution is because of an immediate and heavy financial need and the distribution is not in excess of an amount necessary to satisfy that financial need. Hardship distributions can only be made from accumulated elective deferrals, not from earnings.

IRS rules provide "safe harbors" for determining if a hardship distribution is because of an "immediate and heavy financial need."

- Expenses for medical care previously incurred by the employee, the employee's spouse, dependents, or beneficiary or is now necessary for these persons to obtain medical care;
- Costs directly related to the purchase of a principal residence of the employee;
- Payment of tuition, related educational fees, and room and board expenses for the next 12 months of post-secondary education for the employee, employee's spouse, dependents, or beneficiary of the employee;
- Payments to prevent eviction from or foreclosure on the principal residence of the employee;
- Funeral expenses for the employee, spouse, dependents, or beneficiary of the employee; or
- Certain damage repair expenses for the employee's principal residence.

The TDA company is responsible for determining the validity of hardship withdrawals. All company forms for a hardship withdrawal must have a *Hardship Withdrawal Certificate* from the Texas Tech Retirement Manager system.

- c. Contributions and earnings are taxable in the year withdrawn and may be subject to a tax penalty for early withdrawal.
- d. A 10 percent additional tax is imposed on withdrawals made before age 59 ½, regardless of when the contributions to which the accumulations are attributable. The 10 percent additional tax may not apply to distributions made prior to age 59 ½ if the distribution is:
  - (1) Made after the employee separates from employment and is part of a scheduled series of substantially equal periodic payments for the life expectancy of the employee or the joint lives or life expectancies of the employee and a beneficiary;

- (2) Made to an employee because of early retirement under a retirement plan of Texas Tech after attainment of age 55;
  - (3) Made to an employee who has separated from service and used to pay medical expenses to the extent that they are tax deductible under the Internal Revenue Code;
  - (4) A result of a disability retirement;
  - (5) Made to a beneficiary of the employee's estate after death; or
  - (6) Subject to a special exception that applies to payments to an alternate payee, not to the employee, according to a qualified domestic relations order.
- e. Tax deferred account companies are prohibited from releasing funds for withdrawal without verification of the employee's termination.
  - f. It is the company's responsibility to process all withdrawals of contributions in compliance with federal regulations, to make required tax withholdings, and to provide employees with any required notices describing the taxation of distributions, rollover rights, and withholding rules, including the 20 percent withholding on the taxable portion of a distribution made to the participant.

## 12. Loans

Certain companies will process a loan to the employee from their tax deferred account. An employee may only have a loan for up to 50 percent of the value of all their accounts.

- a. The employee must access their Retirement Manager account and print a *Loan Certificate*.
- b. Companies may also require the submission of company specific forms for loan processing.
- c. Interest rates and pay back schedules are determined by the company.

## 13. Required Distributions

- a. Other than distributions because of death, distributions from TDAs (no matter what the form) must begin by an employee's "required beginning date." The Small Business Job Protection Act of 1996 (SBA) defines an individual's "required beginning date" as April 1 of the calendar year following the later of:
  - (1) The calendar year in which the employee attains age 70 ½; or
  - (2) The calendar year in which the employee retires.

Distributions that do not commence by the "required beginning date" will be subject to an excise tax equal to 50 percent of the amount of the minimum amount that should have been distributed.

- b. Distributions can be made in a single sum over the life of the employee, over the lives of the employee and designated beneficiary, or over a period not extending beyond the life expectancy of the employee and designated beneficiary.

#### 14. Program Subject to Change

- a. The federal regulations that currently govern the Texas Tech Tax-Sheltered Annuity Program include:
- (1) The Employee Retirement Income Security Act of 1974 ([ERISA](#));
  - (2) The Tax Equity and Fiscal Responsibility Act of 1982 ([TEFRA](#));
  - (3) The Federal Deficit Reduction Act of 1984 ([DEFRA](#));
  - (4) The Retirement Equity Act of 1984 ([REACT](#));
  - (5) The Tax Reform Act of 1986 ([TRA](#));
  - (6) [The Unemployment Compensation Amendments Act of 1992](#);
  - (7) [The Small Business Job Protection Act of 1996 \(SBA\)](#); and
  - (8) Economic Growth and Tax Relief Reconciliation Act of 2001 ([EGTRRA](#)).

Any revision to these regulations or the implementation of new regulations may necessitate changes in the Texas Tech Tax Deferred Account Program. Future laws may change the provisions, tax status, and/or benefits available from individual Tax Deferred Account Program contracts.

- b. The Texas Tech Board of Regents and/or administration also reserves the right to make changes in Texas Tech regulations governing the Tax Deferred Account Program.

#### 15. Forms/Processes

Action	Process/Form
Enroll	Access Retirement Manager <a href="http://www.myretirementmanager.com/?ttu">www.myretirementmanager.com/?ttu</a> or <i>Tax Deferred Account (TDA) Salary Reduction Agreement</i> (submit the HR office) Company Application (submit to company)
Increase Amount	Access Retirement Manager <a href="http://www.myretirementmanager.com/?ttu">www.myretirementmanager.com/?ttu</a> or <i>Tax Deferred Account (TDA) Salary Reduction agreement</i> (submit the HR office)
Decrease Amount	Access Retirement Manager <a href="http://www.myretirementmanager.com/?ttu">www.myretirementmanager.com/?ttu</a> or <i>Tax Deferred Account (TDA) Salary Reduction Agreement</i> (submit the HR office)
Change Carriers	Access Retirement Manager <a href="http://www.myretirementmanager.com/?ttu">www.myretirementmanager.com/?ttu</a> and contact transferring company

In-service Exchange (while employed)	Access Retirement Manager <a href="http://www.myretirementmanager.com/?ttu">www.myretirementmanager.com/?ttu</a> or <i>Tax Deferred Account (TDA) Salary Reduction Agreement</i> (submit the HR office) Company Application (submit to company)
Exchange (after termination)	Company Forms (may require signature from Human Resources)
Stop TDA	Access Retirement Manager <a href="http://www.myretirementmanager.com/?ttu">www.myretirementmanager.com/?ttu</a> or <i>Tax Deferred Account (TDA) Salary Reduction Agreement</i> (submit the HR office)

## 16. TDA Company Liability

Each company must certify that it, as a carrier, will be primarily responsible for the defense of any suit against Texas Tech resulting from the actions of the company or from the actions of the design of the company's program. Such responsibility includes any awards, court costs, attorney's fees, damages, or other expense required as a result of the suit and/or suits against Texas Tech. Such suits may include, but are not limited to, tax issues, sex or age discrimination issues resulting from the design of the company's program, the misinformation or misrepresentation by the company or any company representative, or any other issue arising from the company's program.

## 17. Right to Change Policy

Texas Tech reserves the right to interpret, change, modify, amend, and/or rescind this policy, in whole or in part, at any time without the consent of employees.

## 18. Authoritative Reference

[Internal Revenue Services, 26 CFR](#)

*This material is intended to describe available plans and provide a general explanation of the plan provisions. This document is not meant to include the complete details of all benefits available. Every effort has been made to ensure that the information is complete and accurate; however, if there is ever a conflict or difference between this document and the governing entity, the governing entity rules will prevail.*

The TDA Salary Reduction form is located on the Human Resources website at <https://www.depts.ttu.edu/hr/AboutHR/Forms.php>.





## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 70.10: Non-faculty Employee Complaint Procedures**

**DATE:** January 26, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to provide reasonable and consistent internal consideration of complaints from non-faculty employees. TTU will strive to seek fair, just, and prompt resolution of complaints by non-faculty employees arising from the employment relationship.

**REVIEW:** This OP will be reviewed in July of even-numbered years by the Office of Equal Opportunity and the Assistant Vice President for Human Resources with substantive revisions forwarded to the Chief of Staff for the President.

#### **POLICY/PROCEDURE**

1. A complaint is a formal expression of disagreement concerning issues pertaining to wages, hours, working conditions, performance evaluations, merit raises, job promotions, job assignments, or similar matters involving management decisions concerning the employee.

#### **2. Provisions**

- a. This complaint procedure is applicable to all full-time, part-time, and temporary non-faculty employees.
- b. All complaint investigations and procedures will be non-adversarial in nature. The employee filing the complaint may represent themselves or be accompanied by a representative who does not claim the right to strike. Representation does not include external legal counsel. Language interpreters and other individuals intended to aid the employee in communicating will be permitted.

No TTU funds may be used to pay expenses for salary, travel, or per diem of a public employee who represents an employee in the presentation of a complaint and grievance, nor may other resources be used, except that an employee is allowed to take annual leave, compensatory leave, or leave without pay, subject to established TTU operating policies and procedures, to engage in this activity.

- c. If an employee believes an adverse employment action is based on unlawful discrimination based on sex (including pregnancy), race, national origin, religion, disability, age, protected veteran status, genetic information, sexual orientation, gender identity, gender expression, or other violations of the law as set forth in [TTU System Regulation 07.10](#) and [TTU OP 40.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#), or in [TTU System Regulation 07.06](#) and [TTU OP 40.03, Sexual Misconduct](#), the procedures therein must be followed.

- d. An employee may present a complaint without fear of retaliation.

Retaliation against an employee who files a complaint under this policy is strictly forbidden. Any manager or supervisor or other employee who is found to have taken any adverse employment action against an employee because of the employee's good faith filing of a complaint or participation in an investigation under this policy is subject to severe penalties, including immediate termination.

However, the filing of a complaint shall not affect the ability of TTU to pursue disciplinary or separation action for reasons other than the employee's filing of a complaint.

- e. Employment at TTU is governed by the employment-at-will doctrine. Employment is for an indefinite duration and can be terminated at any time, with or without cause and with or without notice, by either TTU or the employee. Nothing in this or any other TTU OP constitutes an employment agreement, either express or implied, a contract, a contractual relationship, a guarantee of continued employment, or a property right.
- f. If an employee separates employment from TTU for any reason after filing a complaint, the pending complaint shall be dismissed. A termination cannot be appealed unless the employee has reason to believe the action taken is prohibited by law, in which case the employee should follow the procedures set forth in [TTU System Regulation 07.10](#) and [TTU OP 40.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#), or in [TTU System Regulation 07.06](#) and [TTU OP 40.03, Sexual Misconduct](#).

### 3. Assistance

The employee and/or the supervisor may seek assistance at any time from Human Resources in resolving problems. Human Resources may recommend and/or facilitate mediation of employee complaints.

### 4. Procedure

- a. Only one subject matter shall be covered in any one complaint.
- b. A written complaint shall contain:
  - (1) A clear and concise statement of the complaint;
  - (2) The date the incident or adverse action took place;
  - (3) The names and contact information of any witnesses;
  - (4) The specific resolution sought by the employee; and
  - (5) Additional relevant information to be considered in support of the complaint.

**Any changes to the complaint must be in writing.**

- c. Step 1 – Verbal Discussion
  - (1) An employee should bring any work-related problems to the attention of their immediate supervisor within 10 business days of the event.
  - (2) Each supervisor and employee should attempt to resolve on-the-job complaints in an atmosphere of mutual respect.

- (3) The immediate supervisor should discuss those concerns with the employee in an effort to resolve the problem.
- (4) The supervisor has 10 business days to respond to the complaint.
- (5) If the employee's complaint is regarding the employee's immediate supervisor, the employee should follow the same steps set forth in this policy but initiate the process with the employee's second level supervisor.

d. Step 2 – Written Complaint

- (1) If action is not taken by the immediate supervisor to resolve the problem within 10 business days or if the employee is not satisfied with the supervisor's response, the employee should formally submit a *Statement of Employee Complaint* to the employee's immediate supervisor and to Human Resources within 10 business days after the supervisor's initial response or resolution. The *Statement of Employee Complaint* is located on the TTU Human Resources website or the following link: <https://www.depts.ttu.edu/hr/forms.php>.
- (2) The immediate supervisor has 10 business days to respond in writing to the complaint. A copy of the response shall be sent to Human Resources.

e. Step 3 – Written Complaint to the Second Level Supervisor

- (1) If no resolution is reached with the immediate supervisor, the employee may appeal the first level supervisor's decision to the second level supervisor by submitting the *Statement of Employee Complaint* form to the second level supervisor and to Human Resources.
- (2) The written complaint must be filed with the second level supervisor within 10 business days from the time the employee receives the written response from the immediate supervisor.
- (3) The second level supervisor has 10 business days to respond in writing to the complaint. A copy of the response shall be sent to Human Resources and the first level supervisor.

f. Step 4 – Final Review

After all the above steps have been completed, the employee may make a written request to the appropriate vice president/dean to review the employee's complaint. This must be done within 10 business days. The responsible administrator shall have 20 days to review the complaint and provide a written determination to the employee. This determination will be final.

## 5. Right to Change Policy

TTU reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without notice to or consent of its employees.

The *Statement of Employee Complaint* form is available on the TTU Human Resources website at the following link: <https://www.depts.ttu.edu/hr/forms.php>.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 70.13: Workers' Compensation Insurance**

**DATE:** June 2, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish policy and procedure for administration of the Workers' Compensation Insurance in coordination with the investigation and analysis programs that are needed to promote prevention of work-related accidents, injuries, and illnesses. This OP and its implementation will be in conformance with the policies and guidelines of the State Office of Risk Management, the Texas Department of Insurance/Division of Workers' Compensation (TDI/DWC), and collaborating policies of Texas Tech University.

**REVIEW:** This OP will be reviewed in March of even-numbered years by the Managing Director of the Texas Tech University System Office of Risk Management (TTUSORM) with substantive revisions forwarded to the Senior Vice Chancellor/Chief Financial Officer.

## **POLICY/PROCEDURE**

### **1. General**

- a. Workers' Compensation Insurance (WCI) is regulated by the state of Texas and provides medical benefits and income indemnity for injuries and occupational illnesses that arise out of the course and scope of employment. This program covers all employees whose names appear on the payroll. The State Office of Risk Management (SORM) is the agency directly responsible for administering the program for state employees. The TDI/DWC promulgates rules and regulations governing WCI.
- b. The incident investigation program provides for investigation and analysis of all reported accidents that arise out of the course and scope of employment that resulted or could have resulted in an injury or illness and includes accidents involving employees that occur in or on Texas Tech University facilities. All employees are included in the incident investigation program.

### **2. Program Administration**

- a. Workers' Compensation

TTUS and components participate in a self-funded program. The Managing Director of the TTUSORM is available to inform all employees of this program, of their responsibilities in connection with it, and about accessing benefits properly. This subject will be included in the briefing given to all new employees.

b. Incident Investigation

The Director of Environmental Health and Safety is available to inform all employees of this program, of their responsibilities in connection with it, and about obtaining assistance in meeting these responsibilities. This subject will be included in the briefing given to all new employees.

c. Administrator's/Supervisor's Responsibilities

All administrators/supervisors with managerial authority over employees' job duties shall provide the following assistance, as appropriate, when work-related accidents, injuries, or occupational illnesses occur.

**NOTE:** With the exception of emergency medical care, please utilize the following provider provisions for the employee's medical care:

Non-network coverage – At the time of this writing, all campuses are considered In-Network. Refer to next paragraph.

In-network coverage – All locations fall within a network area; however, these coverages are subject to change. Please access the link below to verify coverage on the area service map.

<https://goperspecta.com/VPD/careworkstxhcn/public/ProviderSearch/Main>

The employee must complete the *Workers' Compensation Network Acknowledgement* form (Attachment H).

- (1) Assist injured employees in obtaining medical care, if necessary.

**NOTE:** To qualify for Workers' Compensation if the incident involves a bloodborne pathogen exposure and the employee claims a possible work-related exposure to HIV infection, the employee must:

- Have a test performed within 10 days of the exposure to HIV that indicates the absence of HIV infection; and
- Provide the employer with a written statement of the date and circumstances of the exposure to HIV and a copy of the results of the test. ([28 TAC, Part 2, Chapter 122, Rule 122.4, and Texas Health and Safety Code 85.116](#))

- (2) Call the TTUSORM and verbally report the injury or incident as soon as possible.
- (3) Submit a fully completed *First Report of Injury/Illness/Accident* form (Attachment A) to the TTUSORM. This *First Report of Injury/Illness/Accident* must be in the TTUSORM before the close of business the next working day following the accident. **This form must be completed and signed by the administrator/supervisor, not the employee.**
- (4) Ensure that the employee completes and submits an *Employee's Report of Injury* (SORM-29) (Attachment B), which is the employee's perspective of the injury, to the TTUSORM.

- (5) Submit a completed *Authorization for Release of Information* form (SORM-16) (Attachment C) to the TTUSORM.
- (6) If there were witnesses to the accident, submit *Witness Statement* form(s) (SORM-74) (Attachment D) to the TTUSORM.
- (7) If lost time is involved (more than one workday), assist the employee in completing an *Employee's Election Regarding Utilization of Sick and Annual Leave* form (SORM-80) (Attachment E). Submit the completed SORM-80 form to the TTUSORM.

**NOTE:** Failure to complete this form is deemed an election for UNPAID leave ([Texas Labor Code, Section 501.044](#)). The employee's departmental administrator will need to submit appropriate Personnel forms in accordance with [TTU System Regulation 07.12, Employee Leave](#), to place the employee immediately on leave without pay.

- (8) Submit *Supervisor's Investigation of Employee's Accident/Incident* (Attachment F) to the TTUSORM after review and signature of the unit safety officer and the area/department chair/director. **This form must be completed and signed by the administrator/supervisor, not the employee.**
- (9) Submit a *Supplemental Report of Injury* form (TWCC-6) (Attachment G) to the TTUSORM when the employee returns, has additional day(s) of disability, has a change in weekly earnings after the injury, is terminated, or resigns.
- (10) Review TTU [OP 70.39, Early Return-to-Work, Alternate, and Light Duty Assignments](#), the early return-to-work, alternate, and light duty assignments policy and take appropriate action. Note that this operating policy prescribes specific procedures that MUST be followed.
- (11) Submit to Human Resource Services the appropriate forms, in accordance with [TTU System Regulation 07.12, Employee Leave](#), if the employee uses accrued sick leave or is placed on leave without pay.
- (12) Submit a *Workers' Compensation Network Acknowledgement* form (attachment H) to the TTUSORM.

Attachments A through H are available from the TTUSORM (TTU Mail Stop 2003) and may be reproduced and used, or they may be downloaded and printed from the TTU OP Manual website at the following address:  
<http://www.depts.ttu.edu/opmanual/contents.php>.

#### d. Employee Responsibilities

- (1) Employees are required to report immediately to a departmental administrator/supervisor all on-the-job accidents, injuries, or occupational illnesses, regardless of whether medical expenses were incurred or time away from work was involved.
- (2) Employees are responsible for obtaining and completing an *Employee's Report of Injury* (SORM-29) (Attachment B). The completed form must be sent to the TTUSORM.

- (3) Submit a complete *Authorization for Release of Information* (SORM-16) (Attachment C) to the TTUSORM.
- (4) If an attending physician reports that an employee is unable to return to work following an occupational injury, the employee must choose one of the elections on the *Employee's Election Regarding Utilization of Sick and Annual Leave* form (SORM-80) (Attachment E).

**NOTE:** Failure to complete this form is deemed an election for UNPAID leave ([Texas Labor Code, Section 501.044](#)). The employee's departmental administrator will need to submit appropriate Personnel forms in accordance with [TTU System Regulation 07.12, Employee Leave](#), to place the employee immediately on leave without pay.

- (5) Submit a *Workers' Compensation Network Acknowledgement form* (Attachment H) to the TTUSORM.

e. Workers' Compensation Claims Coordinator's Responsibilities:

The Workers' Compensation claims coordinator is the point of contact for all Workers' Compensation claims and is the interface between the employee, supervisor, administrator, and the SORM. This individual assists employees in properly applying for benefits and coordinates reporting to the SORM as outlined below.

- (1) Within one working day following notification:
  - Review the information on the *First Report of Injury/Illness/Incident* with other available information;
  - Contact the supervisor or department to acknowledge receipt of the report and to verify (or complete missing) information to enable accurate reporting of the injury; and
  - Complete and submit the *Employer's First Report of Injury of Illness* (TWCC 1S), if necessary, to the SORM.
- (2) May conduct a fact-finding interview to discover, to the extent possible, all applicable direct and indirect causes that contributed to the accident;
- (3) Maintain records on incident reports and investigations and provide trend analysis as requested;
- (4) Establish and maintain an incident or injury file on each case;
- (5) Submit to the SORM the various forms required to complete the WCI claim as described in the SORM Workers' Compensation Claims Coordinator Handbook; and
- (6) May request from the SORM the services of a case manager, upon approval from the managing director of the TTUSORM.



f. Office of Human Resources Responsibilities

Send copies of *Personnel Action Forms* (PAFs) to the TTUSORM placing injured employees on leave without pay, returning them to work status, changing the employee pay status, and reporting termination or resignation dates.

**3. Benefits**

WCI benefits are legislated by the [Texas Workers' Compensation Act](#). The TDI/DWC promulgates rules and regulations governing WCI, and the SORM adjudicates claims for benefits made by state employees, including employees of the Texas Tech University System, Texas Tech University, and Texas Tech University Health Sciences Center.

Specific information about WCI benefits and eligibility can be found on the TDI/DWC website: <https://www.tdi.texas.gov/wc/index.html>.

**4. Leave without Pay**

Refer to [TTU System Regulation 07.12, Employee Leave](#), for specific information concerning the proper reporting and administration of leave without pay.

**5. Funding of WCI Costs**

- (a) Fines of up to \$500 may be levied for the late reporting to the SORM. If a department fails to furnish documents to the TTUSORM within the time specified in 2(c)(3) above, any resulting fines will be charged back to the department.
- (b) Leaves without pay shall be reported on a *Personnel Action Form* through normal administrative channels. They shall be dated from the first workday through the last workday the employee is absent without pay and should indicate the number of work hours missed. It is important to report all leaves without pay, even on hourly employees. Failure to submit a *Personnel Action Form* in a timely manner may result in large additional Workers' Compensation claim expenses to the institution for terminated employees or employees on leave without pay.

**6. Right to Change Policy**

Texas Tech University System reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.

[Attachment A: First Report of Injury/Illness/Accident](#)

[Attachment B: Employee's Report of Injury](#)

[Attachment C: Authorization for Release of Information](#)

[Attachment D: Witness Statement](#)

[Attachment E: Employee's Election Regarding Utilization of Sick and Annual Leave](#)

[Attachment F: Supervisor's Investigation of Employee's Accident/Incident](#)

[Attachment G: \*Supplemental Report of Injury\*](#)

[Attachment H: \*Workers' Compensation Network Acknowledgement form\*](#)

# Texas Tech University System

## First Report of Injury/Illness/Accident



**This form must be completed and signed by the administrator/supervisor, not the employee.**

Submit completed form to: Texas Tech University System,  
Risk Management Department, MS2003, Lubbock, Texas.  
(FAX: 806-742-3018).

Please print or type.

1. Name (Last, First, MI)			2. Sex: <input type="checkbox"/> Female <input type="checkbox"/> Male		14. Date of Accident		15. Time of Accident  <input type="checkbox"/> AM  <input type="checkbox"/> PM		
3. SSN		4. Home Phone		5. Date of Birth				16. Was employee doing his/her regular job?  <input type="checkbox"/> Yes <input type="checkbox"/> No	
6. Mailing Address (Home)   City _____ State _____ Zip Code _____						17. Address where accident or exposure occurred. Name of business if accident occurred in a business site.  City _____ State _____ Code _____			
7. Marital Status <input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Widowed <input type="checkbox"/> Separated <input type="checkbox"/> Divorced				8. Number of Dependent Children		18. Cause of accident (struck, fall, strain, etc.)			
9. Spouse's Name			10. Does the employee speak English? If no, specify language. <input type="checkbox"/> Yes <input type="checkbox"/> No			19. How and why Accident/Exposure occurred			
11. Department						20. Part of body injured or exposed			
12. Office Phone						21. List Witnesses			
13. Supervisor's Name						22. Date Reported to Supervisor			

23. Print Name (Must be Administrator/Supervisor)		Date	
24. Signature (Must be Administrator/Supervisor)		Date	

**Complete the following sections ONLY IF medical treatment or lost time from work is involved.**

25. Treating Doctor  Name _____ Address _____ City _____ State _____ Zip Code _____ Phone Number _____		26. Date Lost Time Began  27. Return to work date or expected date	
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NOTE: With few exceptions, you are entitled by law to know, review, and correct information that we collect about you.  
For more information, please refer to OP 01.04.



## EMPLOYEE'S REPORT OF INJURY

Dear Employee:

We received a report that you were injured in the course of your employment. To process your claim efficiently, please fill in all lines completely and print legibly. **Attach additional sheets if necessary.**

Name: \_\_\_\_\_  
Last First M.I. Maiden

Social Security: \_\_\_\_\_ Gender: ☐ M ☐ F

Address: \_\_\_\_\_

Date of Injury: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Employer: \_\_\_\_\_

Primary Phone Number: \_\_\_\_\_

Job Title: \_\_\_\_\_

Secondary Phone Number: \_\_\_\_\_

Work Schedule: \_\_\_\_\_

Email address: \_\_\_\_\_

1) What was the exact location of the accident? Include street address if possible:

2) What was happening at the time? What was going on around you, what were you doing, what were other people doing?:

3) Briefly describe what exactly caused the injury:

4) What areas of your body were injured?

5) When and to whom did you report your injury? Date \_\_\_\_\_ Time \_\_\_\_\_

Name: \_\_\_\_\_ Title \_\_\_\_\_ Phone Number: \_\_\_\_\_

6) List all known witnesses (continue on back if necessary): 1. Name \_\_\_\_\_ Phone: \_\_\_\_\_

2. Name \_\_\_\_\_ Phone: \_\_\_\_\_ 3. Name: \_\_\_\_\_ Phone: \_\_\_\_\_

7) Who is your Primary Care Physician or family doctor? Name: \_\_\_\_\_ Phone: \_\_\_\_\_

8) Please list the names and phone numbers of all doctors or treatment providers you have seen for your injury:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

9) Has a doctor taken you off work? ☐ Yes ☐ No If Yes, when was the first day you missed work? \_\_\_\_\_

10) If the doctor took you off of work, have you returned to work? ☐ Yes ☐ No If No, when do you think you will return to work? \_\_\_\_\_

11) Date of Last Appointment: \_\_\_\_\_ Date of Next Appointment: \_\_\_\_\_

12) Have you had previous workers compensation injuries? ☐ Yes ☐ No If Yes, please enter injury dates and body parts injured:

*By affixing my signature, I attest that all information on this form is accurate and true:*

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

## **Instructions**

### **Employee's Report of Injury**

#### **Purpose of Form:**

The injured employee completes this form to provide the State Office of Risk Management (SORM) with information pertaining to the circumstances surrounding the injury and what has happened since the date of injury. This will help to expedite benefits in a more timely manner.

#### **Filing Deadline:**

The form must be received by SORM not later than the 5th calendar day after the *First Report of Injury or Illness Form* (DWC-1S) is reported by the agency.

#### **Completed by:**

This form shall be completed by the injured employee with assistance from the Claims Coordinator, if needed.

#### **Instructions:**

1. The employee will address each of the questions completely and use additional pages if necessary. The adjuster needs a complete picture of the events surrounding the injury and how the injury occurred. Witnesses' names and phone numbers, physicians/treatment provider's names and phone numbers and work status is needed. The employee should enter any previous workers compensation claims information including body parts injured.
2. The injured employee will sign and date the form thereby attesting that all information on the form is true and complete.

#### **Distribution**

The Claims Coordinator shall retain the original for the agency file and fax or mail a copy to:

State Office of Risk Management  
P.O. Box 13777  
Austin, TX 78711  
Fax: (512) 370-9025

**Notice:** With few exceptions, an individual is entitled, upon request, to be informed about the information a state governmental body collects about the individual. Under Sections 552.021 and 552.023 of the Government Code the individual is entitled to receive and review the information and under Section 559.004 of the Government Code the individual is entitled to have the state governmental body correct any information about the individual that is incorrect.



## **AUTHORIZATION FOR RELEASE OF INFORMATION**

Patient: \_\_\_\_\_

TO WHOM IT MAY CONCERN:

You are hereby expressly authorized to release and furnish to the State Office of Risk Management (SORM), and/or any associate, assistant, representative, agent, or employee thereof, any and all desired information (including, but not limited to, office records, medical reports, memos, hospital records, laboratory reports, including results of any and all tests including alcohol and/or drug tests, X-rays, X-ray reports, including copies thereof) pertaining to the physical and/or mental condition which is the basis of my workers' compensation claim. This includes not only all current and/or future information but also all past medical information which is related to the injury or injuries which form the basis of my claim.

(Print name) \_\_\_\_\_

Photostatic copies of this signed authorization will be considered as valid as the original. This is not a release of claims for damages.

SIGNED: \_\_\_\_\_ DATED: \_\_\_\_\_

*PLEASE SIGN THE ABOVE MEDICAL AUTHORIZATION AND RETURN IT, SO WE MAY SECURE RELEASE OF YOUR MEDICAL RECORDS.*

THANK YOU.  
STATE OFFICE of RISK MANAGEMENT

## **Instructions**

### **Authorization for Release of Information**

#### **Required:**

This document is required immediately after sustaining a work-related injury. The injured employee should complete this release form. This enables SORM to obtain, from healthcare providers, copies of relevant medical documents that will assist in the handling of the claim.

#### **Filing Deadline:**

The form must be received by SORM not later than the **5th calendar day** after the first notice of injury is reported to the agency.

#### **Completed by:**

The employee must complete this form. If the employee is incapacitated the spouse, child, or legal guardian may sign the form. **THIS FORM MUST BE SIGNED AND DATED.** The Claims Coordinator should make this form available for all injuries.

#### **Instructions:**

1. The injured employee must clearly print his or her name on the patient line.
2. The injured employee must clearly print his or her name on the second line.
3. The injured employee must sign and date the form.

#### **Distribution:**

The Claims Coordinator shall retain the original for the agency file and fax or mail a copy to:

State Office of Risk Management  
PO Box 13777  
Austin, TX 78711  
Fax: (512) 370-9025

**Notice:** With few exceptions, an individual is entitled, upon request, to be informed about the information a state governmental body collects about the individual. Under Sections 552.021 and 552.023 of the Government Code the individual is entitled to receive and review the information and under Section 559.004 of the Government Code the individual is entitled to have the state governmental body correct any information about the individual that is incorrect.





## WITNESS STATEMENT

*MUST BE TYPED OR PRINTED*

Injured Employee Name: \_\_\_\_\_ Date of Injury: \_\_\_\_\_

SORM Claim Number: \_\_\_\_\_ Statement Taken By: \_\_\_\_\_

Witness Name: \_\_\_\_\_

Witness Email Address: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Primary Telephone: \_\_\_\_\_ Secondary Telephone: \_\_\_\_\_

Witness Employer: \_\_\_\_\_

On \_\_\_\_\_, at about \_\_\_\_\_ in the ☐ a.m. / ☐ p.m., I was in or at  
\_\_\_\_\_ when an accident involving the above employee is reported to have occurred.

### SELECT CHOICE A, B, OR C BELOW:

---

A. ☐ I saw the incident. The accident occurred in the following manner:

Other pertinent information and source:

B. ☐ I did not see the incident. Information given to me by (name of person):

Indicate how it occurred:

Other pertinent information and source:

C. ☐ I know nothing whatsoever about the incident.

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

# Instructions Witness Statement

## Required:

Immediately after receiving notice of any injury, the Claims Coordinator should determine the names, addresses, and telephone numbers of all witnesses to the incident. A statement should be taken from each witness and forwarded to SORM.

## Filing Deadline:

The form must be received by SORM not later than the 5th calendar day after the first notice of injury is reported to the agency.

## Completed by:

This form should be completed by the person giving the statement with assistance from the Claims Coordinator.

## Instructions:

1. Be as specific and complete as possible.
2. Except for the witness signature, the statement should be typewritten, if possible. If it must be handwritten, PLEASE PRINT to ensure legibility.
3. Please provide the SORM claim number, if known.
4. The witness may have actually seen the incident or may have acquired knowledge about the accident from another source. The witness information may relate to how the incident occurred or to something else that is relevant. Sometimes you will be given a witness name but, when asked, the witness may deny any knowledge of the incident. In such a case the third box should be checked.
5. If the space provided on the form is insufficient please attach additional information.

## Distribution:

The Claims Coordinator shall retain the original for the agency file and fax or mail a copy to:

State Office of Risk Management  
PO Box 13777 Austin, TX 78711  
Fax: (512) 370-9025

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## EMPLOYEE'S ELECTION REGARDING UTILIZATION OF SICK AND ANNUAL LEAVE—Peace Officers

Employee's Name: \_\_\_\_\_ Date of Injury: \_\_\_\_\_

Employee's SSN: \_\_\_\_\_ Agency: \_\_\_\_\_

If you know, how many hours of leave do you have? \_\_\_\_\_ sick leave \_\_\_\_\_ annual leave

**You are not required to use your leave.** Texas Labor Code §501.044 allows an injured state employee to *elect* to use accrued sick and annual leave before receiving income benefits. NOTE: Sick leave must be exhausted before annual leave may be used. Other categories of leave (compensatory leave, holiday leave, administrative leave, etc.) may not be used prior to sick and annual leave.

**Select only ONE election, either Election 1, Election 2, or Election 4, below:**

*Election 3 intentionally omitted.*

☐ **ELECTION 1**

I elect to use all of my accrued sick leave and all, or a portion, or none of my annual leave when I lose time from work due to this injury or illness. I elect to use all of my accrued sick leave **AND (choose A, B, or C below)**:

☐ A) All of my accrued annual leave;

☐ B) A portion of my accrued annual leave, I wish to use \_\_\_\_\_ hours; or

☐ C) None of my accrued annual leave.

☐ **ELECTION 2**

I elect to not use accrued sick or annual leave. When I lose time from work due to this injury or illness, I elect to not use any accrued sick leave or annual leave. I understand I am not entitled to workers' compensation income benefits until after the seven (7) calendar day waiting period.

☐ **ELECTION 4**

I elect to use injury leave for Peace Officers. I understand I can receive injury leave for Peace Officers for one year, maximum. I understand that my sick and annual leave will continue to accrue during the period that I am receiving injury leave. I understand that I may be eligible for income benefits if injury leave is exhausted. Texas Code §661.918 allows this election ONLY to certain injuries of law enforcement officers that were injured in the line of duty for the Department of Public Safety, the Parks and Wildlife Dept., Alcoholic Beverage Commission, and the Attorney General. Date to begin leave: \_\_\_\_\_ Date to end leave: \_\_\_\_\_ (one year from beginning date)

### MONTHLY TEMPORARY INCOME BENEFITS (TIB) ELECTION

☐ I elect to change my Temporary Income Benefits frequency from weekly to monthly. For more information about TIB, please visit the Texas Dept. of Insurance Website (<https://www.tdi.state.tx.us/pubs/factsheets/tibs.pdf>).

By signing below, I signify that I understand that I may not change my election after my eighth (8<sup>th</sup>) day of disability and that I have read the instructions on page 2.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Coordinator's Signature

\_\_\_\_\_  
Date

# INSTRUCTIONS

## Employee's Election Regarding Utilization of Sick and Annual Leave—Peace Officers

Injured employees may elect to use accrued sick leave and all, part, or none of their accrued annual leave for time missed from work due to the work related injury. Accrued sick leave and accrued annual leave are the amounts of paid leave available at the time of injury in addition to leave earned after the injury. The following details the effects of the different choices available to you.

### If You Choose Election 1

- You must use all accrued sick leave but may elect to use all, some, or none of your accrued annual leave.
- All sick leave must be exhausted before annual leave may be used.
- If you select 1A and return to work but later have additional days of disability, you must use any accrued sick and annual leave before receiving workers' compensation income benefits.
- If you select 1B, you must use any sick leave balance and any authorized annual leave before you will be eligible to receive workers' compensation income benefits.
- If you select 1C, you must use any/all accrued sick leave before receiving workers' compensation income benefits.
- Workers' compensation income benefits do not begin until the eighth day of disability. Employees who are disabled for at least 14 days will receive retroactive benefits for any portion of the seven-day waiting period not paid by leave.
- You will continue to receive your full pay as long as you have accrued time to use and have authorized your agency to use it for your injury. If your elected leave is exhausted, you may receive income benefits to replace a portion of your lost wages. This may be 70% or 75% of your average weekly wage depending on your wages at the time of your injury.
- It is recommended that you consult with your Human Resources Department to discuss the impact of your selection on your leave balances and insurance benefits should you be off work for an extended period of time.

### If You Choose Election 2

- You choose to not use any sick or annual leave for your compensable injury. Your agency may immediately place you in a leave without pay status.
- You may not receive any workers' compensation income benefits for the first seven (7) calendar days you are unable to work. If eligible, your income replacement benefits will begin on the 8th day of disability and employees who are unable to work for 14 days will receive retroactive benefits for the first seven days. You will be paid at a rate of 70 or 75% of your weekly wage depending on your wages at the time of your injury.

### If you Choose Election 4

- You have chosen to use injury leave for your injury. If your agency determines you are eligible, you may be entitled to one year of injury leave.

**Notice:** With few exceptions, an individual is entitled, upon request, to be informed about the information a state governmental body collects about the individual. Under Sections 552.021 and 552.023 of the Government Code the individual is entitled to receive and review the information and under Section 559.004 of the Government Code the individual is entitled to have the state governmental body correct any information about the individual that is incorrect.

# SUPERVISOR'S INVESTIGATION OF EMPLOYEE'S ACCIDENT/INCIDENT

1. LAST NAME OF INJURED	2. FIRST NAME	3. M.I.	4. SOCIAL SECURITY NUMBER	5. DATE OF BIRTH / /
6. SEX M <input type="checkbox"/> F <input type="checkbox"/>	7. DATE OF EMPLOYMENT IN UNIT / /	8. AGENCY NUMBER (COMPTROLLER'S CODE)		9. BUDGET NUMBER OF ASSIGNED UNIT
10. JOB CLASSIFICATION CODE	11. POSITION STATUS <input type="checkbox"/> Full-time <input type="checkbox"/> Part-time <input type="checkbox"/> Floater (File where needed)	12. DATE OF INCIDENT / /		13. TIME OF INCIDENT am <input type="checkbox"/> pm <input type="checkbox"/>

<p><b>A. EXTENT OF INJURY (Check one only)</b></p> <p><input type="checkbox"/> No injury (Incident only)</p> <p><input type="checkbox"/> Injury not requiring a TWCC-1S</p> <p><input type="checkbox"/> Medical</p> <p><input type="checkbox"/> Lost time only (more than one day)</p> <p><input type="checkbox"/> Medical and lost time</p> <p><input type="checkbox"/> Fatality</p> <p><b>B. CATEGORY (Check one only)</b></p> <p><input type="checkbox"/> Occupational injury (accident)</p> <p><input type="checkbox"/> Occupational injury (aggressive behavior)</p> <p><input type="checkbox"/> Occupational illness/disease</p> <p><b>C. SPECIFIC LOCATION OF OCCURRENCE (Check one only)</b></p> <p>INDOORS:</p> <p>BUILDING INVENTORY NO. _____</p> <p><input type="checkbox"/> Auditorium</p> <p><input type="checkbox"/> Boiler room</p> <p><input type="checkbox"/> Canteen/Snack bar</p> <p><input type="checkbox"/> Cell block</p> <p><input type="checkbox"/> Classroom</p> <p><input type="checkbox"/> Closet</p> <p><input type="checkbox"/> Day room</p> <p><input type="checkbox"/> Dormitory/Living Room</p> <p><input type="checkbox"/> Elevator</p> <p><input type="checkbox"/> Food service area/Dining/Kitchen</p> <p><input type="checkbox"/> Garage</p> <p><input type="checkbox"/> Gymnasium/Recreation</p> <p><input type="checkbox"/> Hallway/Corridor</p> <p><input type="checkbox"/> Hospital/Clinic/Dispensary</p> <p><input type="checkbox"/> Laboratory</p> <p><input type="checkbox"/> Laundry</p> <p><input type="checkbox"/> Library</p> <p><input type="checkbox"/> Nursing station</p> <p><input type="checkbox"/> Office areas</p> <p><input type="checkbox"/> Program areas</p> <p><input type="checkbox"/> Ramp</p> <p><input type="checkbox"/> Sales store/Outlet</p> <p><input type="checkbox"/> Seclusion room</p> <p><input type="checkbox"/> Sleeping room</p> <p><input type="checkbox"/> Steps/Stairs/Stairway</p> <p><input type="checkbox"/> Storage area</p> <p><input type="checkbox"/> Waiting room</p> <p><input type="checkbox"/> Workshop/technical traders</p> <p><input type="checkbox"/> Other specify _____</p> <p>OUTDOORS:</p> <p><input type="checkbox"/> Athletic field</p> <p><input type="checkbox"/> Campus</p> <p><input type="checkbox"/> Grounds</p> <p><input type="checkbox"/> Highway/Road/Street</p> <p><input type="checkbox"/> Loading dock</p> <p><input type="checkbox"/> Park or recreation area</p> <p><input type="checkbox"/> Parking lot</p> <p><input type="checkbox"/> Roof</p> <p><input type="checkbox"/> Sidewalk</p> <p><input type="checkbox"/> Steps/Stairs/Stairway</p> <p><input type="checkbox"/> Storage area</p> <p><input type="checkbox"/> Swimming pool area</p> <p><input type="checkbox"/> Tower</p> <p><input type="checkbox"/> Other (specify) _____</p>	<p><b>D. ACTIVITY ENGAGED IN BY INJURED AT TIME OF INJURY (Check one only)</b></p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Bathing</td> <td><input type="checkbox"/> Moving</td> </tr> <tr> <td><input type="checkbox"/> Buffing</td> <td><input type="checkbox"/> Operating</td> </tr> <tr> <td><input type="checkbox"/> Carrying</td> <td><input type="checkbox"/> Pulling</td> </tr> <tr> <td><input type="checkbox"/> Cleaning</td> <td><input type="checkbox"/> Pushing</td> </tr> <tr> <td><input type="checkbox"/> Climbing</td> <td><input type="checkbox"/> Reaching</td> </tr> <tr> <td><input type="checkbox"/> Cutting</td> <td><input type="checkbox"/> Redirecting</td> </tr> <tr> <td><input type="checkbox"/> Descending</td> <td><input type="checkbox"/> Restraining</td> </tr> <tr> <td><input type="checkbox"/> Digging</td> <td><input type="checkbox"/> Running</td> </tr> <tr> <td><input type="checkbox"/> Dressing</td> <td><input type="checkbox"/> Sanding</td> </tr> <tr> <td><input type="checkbox"/> Driving</td> <td><input type="checkbox"/> Sawing</td> </tr> <tr> <td><input type="checkbox"/> Eating</td> <td><input type="checkbox"/> Searching</td> </tr> <tr> <td><input type="checkbox"/> Escorting</td> <td><input type="checkbox"/> Securing</td> </tr> <tr> <td><input type="checkbox"/> Exercising</td> <td><input type="checkbox"/> Sitting</td> </tr> <tr> <td><input type="checkbox"/> Feeding</td> <td><input type="checkbox"/> Standing</td> </tr> <tr> <td><input type="checkbox"/> Grinding</td> <td><input type="checkbox"/> Stripping</td> </tr> <tr> <td><input type="checkbox"/> Grooming</td> <td><input type="checkbox"/> Turning</td> </tr> <tr> <td><input type="checkbox"/> Jumping</td> <td><input type="checkbox"/> Typing</td> </tr> <tr> <td><input type="checkbox"/> Loading</td> <td><input type="checkbox"/> Walking</td> </tr> <tr> <td><input type="checkbox"/> Mopping</td> <td><input type="checkbox"/> Other (specify) _____</td> </tr> </table> <p><b>E. BODY PART INJURED (Most Serious)</b></p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Anide</td> <td><input type="checkbox"/> Internal organ</td> </tr> <tr> <td><input type="checkbox"/> Arm</td> <td><input type="checkbox"/> Jaw</td> </tr> <tr> <td><input type="checkbox"/> Back</td> <td><input type="checkbox"/> Knee(s)</td> </tr> <tr> <td><input type="checkbox"/> Buttocks</td> <td><input type="checkbox"/> Leg(s)</td> </tr> <tr> <td><input type="checkbox"/> Cheek</td> <td><input type="checkbox"/> Mouth</td> </tr> <tr> <td><input type="checkbox"/> Chest</td> <td><input type="checkbox"/> Neck</td> </tr> <tr> <td><input type="checkbox"/> Chin</td> <td><input type="checkbox"/> Nose</td> </tr> <tr> <td><input type="checkbox"/> Ear(s)</td> <td><input type="checkbox"/> Pelvis</td> </tr> <tr> <td><input type="checkbox"/> Eye(s)</td> <td><input type="checkbox"/> Rib(s)</td> </tr> <tr> <td><input type="checkbox"/> Foot-Feet</td> <td><input type="checkbox"/> Scalp</td> </tr> <tr> <td><input type="checkbox"/> Finger/Thumb(s)</td> <td><input type="checkbox"/> Shoulder</td> </tr> <tr> <td><input type="checkbox"/> Forehead</td> <td><input type="checkbox"/> Toe(s)</td> </tr> <tr> <td><input type="checkbox"/> Groin</td> <td><input type="checkbox"/> Wrist(s)</td> </tr> <tr> <td><input type="checkbox"/> Hand</td> <td><input type="checkbox"/> Other (specify) _____</td> </tr> <tr> <td><input type="checkbox"/> Hips</td> <td></td> </tr> </table> <p><b>F. TYPE OF INJURY (Check primary one)</b></p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Abrasion</td> <td><input type="checkbox"/> Heat exhaustion</td> </tr> <tr> <td><input type="checkbox"/> Amputation</td> <td><input type="checkbox"/> Hemia</td> </tr> <tr> <td><input type="checkbox"/> Bite</td> <td><input type="checkbox"/> Infection</td> </tr> <tr> <td><input type="checkbox"/> Bruise</td> <td><input type="checkbox"/> Inflammation</td> </tr> <tr> <td><input type="checkbox"/> Burn</td> <td><input type="checkbox"/> Internal injuries</td> </tr> <tr> <td><input type="checkbox"/> Concussion</td> <td><input type="checkbox"/> Puncture</td> </tr> <tr> <td><input type="checkbox"/> Cut</td> <td><input type="checkbox"/> Repetitive Trauma</td> </tr> <tr> <td><input type="checkbox"/> Dermatitis</td> <td><input type="checkbox"/> Rupture</td> </tr> <tr> <td><input type="checkbox"/> Dislocation</td> <td><input type="checkbox"/> Scratch</td> </tr> <tr> <td><input type="checkbox"/> Foreign object</td> <td><input type="checkbox"/> Shock</td> </tr> <tr> <td><input type="checkbox"/> Fracture</td> <td><input type="checkbox"/> Sprain/Strain</td> </tr> <tr> <td><input type="checkbox"/> Frostbite</td> <td><input type="checkbox"/> Sting</td> </tr> <tr> <td><input type="checkbox"/> Hearing loss</td> <td><input type="checkbox"/> Other (specify) _____</td> </tr> <tr> <td><input type="checkbox"/> Heart attack</td> <td></td> </tr> </table> <p><b>G. TYPE OF OCCURRENCE (Check one only)</b></p> <p><input type="checkbox"/> Aggression (client, inmate, patient)</p> <p><input type="checkbox"/> Bodily reaction (drug, medication)</p> <p><input type="checkbox"/> Caught in, on, under, or between</p> <p><input type="checkbox"/> Contact with chemicals</p> <p><input type="checkbox"/> Contact with electric current</p> <p><input type="checkbox"/> Contact with temperature extremes</p> <p><input type="checkbox"/> Fall on same level</p>	<input type="checkbox"/> Bathing	<input type="checkbox"/> Moving	<input type="checkbox"/> Buffing	<input type="checkbox"/> Operating	<input type="checkbox"/> Carrying	<input type="checkbox"/> Pulling	<input type="checkbox"/> Cleaning	<input type="checkbox"/> Pushing	<input type="checkbox"/> Climbing	<input type="checkbox"/> Reaching	<input type="checkbox"/> Cutting	<input type="checkbox"/> Redirecting	<input type="checkbox"/> Descending	<input type="checkbox"/> Restraining	<input type="checkbox"/> Digging	<input type="checkbox"/> Running	<input type="checkbox"/> Dressing	<input type="checkbox"/> Sanding	<input type="checkbox"/> Driving	<input type="checkbox"/> Sawing	<input type="checkbox"/> Eating	<input type="checkbox"/> Searching	<input type="checkbox"/> Escorting	<input type="checkbox"/> Securing	<input type="checkbox"/> Exercising	<input type="checkbox"/> Sitting	<input type="checkbox"/> Feeding	<input type="checkbox"/> Standing	<input type="checkbox"/> Grinding	<input type="checkbox"/> Stripping	<input type="checkbox"/> Grooming	<input type="checkbox"/> Turning	<input type="checkbox"/> Jumping	<input type="checkbox"/> Typing	<input type="checkbox"/> Loading	<input type="checkbox"/> Walking	<input type="checkbox"/> Mopping	<input type="checkbox"/> Other (specify) _____	<input type="checkbox"/> Anide	<input type="checkbox"/> Internal organ	<input type="checkbox"/> Arm	<input type="checkbox"/> Jaw	<input type="checkbox"/> Back	<input type="checkbox"/> Knee(s)	<input type="checkbox"/> Buttocks	<input type="checkbox"/> Leg(s)	<input type="checkbox"/> Cheek	<input type="checkbox"/> Mouth	<input type="checkbox"/> Chest	<input type="checkbox"/> Neck	<input type="checkbox"/> Chin	<input type="checkbox"/> Nose	<input type="checkbox"/> Ear(s)	<input type="checkbox"/> Pelvis	<input type="checkbox"/> Eye(s)	<input type="checkbox"/> Rib(s)	<input type="checkbox"/> Foot-Feet	<input type="checkbox"/> Scalp	<input type="checkbox"/> Finger/Thumb(s)	<input type="checkbox"/> Shoulder	<input type="checkbox"/> Forehead	<input type="checkbox"/> Toe(s)	<input type="checkbox"/> Groin	<input type="checkbox"/> Wrist(s)	<input type="checkbox"/> Hand	<input type="checkbox"/> Other (specify) _____	<input type="checkbox"/> Hips		<input type="checkbox"/> Abrasion	<input type="checkbox"/> Heat exhaustion	<input type="checkbox"/> Amputation	<input type="checkbox"/> Hemia	<input type="checkbox"/> Bite	<input type="checkbox"/> Infection	<input type="checkbox"/> Bruise	<input type="checkbox"/> Inflammation	<input type="checkbox"/> Burn	<input type="checkbox"/> Internal injuries	<input type="checkbox"/> Concussion	<input type="checkbox"/> Puncture	<input type="checkbox"/> Cut	<input type="checkbox"/> Repetitive Trauma	<input type="checkbox"/> Dermatitis	<input type="checkbox"/> Rupture	<input type="checkbox"/> Dislocation	<input type="checkbox"/> Scratch	<input type="checkbox"/> Foreign object	<input type="checkbox"/> Shock	<input type="checkbox"/> Fracture	<input type="checkbox"/> Sprain/Strain	<input type="checkbox"/> Frostbite	<input type="checkbox"/> Sting	<input type="checkbox"/> Hearing loss	<input type="checkbox"/> Other (specify) _____	<input type="checkbox"/> Heart attack		<p><b>G. CONTINUED</b></p> <p><input type="checkbox"/> Fall on different level</p> <p><input type="checkbox"/> Over-exertion (exceeding physical ability)</p> <p><input type="checkbox"/> Overexposure to environmental hazards (noise, toxic)</p> <p><input type="checkbox"/> Repetitive Motion</p> <p><input type="checkbox"/> Slip (not a fall)</p> <p><input type="checkbox"/> Struck against (rough, sharp object)</p> <p><input type="checkbox"/> Struck by falling moving object</p> <p><input type="checkbox"/> Other (specify) _____</p> <p><b>H. PHYSICAL THING MOST CLOSELY ASSOCIATED WITH OCCURRENCE (Check one)</b></p> <p><input type="checkbox"/> Aircraft</p> <p><input type="checkbox"/> Air pressure</p> <p><input type="checkbox"/> Animal (snake, dog, horse, etc.)</p> <p><input type="checkbox"/> Athletic equipment (baseball, bat, dart, etc.)</p> <p><input type="checkbox"/> Attachments (belt, pulley, gear, shaft)</p> <p><input type="checkbox"/> Cabinet</p> <p><input type="checkbox"/> Chemical (solid, liquid, or gas)</p> <p><input type="checkbox"/> Computer</p> <p><input type="checkbox"/> Clothing</p> <p><input type="checkbox"/> Container (bottle, box, barrel, cylinder, etc.)</p> <p><input type="checkbox"/> Curb</p> <p><input type="checkbox"/> Doors (automatic, manual, revolving)</p> <p><input type="checkbox"/> Drugs or medicine</p> <p><input type="checkbox"/> Dust</p> <p><input type="checkbox"/> Electrical apparatus</p> <p><input type="checkbox"/> Elevator, escalator</p> <p><input type="checkbox"/> Explosives</p> <p><input type="checkbox"/> Eyewear</p> <p><input type="checkbox"/> Fan</p> <p><input type="checkbox"/> Fire, flame, smoke</p> <p><input type="checkbox"/> Floor</p> <p><input type="checkbox"/> Food products</p> <p><input type="checkbox"/> Fumes</p> <p><input type="checkbox"/> Furniture, fixtures</p> <p><input type="checkbox"/> Gas</p> <p><input type="checkbox"/> Glass items</p> <p><input type="checkbox"/> Gun</p> <p><input type="checkbox"/> Ground (earth)</p> <p><input type="checkbox"/> Hand tool</p> <p><input type="checkbox"/> Heating equipment</p> <p><input type="checkbox"/> Hoisting equipment</p> <p><input type="checkbox"/> Icy condition</p> <p><input type="checkbox"/> Infectious or parasitic agent</p> <p><input type="checkbox"/> Inmate, client, employee</p> <p><input type="checkbox"/> Insect</p> <p><input type="checkbox"/> Kitchen equipment</p> <p><input type="checkbox"/> Knife</p> <p><input type="checkbox"/> Lighting fixture and equipment</p> <p><input type="checkbox"/> Ladder, scaffold</p> <p><input type="checkbox"/> Locker</p> <p><input type="checkbox"/> Machine</p> <p><input type="checkbox"/> Material handling equipment</p> <p><input type="checkbox"/> Metal</p> <p><input type="checkbox"/> Mineral items (asphalt, clay, gravel, etc.)</p> <p><input type="checkbox"/> Motor vehicle</p> <p><input type="checkbox"/> Needle</p> <p><input type="checkbox"/> Office equipment (chair, desk, cabinet, etc.)</p> <p><input type="checkbox"/> Paint</p> <p><input type="checkbox"/> Particle</p> <p><input type="checkbox"/> Pavement</p> <p><input type="checkbox"/> Person (other than client, inmate, employee)</p> <p><input type="checkbox"/> Pipe</p> <p><input type="checkbox"/> Platform, dock, ramp</p>
<input type="checkbox"/> Bathing	<input type="checkbox"/> Moving																																																																																																	
<input type="checkbox"/> Buffing	<input type="checkbox"/> Operating																																																																																																	
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# » Workers Compensation Network Acknowledgement

I have received information that tells me how to get health care under workers' compensation insurance.

**If I am hurt on the job and live in the service area described in this information, I understand that:**

1. I must choose a treating doctor from the list of doctors in the network.
2. I may ask my HMO primary care physician to agree to serve as my treating doctor.
3. I must go to my treating doctor for all health care for my injury. If I need a specialist, my treating doctor will refer me. If I need emergency care, I may go anywhere.
4. The insurance carrier will pay the treating doctor and other network providers.
5. I might have to pay the bill if I get health care from someone other than a network doctor without network approval.

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**Signature**

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**Date**

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**Printed name**

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**Street Address**

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**City**

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**State**

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**Zip code**

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**County**

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**Name of employer**

CAREWORKS HCN

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**Name of network**





TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 70.15: Multiple and Other Employment**

**DATE:** March 11, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish policy regarding multiple and other employment by Texas Tech University (TTU) employees.

**REVIEW:** This OP will be reviewed in March of even-numbered years by the Assistant Vice President for Human Resources with substantive revisions forwarded to the Associate Vice President for Administration and Chief of Staff.

### **POLICY/PROCEDURE**

#### **1. Multiple State Employment Law**

a. Article XVI, Section 33, of the Texas Constitution provides:

- (1) The accounting officers of this state shall neither draw nor pay a warrant or check on funds of the state of Texas, whether in the treasury or otherwise, to any person for salary or compensation who holds at the same time more than one civil office of emolument, in violation of Section 40.

b. Section 40 provides three major exceptions relative to state employees:

- (1) Payment may be made to members of military reserves and persons retired from military service.
- (2) Payment may be made to state employees serving without salary as members of governing bodies of school districts, cities, towns, or other local governmental districts. The state attorney general has found that the term “salary” as it is used in Section 40 means “compensation” in any form. Thus, state employees serving as members of these organizations may not receive any payment, including per diem, benefits, etc.
- (3) Non-elective state officers or employees may hold other non-elective offices or positions of honor, trust, or profit under this state or the United States, if the other offices or positions are of benefit to the state or are required by law, and there is no conflict with the original office or position for which the employee received salary or compensation. The implementing legislation also requires the employee to obtain a finding from the appropriate governing board or agency head that these two requirements have been met. The employee's agency must make an official record of both of the above findings and of any compensation, including per diem, associated with the second position.

c. Chapter 667 of the current Texas Government Code provides:

A person who is legally employed by more than one Texas state agency or institution of higher education may not receive benefits from the state in excess of those provided for one full-time employee. The person is subject to the following provisions and must be informed of them before the person becomes employed by more than one agency or institution:

- (1) Separate vacation and sick leave records must be maintained for each employment. When the person terminates from one employment, the person's leave balances that were accrued under that employment may not be transferred to the remaining employments.
- (2) The person accrues state service credit for all purposes as if the employee had only one employment.
- (3) The total state contribution toward the person's group insurance is limited to the amount specified elsewhere in this act for a full-time active employee.
- (4) Overtime compensation accrues to an employment independently of every other employment with the following exception. If the person is subject to the overtime provisions of the Fair Labor Standards Act of 1938 (FLSA) in an employment, the employing agencies and institutions must ensure that the person is compensated for all combined time worked in excess of 40 hours per week according to the FLSA overtime provisions. The agencies and institutions shall coordinate to determine which agency or institution is responsible for ensuring that the employee is properly compensated according to those provisions.

An employing agency or institution may not use multiple employments of an employee within the same agency or institution for the purpose of:

- (a) Paying the employee for working more than 40 hours in a week instead of earning compensatory time in accordance with state law; or
  - (b) Paying the employee a greater salary than is allowed for either of the employee's positions.
- (5) The person must inform the person's employing state agencies or institutions of higher education before accepting an additional employment with another agency or institution.

Special provisions for institutions of higher education—a university system may establish a policy that defines a person's employment as the total hours the person is assigned to one component of the system or, alternatively, the total hours the person is assigned to all components of the system. This policy may apply to a person only if the person is employed by more than one institution of higher education and all employing institutions are within the same university system.

## **2. Texas Tech Employment**

An individual may be employed part time by two or more departments within Texas Tech University and Texas Tech University Health Sciences Center, provided the combined total of normally assigned hours of work does not exceed 40 hours per week (100 percent time) and all other conditions of employment are met. All appointments of TTU are aggregated for purposes of longevity pay and other benefits.

A full-time employee who works in excess of 40 hours per week (100 percent time) must be compensated in accordance with normal overtime or additional compensation policies.

## **3. Outside Employment**

Outside employment is self-employment or any compensated service or employment by an entity or individual, other than the TTU system, of a TTU system employee. *\*Section 03.01.5, Regents' Rules, Consulting or Outside Employment*

The primary responsibility of TTU employees is the full and complete execution of all assigned duties, the fulfillment of those professional obligations not ordinarily reduced to written assignment, and the maintenance of current professional skills. Outside employment must be compatible with the interests of TTU and of such a nature that it will not detract from the usefulness and performance of the employee.

## **4. Non-elective Offices**

An employee desiring to accept an offer to serve in other non-elective offices or in a position of honor, trust, or profit with the state of Texas or the United States should submit a letter of request through administrative channels for Board of Regents' consideration.

## **5. Elective Offices**

Employees may hold non-salaried public elective offices provided they meet their primary responsibilities to Texas Tech University.

An employee who is elected or appointed to another position that pays a salary, per diem, or benefits and, in instances where the two positions are such that they cannot be held at one time by the same person, qualification and acceptance of the second position will automatically be considered as a resignation of employment with Texas Tech University.

## **6. Multiple Employment with Other State Agencies/Institutions (other than TTU and TTUHSC)**

### **a. Multiple Employment Defined**

- (1) Multiple employment occurs either when a full-time employee of Texas Tech University accepts an additional appointment to a second position with another state or federal agency (other than TTU and TTUHSC) or a full-time employee of another state or federal agency accepts an additional appointment to a second position with TTU. Another state agency is defined to mean agency, board, office, department, commission, council, or institution of the state of Texas.

- (2) A person who is on an unpaid leave of absence from one agency and working for pay at another agency is not considered to have multiple appointments for the purpose of this OP.

b. Multiple Employment Policy

- (1) Any person who holds a position with Texas Tech University and wishes to accept an appointment with another state or federal agency that may result in multiple employment must obtain a finding, and an official record thereof, from the Board of Regents that:
  - (a) Holding the additional position will be of benefit to the state of Texas or is required by law;
  - (b) There is no conflict between holding the two positions; and
  - (c) States the specific compensation to be received for the second position.
- (2) Any person who holds a position with another state or federal agency and wishes to accept an appointment with TTU that may result in multiple employment must obtain a finding, and an official record thereof, from the governing body or, if there is none, the executive head of that agency that covers the same three items required above.

c. Multiple Appointment Procedures

- (1) Regular Texas Tech Employee
  - (a) A person who desires, or is required, to accept an additional position with another state or federal agency will obtain approval to do so by submitting a request (see attachment) through normal administrative channels to the appropriate divisional vice president or comparable administrator. The request will specify the agency involved, the position to be held, the period for which the appointment is to be made, and the details of the compensation to be received. The request will also explain how the appointment will benefit the state of Texas and confirm that there is no conflict created by holding the two positions.
  - (b) The divisional vice president or comparable administrator, after coordination with the General Counsel and approval, will prepare and process an order to obtain the required finding by the Board of Regents at their next meeting.
  - (c) A copy of the official record of the finding will be provided to the Chief of Staff to the President by the person obtaining the Board order. The Chief of Staff to the President will provide copies to those offices involved in processing personnel action forms and payrolls. The official record of the finding must be filed in these offices before the effective date of the additional appointment.
- (2) Regular Employee of another Agency
  - (a) When a Texas Tech University administrator desires to appoint a person employed by another state or federal agency to an additional position with TTU, the proposed details of the additional appointment will first be agreed to by the parties

involved. The administrator will then obtain approval for the proposed appointment by submitting a request (see attachment) through normal administrative channels to the appropriate vice president or comparable administrator. The same data required by paragraph 5.c.(1)(a) above will be provided.

- (b) The vice president or comparable administrator, after coordination with the General Counsel and approval, will prepare and process an order to obtain a Board of Regents finding at their next meeting. At the same time the order is prepared, the administrator will then notify the proposed appointee of this approval and request that a copy of the official record of the finding by the appointee's agency, which satisfies the requirements specified in 5.c.(1)(a) above, be provided.
- (c) Copies of these findings will be attached to the appointee's personnel appointment form at the time the TTU appointment is made. Reference to these findings will also be made in the "Explain" section of the form. Copies of these findings must be filed in Payroll Services before any salary payment is made to a multiple employed person.

d. Fringe Benefits

- (1) The pay and fringe benefits of a regular TTU employee will not be affected when a second compensated appointment with another state or federal agency is accepted. The employee should obtain information from the other state or federal agency as to the payroll deductions and/or fringe benefits that may be applicable to the additional compensation paid by that agency.
- (2) Compensation and fringe benefits paid to a regular employee of another state or federal agency holding a second compensated position with TTU will be subject to the following:
  - (a) Federal income tax will be withheld in accordance with federal law and Texas Tech University policies and procedures.
  - (b) All TTU earnings will be subject to retirement deductions and state matching contributions. If the other agency is a state agency, the employee will be required to participate in the same retirement program with the same carrier at both agencies.
  - (c) The employee will be required to participate in the group insurance program and receive premium sharing contributions, if any, from the primary agency and will not be eligible to participate in Texas Tech University's program or receive premium sharing from TTU unless TTU is the primary agency.
  - (d) The employee will be entitled to receive longevity payment for only one employment, which must be full time to be eligible for longevity. An individual partially employed/paid by one institution or agency and partially by another does not meet the "full-time" employment requirement to be eligible for longevity pay. TTU and TTUHSC work hours are aggregated for longevity eligibility purposes. The employee's primary agency will be responsible for payment of longevity pay if the employee is eligible.

- (e) The employee will be eligible for holiday leave from Texas Tech University based upon the holiday schedule for TTU.
- (f) Vacation and sick leave records will be maintained by TTU without regard to similar records maintained by the other agency. Upon termination of TTU employment, any leave balances accrued will not be transferred to the other agency and must be taken prior to the termination date.
- (g) Workers' Compensation Insurance benefits will be provided by the agency at which the employee is injured. Wages, for determining the weekly benefit rate, shall be the wages received from the agency where the injury occurred. Sick leave, for determining the weekly benefit start date, shall be the sick leave received from that agency.
- (h) Unemployment Compensation Insurance benefits will be paid based upon the pro rata share of employment by the agencies during the base benefit period.
- (i) The employee will be eligible for travel payments from Texas Tech University based upon the assigned duties and responsibilities at TTU but will not be eligible for travel payment from both agencies for the same period of time. The employee will not be eligible for travel payments from TTU for travel between the two agencies.
- (j) Compensatory time, emergency leave, jury leave, military leave, maternity leave, and other such leave benefits will be administered and provided by Texas Tech University in accordance with normal procedures applicable to other employees.

e. Obligation to Inform

An employee must inform the employee's or her/his employing state agencies or institutions of higher education before accepting additional employment with another agency or institution. \* In accordance with the Texas Government Code, Section 667.007

All state employees have been informed of their obligations and responsibilities to inform both initial and second employers of their intent to accept additional employment with the state by way of the *Employee Affidavit* signed by all employees.

## 7. Procedure

Each administrative officer shall be responsible for devising procedures and/or other appropriate methods for enforcement of this policy within her/his individual areas of responsibility.

## 8. Right to Change Policy

Texas Tech University reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.

## **9. Authoritative References**

Texas Constitution, Article XVI, Section 33 & Section 40  
Texas Government Code, Section 667.007  
Fair Labor Standard Act  
Section 03.01.5, *Regents' Rules*, Conflict of commitment

All related forms can be found on the Human Resources website:  
<http://www.depts.ttu.edu/hr/forms.php>.





TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 70.24: Communicable and Transmittable Disease Control in the Employee Workforce**

**DATE:** April 15, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish policy and procedure for handling employees with a communicable and/or transmittable disease in a manner fair to the affected employee and to provide a safe work environment for all employees.

**REVIEW:** This OP will be reviewed in March of odd-numbered years by the Assistant Vice President for Human Resources and the Office of Equal Opportunity with substantive revisions forwarded to the Chief of Staff to the President.

## **POLICY/PROCEDURE**

### **1. Definition of Terms**

- a. Communicable Disease – A disease easily spread by casual contact and that poses a threat to other employees and/or students.
- b. Transmittable Disease – A disease not easily spread by casual contact but which may be bloodborne, transmitted sexually or through other bodily fluids, or transmitted in other ways that poses only a limited threat to other employees and/or students.
- c. Non-communicable Disease – A disease not considered transferable from person to person that poses no threat to other employees and/or students.

### **2. General Policy**

Texas Tech University is committed to providing fair and equal employment opportunities for all individuals, including those who have been exposed to communicable and/or transmittable diseases. The university is also committed to providing a safe workplace for all employees and a safe environment for its students that meets or exceeds federal, state, and local regulations.

The university is legally and ethically required to refrain from releasing any information pertaining to a person diagnosed as having a serious medical illness. Knowledge of any person so affected will be confined to those persons with a direct need to know.

This policy applies to all areas of the university and personnel administration including, but not limited to, hiring, job assignment, opportunities for training and development, pay, benefits, promotions and demotions, layoffs and terminations, and standards of personal conduct.

### **3. Procedure**

#### **a. Communicable/Transmittable Disease**

##### **General Information**

An employee who has a communicable or transmittable disease, as determined by medical certification, may elect to utilize sick leave, vacation leave, or leave without pay benefits in accordance with normal university policies and/or family and medical leave policies.

In addition, an employee who has a communicable/transmittable disease that poses a threat to other employees and/or students may be required by the applicable administrative officer to utilize additional sick leave, vacation leave, family and medical leave, and/or leave without pay benefits until the threat is removed. The employee may also be required by the university to obtain a medical certification that they do not represent a threat to other employees and/or students prior to being permitted to return to work, at the discretion of the applicable administrative officer.

The employee also may be reassigned to other work or to other work areas in order to reduce or remove the threat posed to other employees and/or students.

Each situation will be evaluated on the basis of that particular case, taking into consideration the desires and rights of the employee, the safety of the workplace, and the needs of the university.

#### **b. Non-communicable Disease**

An employee who has a non-communicable disease, as determined by medical certification, may elect to utilize sick leave, vacation leave, family and medical leave, and/or leave without pay benefits in accordance with normal university policies.

### **4. Right to Change Policy**

Texas Tech University reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.



TEXAS TECH UNIVERSITY™

Operating Policy and Procedure

**OP 70.31 Employee Conduct, Coaching, Corrective Action, and Termination**

**DATE:** January 13, 2020

**PURPOSE:** The purpose of this Texas Tech University (University) Operating Policy/Procedure (OP) is to establish policy regarding non-faculty employee conduct, coaching, corrective action, and termination.

**REVIEW:** This OP will be reviewed in December of odd-numbered years by the Assistant Vice President for Human Resources, System Vice Chancellor and General Counsel, and System Office of Equal Opportunity, with recommended revisions forwarded to the University President.

**POLICY/PROCEDURE:**

Non-faculty employee conduct, coaching, corrective action, and termination are governed by Texas Tech University System Regulation 07.07, which can be found [here](#).



TEXAS TECH UNIVERSITY™

Operating Policy and Procedure

**OP 70.32      Family and Medical Leave Act (FMLA) and Parental Leave**

**DATE:**          June 10, 2021

**PURPOSE:** The purpose of this Texas Tech University (University) Operating Policy/Procedure (OP) is to establish policies for all forms of leave available to all System and University regular and staff employees.

**REVIEW:** This OP will be reviewed in December of odd-numbered years by the Assistant Vice President for Human Resources, System Vice Chancellor and General Counsel, and System Office of Equal Opportunity, with recommended revisions forwarded to the University President.

**POLICY/PROCEDURE:**

Employee leave is governed by Texas Tech University System Regulation 07.12, available [here](#).



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 72.02: Contracting Procedures**

**DATE:** January 17, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to outline the policy/procedures to be followed in the development, negotiation, and approval of all contracts between Texas Tech University (TTU)/ Texas Tech University System (TTUS) and other parties. This policy will apply to all contracts except for sponsored project proposals and related contracts, technology commercialization contracts, user agency contracts as described by the Department of Defense, contracts with an investment manager funded with assets owned or controlled by TTUS, and construction contracts processed by the TTUS Office of Facilities Planning and Construction.

**REVIEW:** This OP will be reviewed in June of odd-numbered years by the Chief Procurement Officer with substantive revisions forwarded to the Vice President for Administration & Finance and Chief Financial Officer (VPAF&CFO).

## **POLICY/PROCEDURE**

### **1. Definitions**

**Contract:** A legally binding written agreement executed between TTUS/TTU and a third party in which the parties agree to perform in accordance with the obligations therein. Contracts include, but are not limited to: letter agreements, co-operative agreements, memorandums of understanding (MOU), interagency contracts, Interlocal contracts, easements, licenses, leases, and Purchase Orders.

**Contract Close-out:** The process conducted at the completion of the Contract during which the Contract Administrator confirms and documents compliance with the terms and conditions of the Contract, final Deliverables are received, and outstanding payments are made.

**Contractor:** An individual or legal entity that has a Contract to provide Goods or Services to TTUS/TTU. A Contractor includes, but is not limited to federal, state, and local agencies, nonprofit organizations, private businesses, corporations, partnerships, and individuals.

**Goods:** Supplies, materials, or equipment as defined in [Texas Government Code § 2155.001](#). Goods do not include Services or real property.

**Procurement (Procure):** Purchasing, renting, leasing, or otherwise acquiring any Goods or Services, including all functions that pertain to the acquisition through Contract Close-out.

**Service(s):** The furnishing of labor, time, and effort by a Contractor or Auxiliary Enterprise, including for a Construction Project, which may involve to a lesser degree, the delivery or supply of Goods.

## **2. Approval and Execution of Contracts**

No person has the authority to commit Texas Tech University (TTU) or the Texas Tech University System (TTUS) for any purpose (i.e., enter into contracts) except as authorized in [Section 07.12, Regents' Rules](#).

This policy shall apply to all contracts for the initial periods, and for amendments, or extensions thereto. For the purpose of determining whether a contract requires approval of the board, any option(s) to extend or renew a contract shall be counted in the overall term of the contract.

## **3. Procurement Services Office Responsibilities**

The responsibilities of the Procurement Services office include:

- a. Verifying that all Contracts subject to this policy are in compliance with Texas state and federal laws and TTU Operating Policies and Procedures;
- b. Ensuring that all expenditure and revenue transactions comply with federal, state, and TTU Operating Policies and Procedures;
- c. Ensuring that Contracts subject to this policy are reviewed and signed by the appropriate personnel;
- d. Serving as the repository for TTU/TTUS Contracts, subject to this policy and TTU records retention policies (see [OP 10.10, Records Retention](#));
- e. Verifying that the Contractor is eligible to contract with TTU/TTUS in accordance with federal and state laws;
- f. Verifying that bonds and insurance are provided and are compliant with the requirements of the Contract and TTU/TTUS requirements;
- g. Ensuring that risk is analyzed and eliminated or reduced through insurance or contract provisions;
- h. Ensuring that departments encumber the funding for expense Contracts and that payments are made in compliance with the requirements of the Contract and [OP 72.11, Payment of Purchase Orders](#);
- i. Providing oversight to departments ensuring that each Contract is performed in accordance with the terms and conditions of the Contract as required by [OP 72.04, Contract Administration](#);
- j. Managing the Contract renewal and expiration process; and
- k. Providing enhanced contract monitoring for contracts exceeding \$1,000,000 annually.

#### **4. Guidelines for Processing Contracts**

##### **a. General Guidelines**

Written Contracts shall be executed whenever TTUS/TTU enters into a binding agreement with another party that involves any material consideration.

##### **b. Procurement Guidelines**

The department requesting the Goods or Services in consultation with the Procurement Services office shall first determine if a competitive solicitation is required. See [OP 72.09, Purchase of Goods and Services](#).

For Contracts that require an expenditure, the department shall submit a requisition in TechBuy, and electronically attach the draft Contract and a signed Contract Routing Sheet demonstrating it has adequate funding and departmental approval. If the Contract does not require an expenditure of TTUS/TTU funds, the Contract and signed Contract Routing Sheet shall be emailed to the Procurement Services office at [contracting@ttu.edu](mailto:contracting@ttu.edu).

Procurement Services will work with the department and the Contractor to develop and negotiate a mutually satisfactory Contract that complies with the Contract Management Handbook and applicable statutes.

Procurement Services will obtain review and signature approval from the appropriate TTUS/TTU officials and the Contractor. Only individuals delegated authority and detailed in the Contract Management Handbook or by express authority of the Chancellor or President may sign Contracts.

A fully executed Contract will be retained in the Procurement Services Office contract repository system and distributed to both the department and the Contractor along with a summary of obligations.

##### **c. Contract Management Handbook**

All contracts are subject to the requirements detailed in the Contract Management Handbook adopted by the TTU System. In the event there is a conflict between the Contract Management Handbook and any applicable statutes, the statutes will prevail.

#### **5. Contract Renewals**

The Procurement Services Office is the office of record for all TTUS/TTU Contracts subject to this policy. This responsibility requires that the Chief Procurement Officer and his/her delegates maintain files of all Contracts that fall under the purview of Procurement Services. The Chief Procurement Officer will maintain schedules that include a description of the Contract, the Contractor information, the start and the expiration dates of the Contract, the Contract value (if applicable), amendments, renewals, and other supporting documentation.



## 6. Contract Training

In accordance with Texas Education Code 51.9337 and Texas Government Code 2155.78, Texas Tech University (“TTU”) and Texas Tech University System (“TTUS”) officers and employees authorized to execute contracts on behalf of TTU or TTUS or to exercise discretion in awarding contracts are required to receive training, including training in ethics, selection or appropriate procurement methods, and information resources procurement technologies.

Training is required for:

- a. Staff with contract signature authority, which is delegated by the TTUS *Regents’ Rules* or further delegated in writing by the Chancellor or President.
- b. Faculty and staff with a Financial Manager role in TeamApp (<https://banapps.texastech.edu/team/QuickLinks.aspx>).
- c. Faculty and staff with authority to approve a transaction in TechBuy.
- d. Faculty and staff authorized to make a PCard purchase either by an individual PCard or a departmental PCard.

Faculty and staff are responsible for ensuring that the required training is completed every two years. A notification will be sent out from the Cornerstone training program. For any questions relating to the mandatory training, please email [contract.training@ttu.edu](mailto:contract.training@ttu.edu).

## 7. Inquiries

Any questions concerning this OP should be directed to the Procurement Services Office, 806.742.3844, or emailed to [contracting@ttu.edu](mailto:contracting@ttu.edu).



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 72.03: Conflicts of Interest Relating to Purchasing, Payments, and Contracts**

**DATE:** June 21, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to define conflicts of interest with respect to (1) the conduct of employees and (2) payments, purchases, and/or contracts by Texas Tech University or related entities (TTU) in compliance with [Texas Government Code Sec. 572](#) and Chapter 03 of *The Rules and Regulations of the Board of Regents of the Texas Tech University System (Regents' Rules)*.

**REVIEW:** This OP will be reviewed in November of even-numbered years by the Chief Procurement Officer with substantive revisions forwarded to the Senior Vice President for Administration & Finance and Chief Financial Officer.

#### **POLICY/PROCEDURE**

##### **1. Policy for Officers, Faculty, and Staff**

###### **a. General Rule**

Officers, faculty, and staff (“employees”) of TTU may not have direct or indirect interests, including financial and other interests; engage in business transactions or professional activities; or incur any obligation of any nature that is in substantial conflict with the proper discharge of the employee’s duties, including any purchasing, payables, or contracting function in which such employee has any delegated authority to conduct or approve the transaction. Any potential conflict of interest must be disclosed to the Chief Procurement Officer and be resolved prior to any obligation being made.

Employees may not act as an agent for another person or entity in the negotiation of the terms of an agreement relating to the provision of money, services, or property to TTU.

TTU may not enter into a contract for the purchase of goods or services with a private vendor with whom any of the following employees or officials have a financial interest:

- (1) the Chancellor, Vice Chancellor and General Counsel, President, Chief Procurement Officer, or equivalent employee responsible for procuring goods and services for the institution involved in the contract; or
- (2) a family member related to the employees and officials listed above within the second degree of affinity or consanguinity.

A copy of this operating policy shall be distributed to each new employee not later than the third business day after the date the person begins employment with the university, in accordance with [Texas Government Code 572.051 \(c\) \(2\)](#).

b. Benefits and Gifts

A “benefit” is anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any person in whose welfare a TTU employee has an interest as under state laws.

An employee shall not receive, attempt to receive, nor intend to receive at any time any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service from any vendor in connection with any bid, proposal, qualification request, purchase, payment, or contract.

An employee shall not make personal investments that could be reasonably expected to impair the employee’s independence of judgment in the performance of the employee’s job duties.

c. Dual Employment

An employee may not be in any dual employment positions that would result in a conflict of interest in relation to their position at TTU. If such circumstance arises, the employee shall remove themselves from the process and disclose the relationship to their direct supervisor and to the Chief Procurement Officer.

A TTU department may not hire a vendor under the following circumstances:

- (1) A current employee of such department is also employed by such vendor;
- (2) A current employee of such department or their spouse, children, or parents have a direct or indirect ownership interest in such vendor;
- (3) A current employee serves on the board of directors or other governing board of the vendor or serves as an elected officer of the vendor; or
- (4) The hiring of such vendor would result in the furtherance of any private interest or gain for a current employee of such department.

- d. If the owner of any such vendor who provides services to TTU is a TTU employee, compliant payment to any vendor classified as a sole proprietorship or an individual shall be made through Payroll Services.

e. Transactions with Other Individuals and/or Entities

An employee shall not conduct any transaction with other individuals and/or entities in which the employee is related by blood or marriage to such individual and/or any owner or employee of such entity. If such circumstance arises, the employee shall remove themselves from the process and disclose the relationship to the Chief Procurement Officer.

A TTU department may not hire a vendor under the following circumstances:

- (1) The Chancellor, President, Vice Chancellor and General Counsel, or the Chief Procurement Officer or a family member has a financial interest in the vendor;

- (2) A current employee of such department is also employed by such vendor;
- (3) A current employee of such department has a direct or indirect ownership interest in such vendor;
- (4) A current employee serves on the board of directors or other governing board of the vendor or serves as an elected officer of the vendor; and/or
- (5) The hiring of such vendor would result in the furtherance of any private interest or gain for a current employee of such department.

An employee shall not make any unauthorized commitments or promises of any kind purporting to bind TTU for any services without an authorized purchase order and/or contract.

A TTU employee shall act impartially and not give preferential treatment to any private or public organization or individual.

## 2. Policy for Vendors

### Bidder/Proposer Affirmation

Vendors shall be required to sign the *Bidder/Proposer Affirmation* when submitting any competitive procurement response to TTU/TTUS. The *Bidder/Proposer Affirmation* requires prospective vendors to affirm their compliance with state laws, federal laws, and/or TTU/TTUS policies, as applicable. The *Bidder/Proposer Affirmation* becomes part of any solicitation and becomes part of the binding terms and conditions on any resulting contract or purchase order. Any misrepresentation or false statement that is deemed material by TTU/TTUS is a breach of contract, which shall void or make voidable any solicitation, or resulting contract or purchase order.

Vendors shall be required to affirm the terms of the *Bidder/Proposer Affirmation* in order to remain in compliance with all items throughout the duration of the contract or purchase order. In instances where the term “bidder/proposer” is used, that term shall also refer to the vendor once a successful purchase order or contract has been established.

- a. The bidder/proposer has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to an employee in connection with the submitted bid/proposal or any resulting contract or purchase order.
- b. Pursuant to [Texas Government Code, Title 10, Subtitle D, Section 2155.004 \(a\)](#), the bidder/proposer has not received compensation for participation in the preparation of the specifications for this solicitation.
- c. Pursuant to [Texas Government Code, Title 10, Subtitle D, Section 2155.004 \(b\)](#), the bidder/proposer certifies that the individual or business entity named in such bid, proposal, or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate.

- d. By submitting a bid/proposal, the bidder/proposer is certifying that neither the owners nor any employees are in dual employment positions as a TTU employee. In addition, the bidder/proposer is certifying that the owner and any employee are not related in any manner to any TTU employee. If such a relationship exists, then that relationship shall be disclosed during the bid/proposal process to the Procurement Services Office. If the status of any owner or employee of the bidding/proposing company changes during the course of the contract or purchase order, then that relationship shall be disclosed immediately to the Chief Procurement Officer. Any violation of this policy shall result in immediate cancellation of any resulting contract or purchase order in addition to a potential disbarment of the company from doing business with the state of Texas.
- e. By submitting a bid/proposal, the bidder/proposer is certifying that neither the owner nor any employee is related in any manner to any member of the Board of Regents or any legislative representative of the district in which TTU is located. If the status of any owner or employee of the bidding/proposing company changes during the course of the contract or purchase order, then that relationship shall be disclosed immediately to the Chief Procurement Officer. Any violation of this policy shall result in immediate cancellation of any resulting contract or purchase order in addition to a potential disbarment of the company from doing business with the state of Texas.

### **3. Policy for Procurement Services Staff**

In addition to the rules for officers, faculty, and staff, Procurement Services staff members shall also follow the following policies:

- a. Procurement Services staff members shall disclose annually any relations they may have that would cause a conflict of interest in performing their duties. If such conflict exists, the staff member shall remove themselves from any procurement in which there might be a conflict. Staff members shall at all times keep their supervisors notified of any conflicts and any changes in the status of a conflict.
- b. A staff member of Procurement Services must disclose any confidential information in which there would be private interest or personal gain.
- c. A staff member of Procurement Services may not authorize any purchase order, contract, or payment with any vendor in which there would be private interest or personal gain.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 72.05: Expenditures for Official Functions, Business Meetings, and Entertainment**

**DATE:** September 17, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish rules governing the appropriate use of university funds for official functions, business meetings, and entertainment.

**REVIEW:** This OP will be reviewed in July of odd-numbered years by the Chief Procurement Officer, the Chief Payroll Officer, and the Chief Accounting Officer with substantive revisions forwarded to the Chief Financial Officer and Vice President for Administration & Finance (CFO/VPA&F).

### **AUTHORITY AND APPLICABILITY**

This OP follows the tax rules set forth by the Internal Revenue Service (IRS) (see [IRS Publication 463](#) for more information). In the event that the IRS rules change or there is a discrepancy between this OP and the IRS rules, any rules set forth by the IRS that are more restrictive than this OP will prevail.

Expenditures for business meetings, entertainment events, official functions, annual events, retirement/separation events, conferences, and recruiting events hosted by TTU (collectively referred to as “events” in this policy) must have a clearly stated business purpose and benefit the mission of TTU/TTUS. The reasonableness of an expenditure depends on many relevant factors, but departmental and TTU/TTUS budgets, the fiduciary responsibilities of being a public institution, and sharing information publicly to taxpayers, donors, and the media shall be considered. The purpose must be clearly documented prior to any reimbursement or payment.

This policy does not apply to personal meals and entertainment while an employee or student is in travel status.

### **POLICY/PROCEDURE**

#### **1. Definitions**

- a. **Business Meetings** must be directly related to the conduct of official TTU business and be reasonable. These events shall be coded as 7N4004.

- b. **Entertainment Events** are social events generally to support a future benefit to TTU or cultivating potential donors or relationships (i.e., legislative, vendor, research). These events are typically coded as 7N4005, but the department should consult the account code guidelines.
- c. **Official Functions** – Events held for the purpose of supporting TTU’s mission are classified as official functions. Generally, official functions include recognized events for the purpose of institutional enhancement such as receptions/banquets, retreats, recruitment, training events, student supporting events, and annual galas. These events shall be coded as 7N4005, except for recruiting events which are coded as 7N4009.
- d. **Annual Events** – Each department is permitted one annual employee appreciation event (e.g., Holiday party, annual picnic, etc.) subject to this policy. A spouse or partner of the employee may attend the appreciation event. These events shall be coded as 7N4003.
- e. **Retirement/Separation Events** – Reasonable expenditures for parties to honor the service of employees upon their retirement or for a separation with TTU for employees in good-standing and with service exceeding ten years are allowable if permitted on the funding type. Retirement events shall be coded as 7N4001 and separation events coded as 7N4003.
- f. **Conferences** – Conferences hosted by TTU on any TTU campus must comply with the requirements of this policy. Conference expenditures shall be coded as 7N4002. Employee attendance at a conference not hosted by TTU shall follow the Travel policies and are not subject to this operating policy.
- g. **Recruiting Events** – Includes expenditures related to student recruitment. Recruiting event expenditures shall be coded as 7N4009.
- h. **Request for Food or Entertainment Expenditures Form** is to be used to document compliance with and necessary approvals required by this OP. It can be found here: <https://www.depts.ttu.edu/procurement/forms/documents/food/procurement-food-entertainment-expenditures-request.pdf>

## 2. Sources of Funds

- a. Appropriated Funds

Food and entertainment expenditures defined by this policy are prohibited on appropriated funds (11, 12, 13, & 14).

- b. Sponsored Projects

Expenditures charged to sponsored projects must comply with state and federal regulations, [TTU OP 65.08, Direct Charging to Sponsored Projects](#), and Cost Share Funds (21, 22, & 23). Generally, entertainment, food, tobacco, or alcohol expenses are not allowed on sponsored project funds.

c. Institutional Funds

Institutional funds may only be used for food and entertainment expenditures if such expenditures enable TTU to carry out its educational/research mission and serve to promote higher education; however, such expenditures must be appropriate and reasonable. Institutional funds may be used for expenditures only when not otherwise restricted from such purposes and may not exceed any dollar thresholds established by TTU policies.

d. Foundation and Gift Funds

Foundation and gift funds may be used for food and entertainment expenditures; however, such expenditures must be appropriate and reasonable. Foundation and gift funds may be used for events only as specifically authorized in the gift agreement and only to the extent and for the purpose so authorized.

e. Designated Funds

Designated funds may not be used for any food and entertainment expenditures, except for expenditures that primarily involve students (e.g., commencement, student recruitment, student job fairs, etc.).

Further clarification on the funding restrictions for events can be found on the [Expenditure Allowability Matrix](#). Exceptions must be reviewed and approved by the CFO/VPA&F or his/her designee to determine if the expenditures are appropriate and reasonable.

### 3. Allowed Expenditures

a. Expenditure Limits

The maximum per-person food and entertainment expenditure amount for any events is as follows:

Breakfast (prior to 10:30 a.m. local time)	\$25.00
Lunch (between 10:30 a.m. and 3:00 p.m. local time)	\$40.00
Dinner (after 3 p.m. local time)	\$75.00

The maximum per-person expenditure amount listed above includes the cost of the food, beverages, alcohol, labor, and sales tax (if applicable). Gratuities, delivery charges, and other service charges are not included in the per-person amount but are subject to the limitations herein. The charges of room rental, room setup fees, media rental, decorations, and related expenses are not included in the per-person costs. If a reception before an event includes beverages/alcohol and hors d'oeuvres, the combined charges for the reception and the event should be treated as a single event for purposes of calculating per-person costs. Food and entertainment expenditures for donors and distinguished guests hosted by the Chancellor's or President's Offices are not subject to the meal per-person rates listed above but must support the related business purpose. Supporting documentation must be kept on file in the department for audit purposes and may be subject to open records policies.



Gratuities will be limited to the greater of 20% of the cost on the ticket/receipt or the rate mandated by the venue/restaurant (if applicable). An exception form will not be required for gratuities that are within \$5.00 of the gratuity limit.

- b. Expenditures considered taxable income to an employee in accordance with IRS regulations will not be paid by TTU. Expenditures are considered taxable income if:
  - (1) The activity is not directly related to the employee's job;
  - (2) The expense is lavish or extravagant under the circumstances;
  - (3) The official host (or other designated host) is not present when the activity takes place;
  - (4) The expense is not substantiated with supporting documentation (except as permitted by this policy); and
  - (5) Spouse/partner/dependent attendance is for purely personal or social purposes (except as permitted by this policy).

Food and entertainment expenditures associated with personal events other than retirement and separation events do not support a university business purpose and shall not be paid or reimbursed by TTU.

- c. Food and entertainment expenditures associated with faculty, staff, and student training events will be allowable to the extent the expenditures comply with TTU policies, there is a supporting training agenda, and the expenditures are allowable on the funding type. A food form must be submitted documenting the business purpose of the training.
- d. Other than the department's annual employee appreciation event, food and entertainment expenditures provided to a spouse or partner, family member, or other person accompanying a TTU employee ("Guest") will be permitted only when there is a justified business purpose for that person's attendance. To constitute a bona fide business purpose, the Guest must perform essential business related functions and their attendance is necessary to carry out the duties of the employee. The Guests' performance of incidental social or clerical services does not constitute a bona fide business expense.
- e. Alcohol
  - \* **Substantive revisions to section 3.e. must be submitted to the Board of Regents for approval in accordance with section 08.07.5, *Regents' Rules*.**

Any sales or complimentary service of alcoholic beverages shall comply with this OP and any federal, state, and local laws regarding the possession, consumption, and distribution of alcoholic beverages. The requirements of this section apply to expenditures at events where alcohol is paid for by TTU or the TTU System.

Any event in which alcoholic beverages are to be served on a complimentary basis shall be pre-approved in writing by the head of the respective office or department sponsoring the event.

The sale and service of alcohol will be permitted only when the funding source is not otherwise restricted from such purpose, there is a justified business purpose, and the expenditure is within reasonable amounts and limits. Alcohol service and use must comply with the [Texas Alcohol Beverage Code \(2017\)](#). Employees compensated with appropriated funds may not consume alcoholic beverages during normal business hours in accordance with [Texas Government Code §2113.012](#) and [§2113.101](#).

All service of alcoholic beverages at any TTU or TTUS event shall be provided by a caterer or server(s) in compliance with Texas Alcoholic Beverage Commission (“TABC”) requirements and in the following circumstances:

- (1) Alcohol must be served outside of normal business hours (8:00 a.m. – 5:00 p.m. local time – Monday through Friday);
- (2) Undergraduate students shall not be present at events where alcoholic beverages are served on any TTU campus, unless an exception has been granted in writing by the Office of the President prior to the event. Alcohol will not be permitted at any Student Government Association (SGA) events;
- (3) The purpose of the event is to enhance relationships or partnerships;
- (4) The vendor (caterer or server) must be a third-party vendor or Top Tier Catering or other approved, internal TABC permit holder and be properly licensed by the TABC to serve or sell alcohol and provide proof of licensure at all times;
- (5) The vendor must be approved by the Procurement Services department and must also be approved in writing by the head of the sponsoring office;
- (6) All vendor employees must be TABC certified and follow all local and state regulations concerning the serving and sale of alcohol;
- (7) The vendor must provide security services in accordance with TABC requirements and TTU policies for all events where alcohol is served on any TTU campus;
- (8) The vendor shall maintain liquor liability insurance that includes TTU System and its Board of Regents officers, employees, agents, and volunteers as additional insured parties.

The following minimum limits are required:

Each Occurrence	\$1,000,000
Aggregate	\$2,000,000

The policy and each renewal must be submitted to Procurement Services at [Procurement.insurancecerts@ttu.edu](mailto:Procurement.insurancecerts@ttu.edu);

- (9) There is a fully executed event agreement between the parties that contains a clause indemnifying TTU and/or TTUS along with insurance requirements and that is reviewed and approved by the TTU Contracting Office;

- (10) Any agreement to license the sale of alcoholic beverages by a third-party vendor at or in conjunction with any intercollegiate athletic event at a TTU facility shall be approved by the Board of Regents. Any other agreement to license sales of alcoholic beverages by a third-party vendor on a term or multi-event basis shall be approved by the president of the component institution that is responsible for the facility or facilities involved. Before any such approval is granted, the President shall notify the Chancellor and the board of the proposed agreement.
- (11) No department or office of the TTU system shall be licensed to sell alcoholic beverages unless such sales activity is a necessary component of the department's or office's approved academic curriculum (for example, the Department of Hospitality and Retail Management in TTU's College of Human Sciences). Before any such application is submitted, the written approval of the department chair or head of the academic unit involved, the dean of the college or school, and the president of the respective component institution shall be obtained.
- (12) The *Sales and Service of Alcoholic Beverages Approval* form should be submitted annually to the Office of the President for the following venues that conduct regular catered events where alcohol may be sold and serviced:
  - (a) Top Tier catered events hosted at McKenzie-Merket Alumni Center or Frazier Pavilion;
  - (b) Top Tier catered events hosted at the Museum or NRHC;
  - (c) Skyviews Restaurant;
  - (d) Troon Texas Holdings, LLC (Rawls Golf Course);
  - (e) Texas Tech Club at Jones AT&T Stadium; and
  - (f) Spectra catered events at United Supermarkets Arena or Jones AT&T Stadium.

Any areas supported by TTU funding desiring to obtain a TABC license must obtain written approval from the CFO/VPA&F before a TABC application is submitted. Any other agreement to license sales of alcoholic beverages by a third-party vendor on a term or multi-event basis shall be compliant with procurement and contracting policies and be approved in writing by the President. Before the approval is granted, the President shall notify the Chancellor and the Board of Regents.

#### **4. Approvals**

##### **a. Supervisor Approval**

To ensure proper internal controls, the approving authority of all food and entertainment expenditures must be the financial manager/approver of the FOAP and the supervisor or someone at a higher-level classification of the person sponsoring the event. Higher-level classification approval is not required on food and entertainment events/forms for events hosted by the Chancellor and the President.

b. Approval

Food and entertainment expenditures must comply with Top Tier Catering requirements, TTU PCard policies, TTU travel policies, or [Operating Policy 72.09 Procurement of Goods and Services](#), as applicable.

**5. Documentation/Substantiation Required**

- a. Original, itemized invoices are required for each applicable expenditure.
- b. In accordance with IRS documentation codes, there must be adequate records and sufficient evidence for all food and entertainment expenditures including:
  - (1) Type of event (business meeting, entertainment, official functions, annual event, etc.);
  - (2) Time, date, and location of the event;
  - (3) If alcoholic beverages are served, supporting documentation for related expenditures;
  - (4) Total cost of the event, with food, gratuity, other charges, and alcohol itemized separately;
  - (5) Number of participants with a list of each guest's name, title, and affiliation to TTU, the business-related relationship (if the number of guests exceeds twenty-five, provide a list of the types of attendees and their affiliation to TTU);
  - (6) Business-related nature of the occasion or purpose of the event;
  - (7) Signature and name of the approving authority; and
  - (8) Additional supporting information as required or requested.

**6. Exceptions and Limitations**

- a. Any expenditures that do not comply with this policy, regardless of funding source, must have written approval from the TTU CFO/VPA&F or the TTU System Vice Chancellor and Chief Financial Officer or their designees prior to incurring the expense. Approval documentation must be submitted along with the requisition for vendor payment, reimbursement, PCard reconciliation, and/or travel voucher.
- b. Food and entertainment expenditures while in travel status may be submitted on the employee's travel voucher or procurement card with a completed [Request for Food or Entertainment Expenditures form \(Exhibit A\)](#). TTU employees will not be permitted to claim per diem or meal expenses when an expenditure is submitted on a travel voucher. Expenditures while in travel status are not subject to this policy; however, the expenditures must be reasonable and compliant with travel policies. Itemized receipts will be required for reimbursement or PCard reconciliations.

- c. Food and entertainment expenditures for a single individual are not permitted except those that occur in travel status.
- d. Food and entertainment expenditures, benefitting four or more individuals, which do not exceed \$20.00, are not subject to food form requirements or the other provisions of this policy, except for alcohol expenditures. All alcohol expenditures, regardless of dollar amount, shall comply with this policy. The department shall maintain receipts for these food and entertainment expenditures for audit purposes.
- e. The purchase of bottled water, coffee, tea, or other beverages for employee consumption is exempt from this policy. These purchases will only be allowed on funds that permit this type of expenditure and must comply with TTU contracts found at <https://www.depts.ttu.edu/procurement/resources/how-to-guides/documents/purchasing/procurement-coke-products-purchasing.pdf>

## **7. Reporting**

A quarterly report of food and entertainment expenditures for all departments will be sent to all vice chancellors, vice presidents, the provost, vice provosts, and deans.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 72.16: Memberships**

**DATE:** May 5, 2021

**PURPOSE:** The purpose of the Operating Policy/Procedure (OP) is to provide specific guidance for memberships.

**REVIEW:** This OP will be reviewed in September of even-numbered years by the Chief Procurement Officer with substantive revisions forwarded to the Senior Vice President for Administration & Finance and Chief Financial Officer.

#### **POLICY/PROCEDURE**

##### **1. Policy**

This policy will apply when using university funds from any funding source.

##### **2. Memberships**

- a. [Texas Government Code § 2113.104](#) requires the Chancellor, President, or designee to approve payment of professional membership dues.
- b. Procurement Services maintains a list of organizations approved for membership. This list may be viewed on the following website:  
<https://apps.dmfr.ttu.edu/ProfessionalSocietyNames/SearchProfSociety.aspx>.
- c. If an organization is not included on the list, a *Request for Membership Approval* form (<http://www.depts.ttu.edu/procurement/forms/documents/purchasing/procurement-request-for-membership-approval.pdf>) must be prepared and attached with the TechBuy requisition or e-mailed to [techbuy.purchasing@ttu.edu](mailto:techbuy.purchasing@ttu.edu). If the department is using the PCard, please submit the form to [techbuy.purchasing@ttu.edu](mailto:techbuy.purchasing@ttu.edu). The organization must be approved prior to payment of any membership dues with university funds.
- d. No membership can be paid on appropriated funds (funds 11, 12, and 14) unless prior written approval is received from the Senior Vice President for Administration & Finance and Chief Financial Officer or their designee. The written approval must be attached to the requisition and the requisition must be submitted prior to the start of the membership. Memberships are never allowable on 13 funds.
- e. Additional restrictions will be applied if the organization hires a lobbyist. Payments to the organizations will not be allowed unless prior written approval is received by the Senior Vice President for Administration & Finance and Chief Financial Officer or their designee. TTU is required to report these payments to the state Legislative Budget Board, Senate Finance Committee, and House Appropriations Committee. A potential list of lobbyists can be

reviewed at the following website:

<https://www.ethics.state.tx.us/search/lobby/LobbySimpleSearch.php>.

- f. Memberships must be in the name of Texas Tech University and cannot be in the name of an individual. Individuals may be shown as representatives, if desired.
- g. The following information is required on the requisition for a membership:
  - (1) A benefit statement
  - (2) The name of the representative(s)
  - (3) Membership starting date
  - (4) Membership ending date, and
  - (5) The amount due

The benefit statement must indicate the benefit TTU receives or derives from becoming a member of the organization.
- h. Memberships may be processed on a PCard as long as the organization is listed on the membership list and the transaction is compliant with this OP.
- i. Departmental wholesale purchasing club memberships are permitted. There may be only one wholesale purchasing club membership per department (e.g., one Sam's Club membership for a department). The club must accept the university's purchase orders or the TTU Citibank PCard for payment of goods. When submitting the reconciliation for the PCard statement, a screenshot of the membership approval screen is required. Personal reimbursements (One Time Payments) for goods purchased at a purchasing club are not allowed. Appropriated funds (11, 12, 13, and 14) and sponsored project funds (21, 22, and 23) are not allowed for purchasing club memberships.
- j. No membership paid for with university funds shall be used for personal use or benefit at any time.
- k. The university prohibits the payment of social memberships with any type of funds unless prior written approval is received from the Senior Vice President for Administration & Finance and Chief Financial Officer or their designee. The written approval must be attached to the requisition and the requisition must be submitted prior to the start of the membership. Appropriated funds and sponsored project funds are not permitted on any social memberships.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 72.17: Procurement of Independent Contractors**

**DATE:** November 12, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to set forth the policies and procedures for procuring the services of independent contractors to provide services for the university.

**REVIEW:** This OP will be reviewed in November of even-numbered years by the Chief Procurement Officer with substantive revisions forwarded to the Vice President for Administration & Finance and Chief Financial Officer and the Provost and Senior Vice President.

#### **POLICY/PROCEDURES**

##### **1. Policy**

It is the policy of Texas Tech University that the services of independent contractors are procured in accordance with state of Texas laws and federal regulations. All services shall comply with Internal Revenue Service (IRS) regulations. Policy for distinguishing independent contractors from university employees is set forth in [OP 62.37, Establishing Employee/Independent Contractor Status](#). Independent contractors include individuals and businesses operated as sole proprietorships.

In addition to general business services, independent contractor services may include guest speakers, visiting lecturers, external members of committees and advisory boards, individuals conducting collaborative research, and others qualifying as independent contractors in accordance with [OP 62.37, Establishing Employee/Independent Contractor Status](#). Independent contractors will be selected based on demonstrated competence and qualifications at a fair and reasonable cost that does not exceed any maximum allowances authorized by state law and university policy.

In addition to this policy, the policies for procuring consultants or professional services are set forth separately in OPs [72.08, Use of Consultant Services](#), and [72.20, Professional Services](#), respectively.

##### **2. Current and Previous Employees**

Current employees of the Texas Tech University System or a component institution may not be paid for services as independent contractors. Any allowable employee payments must also comply with [OP 72.03, Conflicts of Interest Relating to Purchasing, Payments, and Contracts](#). Former or retired employees who have been paid by Texas Tech University System or a component institution during the previous twelve months also may not be paid for services as independent contractors with appropriated funds (funds beginning with 11-14) in accordance with Texas laws. Procurement of services to this class of former/retired employees may be paid from



other sources provided the independent contractor criteria set forth in [OP 62.37, Establishing Employee/Independent Contractor Status](#), have been met. Allowable payments for services to current and former employees are processed through the Employee One-Time Payment System (EOPS) as a payroll expense.

### 3. Procurement Requirements

- a. Services for independent contractors are procured in accordance with [OP 72.09, Procurement of Good and Services](#), and reviewed and processed through TechBuy. To comply with IRS and state requirements, both the *Vendor Setup Form* <https://www.depts.ttu.edu/procurement/forms/documents/vendors/procurement-new-vendor-setup-form.pdf> and the *Independent Contractor Questionnaire* <http://www.depts.ttu.edu/opmanual/OP62.37A.pdf> are required to be attached to the requisition. The independent contractor must comply with all vendor requirements, including debarment rules for the State of Texas and the federal government. For research participants, a W-9 form will be allowable in lieu of the *Vendor Setup Form*.
- b. For any independent contractors seeking reimbursement of travel or business expenses, original receipts must be submitted to Procurement Services. (Note: for expenses to be processed as a non-taxable reimbursement, the independent contractor must submit receipts that comply with IRS accountable plan rules within 60 days after the expense is incurred or 45 days after the services are rendered, whichever is sooner.)

For services provided under sponsored projects (funds beginning with 21-23), the *TTU Research Provider* form in TechBuy is used to document the scope of work and payment terms.

- c. For all funding sources where a formal contract is required, the Chief Procurement Officer or their designee will assist in the preparation of the contract. The contract and the *Contract Routing Sheet* <https://www.depts.ttu.edu/procurement/forms/documents/contracting/procurement-contract-routing-sheet.pdf> must be attached to the requisition for review, modification, and execution.
- d. If the service is not procured competitively and exceeds \$15,000 per annum, explanation is required on the *TTU Justification for Proprietary Purchase* form for non-sponsored project funds. For sponsored projects funds 21, 22, and 23, the *TTU Research Provider* form is required.
- e. Special payment requests must be noted on the requisition in TechBuy by checking the Advance Pay button and including internal notes.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 74.02: Conduct of Research and Scholarly Activity**

**DATE:** August 13, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to outline and delineate the policies and procedures of the university with regard to the conduct of research and scholarly activity by members of the faculty.

**REVIEW:** This OP will be reviewed in June of even-numbered years by the Senior Associate Vice President for Research with substantive revisions presented to the Vice President for Research and the Provost and Senior Vice President (PSVP).

### **POLICY/PROCEDURE**

#### **1. Rights and Responsibilities of Faculty Members**

Scholarly activity, which includes research, is vital to the university's teaching and public service missions. Hence, within the framework of existing university policies, a faculty member is free to:

- a. Choose the subject of research or scholarly activity;
- b. Initiate and conduct such activity;
- c. Seek the necessary resources to conduct such activity, and to exercise responsible control over those resources; and
- d. Disseminate the results of such activity in an appropriate manner.

In return for this freedom to conduct scholarly activity and research, a faculty member is responsible for:

- (1) Maintaining professional integrity within and external to the university; and
- (2) Honoring professional obligations to the university and, when relevant, to external funding entities.

#### **2. Rights and Responsibilities of the University**

- a. Normally, the university will not intervene in the research or scholarly activity of a faculty member except to render, where possible, assistance to the individual conducting the activity. In a few specialized situations, however, it may be necessary for the university to suspend, modify, or terminate the scholarly activity or research of a faculty member for adequate cause. Adequate cause for such action includes:

- (1) Demonstrated evidence of professional incompetence, supported by documentation;
  - (2) Continuing or repeated substantial neglect of professional responsibilities;
  - (3) Professionally unacceptable activity in the conduct of scholarly work (plagiarism; fabrication or falsification of sources, data, results, or analyses; research fraud, etc.);
  - (4) Mental, cognitive, or physical disability of continuing nature that is sufficient to prevent continued direction of the activity.
- b. Additionally, when irresolvable administrative or technical disputes arise between principal investigators on research projects funded by an external entity, the university administration may intervene in the role of arbitrator to settle the dispute when intervention is invited by one or more of the faculty members involved, or upon administrative determination that the dispute seriously jeopardizes the contractual obligations of the university.
- c. There also may be some research projects at the university where the impetus for the initiation and promotion of the project originated administratively within the university. Such "institutional" projects are then carried on for the university by one or more faculty members, with one of those faculty members serving as director of the project for the university. The director of such a project holds an appointive administrative position and he/she may be replaced by the university if there is clear evidence that this will expedite or materially enhance the conduct of the project.
- d. When working with external funding entities regarding the support of specific research projects, university officials should not normally conduct substantive negotiations or discussions with officials of the external funding entity unless the faculty member who is or will be principal investigator of the project is first notified of the proposed discussions and content thereof. When notification cannot be effected before substantive discussions occur, the principal investigator should be notified promptly of the content of such discussions when they are concluded or when the faculty member is contacted, whichever occurs first.
- e. As a publicly supported institution, the university undertakes only those sponsored projects that fall within its mission of advancing knowledge through creative and innovative teaching, research, and scholarship; enhancing student success; and contributing to the cultural and economic development of the state, nation, and world. There is an expectation that project results be disseminated to students, colleagues, professionals in the discipline, and to the public. Additionally, restrictions placed on publication in sponsored project agreements may have implications for export controls and for taxes. The university will accept limited prior review of publications:
- (1) To prevent disclosure of sponsor confidential information; or
  - (2) To preserve patent rights.

Restrictions on publication beyond these two purposes require specific approval of the appropriate dean(s) following a procedure established by the Office of Research Services.

### 3. Procedures for Administrative Intervention in Scholarly Activity and Research

- a. When a university administrator (beginning at the level of department chairperson) has intervened or proposes to intervene in scholarly activity or research not funded by an external entity and the affected faculty member has a grievance, then the matter shall be handled in accordance with the university's faculty grievance procedures as outlined in [OP 32.05, Faculty Grievance Procedures](#).
- b. Administrative intervention in scholarly activity or research funded by an external entity may have potentially serious and irreparable consequences for the faculty member and for the university. Therefore, the following statements and special procedures govern administrative intervention in externally funded activity:
  - (1) The PSVP is the university administrator primarily responsible for the decision to terminate or revise, through appropriate administrative channels, a faculty member's externally funded activity.
  - (2) Should problems arise with respect to a faculty member's externally funded activity, the PSVP or other concerned administrators shall attempt to resolve these problems through informal discussion with the faculty member.
  - (3) If informal discussion with the faculty member fails to produce a mutually agreeable solution, or if the faculty member declines informal discussion, and a university administrator believes that adequate cause exists to terminate or revise the faculty member's externally funded activity, the PSVP shall notify the affected faculty member of the proposed termination or revision and the reason therefore, and refer the matter to a Research Advisory Committee.
  - (4) The Research Advisory Committee shall be composed of three persons selected on the basis of their ability to evaluate the reason for the proposed intervention and its impact on the affected faculty member, on the research activity, and on the university. The first member will be selected by the PSVP from a list of five faculty members submitted by the affected faculty member. The second member will be selected by the PSVP from the non-administrative faculty. The third member will be selected by the PSVP from membership of the Faculty Grievance Panel. The affected faculty member shall have the right to disqualify the Vice President's selection of either the second or the third member (but not both). If the faculty member's single disqualification is exercised, the Vice President shall select a replacement from the appropriate group. This replacement member is not subject to disqualification. Failure of the affected faculty member to provide a list of five faculty members shall be construed as a waiver of the right to have the matter heard by the Research Advisory Committee. Selection of the Research Advisory Committee shall be completed within five days.
  - (5) Within five days from formation of the Research Advisory Committee, the administration and the affected faculty member shall present their respective positions and any supporting materials to the committee for its advice.
  - (6) The committee will report in writing to the PSVP and the affected faculty member within one week from completion of the hearing, and its report will advise that the proposed intervention is either justified or not justified or will recommend an alternate solution to the problem.

- (7) After receipt of the committee's advice, the PSVP will withdraw or implement the proposed intervention or take other action deemed appropriate under the circumstances.
- (8) The procedures and time limits prescribed in section 3.b.(1) through (7) shall be followed unless extraordinary circumstances of imperative necessity prevent their implementation. Time limits may be varied upon the mutual consent of the PSVP, the affected faculty member, and, when relevant, the Research Advisory Committee.
- (9) If the affected faculty member is not satisfied with the administrative action taken, the faculty member may then appeal directly to the President of the university, who shall hear the appeal in accordance with sections 3 and 4 of the *Faculty Grievance Procedures*, except that no person who served on the Research Advisory Committee shall serve on the President's Grievance Committee.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 74.04: Intellectual Property Rights**

**DATE:** May 7, 2021

**PURPOSE:** This Texas Tech University (TTU) Operating Policy/Procedure is intended to implement Chapter 10 of the Texas Tech University System (TTUS) *Regents' Rules*, Intellectual Property Rights. It is recognized that research and scholarship on the part of members of the faculty, staff, and students of the TTUS component institutions will result in inventions, biological materials and other proprietary materials, plants, manuscripts, patentable and non-patentable, computer software, copyrightable works, and trade secrets or other products, medical treatments, and devices that are potentially marketable.

While it is the policy of the Board of Regents (BOR) to encourage scholarly activity without regard to potential gains from royalties and other forms of income, it is also incumbent upon the BOR, administrators, and faculty to assure that TTUS will meet its obligation to serve the public interest in the management and commercialization of intellectual property when warranted. Further, TTUS policies governing patentable or copyrightable inventions, publications, or other marketable products should provide adequate recognition and incentives to sponsors, creators, and assignees. In all cases, however, the affected individuals are subject to their obligations and those of TTUS under grants, contracts, or research agreements with governmental and non-governmental agencies and sponsors.

**REVIEW:** This OP will be reviewed in July of even-numbered years by the Director of the Office of Research Commercialization (ORC) and the Vice President for Research, with substantive revisions presented to the Provost and Senior Vice President.

## **POLICY/PROCEDURE**

### **1. General Policy**

This intellectual property rights policy, as adopted, shall apply prospectively to all covered persons as that term is defined in [Chapter 10, \*Regents' Rules\*](#). All employees, faculty, staff, and students of TTU are expected to be aware of university policies regarding such developments or discoveries protectable by copyright, patent, or contract, and agree to accept and abide by them as a condition of employment or enrollment. All intellectual property disclosures made prior to the date of this policy shall be governed by the prior OP (posted 5/31/19).

As a public institution, TTU is entrusted with the responsibility to facilitate application of scientific, technical, artistic, and intellectual endeavors of its faculty and staff for public use and

to provide for an equitable disposition of interests among the authors and inventors, TTU, and, where applicable, the sponsoring or contracting funding source.

It is the intent of this policy to foster the traditional freedoms of the TTU faculty, staff, and students in matters of publication and invention, through a fair and reasonable balance of the equities among creators, sponsors, and TTU. The purpose of the policy is to outline the respective rights that members of the faculty, staff, and students have in intellectual materials created while they are affiliated with TTU.

## 2. Ownership of Discoveries and Creations

- a. [Chapter 10, Regents' Rules](#), governs the degree to which TTU owns intellectual property and the exceptions thereto. The rule defines the terms “covered person” and “creator” to describe the individuals subject to the rule, “TTUS resources” to describe the TTU resources which may be relevant to an ownership determination, and the terms “intellectual property” and “work for hire” among other terms. In general, TTU will own “intellectual property,” including “tangible research property,” created by “covered persons” with the “use of TTUS resources” or “during the course of covered persons’ university responsibilities.” And, in general, intellectual property that is developed on a person’s own time without TTU support or “use of TTUS resources” is not owned by TTU. (See *Regents' Rules* Section 10.03.1). Further, Chapter 10, *Regents' Rules* provides broad exceptions of copyrightable material within the realm of traditional pedagogical, scholarly, and artistic works produced by faculty. (See *Regents' Rules* Section 10.03.3.) Finally, the rule also provides that the terms provided by sponsored research agreements with respect to intellectual property created as a result of such funding will govern ownership of such intellectual property.
- b. Intellectual property created by a student who is not a covered person or is not created as a work for hire is owned by the student and is not required to be disclosed to the ORC or assigned to TTUS. Ownership of a student’s copyrightable work is as set forth in *Regents' Rules* Section 10.03.3 and OP 74.04 Section 15. It is not possible to address every possible situation in which a student may create IP either alone or in collaboration with a third party; situations not covered below will be evaluated on a case-by-case basis using the principles described below.
  - (1) A student is a covered person when:
    - (a) the student is employed by TTU, and then only to the extent the student’s TTU employment responsibilities relate to or resulted in the development of the intellectual property;
    - (b) the student, in their role as an employee, used TTU resources to create the intellectual property and the use was not incidental or used TTU resources to create IP in collaboration with a third party; or
    - (c) regardless of employment status, the student’s work developing the IP was under the supervision of TTUS personnel, including work assisting or engaging in faculty-directed and supervised research, or in connection with a TTU-sponsored research or similar agreement.

- (2) A student's use of TTU resources is incidental to the extent the use is permitted by the terms of the student's enrollment (e.g., the TTUS resources used are those that the student is permitted to use as a result of having paid tuition and fees) and is not in connection with activities that cause the student to be a covered person or creating a work for hire. Examples of incidental use of TTU resources include the student's use of office, library, traditional desktop computers, and certain tools and equipment intended for use by enrolled students.
- (3) Students are not required to disclose to the ORC or assign to TTU intellectual property that is owned by the student.
- (4) Examples of situations in which a student owns intellectual property created by the student who is not a covered person or creating a work for hire include when the student creates intellectual property:
  - (a) as the result of work for TTU courses in which the student is enrolled unless the course project is based on intellectual property submitted by TTUS (e.g., when the ORC submits TTUS intellectual property for potential development in a course of study) or when the course project is based on intellectual property submitted by a third party (in which case ownership of the intellectual property will be by agreement of the student and the third party); or
  - (b) during extracurricular activities, including participation in programming at the Innovation Hub at Research Park, and, if TTU resources are used, that use is incidental (i.e., the student only uses TTU resources available to the student as a result of the student's enrollment, and for which the student has tuition and fees).
- (5) In the event that IP is created as a result of collaboration between a TTU student and a third party not affiliated with TTU, which involved the use of TTU resources, the IP will be owned as follows. In all cases, any background IP owned by the TTU student and the third party must be disclosed in writing to TTU prior to the use of TTU resources:
  - (a) **Third party not bound by IP policies of another institution of higher education or similar entity; and TTU is paid for use of resources:** If TTU resources have been or will be paid for under a contract or other agreement (e.g., through a membership at TTU's Innovation Hub at Research Park) with TTU, then IP ownership will be determined according to the terms of the contract or other agreement. Otherwise, IP will be owned by TTU.
  - (b) **Third party not bound by IP policies of another institution of higher education or similar entity; and TTU is not paid for use of resources:** IP will be owned by TTU.
  - (c) **Third party is bound by IP policies of another institution of higher education or similar entity.** TTU and the other institution must enter into an interinstitutional agreement prior to the use of TTU resources. IP ownership will be determined according to the terms of the interinstitutional agreement or, in the



absence of terms addressing IP ownership, will be jointly owned by TTU and the other institution.

- (6) In certain courses, students may be presented with the opportunity to participate in projects in which the ownership of resulting intellectual property must be assigned either to TTUS or to a sponsoring entity. Students will not be required to participate in activities requiring the assignment of their intellectual property and the student's grade will not be affected by the student's decision to participate or not participate in projects requiring their assignment of intellectual property. Students involved in such courses should be advised that the assignment of intellectual property is a legally binding agreement that will affect the student's property rights, and that the student has the right to seek independent legal advice at their own expense. Example language of the Assignment of Rights is provided on the attached form.

### **3. Research Involving Third Party**

Agreements for research sponsored by or involving third parties and provisions for the control of and compensation for patents should normally be consistent with the general policy stated herein. However, nothing in this policy shall be interpreted as precluding the acceptance of a contract, grant, or agreement that provides for ownership of intellectual property by the third-party sponsor under appropriate terms, including adequate compensation to TTU.

### **4. Disclosure of Intellectual Property**

All intellectual property shall be promptly disclosed to the ORC. At least once a year, coincidental with a regular BOR meeting, the Director of ORC shall prepare for the Chancellor and the BOR a report listing the titles and a brief description of each disclosure received since the last report, all license and assignment agreements entered into by the ORC, and the status of existing licensing and assignment agreements, including the distribution of revenue earned from such agreements.

### **5. Consulting**

With respect to intellectual property owned by TTUS, faculty and staff engaged as consultants should avoid conflicts of interest. A consulting agreement between a creator and a potential user, assignee, or licensee of intellectual property developed by the creator creates an inherent conflict of interest. Any creator who is a party to such a consulting agreement must fully disclose the existence and terms of such agreement to the creator's immediate supervisor and, with respect to intellectual property disclosed to the ORC, such disclosure to the ORC must include full disclosure of such conflict. Faculty and staff members engaged as consultants nevertheless continue to be obligated to safeguard the university's intellectual property. (See *Regents' Rules* Section 10.03.2 and [OP 10.20, Conflict of Interest and Commitment Policy](#).)

### **6. Intellectual Property Administration**

When TTU elects to protect intellectual property in its name, it shall award to the creator a reasonable share (as defined hereinafter) of net proceeds from royalties or other income or value after deduction of the directly assignable costs of patenting, marketing, licensing, and protection of intellectual property rights.

## **7. Determinations by the Office of Research Commercialization**

### **a. Transfer and Intellectual Property**

The ORC shall make determinations as to:

- (1) The potential value of the intellectual property to TTUS;
- (2) The rights and equities of the creator, TTUS, and any third parties; and
- (3) The required actions to maximize the benefits of any intellectual property to the public, TTUS, and the creator.

## **8. Implementation**

The following guidelines shall be applicable to license agreements with entities, including those formed primarily for the purpose of developing and/or commercializing intellectual property created at TTU, subject to the terms of sponsored research agreements that may have led to the creation of such intellectual property:

- a. No entity shall be granted the exclusive rights to the development and/or commercialization of all intellectual property created at TTU. Agreements should grant rights only on a specific property or project basis.
- b. If an entity is granted the exclusive rights with respect to a particular invention, product, process, or other item of intellectual property, the agreement should provide that such rights will revert to TTU in the event the entity fails to diligently develop and commercialize the property within a specified period of time that is appropriate to the particular circumstances.
- c. An entity that is granted exclusive rights to develop or commercialize intellectual property that is patentable should be required to reimburse TTU for all expenses incurred by TTU in obtaining a patent or, if a patent has not been obtained, should be required to prosecute and bear the expense of obtaining patent protection for the benefit of TTU and, in either event, the entity should be required to take all actions necessary, including litigation, to protect and preserve such patented rights from infringement.
- d. TTU and its officers and employees should be protected and indemnified from all liability arising from the development, marketing, or use of the particular intellectual property.
- e. Restrictions on use of the intellectual property by TTU for research and teaching purposes and the publication rights of researchers should be minimized.
- f. If the entity fails to develop and commercialize the intellectual property, any and all rights the entity has been granted in TTU's property shall be returned and granted back to TTU so that another entity may be offered the right to develop and commercialize the technology.
- g. The entity should be required to comply with all applicable federal, state, and local laws and regulations, particularly those concerning use of animals, biological materials and necessary

- testing, human subject protection, and approval by the Federal Drug Administration or other relevant federal or state agency.
- h. The entity should be required to maintain confidentiality with regard to any unpatented technology or know-how.
  - i. An entity that grants a license or sublicense to some other entity for intellectual property or technology that is in whole or in part derived from or based on that which is licensed to the entity by TTU should be required to share with TTU at least 40 percent of any royalty received by the entity and at least 40 percent of any equity position to which the entity may be entitled.
  - j. License agreements should contain such other provisions as may be determined by the ORC and the Office of General Counsel to be in the best interest of TTU.
  - k. The Director of ORC is authorized to negotiate and execute license agreements. The authority to execute such documents that involve a commitment of funds or resources is restricted to documents that have been approved by the Vice President for Research (or the equivalent of that position) and approved as to form, law, and compliance by the Vice Chancellor and General Counsel.
9. In compliance with [Section 51.912 of the Texas Education Code](#), the BOR must file a report identifying all employees who have an equity interest in or serve as employees, officers, or members of the board of directors of business entities that have agreements with TTU relating to the research, development, licensing, or exploitation of intellectual property in which TTU has an ownership interest. The report will be filed in accordance with the requirements of [Section 51.005 of the Texas Education Code](#). The ORC will submit the report through the Chancellor or his/her designee to the BOR office. The BOR office will obtain the signature of the Chair of the BOR and will transmit the report to the governor's office and other required entities.
10. Any request by a TTU employee to participate as an employee, officer, or member of the board of directors of a business entity that has intellectual property agreements (IPA) with TTU must be submitted to the BOR for approval.

## 11. Definitions

For the purposes of this regulation, the following terms are defined as follows:

- a. **Copyrightable Work:** An original work of authorship which has been fixed in any tangible medium of expression from which it can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device, including, but not limited to, books, journals, software, computer programs, musical works, dramatic works, videos, multimedia products, sound recordings, pictorial and graphical works. A copyrightable work may be the product of a single author or a group of authors who have collaborated on a project.
- b. **Distance Learning:** Instruction in which the majority of the instruction occurs when the student and instructor are not in the same physical setting. A course is considered a distance education course if students receive more than one-half of the instruction at a different

location than the instructor. Distance education can be delivered synchronously or asynchronously to any single or multiple location(s) through electronic correspondence or other means.

- c. Intellectual Property: Collectively, all forms of patented and unpatented inventions, tangible research property, copyrightable works, copyrights, trademarks, and trade secrets. The term also includes copyrightable or copyrighted works which are system administration or component institution manuals or materials or works, such as software, which may be a part of or embedded in a larger comprehensive design, system, or device.
- d. Intellectual Property Committee: A standing committee, the majority of whom are faculty members, appointed by the Vice President for Research at TTU and TTUHSC and Director of ORC, representing TTUS component institutions, whose purpose is to provide a forum for discussion of policies and procedures affecting intellectual property and to advise the ORC regarding intellectual property matters when called upon, including comment on disputes that may arise regarding the handling of intellectual property and technology transfer and suggestions for policy or procedure changes with respect to this policy. The committee will meet at least twice each year, or more often as called by the Vice President of Research or the Director of ORC.
- e. Invention: A process, method, discovery, device, plant, composition of matter, software, technology, or other work that reasonably appears to qualify for protection under United States patent law, chip design protection law, or plant protection schemes, whether or not actually patentable. An invention may be the product of a single creator or a group of creators who have collaborated on a project.
- f. Office of Research Commercialization (ORC): The TTU administrative office whose mission is to promote the transfer of TTUS intellectual property for society's use and benefit, while generating unrestricted income to support research and education. The ORC is responsible for administration and implementation of the TTUS intellectual property program; and assisting and advising TTUS faculty, staff, and students with regard to matters covered by this policy; and providing leadership and support through public and private sector engagement.
- g. Tangible Research Property: Tangible items produced in the course of research, including, but not limited to, such items as biological materials, engineering drawings, integrated circuit chips, computer databases, prototype devices, circuit diagrams, and equipment. Individual items of tangible research property may be associated with one or more intangible properties, such as inventions, copyrightable works, and trademarks. An item of tangible research property may be the product of a single creator or a group of creators who have collaborated on a project.
- h. Trademark (including "service mark"): A distinctive word, design, or graphic symbol or a combination of words, designs, or graphic symbols that distinguish and identify the goods and services of one party from those of another, such as names or symbols used in conjunction with products, services, programs, plant varieties, computer programs, or entities.
- i. TTU Resources: TTU funds (including without limitation, funds derived from outside grants, contributions, and research contracts), supplies, facilities, computer systems (hardware and software), space, tangible and intangible property, and personnel, except that, where used

herein, the term “use of TTU resources” is not intended to apply to the incidental use of such resources.

- j. **Work for Hire:** A work that is specially ordered or commissioned by TTU for an institutional document or a contribution to a collective work, including as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or an atlas. The term also includes software, computer programs or written instructions, protocols or training aids, institution-directed. Where these works are created by TTU employees as a regular part of their duties, these works are automatically owned by the university and require no disclosure. For faculty, works for hire are works derived from defined tasks that fall outside the normal teaching and research mission of the university. Work that occurs within the normal scope of academic employment in the teaching and research mission of the university will not be “work for hire,” unless accomplished pursuant to written directive and agreement.

## **12. Disclosure, Assignment, and Protection**

- a. Except for the exclusions identified for certain copyrightable works set forth in Chapter 10, *Regents’ Rules* and below [section 15. a. (1, 4, and 5)], all persons subject to these regulations shall promptly disclose to the ORC any intellectual property covered by this regulation, including intellectual property created under sponsored research or cooperative arrangements. Disclosure shall be made on a disclosure form prescribed by and available from the ORC. Such persons shall cooperate with TTU and the ORC in protecting property rights in the intellectual property, to the best of their ability. If TTU decides to patent or seek other available protection for the property, it shall proceed through the ORC.
- b. All creators shall execute appropriate assignment and/or other documents required to set forth effectively the ownership and rights to intellectual property owned by TTU.
- c. **Assessments by the ORC:** The ORC shall make assessments as to the potential value of the intellectual property to TTU; the rights and equities of the creator, TTU, and any third parties; and the required actions to maximize the benefits of any intellectual property to the public, TTU, and the creator. Once an invention disclosure has been made to the ORC, the ORC shall respond to the creator(s) in writing within 90 calendar days of the date of disclosure of its desire to pursue commercial development of the intellectual property. The ORC is also hereby delegated the authority to waive TTU rights in intellectual property in the exercise of its sound discretion. If the ORC decides not to pursue commercial development, it shall also notify the creator(s) in writing and, upon written request from the creator(s), shall release ownership rights as provided below.

## **13. Provisions for Release of Rights to Creators**

Absent a contractual obligation to a research sponsor or contracting party, TTU may release its intellectual property ownership rights to a creator by written agreement, with the following provisions:

- a. TTU shall retain for TTU and all components thereof a perpetual royalty-free license to use the invention or copyrightable work, and any corresponding patents or copyrights, for research, education, and service purposes.

- b. TTU shall retain the right to a specified share of net revenue (not to exceed five percent) generated from commercialization of the released invention or copyrightable work after the creator has recovered documented out-of-pocket costs for obtaining legal protection for the invention or copyrightable work, the amount of such share to be negotiated at the time of the release. In the event that, prior to release by TTU, the university has incurred out-of-pocket costs with outside parties to analyze or seek legal protection for the released invention or copyrightable work, the written agreement must provide for reimbursement of such costs to TTU either by payment at the time of release or by agreement for TTU to retain a revenue percentage in excess of five percent. Should the ORC and the creator be unable to agree on the terms of the release, the matter shall be finally resolved using the process outlined in Section 24.
- c. In the case of release of rights to the creator, the creator shall not be entitled to a share of proceeds received by TTU under this section.

#### **14. Obligation to Sponsors**

The ORC, in cooperation with the respective Office of Research Services or Office of Research Accounting, shall coordinate reporting requirements and other obligations to research sponsors regarding inventions or economically significant tangible research property developed under a research contract or grant, including, but not limited to, obligations to the U.S. Government under [37 CFR Part 401](#).

#### **15. Management of Copyrightable Works**

TTU encourages the preparation and publication of copyrightable works that result from teaching, research, scholarly, and artistic endeavors by members of the faculty, staff, and student body of TTU. Authors shall be permitted maximum freedom with respect to their copyrightable works, consistent with the obligations to TTU. Copyrightable works may be created under a variety of circumstances and conditions that impact the ownership and subsequent management thereof, as follows:

##### **a. Ownership of Copyrightable Works**

###### **(1) Books, Articles, and Similar Works**

In keeping with academic tradition, and except to the extent required by the terms of any funding agreement, TTU does not claim ownership to pedagogical, scholarly, or artistic works, regardless of their form of expression. Such works include, but are not limited to, faculty-prepared works such as textbooks, course materials, and refereed literature. Such works include those of students created in the course of their education, such as dissertations, papers, and journal articles. Furthermore, TTU claims no ownership in popular nonfiction, novels, poems, musical compositions, or other works of artistic imagination that are not works for hire [see (2) below]. If title to copyright in works defined within this section vests in TTU by law, TTU will, upon request and to the extent consistent with its legal obligations, convey copyright to the authors of such copyrightable works.

(2) Institutional Works

TTU shall retain ownership of copyrightable works created as institutional rather than personal efforts (i.e., created for institutional purposes in the course of the creator's employment) including, but not limited to, simultaneous or sequential contributions over time by numerous faculty, staff, or students. For instance, work assigned to programmers is institutional work, as is software developed for TTU purposes by staff working collaboratively. Brochures, training programs, CD-ROMs, DVDs, videos, and manuals for which staff members are hired to develop are other examples of institutional works. TTU owns all right, title, and interest in such institutional works.

(3) Work for Hire

- (a) TTU shall retain ownership of “work for hire” as defined in this policy and Chapter 10, *Regents’ Rules*.
- (b) Faculty “Work for Hire” Procedure: If an academic task done in the normal scope of academic employment within the teaching and research mission of the university is intended to create a copyrightable work for hire as defined in section 11.j. above, a written directive signed by the faculty member’s direct supervisor (e.g., department chair), college dean (or equivalent), and the faculty member is required. The document should reasonably outline the intended task and work product and must disclose that any resulting copyright will be retained by TTU or the external entity contracting the task, such as a granting entity. If a task is assigned as an extra duty of the faculty member, the signed document additionally should include the terms, if any, for extra compensation or alteration of teaching research or administrative duties to which the faculty member and supervisor have agreed.

(4) Works Developed with Use of TTU Resources

Except as provided in paragraph (1), above, or Chapter 10, *Regents’ Rules*, copyrightable works that are not works for hire [see (3) above] but are works that are developed with the use of TTU resources as defined in Chapter 10, *Regents’ Rules* shall be owned by TTU. Furthermore, copyrightable works that are not works for hire [see (3) above] but are works that are developed in the course of or resulting from research supported by a grant or contract with the federal government (or an agency thereof), a state or other governmental agency, a nonprofit or for-profit nongovernmental entity, or an individual, or by a private gift or grant to TTU, shall be determined in accordance with the terms of the sponsored grant or contract, or in the absence of such terms and to the extent consistent with copyright law, shall be owned by TTU. TTU recognizes and affirms the traditional academic freedom of its faculty and staff to publish pedagogical, scholarly, or artistic works without restriction. In keeping with this philosophy, TTU will not construe the provision of offices, routine computer support and services, or library facilities as constituting use of TTU resources, except for those instances in which the resources were furnished specifically to support the development of such copyrightable works. Nothing in this section is intended to change the traditional manner in which TTU faculty, staff, and employees assign the copyright ownership of works intended for publication in scholarly journals.

(5) Hybrid Works

Changing technology can give rise to creative efforts that fall into more than one category [for example, a book (traditionally owned by the author) coupled with an interactive CD-ROM (perhaps software) in which TTU may have rights under this policy]. Such hybrid works should be brought to the attention of the ORC, which shall negotiate a reasonable sharing arrangement or issued release as may be appropriate. Should the ORC and the inventor or creator be unable to agree, the matter shall be finally resolved by the Chancellor or his/her designee.

(6) Distance learning course content generally will be treated as traditional course content as described in paragraph (1), above. However, such content and materials may be “work for hire” if developed as such (see definition). With respect to all distance learning course content, whether work for hire or not, TTU automatically retains a payment-free license for use of all or part of such content in its ongoing teaching and research mission. In the case of distance learning course content that is work for hire, such license shall be exclusive unless otherwise agreed in writing.

(7) Present and prospective employees of TTU shall, upon request by the Chancellor or by the ORC to protect intellectual property rights, execute an assignment agreement in a form prescribed by and available from the ORC to set forth effectively the ownership and rights to copyrightable works. Executed copyright assignment agreements shall be maintained in the respective department head's office, in the ORC, or in a similar office as determined by the Chancellor.

## 16. Disclosure, Assignment, and Protection

- a. Authors of copyrightable works that are not owned by TTU own the copyrights in their works and are free to publish them, register the copyright, and receive any revenues that may result therefrom.
- b. Authors of copyrightable works that are not works for hire or institutional works but are works that are owned by TTU under Section 15.a.(4) shall promptly disclose to the ORC any work of authorship covered by this regulation (including those made under sponsored research or cooperative arrangements). Disclosure shall be made on a disclosure form prescribed by and available from the ORC and a copy shall be filed with that office. Such persons shall cooperate with TTU and the ORC to the best of their ability in protecting intellectual property rights in the work of authorship. Furthermore, upon request by the ORC, to protect intellectual property rights, such persons shall warrant that, to the best of his/her knowledge, the work does not infringe upon any existing copyright or other legal rights, that work not identified as quotations is the expression or creation of the author, and that necessary permission for quotation and the use of third-party works has been obtained.
- c. Negotiation and Execution of Agreements for Copyrightable Works

Agreements permitting a party to use, develop, or otherwise commercialize copyrightable works owned by TTU are encouraged. The ORC has primary responsibility for negotiating with third parties having an interest in using, developing, or otherwise commercializing copyrightable works.



d. Software as Patentable Subject Matter

In recent years, the U.S. Patent and Trademark Office has determined that software that meets certain technical and legal criteria may be patentable. In the case when software originally disclosed as a copyrightable work subsequently is determined to be patentable subject matter, and TTU chooses to seek patent protection for the software, then such software shall be managed under this regulation as an invention.

## 17. Distribution of Income from Commercialization and Licensing

- a. Where TTU has an ownership interest in the intellectual property pursuant to this policy, the following provisions will govern the distribution of royalties and other licensing income (“revenue”) after TTU has recouped all direct costs associated with the processing of the patent or copyright application and marketing and licensing the technology (“net revenue”):

*Distribution of Net Revenue and Other Income*

<i>Creator(s)</i>	<i>ORC</i>	<i>University</i>	<i>Department*</i>	<i>Unit**</i>
40%	30%	10%	10%	10%

\* Department, center, or institute

\*\* College or school

Net revenue is to be paid according to the above schedule as the net revenue is received. Funds received by the department and college will be placed in unrestricted accounts under their control. Such funds will not be used to substitute for funds budgeted for expenditure in the routine annual operating budget that is approved by the BOR.

- b. This OP recognizes that in addition to the traditional academic units such as departments and colleges, research, and specifically interdisciplinary research, can be sponsored by other academic units, such as centers and institutes. Because of the many different combinations that may occur, this OP is not intended to specify how net revenue is to be allocated within departments. It is, however, the general policy of this intellectual property OP to allocate net revenue to the departments and units that have provided the substantial level of indirect support that triggers TTU's ownership of the intellectual property. The policy encourages voluntary agreements between such units prior to the development of intellectual property (to allocate the percentage of net revenue share that is appropriate for each unit). In the event that no agreement can be reached prior to the generation of revenue, the President or his/her designee will resolve the allocation question.

The division of net royalties and other income from patents and copyrights managed by a patent or copyright agent will be controlled by TTU agreement with such agent, as approved by the BOR. Any deviation from this rule requires the prior approval of the BOR.

## 18. Distribution of Income from Copyrightable Works

All monetary proceeds from commercialization of copyrightable works owned by TTU, including royalties, equity interests, and dividends, will be distributed as set forth above (Section 17.a.).

In the event of multiple authors, the authors will agree among themselves as to the distribution of the income accruing to the authors; distribution of the authors' share shall be made only upon receipt of a signed agreement between the authors. In the event that an author is a joint employee of two or more components, or in the event that authors represent two or more components, the components will agree as to the distribution of the income accruing to the components.

## **19. Equity and Other Non-monetary Returns**

TTU may negotiate, but shall not be obligated to negotiate, for equity interests in lieu of or in addition to royalty and/or monetary consideration as a part of an agreement relating to inventions or copyrightable works.

- a. Creators may receive up to 50 percent of any equity or other non-monetary consideration (or, in the discretion of TTU, its monetary equivalent) received by TTU or its components under this section. However, TTU may choose to receive the consideration under terms that restrict its ability to sell, distribute, or otherwise deal with the equity interests. In such cases, any restrictions on the interests of TTU shall be equally applicable to the interest of the creator, unless waived or varied in writing and signed by the Director of the ORC and the creator.
- b. TTU does not act as a fiduciary for any person concerning equity or other consideration received under the terms of this regulation.
- c. The division of net revenue from patents and copyrights and marketing and licensing the technology managed by a patent or copyright agent will be controlled by TTU agreement with such agent, as approved by the BOR. Any deviation from this rule requires the prior approval of the BOR.

## **20. Equity Ownership**

This policy allows equity ownership and business participation by TTUS faculty, staff, and students consistent with state law as presently stated in [Texas Education Code 51.912](#) or any other future statutory provision relating to the subject matter of this intellectual property policy.

## **21. Trademarks**

In most situations, a trademark identifies an item of intellectual property, such as a computer program or a plant variety. In other situations, a trademark identifies an educational, service, public relations, research, or training program of TTUS or its components. TTUS, or the applicable TTUS component, owns all right, title, and interest in trademarks related to an item of intellectual property owned by TTUS or its components, or to a program of education, service, public relations, research, or training program of TTUS or its components. All income from the licensing of a trademark shall belong to TTUS, or the TTUS component, as applicable.

## **22. Tangible Research Property**

- a. TTU owns all right, title, and interest in tangible research property related to an individual's employment responsibilities and/or developed with support from TTU resources.

- b. For purposes of management of the asset, tangible research property shall be managed as an invention under sections 13 and 17, with distribution of income from the distribution or commercialization of such tangible research property made in accordance with section 17.

### **23. Offers of Intellectual Property**

- a. If an individual chooses to offer to TTU certain intellectual property in which TTU has no claim, TTU may accept ownership of the intellectual property provided that:
  - (1) The individual makes the offer to TTU as if the intellectual property had been created within TTU;
  - (2) The individual agrees to all provisions (including distribution of income provisions) of this policy;
  - (3) The individual warrants that he/she owns all right, title, and interest to the intellectual property, and that to the best of his/her knowledge, the intellectual property does not infringe upon any existing copyright or other legal rights.
- b. The ORC will decide whether to accept or reject such offers.
- c. Should TTU agree to accept the offer of intellectual property, the individual will execute an assignment agreement transferring all right, title, and interest in the intellectual property to TTU, and acknowledging that the individual agrees to all provisions of this policy, such agreement available from the ORC. In cases in which the individual has already expended funds toward obtaining patent or other legal protection for the invention, the individual and TTU may negotiate terms to allow recovery of legal and/or patent expenses from license fees and/or royalty income. Such an agreement would modify normal royalty sharing provisions until such expenses are recovered by the party entitled to recovery of the expenses.
- d. TTU may accept charitable donations of intellectual property from governmental or private organizations. Upon the transfer of title in the intellectual property to TTU, the intellectual property will be managed in accordance with this regulation.

### **24. Grievance Procedure**

Complaints under this policy will be administered in accordance with the complaint procedure described in *Regents' Rules* Section 10.15. The complaint procedure is available to covered persons. Students have the ability to use this procedure to complain that TTUS ORC has treated the student as a covered person or has otherwise determined that intellectual property created by the student is owned by TTUS when the student does not believe that determination is correct.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 74.08: Allegations of Misconduct in Research, Scholarly, or Creative Activity**

**DATE:** March 6, 2018

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to outline and delineate the procedures that will be followed in the event that allegations of misconduct in research or scholarly activity or of retaliation because of such allegations should be made against a member of the faculty, a member of the staff, or a student at Texas Tech University. The intent of this policy is to provide an institutional response to accusations of misconduct and, at the same time, to ensure that the individual accused of such misconduct has full opportunity to refute the allegations and present the pertinent facts. Purposeful misconduct in research and scholarship is unethical. All members of the university community are responsible for reporting instances of misconduct in research or scholarly activity or of retaliation.

**REVIEW:** This OP will be reviewed in February of odd-numbered years by the Vice President for Research with substantive revisions forwarded to the Provost and Senior Vice President (PSVP).

### **SCOPE**

This policy applies to all research, scholarly, and creative activity conducted at Texas Tech University. The policy does not apply to course work and other academic class activities that are covered by other policies (e.g., [OP 34.12, Grading Procedures](#); Student Handbook; and Code of Student Conduct). This policy applies to any member of the faculty, a member of the staff, or a student at Texas Tech University.

This policy and the procedures herein will be followed when a university official receives an allegation of misconduct in scientific or other scholarly activity or of retaliation because of such allegations. Circumstances of the reported case may require deviation from the normal procedure in order to meet the best interests of the university and parties involved. Any change in procedures must ensure fair treatment of the individual subject to the allegation, and any substantial changes of the procedure must be approved by the Vice President for Research (VPR) in advance of the change.

Difficulties are presented when an allegation of misconduct is brought after a significant passage of time from when the alleged misconduct occurred. As a result, it is common for institutions or other governmental bodies to restrict allegations that may be brought after the passage of a predetermined amount of time.

### **DEFINITIONS**

1. Allegation – Any oral or written statement or indication of possible misconduct
2. Complainant – A person who makes an allegation

3. Conflict of Interest – A conflict of interest refers to a situation in which an employee's financial, professional, or other personal considerations may directly or indirectly affect or have the appearance of affecting the employee's judgment in exercising any duty or responsibility, including the conduct or reporting of research, owed to the institution. For more information regarding TTU policy on conflict of interest, see TTU [OP 10.20, Conflict of Interest and Commitment Policy](#).
4. Inquiry – Preliminary information gathering and fact finding to conclude whether an allegation warrants an investigation
5. Investigation – The formal examination and evaluation of all relevant facts to determine if misconduct has occurred and, if so, to determine the responsible person and the seriousness of the conduct
6. Good Faith Allegation – An allegation made with the honest belief that scientific misconduct may have occurred. An allegation is not in good faith if made with reckless disregard for or willful ignorance of facts that would disprove the allegation.
7. Malicious Intent – Intent to do harm in the making of an allegation: a report made when the report was not true and the complainant knew it was not true, but made the report anyway to harm the respondent.
8. Misconduct – Includes fabrication, falsification, or plagiarism in proposing, performing, or reviewing research or in reporting research results. It also includes ordering, advising, or suggesting that subordinates engage in research misconduct. The misconduct must depart significantly from accepted practices of the relevant research community and must be committed intentionally, knowingly, or recklessly. It does not include honest error or differences of opinion. Misconduct includes the material failure to comply with federal requirements for protection of researchers, human subjects, or the public, or for ensuring the welfare of laboratory animals. Misconduct also includes, but is not limited to, the failure to meet other legal requirements governing research and scholarly activity.
  - a. Fabrication – Making up data or results and recording or reporting them
  - b. Falsification – Manipulating search materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record
  - c. Plagiarism – The appropriation of another person's ideas, processes, results, or words without giving appropriate credit
9. Research Integrity Officer (RIO) – The institutional official responsible for assessing allegations of research misconduct to determine if they fall within the definition of research misconduct and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified.
10. Respondent – The person(s) against whom an allegation of scientific misconduct is directed or the person whose actions are the subject of the inquiry or investigation. There can be more than one respondent in any inquiry or investigation.

11. Retaliation – Any adverse action or credible threat of an adverse action taken by a covered institution, or member thereof, in response to a complainant's good faith allegation of research, scholarly, or creative misconduct

## **PROCEDURE**

If an allegation of misconduct in research or other scholarly activity is made against a member of the Texas Tech University faculty, staff, or student body, and the alleged misconduct involves extramural funding, the RIO, in consultation with the VPR, shall consult with the source of the extramural funds for guidance on investigating, reporting, and responding to such allegations. Texas Tech University shall first look to any interested organized entity for guidelines in responding to allegations of misconduct in research or scholarly activity.

If an allegation of misconduct in research or other scholarly activity is made against a member of the Texas Tech University faculty, staff, or student body, the allegation shall be dealt with in the following manner:

### **1. Reporting Misconduct or Retaliation**

- a. All reports of alleged fraud, misconduct, and retaliation under this policy shall be directed to the RIO. Upon receipt of a formal, written, and signed allegation of fraud, misconduct, or retaliation, the RIO shall initiate an inquiry.
- b. There shall be no retaliation against any complainant who makes a good faith report or complaint under this policy.

### **2. Cooperation with Research Misconduct Proceedings**

Institutional members will cooperate with the RIO and other institutional officials in the review of allegations and the conduct of inquiries and investigations. Institutional members, including respondents, have an obligation to provide evidence relevant to research misconduct allegations to the RIO or other institutional officials.

### **3. Inquiry**

- a. The RIO is to make an immediate inquiry into the allegations. The RIO shall make an initial finding of whether:
  - (1) The subject matter and individuals accused in the reported allegation are within the scope of this policy.
  - (2) The allegations are sufficient to warrant an investigation into the alleged misconduct.
- b. An inquiry shall consist of information gathering and initial fact finding to determine whether an allegation of misconduct warrants an investigation. No presumption that misconduct occurred is created if the RIO determines that an investigation is warranted. Inquiry procedures will be determined by the circumstances of the allegations, but shall include notification of the individual against whom the allegation is made. The inquiry shall be completed within 60 days after receipt of the allegation. Any extension of this period will be based on good cause, approved in advance by the VPR, and recorded in the inquiry file.

- c. As a part of the inquiry, the RIO shall take appropriate action to preserve original research records and materials and all documents relevant to the inquiry. If appropriate, the RIO shall take interim administrative actions to protect federal funds and ensure that the purposes of the grant or contract are being carried out.
- d. All persons involved in the inquiry shall make diligent efforts to protect the identity of the complainant during the inquiry phase. If the process reaches the investigative phase, the right of the respondent to confront the complainant may require that the identity of the complainant be revealed. There shall be no retaliation against a complainant for his/her good faith allegation of misconduct.
- e. At the time of or before beginning an inquiry, the RIO shall make a good faith effort to notify the respondent in writing. If the inquiry later identifies additional respondents, the RIO shall notify them in writing. On or before the date on which the respondent is notified or the inquiry begins, whichever is earlier, the RIO shall take all reasonable and practical steps to obtain custody of all research records, including computer records, and evidence needed to conduct the inquiry, inventory the records and evidence, and sequester them in a secure manner. If the research records or evidence comprise instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, as long as those copies are substantially equivalent to the evidentiary value of the instruments. The RIO shall conduct the inquiry utilizing all materials and persons necessary to resolve the matter fairly and justly. This includes, but is not limited to, reviewing documents, materials, and other pertinent information from research, as well as conducting interviews of personnel. Normally, at the inquiry stage, the interviews will only include the claimant and respondent; however, the RIO may interview other persons relevant to the investigation if necessary. The respondent will have the opportunity to be interviewed and to present evidence in the initial inquiry.
- f. A report of the findings from the inquiry shall be made in writing to the VPR. Reports of inquiries shall be maintained in the office of the VPR for a period of seven years. The respondent shall have the opportunity to review drafts of the inquiry reports and to be informed of the results of the inquiry.
- g. If results of the inquiry indicate that the allegation was made with malicious intent, the VPR shall determine what action should be taken against the complainant.

#### 4. Investigation

- a. If the finding of the inquiry is that an investigation is warranted, the VPR shall appoint an ad hoc committee within 30 days after completion and/or reception of the report finding an investigation is warranted. The purpose of the investigation is to:
  - Explore in detail the allegations;
  - Examine all evidence in depth;
  - Determine if misconduct has occurred, by whom, and to what extent; and
  - Report to the VPR the committee's findings as to whether or not the allegations have, in the committee's opinion, sufficient basis in fact for the university to consider disciplinary action against the individual.

The investigation should also determine whether additional circumstances exist that warrant the expansion of the scope of the investigation beyond the initial allegations.

- b. The ad hoc committee will consist of three to five persons chosen by the VPR, in consultation with the chairperson or other appropriate official having administrative jurisdiction over the academic unit in which the individual holds principal academic appointment. The VPR shall appoint one ex-officio member of the committee from the Texas Tech University Faculty Senate. Insofar as possible, the members of the committee will be persons having sufficient acquaintance with research and scholarship in the discipline in question so that they can assess the allegation. In appointing the investigating committee, the VPR shall select impartial experts and make efforts to avoid real or apparent conflicts of interest. Committee members shall have the requisite expertise, based on the VPR's discretion, to effectively review and evaluate all relevant facts and materials.
- c. The VPR shall notify the respondent of the proposed committee membership. If the respondent submits a written objection to an appointed member of the committee based on a bias or conflict of interest within five days after notification, the VPR will determine whether to replace the individual with a qualified substitute.
- d. The VPR shall prepare a charge for the ad hoc committee describing the allegations made and any related issues identified prior to the investigation. The charge shall define scientific misconduct and identify the name of the respondent. The charge shall state that the committee is to evaluate the evidence and testimony of the complainant, respondent, and witnesses to determine whether, based upon a preponderance of the evidence, scientific misconduct occurred, who was responsible, and its seriousness.
- e. The investigating committee shall complete the investigation within 120 days. Any extension of this period will be based on good cause and approved in advance by the VPR. If the committee judges that disciplinary action is warranted, the committee will also make a recommendation to the VPR concerning what action should be taken. Possible disciplinary actions include, but are not limited to:
  - Issuing a formal reprimand;
  - Requiring special administrative arrangements to ensure compliance with applicable regulations;
  - Restricting particular research activities;
  - Removing the individual from the graduate faculty; and
  - Filing a formal charge of unfitness for continued employment at Texas Tech University.
- f. The respondent shall be treated fairly and his/her identity shall be kept confidential to the extent possible without compromising public health or safety or the ability to conduct the investigation efficiently and effectively. The respondent shall have the opportunity to review all evidence and to present evidence. The respondent is entitled to employ outside counsel at his/ her own expense for the duration of the proceedings. The respondent's counsel may accompany the respondent in meetings but may not ask questions or offer testimony. The respondent shall have the opportunity to review all drafts of the investigation reports and to be informed of the committee's decision.

## 5. Action

- a. If the inquiry or investigation involves a project funded by the Public Health Service (PHS), the National Science Foundation (NSF), or other agencies that have mandated notification policies, the VPR shall follow the respective agency's policies regarding notification.



- b. Following the investigation, the VPR, in consultation with the PSVP, shall decide what action should be taken.
- c. Records of the proceedings and the committee's findings shall be maintained in the office of the VPR for a period of seven years following the close of the investigation and the acceptance of any reports required by federal agencies.

## 6. Appeal

- a. Any person who has been found by the preceding procedures to have committed misconduct in research or scholarly activity may appeal that finding to the President of Texas Tech University if the person alleges the decision is:
  - Not based on consideration of all available evidence;
  - Not constitutionally permissible; or
  - Significantly noncompliant with the university's established standards or procedures.

This appeal must be filed in writing within 14 days after the accused is informed of the committee's finding. Failure of the accused to appeal to the PSVP or President within the prescribed time limits will make the decision of the VPR final.

- b. Within 14 days of receiving an appeal, the PSVP or President shall begin a review and investigation of the committee's finding and shall issue a decision on the appeal within 45 days of the appeal. In considering the appeal, the PSVP or President may act alone or involve others, as appropriate. The decision of the appeal shall be final.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 74.14: University-Recognized Centers and Institutes**

**DATE:** February 24, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure compliance with the university policy concerning centers and institutes. Centers and institutes provide stimulating and organized opportunities to enhance research, particularly of an interdisciplinary nature, as well as instruction and outreach beyond what is possible from the traditional academic units. It is the desire of the university that these innovative activities succeed, grow, and achieve excellence. This OP is designed to enhance the future success of centers and institutes at TTU.

**REVIEW:** This OP will be reviewed in April of even-numbered years by the Office of Research and Innovation (OR&I) with substantive revisions presented via the Provost and Senior Vice President (PSVP) to the President by May 15.

### **POLICY/PROCEDURE**

#### **1. Definitions**

- a. Center: a university-recognized center is composed of faculty and, potentially, staff and students who declare a shared technical interest and pursue shared research, instruction, and/or outreach as an enterprise that involves common activities; these may include cooperative research and scholarship, shared resources, operations, facilities, and personnel.
- b. Institute: a university-recognized institute is broader and more complex than a center and may be a collection of centers or an amalgamation of entities.
- c. University Official: the person to whom the center or institute director reports (e.g., a dean, a vice president, or the PSVP) may be referred to as the “university official.”

#### **2. Policies and Procedures**

The intent of a university-recognized center or institute as an approved organizational unit of the university is to help the faculty, staff, and students to succeed in the pursuit of excellence and achievement in research, instruction, and outreach. In the pursuit of that goal, recognition, registration, and review of centers and institutes confirm a general commitment by the university to the success of the enterprise. A center or institute may not offer formal courses for degree credit or award degrees unless specifically authorized by the PSVP.

Accountability and performance-based management is the responsibility of the university official to whom the proposed center or institute director reports as identified in Attachment A.

An up-to-date database of university-recognized centers and institutes will be maintained in the Office of Research and Innovation (OR&I).

a. Establishment

Faculty groups with common interests may find it appropriate to organize themselves in a common focus to establish an identifiable unit within the university. Major criteria for the formation of such units are:

- (1) Relevance to the university's academic, research, and/or service mission;
- (2) Potential benefits to be gained by the formation of such a unit; and
- (3) Direct contributions to achieving the goals in the university's strategic plan.

In this context, the university is authorized to establish centers and institutes as they pertain to the academic, research, and service mission of the institution. Each university-recognized center and institute must conform to university policies as well as to state regulations and statutes and requires appropriate oversight, reporting, and review.

Each center or institute must be established by completing Attachment A. Any university financial commitment to the proposed center or institute must be documented (Attachment A, section 5.). Approval shall be obtained from the university official (for example, a dean, vice president, the PSVP, and so forth). Final approval shall then be obtained from OR&I. If the center or institute is approved, all documents will be filed with OR&I.

b. Modification

Proposed changes in name, mission, direction, director, or university official shall be submitted through the university official to OR&I by completing Attachment B.

c. Dissolution

A university-recognized center or institute may be proposed for dissolution by the director at any time through the university official by submitting Attachment B to OR&I.

Alternatively, if at any time the university official believes that it is in the university's better interests to dissolve a center or institute contrary to the director's wishes, the university official may request in writing with cause that OR&I initiate a review. OR&I will request in writing a response from the center or institute director in a timely manner not to exceed six months. If disagreement between the director and the university official persists, OR&I shall charge the University Research Committee to conduct a review. The committee will report its findings to OR&I, who will implement the committee's recommendations.

If dissolved, the center or institute will develop a written plan providing for the timely disposition of any property or assets, to be approved by the university official. When disposition is completed, the university official and OR&I shall be notified in writing.

d. Review

Centers and institutes will be evaluated annually to ascertain if their continued existence is in the best interest of the university and its total program.

Centers and institutes will be reviewed on a three-year rotation after establishment to determine progress toward achieving established goals and will receive an annual performance review. Centers and institutes will be randomly assigned to one of three groups and submission of an annual or triennial report will be required.

- (1) Annual Report: Gathers basic information such as website management and engagement metrics. The goal of this report is to ensure the center or institute is active and maintaining up-to-date information for external audiences.
- (2) Triennial Report: Gathers in-depth information related to the center or institute work over the last three years. The report gathers information on the accomplishments, plans, and alignment with university strategic plans and initiatives, as well as engagement, collaborative, and publication metrics. Basic reporting measures found in the Annual Report are also included in the Triennial Report. The goal of the Triennial Report is to provide a thorough understanding of the work, partnership, and productivity of each center or institute.

Following the review, centers and institutes will be given recommendations by the committee and assigned active or probationary status.

- (1) Active Status: centers or institutes assigned active status will be reviewed annually.
- (2) Inactive Status: centers or institutes will be assigned inactive status if no activity has been reported after two years. If a center or institute is assigned inactive status, the center or institute website will be removed from public access. Status changes will be reviewed annually.
- (3) Probationary Status: centers or institutes assigned probationary status will be reviewed again after a period specified by the review committee. The timeline for subsequent review will begin on the first day of the next fiscal year.

The review will be initiated by OR&I by notifying the director and the university official to whom he/she reports. A review team will be appointed by OR&I after nominations are solicited from the center or institute director and the university official. OR&I has the option to appoint one or two members who are external to the university, but they should not represent a majority.

[Attachment A: Request to Establish a University-Recognized Center or Institute](#)

[Attachment B: Request to Modify or Dissolve a University-Recognized Center or Institute](#)

# Request to Establish a University-Recognized Center or Institute\*

**Name of Center or Institute:**

**Director:**

**Date submitted:**

**I. Structure/Organization:**

**II. Interdisciplinary and/or Multidisciplinary Activities**

a. Discuss proposed interdepartmental activities

b. Discuss proposed intercollegiate activities

**III. Participants:**

a. List known faculty participants, their departments, and colleges

b. List other potential faculty participants, their departments, and colleges

c. List known external participants (e.g., industry, other universities, foundations) and the nature of their involvement

d. List other potential external participants and the nature of their involvement

**IV. Sources of Funding** (e.g., federal and/or state agencies, line items, foundations)

**V. Resources Requested from the University** (e.g., financial commitments, laboratory space, core facilities, staff, equipment)

**VI. Similar Centers and Institutes:** For both Texas and other universities, give the name of similar center or institute, the university, its mission, its approximate research expenditures, and a description of how the proposed Texas Tech center or institute would compliment or compete with it.

Texas universities:

Other universities:

**VII. Benchmarks:** Give three-year benchmarks for publications, creative activities, service functions, academic activities, grant proposals, grants awarded, and total research dollars to be generated.

\* as approved by the Texas Tech University Board of Regents.

APPROVAL:

Signature of University Official (person to whom the center or institute director reports)

Date

Printed name and title of University Official

Signature of Vice President for Research & Innovation

Date

Printed name of Vice President for Research & Innovation

Signature of President

Date

Printed name of President

Report on establishment of new centers and institutes per Section 04.11.2., Regents' Rules: "The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the President, with notice provided to the board via an item in the information Agenda for the next meeting of the board."

# Request to Modify or Dissolve a University-Recognized Center or Institute

Name of Center or Institute:

Director:

Date submitted:

Request:

☐

Modify

☐

Dissolve as a University-Recognized Center or Institute

Justification:

**APPROVAL:**

\_\_\_\_\_  
Signature of University Official (person to whom the center or institute director reports)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name and title of University Official

\_\_\_\_\_  
Signature of Vice President for Research & Innovation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name of Vice President for Research & Innovation

This form will be filed in the Office of Research & Innovation (OR&I).



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 74.17: Disclosure of Significant Business or Financial Interests that may Represent Conflicts of Interest**

**DATE:** February 15, 2019

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure that faculty and staff are aware of and remain free from conflicts of interest as a result of interaction with the public and private sectors.

**REVIEW:** This OP will be reviewed in August of even-numbered years by the Associate Vice President for Research (Integrity) (AVPR) with substantive revisions presented to the Vice President for Research.

## **POLICY/PROCEDURE**

### **1. Introduction**

Texas Tech University (TTU) recognizes its responsibilities as a public institution to encourage interaction between its employees and the public and private sectors as an important component of its research, instructional, and service activities. The university encourages the recruitment, retention, and recognition of creative individuals who promote interactions with industry, the business community, and other public or private entities consistent with their primary commitment to the university. The university and its employees also are committed to conducting themselves and their activities in a manner consistent with the highest standards of integrity and ethics.

Federal regulations require that institutions have policies and procedures in place to ensure that employees disclose any significant financial interests that may represent an actual or potential conflict of interest in relationship to externally sponsored projects. Therefore, this document articulates the general university regulations and procedures regarding conflicts of interest, which serve to protect the credibility and the integrity of the university's faculty and staff, as well as the institution, so that public trust and confidence in its sponsored activities are not compromised in any way. Furthermore, the National Institutes of Health (NIH) requires that institutions promote objectivity in research by establishing standards that provide a reasonable expectation that the design, conduct, and reporting of research funded under Public Health Service (PHS) grants or cooperative agreements will be free from bias resulting from investigator financial conflicts of interest. Therefore, this document provides specific reference to unique requirements for employees who are planning to participate in, or are participating in, PHS research funding received as a grant or cooperative agreement.

The potential for conflict arises because of the nature and scope of activities engaged in by the university and its employees. The university assumes that potential for conflicts will occur regularly in the normal conduct of activities. However, it is essential that any significant potential for conflicts be disclosed and reviewed by the university. After disclosure, the university can then



make an informed judgment about a particular case and require appropriate oversight, limitations, or prohibitions on the activity. Employees may not engage in activities in which an actual unmanageable conflict of interest occurs.

In addition to issues addressed in these regulations, there may be ethical considerations that are distinct and separate from conflict of interest questions.

## 2. **Applicability**

This policy applies to all employees of TTU. Section 3 applies to all employees of TTU and to persons who are subgrantees, contractors, consortium participants, collaborators, or consultants who are not covered by section 4. Section 4 applies to all employees of TTU and to persons who are subgrantees, contractors, consortium participants, collaborators, or consultants, who are planning to participate in, or are participating in, PHS research funding received as a grant or cooperative agreement.

## 3. **For All TTU Employees and Other Individuals who are Not Covered by Section 4**

### a. Definitions

- (1) "Investigator" means the principal investigator, co-principal investigators, project director, and any other person at TTU or its subgrantees, contractors, or collaborators who is responsible for the design, conduct, or reporting of research or educational activities that are funded or proposed for funding by any external entity. Usually, these will be the individuals whose names appear on the *Internal Routing Sheet for Sponsored Projects*. The definition of investigator includes the investigator's family members, defined as a spouse and dependent relatives or household members. These definitions align with those in Chapter 03, *Regents' Rules*, regarding conflicts of interest.
- (2) "Key Personnel" includes the PD/PI and any other personnel considered to be essential to work performance and/or identified as Key Personnel in the contract proposal and contract.
- (3) "Significant business or financial interest" means anything of monetary value including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights).

Examples of Significant Business or Financial Interests Include:

- (a) An equity interest that, when aggregated for the investigator and the investigator's spouse and dependent relatives or household members, (1) exceeds \$5,000 in value, as determined through reference to public prices or other reasonable measures of fair market value; or (2) represents more than a 5 percent ownership interest in any single entity; or
- (b) Salary, royalties, gifts such as paid travel or other payments that, when aggregated for the investigator and the investigator's spouse and dependent

relatives or household members, are expected to exceed \$5,000 from any single entity during the next 12-month period.

Significant Business or Financial Interest Does Not Include:

- (a) Salary, royalties, or other remuneration from TTU;
  - (b) Royalties and honoraria for published scholarly or creative works;
  - (c) Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
  - (d) Income from service on advisory committees or review panels for public or nonprofit entities; or
  - (e) Mutual funds and other managed accounts such as retirement accounts; however, investments in retirement accounts in which the investigator has control over which specific stocks or other equity interests are purchased might trigger a need for disclosure if a particular holding directed by the investigator would reasonably appear to be affected by the specific research project.
- (4) "Unit head" means department chair, area coordinator, director, or, in the case of colleges that do not have areas or departments, the dean.
  - (5) "Designated official" means dean of a college, director of a center or institute, or a vice president in charge of a non-academic unit. In some cases, the unit head and the designated official will be the same person.
  - (6) "Entity" means any domestic or foreign, public or private, organization (excluding a federal agency) from which an investigator (and spouse and dependent relatives or household members) receives remuneration or in which any person has an ownership or equity interest.
  - (7) "IFDC" means the Investigator Financial Disclosure Committee as described in [OP 74.12, Investigator Financial Disclosure Committee](#).

b. Procedure

(1) Annual Disclosure

All employees and other individuals holding or planning to submit for external funding within the academic year shall disclose to the IFDC and AVPR, by October 1 of each year, the following significant business or financial interests, including interests of their spouse and dependent relatives or household members:

- (a) Any significant business or financial interest that would reasonably appear to be affected by the research or educational activities funded, or proposed for funding, by an external sponsor; or

- (b) Any significant business or financial interest in an entity whose business or financial interest would reasonably appear to be affected by the research or educational activities funded, or proposed for funding, by an external sponsor.

Employees who have no significant business or financial interests as described above shall submit a certification to that effect.

Employees who do not hold external funding as of October 1 of each year and subsequently apply for such funding shall complete the disclosure process outlined above prior to submission of their funding proposal(s), if they have not already done so.

The preceding provisions shall apply to all Key Personnel (as defined above) on all externally funded projects.

The general declaration form, *Confidential General Disclosure of Either Significant or No Significant Business or Financial Interests in any External Entity* (Attachment B), and the detailed disclosure form, *Confidential Supplemental Detailed Disclosure of Significant Business or Financial Interest* (Attachment C), shall be used for general declarations and detailed disclosures. Employees with no significant business or financial interests should complete and sign only Attachment B. Employees with significant interests should complete and sign both Attachment B and Attachment C for each entity in which they have a significant business or financial interest.

All forms (those reporting no significant business or financial interests and those reporting significant business or financial interests) must be reviewed by the unit head. The forms should be completed, submitted, and reviewed via the secure, online interactive questionnaire available via an eRaider-authenticated link or in hard copy if the online system is not available.

Further, the outside employment or consulting approval form, *Other Employment, Faculty Consulting, and Public Offices Form* (Attachment A), can be used to request approval of outside employment, as required by [OP 32.07, Other Employment, Faculty Consulting, and Public Offices](#). This approval process is managed by the Office of the Provost and Senior Vice President, and the form can be submitted using the instructions on the form.

If there is a change in the reported information during the year, the employee shall submit an updated form to the AVPR (See section 3. a. (3)).

Regardless of the minimum requirements above, an employee may choose to disclose any other business, financial, or related interest that could present an actual conflict of interest or be perceived to present a conflict of interest. Disclosure is a key factor in protecting one's reputation and career from potentially embarrassing or harmful allegations of misconduct.

Such reporting shall not predate any required submissions to the Securities and Exchange Commission (SEC), nor shall such reports contain information that would be restricted under insider information regulations of the SEC.

The AVPR shall maintain records of all business or financial disclosures for three years beyond the termination or completion of the award to which they relate, or until the resolution of any government action involving those records, whichever is longer.

The AVPR shall maintain the confidentiality of disclosures, insofar as possible. Disclosures should be forwarded as per instructions in the disclosure forms.

(2) Certification at the Time of Proposal Submission

Prior to submitting a proposal for funding to any external agency, each investigator shall certify that he/she has disclosed any significant business or financial interests (including those of a spouse and dependent relatives or household members) that would reasonably appear to be affected by the project for which funding is sought, and the unit head shall certify that, based on the investigator's disclosure, either: (1) no conflicts of interest exist; or (2) existing conflicts will be managed, reduced to an acceptable level, or eliminated prior to expenditure of funds under the award. These certifications shall be made by signing the *Internal Routing Sheet for Sponsored Projects*.

(3) Review of Disclosures

The process outlined in section b.(1) above is applicable.

The AVPR and the IFDB shall review all disclosures.

If the AVPR and the IFDC determine that no conflict of interest exists, the AVPR or designee shall make the appropriate notation on the form and the form will be stored in a manner to protect confidentiality. The AVPR or designee shall strive to make his/her determination within 30 days of receipt of the disclosure.

If the AVPR or the IFDC determines that a conflict of interest exists, the AVPR, in conjunction with the IFDC, shall take actions necessary to ensure that such conflicting interests will be managed, reduced to an acceptable level, or eliminated. In making this determination, the AVPR may seek the advice of individuals, chairpersons, deans, the IFDC, a committee appointed by the VPR, the Office of Research Commercialization, the TTUS Office of the General Counsel, the TTUS Office of Audit Services, or other university administrators. The AVPR and IFDC, in concert with the investigator, will prepare a management plan for managing, reducing, or eliminating the conflict; this document will be signed by the investigator, unit head, designated official, and AVPR. A signed management plan must be in place prior to expenditure of funds under any external award.

If the AVPR, IFDC, and investigator have not agreed upon a management plan 30 days following a determination that a conflict exists, the investigator may seek the intervention of the VPR.

The AVPR shall maintain records of all actions taken with respect to each conflicting interest for three years beyond the termination or completion of the award to which they relate, or until the resolution of any government action involving those records, whichever is longer.

The AVPR shall maintain, insofar as possible, the confidentiality of disclosures and management plans. Disclosures should be forwarded as per instructions in the disclosure forms.

c. External Reporting

The AVPR shall be responsible for all reporting requirements to external agencies. These include the following:

- (1) The AVPR will sign institutional certifications required in proposals.
- (2) The AVPR will report the existence of a conflict and its management plan to the VPR.
- (3) The AVPR will notify the sponsoring agency in the event an employee has failed to comply with the university's policy.
- (4) The AVPR will notify the sponsoring agency in the event that TTU is unable to manage a conflict of interest satisfactorily.
- (5) In the event a conflict of interest is identified after the expenditure of funds under an award, the AVPR will, within 60 days of identifying the conflict (less time if required by the sponsoring agency), notify the agency of the existence of the conflict and assure that the conflict has been managed, reduced to an acceptable level, or eliminated.
- (6) Upon request from any sponsoring agency or other authorized government entity, the AVPR will provide information regarding all conflicting interests identified by TTU and describe how those interests have been managed, reduced to an acceptable level, or eliminated.
- (7) In the event that an investigator fails to comply with the university's conflict of interest policy and has biased the design, conduct, or reporting of an externally funded project, the AVPR will notify the agency of corrective action taken.

d. Guidelines

A conflict of interest exists when the designated official reasonably determines that a significant business or financial interest could directly and significantly affect the design, conduct, or reporting of externally funded research, service, or educational activities.

Significant financial interests in companies submitting proposals to Small Business Innovation Research Programs and Small Business Technology Transfer Programs are specifically excluded from the federal definition of conflict of interest.

- (1) Examples of manageable conflicts of interest include, but are not limited to, the following:
  - (a) Situations in which the outside activity will conflict with previously established responsibilities to the university;

- (b) Situations that might allow a university employee to influence the university's dealings with an outside organization, such that personal gain for the employee or improper advantage for anyone is the result; and
  - (c) Supervision of student research activities when research in that area might lead to financial or personal gain for the faculty member
- (2) Examples of unacceptable conflicts of interest include, but are not limited to, the following:
  - (a) Use for personal profit of unpublished information originating from university research or other confidential university sources;
  - (b) Consulting under arrangements that impose obligations that conflict with the university's intellectual property policy or with the university's obligations to research sponsors or that inhibit the publication of research results obtained within the university; and
  - (c) Circumstances in which a substantial body of research that could, and ordinarily would, be carried on within the university is conducted elsewhere to the disadvantage of the university and its legitimate interests
- (3) Examples of conditions or restrictions that might be imposed to manage, reduce, or eliminate conflicts of interest include, but are not limited to:
  - (a) Public disclosure of significant business or financial interests;
  - (b) Disclosure of conflicts of interest in each public presentation of the results of the research;
  - (c) Review of research protocol by independent reviewers;
  - (d) Monitoring of research by independent reviewers;
  - (e) Modification of the research plan;
  - (f) Disqualification from participation in the portion of the externally funded research that would be affected by the significant business or financial interests;
  - (g) Divestiture of significant business or financial interests; or
  - (h) Severance of relationships that create conflicts

e. Compliance

No proposals will be submitted without the required certifications. If a conflict is identified, the proposal may be submitted before the management plan is implemented if the designated official determines that the conflict can be managed or eliminated prior to the award of funds. No awarded funds will be spent until the conflict is resolved.

If breaches of the policy occur, sanctions will be imposed. Breaches include, but are not limited to: failure to file; intentionally filing an incomplete, erroneous, or misleading disclosure form; failing to provide additional information as required by the unit head or designated official; or violation of terms outlined in the management plan. If sanctions are necessary, they will be imposed in accordance with the university's OPs (e.g., [OP 74.08, Allegations of Misconduct in Research or Scholarly Activity](#)). The potential sanctions may include, but are not limited to, the following:

- Letter of admonition
- Suspension of award funds
- Ineligibility of the employee for grant applications or supervision of graduate students
- Suspension, including withholding of salary
- Non-renewal of appointment
- Dismissal

Impending actions may be appealed by the employee to the university in accordance with procedures outlined in [OP 32.05, Faculty Grievance Procedures](#), or [OP 70.10, Non-faculty Employee Complaint Procedures](#).

For additional information on conflicts of interest, see Chapter 03, *Regents' Rules*, OPs [10.11, Ethics Policy](#), [32.07, Other Employment, Faculty Consulting, and Public Offices](#), [70.31, Employee Conduct, Coaching, Corrective Action, and Termination](#), [74.04, Intellectual Property Rights](#), and [74.08, Allegations of Misconduct in Research, Scholarly, or Creative Activity](#), and Government Code, § 572.051, Standards of Conduct; State Agency Ethics Policy.

#### 4. **For All TTU Employees and Other Individuals Participating in or Planning to Participate in PHS Research Funding Received as a Grant or Cooperative Agreement**

##### a. Definitions

- (1) "Investigator" means the principal investigator, project director, and any other person at TTU, or its subgrantees, contractors, or collaborators, regardless of title or position, who is responsible for the design, conduct, or reporting of research funded by the Public Health Service (PHS), or proposed for such funding. The definition of investigator includes the investigator's family members, defined as a spouse and dependent relatives or household members. These definitions align with those in Chapter 03, *Regents' Rules*, regarding conflicts of interest.
- (2) Key personnel include the PD/PI and any other personnel considered to be essential to work performance, in accordance with HHSAR subpart 352.242–70 (see [http://grants.nih.gov/grants/policy/coi/fcoi\\_final\\_rule.pdf](http://grants.nih.gov/grants/policy/coi/fcoi_final_rule.pdf)) and identified as key personnel in the contract proposal and contract.

(3) "Significant business or financial interest" means:

- (a) A financial interest consisting of one or more of the following interests of the investigator (and those of the investigator's spouse and dependent relatives or household members) that reasonably appears to be related to the investigator's institutional responsibilities:
  - With regard to any publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;
  - With regard to any non-publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the investigator (or the investigator's spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest); or
  - Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests
- (b) Investigators who are planning to participate in PHS-funded research must disclose their reimbursed or sponsored travel related to their institutional responsibilities for which the aggregate amount exceeds \$5000 in value from a single entity over the previous twelve-month period. Reimbursed or sponsored travel includes that which is paid on behalf of the investigator and not reimbursed to the investigator so that the exact monetary value may not be readily available. This disclosure requirement does not apply to travel that is reimbursed or sponsored by a federal, state, or local government agency, an institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education. Disclosure will include the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration. The AVPR will determine if further information is needed, including a determination or disclosure of monetary value, in order to determine whether the travel constitutes a financial conflict of interest (FCOI) with the PHS-funded research. Once investigators have made their initial disclosure, they are required to update their disclosures within 30 days of acquiring reimbursed or sponsored travel that exceeds \$5000 in value from a single entity over the previous twelve-month period. These reimbursements apply to the investigator and his/her spouse and/or dependent children.
- (c) The term significant financial interest does not include the following types of financial interests: salary, royalties, or other remuneration paid by TTU to the investigator if the investigator is currently employed or otherwise appointed by TTU, including intellectual property rights assigned to TTU and agreements to



share in royalties related to such rights; any ownership interest in TTU held by the investigator; income from investment vehicles, such as mutual funds and retirement accounts, as long as the investigator does not directly control the investment decisions made in these vehicles; income from seminars, lectures, or teaching engagements sponsored by a federal, state, or local government agency, an institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education; or income from service on advisory committees or review panels for a federal, state, or local government agency, an institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education.

- (4) "Unit head" means department chair, area coordinator, director, or, in the case of colleges that do not have areas or departments, the dean.
- (5) "Designated official" means dean of a college, director of a center or institute, or a vice president in charge of a non-academic unit. In some cases, the unit head and the designated official will be the same person.
- (6) "Entity" means any domestic or foreign, public or private, organization (excluding a federal agency) from which an investigator (and spouse and dependent relatives or household members) receives remuneration or in which any person has an ownership or equity interest.
- (7) "IFDC" means the Investigator Financial Disclosure Committee, as described in [OP 74.12, Investigator Financial Disclosure Committee](#).

b. Procedure

(1) Training

All employees and other individuals planning to act as investigators must complete training regarding financial conflict of interest prior to engaging in research related to any PHS-funded grant and at least every four years, and immediately when any of the following circumstances apply:

- (a) TTU revises its financial conflict of interest policies or procedures in any manner that affects the requirements of investigators;
- (b) An investigator is new to TTU; or
- (c) TTU finds that an investigator is not in compliance with TTU's financial conflict of interest policy or management plan.

Appropriate training is provided by NIH and Collaborative Institutional Training Initiative (CITI) <https://www.citiprogram.org/Default.asp>. To identify appropriate training and submit training records, an investigator should contact [researchintegrity@ttu.edu](mailto:researchintegrity@ttu.edu).

## (2) Annual Disclosure

- (a) All employees and other individuals holding or planning to submit for external funding within the academic year shall disclose to the IFDC and the AVPR, by October 1 of each year, the following significant business or financial interests, including interests of their spouse and dependent relatives or household members: Any significant business or financial interest that would reasonably appear to be related to the investigator's institutional responsibilities; or
- (b) Any significant business or financial interest in an entity whose business or financial interest would reasonably appear to be related to the investigator's institutional responsibilities.

The annual disclosures shall include any information that was not disclosed initially to TTU or in a subsequent disclosure of significant financial interests (e.g., any financial conflict of interest identified on a PHS-funded project that was transferred from another institution), and shall include updated information regarding any previously disclosed significant financial interest (e.g., the updated value of a previously disclosed equity interest).

Each investigator who is participating in the PHS-funded research shall submit an updated disclosure of significant financial interests within 30 days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) a new significant financial interest.

Employees planning to act as investigators who have no significant business or financial interests as described above shall submit a certification to that effect.

Employees who do not hold external funding as of October 1 of each year and subsequently apply for such funding shall complete the disclosure process outlined above prior to submission of their funding proposal(s), if they have not already done so.

The preceeding provisions shall apply to all Key Personnel (as defined above) on all externally funded projects.

The general declaration form, *PHS-Specific Confidential General Disclosure of Either Significant or No Significant Business or Financial Interests in any External Entity* (Attachment D), and the detailed disclosure form, *PHS-Specific Confidential Supplemental Detailed Disclosure of Significant Business or Financial Interest* (Attachment E), shall be used for general declarations and detailed disclosures. Employees with no significant business or financial interests should complete and sign only Attachment D. Employees with significant interests should complete and sign both Attachment D and Attachment E for each entity in which they have a significant business or financial interest.

All forms (those reporting no significant business or financial interests and those reporting significant business or financial interests) must be reviewed by the unit head. The forms should be completed, submitted, and reviewed via the secure, online interactive questionnaire available via an eRaider-authenticated link or in hard copy if the online system is not available. Further, the outside employment or consulting approval form, *Other Employment, Faculty Consulting, and Public Offices Form*

(Attachment A), can be used to request approval of outside employment, as required by [OP 32.07, Other Employment, Faculty Consulting, and Public Offices](#). This approval process is managed by the Office of the Provost and Senior Vice President, and the form can be submitted using the instructions on the form.

If there is a change in the reported information during the year, the investigator shall submit updated forms to the AVPR.

Regardless of the above minimum requirements, an investigator may choose to disclose any other business, financial, or related interest that could present an actual conflict of interest or be perceived to present a conflict of interest. Disclosure is a key factor in protecting one's reputation and career from potentially embarrassing or harmful allegations of misconduct.

Such reporting shall not predate any required submissions to the Securities and Exchange Commission (SEC), nor shall such reports contain information that would be restricted under insider information regulations of the SEC.

The AVPR shall maintain records of all business or financial disclosures for three years beyond the termination or completion of the award to which they relate, or until the resolution of any government action involving those records, whichever is longer.

The AVPR shall maintain the confidentiality of disclosures, insofar as possible. Disclosures should be forwarded as per instructions in the disclosure forms.

(3) Certification at the Time of Proposal Submission

Prior to submitting a proposal for funding to the Public Health Service (PHS), each investigator shall certify that he/she has disclosed any significant business or financial interests (including those of a spouse and dependent relatives or household members) that would reasonably appear to be related to the investigator's institutional responsibilities, and the unit head shall certify that, based on the investigator's disclosure, either: (1) no conflicts of interest exist; or (2) existing conflicts will be managed, reduced to an acceptable level, or eliminated prior to expenditure of funds under the award. These certifications shall be made by signing the *Internal Routing Sheet for Sponsored Projects*.

(4) Review of Disclosures

The process outlined in section 4.b.(2) above is applicable.

The AVPR and the IDFC shall review all disclosures.

If the AVPR and the IDFC determine that no conflict of interest exists, the AVPR or designee shall make the appropriate notation on the form and the form will be stored in a manner to protect confidentiality. The AVPR or designee shall strive to make his/her determination within 30 days of receipt of the disclosure.

If the AVPR or the IDFC determines that a conflict of interest exists, the AVPR, in consultation with the IDFC, shall take actions necessary to ensure that such conflicting interests will be managed, reduced to an acceptable level, or eliminated. In making this

determination, the AVPR may seek the advice of individuals, chairpersons, deans, the IFDC, a committee appointed by the VPR, the Office of Research Commercialization, the TTUS Office of the General Counsel, the TTUS Office of Audit Services, or other university administrators. The AVPR and the IFDC, in concert with the investigator, shall prepare a management plan for managing, reducing, or eliminating the conflict; this document will be signed by the investigator, unit head, designated official, and AVPR.

If the AVPR and the investigator have not agreed upon a management plan 30 days following a determination that a conflict exists, the investigator may seek the intervention of the VPR.

The AVPR shall maintain records of all actions taken with respect to each conflicting interest for three years beyond the termination or completion of the award to which they relate, or until the resolution of any government action involving those records, whichever is longer.

The AVPR shall maintain, insofar as possible, the confidentiality of management plans.

c. External Reporting

The AVPR shall be responsible for all reporting requirements to external agencies. These include the following:

- (1) The AVPR will sign institutional certifications required in proposals.
- (2) The AVPR will report the existence of a conflict and its management plan to the VPR.
- (3) For proposals to the PHS, the AVPR will report to PHS the existence of a conflict, but not the details of the conflict, prior to the expenditure of funds and within 60 days of any subsequently identified FCOI. Furthermore, whenever TTU implements a management plan in accordance with PHS policy, the AVPR shall monitor investigator compliance with the management plan on an ongoing basis until the completion of the PHS-funded research project.

Prior to expenditure of any funds under a PHS-funded research project, TTU shall provide to the PHS awarding component an FCOI report regarding any investigator's significant financial interest found by AVPR to be conflicting and ensure that TTU has implemented a management plan in accordance with this section. In cases in which the AVPR identifies a financial conflict of interest and eliminates it prior to the expenditure of PHS-awarded funds, TTU shall not submit an FCOI report to the PHS awarding component.

For any significant financial interest that the AVPR identifies as conflicting subsequent to TTU's initial FCOI report during an ongoing PHS-funded research project (e.g., upon the participation of an investigator who is new to the research project), TTU shall provide to the PHS awarding component, within 60 days, an FCOI report regarding the financial conflict of interest and ensure that TTU has implemented a management plan in accordance with this section. Pursuant to subsection (7) below, where such FCOI report involves a significant financial interest that was not disclosed in a timely manner by an investigator or, for whatever reason, was not previously reviewed or managed by the institution (e.g., it was not reviewed in a timely manner or reported by a subrecipient), TTU also is required to complete a

retrospective review to determine whether any PHS-funded research, or portion thereof, conducted prior to the identification and management of the financial conflict of interest was biased in the design, conduct, or reporting of such research. Additionally, if bias is found, TTU is required to notify the PHS awarding component promptly and submit a mitigation report to the PHS awarding component.

- (4) Any required FCOI report shall include sufficient information to enable the PHS awarding component to understand the nature and extent of the financial conflict, and to assess the appropriateness of TTU's management plan. Elements of the FCOI report shall include, but are not necessarily limited to, the following:
- (a) Project number;
  - (b) PD/PI or contact PD/PI if a multiple PD/PI model is used;
  - (c) Name of the investigator with the financial conflict of interest;
  - (d) Name of the entity with which the investigator has a financial conflict of interest;
  - (e) Nature of the financial interest (e.g., equity, consulting fee, travel reimbursement, honorarium);
  - (f) Value of the financial interest (dollar ranges are permissible: \$0–\$4,999; \$5,000–\$9,999; \$10,000–\$19,999; amounts between \$20,000–\$100,000 by increments of \$20,000; amounts above \$100,000 by increments of \$50,000), or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value;
  - (g) A description of how the financial interest relates to the PHS-funded research and the basis for TTU's determination that the financial interest conflicts with such research; and
  - (h) A description of the key elements of TTU's management plan including:
    - Role and principal duties of the conflicted investigator in the research project;
    - Conditions of the management plan;
    - How the management plan is designed to safeguard objectivity in the research project;
    - Confirmation of the investigator's agreement to the management plan;
    - How the management plan will be monitored to ensure investigator compliance; and
    - Other information as needed.

For any financial conflict of interest previously reported by TTU with regard to an ongoing PHS-funded research project, TTU shall provide to the PHS awarding component an annual FCOI report that addresses the status of the financial conflict of interest and any changes to the management plan for the duration of the PHS-funded research project. The annual FCOI report shall specify whether the financial conflict is still being managed or explain why the financial conflict of interest no longer exists. TTU shall provide annual FCOI reports to the PHS awarding component for the duration of the project period (including extensions with or without funds) in the time and manner specified by the PHS awarding component.

- (5) Whenever, in the course of an ongoing PHS-funded research project, an investigator who is new to participating in the research project discloses a significant financial interest or an existing investigator discloses a new significant financial interest to TTU, the AVPR shall, within 60 days: (1) review the disclosure of the significant financial interest; (2) determine whether it is related to PHS-funded research; (3) determine whether a financial conflict of interest exists; and, if so, (4) implement, on at least an interim basis, a management plan that shall specify the actions that have been and will be taken to manage such financial conflict of interest. Depending on the nature of the significant financial interest, TTU may determine that additional interim measures are necessary with regard to the investigator's participation in the PHS-funded research project between the date of disclosure and the completion of TTU's review.
- (6) The AVPR will notify the sponsoring agency in the event an employee has failed to comply with the university's policy.
- (7) Whenever TTU identifies a significant financial interest that was not disclosed in a timely manner by an investigator or, for whatever reason, was not previously reviewed by TTU during an ongoing PHS-funded research project (e.g., was not reviewed in a timely manner or reported by a subrecipient), the AVPR shall, within 60 days: (1) review the significant financial interest; (2) determine whether it is related to PHS-funded research; (3) determine whether a financial conflict of interest exists; and, if so:
  - (a) Implement, on at least an interim basis, a management plan that shall specify the actions that have been and will be taken to manage such financial conflict of interest going forward.
  - (b) In addition, whenever (1) a financial conflict of interest is not identified or managed in a timely manner, including failure by the investigator to disclose a significant financial interest that is determined by TTU to constitute a financial conflict of interest; (2) failure by TTU to review or manage such a financial conflict of interest; or (3) failure by the investigator to comply with a financial conflict of interest management plan, TTU shall, within 120 days of TTU's determination of noncompliance, complete a retrospective review of the investigator's activities and the PHS-funded research project to determine whether any PHS-funded research, or portion thereof, conducted during the time period of the noncompliance, was biased in the design, conduct, or reporting of such research.

By PHS policy, TTU is required to document the retrospective review; such documentation shall include, but not necessarily be limited to, all of the following key elements:

- Project number;
  - Project title;
  - PD/PI or contact PD/PI if a multiple PD/PI model is used;
  - Name of the investigator with the FCOI;
  - Name of the entity with which the investigator has a financial conflict of interest;
  - Reason(s) for the retrospective review;
  - Detailed methodology used for the retrospective review (e.g., methodology of the review process, composition of the review panel, documents reviewed);
  - Findings of the review; and
  - Conclusions of the review
- (c) Based on the results of the retrospective review, if appropriate, TTU shall update the previously submitted FCOI report, specifying the actions that will be taken to manage the financial conflict of interest going forward. If bias is found, TTU is required to notify the PHS awarding component promptly and submit a mitigation report to the PHS awarding component. The mitigation report must include, at a minimum, the key elements documented in the retrospective review above, a description of the impact of the bias on the research project, and TTU's plan of action or actions taken to eliminate or mitigate the effect of the bias (e.g., impact on the research project; extent of harm done, including any qualitative and quantitative data to support any actual or future harm; analysis of whether the research project is salvageable). Thereafter, TTU will submit FCOI reports annually, as specified above. Depending on the nature of the financial conflict of interest, TTU may determine that additional interim measures are necessary with regard to the investigator's participation in the PHS-funded research project between the date that the financial conflict of interest or the investigator's noncompliance is determined and the completion of TTU's retrospective review.
- (8) The AVPR will notify the sponsoring agency in the event that TTU is unable to manage a conflict of interest satisfactorily.
- (9) In the event a conflict of interest is identified after the expenditure of funds under an award, the AVPR will, within 60 days of identifying the conflict (or in less time if required by the sponsoring agency), notify the agency of the existence of the conflict and assure that the conflict has been managed, reduced to an acceptable level, or eliminated.
- (10) Upon request from any sponsoring agency or other authorized government entity, the AVPR will provide information regarding all conflicting interests identified by TTU and describe how those interests have been managed, reduced to an acceptable level, or eliminated.

In the event that an investigator fails to comply with the university's conflict of interest policy and has biased the design, conduct, or reporting of PHS-funded research, the AVPR shall promptly notify the PHS awarding component of the corrective action taken or to be taken.

- (11) Prior to TTU's expenditure of any funds under a PHS-funded research project, TTU shall ensure public accessibility, via written response from the AVPR to any requestor within five business days of a request, of information concerning any significant financial interest disclosed to TTU that meets the following three criteria:
  - (a) The significant financial interest was disclosed and is still held by the senior/key personnel as defined in section 4.a.(3) above;
  - (b) TTU determines that the significant financial interest is related to the PHS-funded research; and
  - (c) TTU determines that the significant financial interest is a financial conflict of interest.

The information that TTU makes available via written response to any requestor within five business days of a request shall include, at a minimum, the following: the investigator's name; the investigator's title and role with respect to the research project; the name of the entity in which the significant financial interest is held; the nature of the significant financial interest; and the approximate dollar value of the significant financial interest (dollar ranges are permissible: \$0–\$4,999; \$5,000–\$9,999; \$10,000–\$19,999; amounts between \$20,000–\$100,000 by increments of \$20,000; amounts above \$100,000 by increments of \$50,000), or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value.

Information concerning the significant financial interests of an individual subject to this section shall remain available for responses to written requests for at least three years from the date that the information was most recently updated.

#### d. Guidelines

A conflict of interest exists when the designated official reasonably determines that a significant business or financial interest could directly and significantly affect the design, conduct, or reporting of externally funded research, service, or educational activities.

Significant financial interests in companies submitting proposals to Small Business Innovation Research Programs and Small Business Technology Transfer Programs are specifically excluded from the federal definition of conflict of interest.

- (1) Examples of manageable conflicts of interest include, but are not limited to, the following:
  - (a) Situations in which the outside activity will conflict with previously established responsibilities to the university;



- (b) Situations that might allow a university employee to influence the university's dealings with an outside organization such that personal gain for the employee or improper advantage for anyone is the result; and
  - (c) Supervision of student research activities when research in that area might lead to financial or personal gain for the faculty member
- (2) Examples of unacceptable conflicts of interest include, but are not limited to, the following:
- (a) Use for personal profit of unpublished information originating from university research or other confidential university sources;
  - (b) Consulting under arrangements that impose obligations that conflict with the university's intellectual property policy or with the university's obligations to research sponsors or that inhibit the publication of research results obtained within the university; and
  - (c) Circumstances in which a substantial body of research that could and ordinarily would be carried on within the university is conducted elsewhere to the disadvantage of the university and its legitimate interests
- (3) Examples of conditions or restrictions that might be imposed to manage, reduce, or eliminate conflicts of interest include, but are not limited to:
- (a) Public disclosure of financial conflicts of interest (e.g., when presenting or publishing the research);
  - (b) For research projects involving human subjects research, disclosure of financial conflicts of interest directly to participants;
  - (c) Review of research protocol by independent reviewers;
  - (d) Appointment of an independent monitor capable of taking measures to protect the design, conduct, and reporting of the research against bias resulting from the financial conflict of interest;
  - (e) Modification of the research plan;
  - (f) Change of personnel or personnel responsibilities, or disqualification of personnel from participation in all or a portion of the research;
  - (g) Reduction or elimination of the financial interest (e.g., sale of an equity interest); or
  - (h) Severance of relationships that create conflicts
  - (i) In any case in which the Department of Health and Human Services determines that a PHS-funded research project of clinical research whose purpose is to evaluate the safety or effectiveness of a drug, medical device, or treatment has been designed, conducted, or reported by an investigator with an FCOI that was

not managed or reported by the institution as required by the regulation, the institution shall require the investigator involved to: Disclose the FCOI in each publication of the results of the research; and

- (j) Request an addendum to previously published presentations.

e. Compliance

No proposals will be submitted without the required certifications. If a conflict is identified, the proposal may be submitted before the management plan is implemented if the designated official determines that the conflict can be managed or eliminated prior to the award of funds. No awarded funds will be spent until the conflict is resolved.

If breaches of the policy occur, sanctions will be imposed. Breaches include, but are not limited to: failure to file; intentionally filing an incomplete, erroneous, or misleading disclosure form; failing to provide additional information as required by the unit head or designated official; or violation of terms outlined in the resolution plan. If sanctions are necessary, they will be imposed in accordance with the university's operating policies and procedures (e.g., [OP 74.08, Allegations of Misconduct in Research or Scholarly Activity](#)).

The potential sanctions may include, but are not limited to, the following:

- Letter of admonition
- Suspension of award funds
- Ineligibility of the investigator for grant applications or supervision of graduate students
- Suspension, including withholding of salary
- Non-renewal of appointment
- Dismissal

Impending actions may be appealed by the investigator to the university in accordance with procedures outlined in [OP 32.05, Faculty Grievance Procedures](#), or [OP 70.10, Non-faculty Employee Complaint Procedures](#).

For additional information on conflicts of interest, see Chapter 03, *Regents' Rules*, OPs [10.11, Ethics Policy](#), [32.07, Other Employment, Faculty Consulting, and Public Offices](#), [70.31, Employee Conduct, Coaching, Corrective Action, and Terminations](#), [74.04, Intellectual Property Rights](#), and [74.08, Allegations of Misconduct in Research, Scholarly, or Creative Activity](#), and Government Code, § 572.051, Standards of Conduct; State Agency Ethics Policy.

[\*Attachment A: Other Employment, Faculty Consulting, and Public Offices Form\*](#)

[\*Attachment B: Confidential General Disclosure of Either Significant or No Significant Business or Financial Interests in Any External Entity\*](#)

*Attachment C: Confidential Supplemental Detailed Disclosure of Significant Business or Financial Interest*

*Attachment D: PHS-Specific Confidential General Disclosure of Either Significant or No Significant Business or Financial Interests in any External Entity*

*Attachment E: PHS-Specific Confidential Supplemental Detailed Disclosure of Significant Business or Financial Interest*

***Link to secure, online disclosure site: <https://appserv.itts.ttu.edu/FinancialInterestDisclosure>***

## Attachment A:

# Other Employment, Faculty Consulting, and Public Offices Form (OP 32.07- Other Employment, Faculty Consulting, and Public Offices)

This form is to be used to request approval of outside employment as required by OP 32.07.

Faculty/Staff Name \_\_\_\_\_

Department/Unit \_\_\_\_\_ Rank \_\_\_\_\_

College/Unit \_\_\_\_\_

**REQUEST FOR APPROVAL OF OUTSIDE EMPLOYMENT.** I hereby request approval of the following outside employment or consulting in which I wish to engage under the policy outlined by the Board of Regents of Texas Tech University:

Name of Firm DQG Type of Activity:

Approximate Number of Hours per Week

_____	_____
_____	_____
_____	_____
_____	_____

Maximum Number of Hours per Week

These activities will not interfere with my assigned duties at Texas Tech University, nor will they exceed an average of 10 hours per week. For cases in excess of 10 hours per week, I will seek additional approval.

Approved ☐ with ☐ without limitations:

Approved ☐ with ☐ without limitations:

Department Chair \_\_\_\_\_ Date \_\_\_\_\_

Dean \_\_\_\_\_ Date \_\_\_\_\_

Approved ☐ with ☐ without limitations:

Describe limitations on attached sheet.

Vice Provost \_\_\_\_\_ Date \_\_\_\_\_

Hard copy forms are no longer used. The electronic system (<https://ttu.my.irbmanager.com/>) will route the information to appropriate individuals (e.g., chairs, deans, the Provost) for approval.

**Attachment B:  
General Declaration Form**

**(OP 74.17B Confidential General Disclosure of Either Significant or No Significant Business or Financial Interests in Any External Entity)**

This form is to be used to disclose significant business or financial interests as required by OP 74.17. The regulations apply to current interests and interests anticipated in the next 12 months. If the Investigator's business or financial interests change during the upcoming year, the Investigator must submit an updated form to the AVPR.

Faculty/Staff Name \_\_\_\_\_ Fiscal Year \_\_\_\_\_ ☐ Retroactive  
Department/Unit \_\_\_\_\_ Rank \_\_\_\_\_  
College/Unit \_\_\_\_\_

**Currently and over the next 12 months, I and my family members, defined as a spouse and dependent relatives or household members,:**

- ☐ will ☐ will not receive salary, royalties, gifts including travel, or other payments for services (e.g., consulting fees or honoraria) in excess of \$5000 from an external entity that would reasonably appear to be affected by the research or educational activities funded, or proposed for funding, by an external sponsor.
- ☐ do ☐ do not hold an equity interest in excess of \$5,000 in value in an external entity that would reasonably appear to be affected by the research or educational activities funded, or proposed for funding, by an external sponsor.
- ☐ do ☐ do not hold an equity interest that represents more than a 5 percent ownership interest in an external entity that would reasonably appear to be affected by the research or educational activities funded, or proposed for funding, by an
- ☐ do ☐ do not serve as a member of the governing board in the capacity of a director, advisory director, trustee, or otherwise in an external entity.
- ☐ do ☐ do not have other significant business or financial interests that possibly could affect, or be perceived to affect, the results of the research or educational activities performed by me as a part of a sponsored project.
- ☐ did ☐ did not have other significant business or financial interests that possibly could affect, be perceived to affect, or have the appearance of affecting the results of the research or educational activities performed by me as a member of Texas Tech University.

**I agree to update this request and disclosure 1) on an annual basis and 2) at any time there is a change in the information reported.**

\_\_\_\_\_  
Signature of Investigator (Original signature only; a "per" signature is not acceptable.)

\_\_\_\_\_  
Date

**If only negative statements are checked above, no further information is required.**

**If any positive statement is checked, complete an "Attachment C: Detailed Disclosure Form" for each entity with which you have a relationship(s) disclosed above, and attach to this form.**

**Hard copy forms are no longer accepted. The electronic system will route the information to the appropriate individuals (unit heads, designated officials, and then AVPR) for approval.**

**Attachment C:**  
**Detailed Disclosure Form**

**(OP 74.17C - Confidential Supplemental Detailed Disclosure of Significant Business or Financial Interest)**

This form must be completed for each entity related to positive disclosure statements on the general declaration form (Attachment B) that would reasonably appear to be affected by any sponsored project in which you are involved.

Name and address of  
entity:

Fiscal Year: \_\_\_\_\_

Retroactive ☐

Income from this entity: \_\_\_\_\_

Equity interest from this entity: \_\_\_\_\_

Basis for business or financial interest to you or your family members, defined as a spouse and dependent relatives or household members (check all that apply):

☐ Participating as an Employee

☐ Gift

☐ Ownership

☐ Consulting

☐ Travel

☐ Other

☐ Lecturing

☐ Income related to royalties on patents and copyrights

☐ Equity Interest/Dividends

☐ Service on Advisory or Directors' Board

The value of ownership interest in external entity is: \_\_\_\_\_

Nature of ownership:

☐ Equity Interest

☐ Partnership

☐ Sole Proprietorship

☐ Other (Explain)

Percentage of ownership: \_\_\_\_\_

Answer each of the following questions. Use additional pages as needed.

1. If you, your spouse, dependent relative, or household member has received a consulting fee, describe the nature of the consulting activities.

2. Indicate how your activities with the entity relate to proposed or sponsored projects on which you serve as investigator or key personnel.

3. Explain how you are keeping your interests and obligations to the entity separate from your Texas Tech University activities and

4. Explain all arrangements that have been made with your chair and dean/director about the use of Texas Tech University space and resources.

5. Explain the role(s) that any other Texas Tech University faculty, staff, undergraduate students, graduate students, and post doctoral trainees perform for this entity. For the latter three groups, explain how their work with the entity is kept separate from their academic work and whether you serve as their advisor.

6. If you are receiving income from royalties on patents and copyrights, explain the circumstances that generated this income.

**Signature of Individual Providing Disclosure**

In my judgment, this disclosure of significant business or financial interest \_\_\_\_ does \_\_\_\_ does not constitute a conflict of interest.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

(Original signature only; a "per" signature is not acceptable. Once Providing Individual signs form, no changes can be made.)

**Endorsements by individuals who are required to keep the information confidential.**

**Determination of the Unit Head:**

I have reviewed the significant business or financial interest disclosure and in my judgment:

- ☐ No conflict exists.
- ☐ Conflicts of Interest exist or may exist.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Determination of the Designated Official:**

I have reviewed the significant business or financial interest disclosure and in my judgment:

- ☐ No conflict exists.
- ☐ Conflicts of Interest exist or may exist.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Determination of the Associate Vice President for Research (Integrity) (AVPR):**

I have reviewed the significant business or financial interest disclosure and in my judgment:

- ☐ No conflict exists.
- ☐ Conflicts of Interest exist or may exist, and in my judgment, I believe that it will be possible to develop and execute a Memorandum of Understanding to manage, reduce, or eliminate any actual or potential conflict of
- ☐ Conflicts of Interest exist or may exist, and in my judgment, I believe that it is not possible to manage the conflict of interest.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Determination of the Vice President for Research:**

I have reviewed the significant business or financial interest disclosure and in my judgment:

- ☐ No conflict exists.
- ☐ Conflicts of Interest exist or may exist, and in my judgment, I believe that it will be possible to develop and execute a Memorandum of Understanding to manage, reduce, or eliminate any actual or potential conflict of
- ☐ Conflicts of Interest exist or may exist, and in my judgment, I believe that it is not possible to manage the conflict of interest.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\*A management plan will be developed. See OP 74.17.

**Hard copy forms are no longer accepted. The electronic system will route the information to the appropriate individuals (unit heads, designated officials, and then AVPR) for approval.**

**Attachment D:**  
**PHS-Specific Confidential General Disclosure Form**  
**(OP 74.17D PHS-Specific Confidential General Disclosure of Either Significant or No Significant Business or Financial Interests in Any External Entity)**

This form is to be used to disclose significant business or financial interests that reasonably appear to be related to your institutional responsibilities as required by OP 74.17.

**Faculty/Staff Name** \_\_\_\_\_ **Fiscal Year** \_\_\_\_\_ ☐ **Retroactive**  
**Department/Unit** \_\_\_\_\_ **Rank** \_\_\_\_\_  
**College/Unit** \_\_\_\_\_

**I and my family members, defined as a spouse and dependent relatives or household members, as it reasonably appears to be related to my institutional responsibilities,:**

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | receive remuneration in excess of \$5,000, or its value, from a publicly-traded entity (a company whose stock is available for purchase by the general public) during the past 12 months. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship). |
| did                      | did not                  |  |
| <input type="checkbox"/> | <input type="checkbox"/> | hold an equity interest valued in excess of \$5,000 in a publicly-traded entity at the time of disclosure.   |
| did                      | did not                  |  |
| <input type="checkbox"/> | <input type="checkbox"/> | receive an aggregate of the above two items (remuneration and equity interest) that exceeds \$5,000 in value.  |
| did                      | did not                  |  |
| <input type="checkbox"/> | <input type="checkbox"/> | receive any amount of equity (stock, stock options, or other ownership interest) in a non-publicly traded entity (such as a start-up company).   |
| did                      | did not                  |  |
| <input type="checkbox"/> | <input type="checkbox"/> | receive compensation that exceeds \$5,000 from a non-publicly traded entity in the past 12 months.   |
| did                      | did not                  |  |
| <input type="checkbox"/> | <input type="checkbox"/> | receive income related to intellectual property rights paid by any source other than Texas Tech University, or, if I am a subrecipient, my current institution.  |
| did                      | did not                  |  |
| <input type="checkbox"/> | <input type="checkbox"/> | receive reimbursed or sponsored travel in excess of \$5,000 paid by an entity, including non-profit organizations, but excluding the following: government agencies, U.S. institutions of higher education and related research institutes, medical centers, and academic teaching hospitals.  |
| did                      | did not                  |  |
| <input type="checkbox"/> | <input type="checkbox"/> | hold an equity interest that represents more than 5 percent ownership in an external entity that would reasonably appear to be affected by the research or educational activities funded, or proposed for funding, by an external sponsor.   |
| do                       | do not                   |  |
| <input type="checkbox"/> | <input type="checkbox"/> | serve as a member of an external entity's governing board in the capacity of a director, advisory director, trustee, or similar governance office.   |
| do                       | do not                   |  |
| <input type="checkbox"/> | <input type="checkbox"/> | have other significant business or financial interests that possibly could affect, or be perceived to affect, the results of the research or educational activities performed by me as a part of a sponsored project.  |
| do                       | do not                   |  |
| <input type="checkbox"/> | <input type="checkbox"/> | have other significant business or financial interests that possibly could affect, be perceived to affect, or have the appearance of affecting the results of the research or educational activities performed by me as a member of Texas Tech University.   |
| do                       | do not                   |  |

**I agree to update this request and disclosure on an annual basis AND at any time there is a change in the information reported.**

\_\_\_\_\_  
Signature of Investigator (Original signature only; a "per" signature is not acceptable.)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of AVPR (Original signature only; a "per" signature is not acceptable.)

\_\_\_\_\_  
Date

**If only negative statements are checked above, no further information is required.**

**If any positive statement is checked, complete an "Attachment E: PHS-Specific Detailed Disclosure Form" to identify each entity and the relationship(s) disclosed above, and attach to this form.**

**Hard copy forms are no longer accepted. The electronic system will route the information to the appropriate individuals (unit heads, designated officials, and then AVPR) for approval.**



**Attachment E:**

**PHS-Specific Detailed Disclosure Form**

**(OP 74.17E - PHS-Specific Confidential Supplemental Detailed Disclosure of Significant Business or Financial Interest)**

This form must be completed for each entity related to positive disclosure statements on Attachment D that would reasonably appear to be affected by your institutional responsibilities.

Name and address of entity:

Fiscal Year: \_\_\_\_\_

Retroactive ☐

Check one:

☐

Publicly traded

☐

Non - publicly traded

Income from this entity: \_\_\_\_\_

Equity interest from this entity: \_\_\_\_\_

Basis for business or financial interest to you or your family members, defined as a spouse and dependent relatives or household members (check all that apply):

☐

Participating as an Employee

☐

Gift

☐

Ownership

☐

Consulting

☐

Travel

☐

Other

☐

Lecturing

☐

Income related to royalties on patents and copyrights

☐

Equity Interest/Dividends

☐

Service on Advisory or Directors' Board

The value of ownership interest in external entity is: \_\_\_\_\_

Nature of ownership:

☐

Equity Interest

☐

Partnership

☐

Sole Proprietorship

☐

Other (Explain)

Percentage of ownership: \_\_\_\_\_

Answer each of the following questions. Use additional pages as needed.

1. If you, your spouse, dependent relative, or household member has received a consulting fee, describe the nature of the consulting activities.

2. Indicate how your activities with the entity relate to proposed or sponsored projects on which you serve as investigator or key personnel.

3. Explain how you are keeping your interests and obligations to the entity separate from your Texas Tech University activities and responsibilities.

4. Explain all arrangements that have been made with your chair and dean/director about the use of Texas Tech University space and resources.

5. Explain the role(s) that any other Texas Tech University faculty, staff, undergraduate students, graduate students, and post doctoral trainees perform for this entity. For the latter three groups, explain how their work with the entity is kept separate from their academic work and whether you serve as their advisor.

6. If you are receiving income from royalties on patents and copyrights, explain the circumstances that generated this income.

7. Explain reimbursed or sponsored travel in excess of \$5000 paid by this entity.

Purpose of the trip:

Destination:

Duration:

**Signature of Individual Providing Disclosure**

In my judgment, this disclosure of significant business or financial interest \_\_\_\_ does \_\_\_\_ does not constitute a conflict of interest.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

(Original signature only; a "per" signature is not acceptable. Once Providing Individual signs form, no changes can be made.)

**Endorsements by individuals who are required to keep the information confidential.**

**Determination of the Unit Head:**

I have reviewed the significant business or financial interest disclosure and in my judgment:

- ☐ No conflict exists.
- ☐ Conflicts of Interest exist or may exist.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Determination of the Designated Official:**

I have reviewed the significant business or financial interest disclosure and in my judgment:

- ☐ No conflict exists.
- ☐ Conflicts of Interest exist or may exist.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Determination of the Associate Vice President for Research (Integrity) (AVPR):**

I have reviewed the significant business or financial interest disclosure and in my judgment:

- ☐ No conflict exists.
- ☐ Conflicts of Interest exist or may exist, and in my judgment, I believe that it will be possible to develop and execute a Memorandum of Understanding to manage, reduce, or eliminate any actual or potential conflict of
- ☐ Conflicts of Interest exist or may exist, and in my judgment, I believe that it is not possible to manage the conflict of interest.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Determination of the Vice President for Research:**

I have reviewed the significant business or financial interest disclosure and in my judgment:

- ☐ No conflict exists.
- ☐ Conflicts of Interest exist or may exist, and in my judgment, I believe that it will be possible to develop and execute a Memorandum of Understanding to manage, reduce, or eliminate any actual or potential conflict of
- ☐ Conflicts of Interest exist or may exist, and in my judgment, I believe that it is not possible to manage the conflict of interest.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\*A management plan will be developed. See OP 74.17.

**Hard copy forms are no longer accepted. The electronic system will route the information to the appropriate individuals (unit heads, designated officials, and then AVPR) for approval.**



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 76.02: Annual Crime Reporting – Clery Act Compliance**

**DATE:** December 19, 2019

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure that Texas Tech University (University) is in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

**REVIEW:** This OP will be reviewed in December of odd-numbered years by the System Clery Compliance Director, System Office of General Counsel, and TTPD Chief of Police, in consultation with the University Chief Compliance and Security Officer, with substantive revisions forwarded to the University President.

### **POLICY/PROCEDURE:**

Annual crime reporting and Clery Act compliance is governed by Texas Tech University System Regulation 07.05, which can be found [here](#).



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 79.01: Travel Authority and Definitions for Texas Tech University and TTU Employees**

**DATE:** January 9, 2014

**PURPOSE:** The purpose of this Operating Policy and Procedure (OP) is to set forth legislative travel regulations from the General Appropriations Acts of the Texas Legislature and the policies of Texas Tech University.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the manager of Travel Services with substantive revisions forwarded through the managing director of Procurement Services to the vice president for administration and finance and chief financial officer.

#### **POLICY/PROCEDURE**

##### **1. Authority**

The following rules were developed under the authority of the General Appropriations Act Article IX, Part 5, Texas Government Code, Chapter 660 and Texas Administrative Code, Title 34, Part 1, Chapter 5, Subchapter C, Section 5.22.

##### **2. Responsibility of Agency and Employee**

###### **a. Agency Responsibility**

All travel must be for the benefit of the institution. It is the policy of TTU to follow travel requirements as set forth in:

- [2 CFR Part 220;](#)
- [49 U.S.C. 40118](#)
- [Internal Revenue Code §§1.62-2](#)
- [Texas Administrative Code Rule §5.22;](#)
- [General Appropriations Act \(GAA\) Article IX Part 5](#)
- [Textravel](#)

The requirements set forth in this policy apply to all official travel, regardless of funding source.

A travel expense may be reimbursed only if the purpose of the travel clearly involves official state business and is consistent with the university's legal authority.

The university shall minimize the amount of travel expenses reimbursed by ensuring that each travel arrangement is the most cost-effective considering all relevant circumstances.

b. Employee Responsibility

A state employee shall ensure that her/his travel complies with applicable state laws, [Texttravel](https://fmx.cpa.state.tx.us/fmx/travel/texttravel/index.php) (<https://fmx.cpa.state.tx.us/fmx/travel/texttravel/index.php>), and any policies adopted by TTU. Failure to comply will result in a delayed payment or reimbursement or a rejection of the employee's travel voucher.

A state employee may not seek payment or reimbursement of a travel expense that the employee knows or reasonably should know is not reimbursable or payable. A state employee shall immediately reimburse the state (through TTU) for any overpayment.

3. **General Provisions**

a. Employee Travel

Employees shall make off-campus trips only after obtaining appropriate approval by designated administrative officials, in accordance with established procedures and when the trip contributes to the mission of the university.

Employee travel may not interfere with the primary academic or administrative responsibilities of the traveler.

Employees may claim reimbursement for travel expenses through TTU's online travel system: <https://www.fiscal.ttuhs.edu/travel2/>. Instructions are available at <http://www.depts.ttu.edu/procurement/travelservice/workaids.asp>.

b. Travel Expenses Paid from Grant Funds

Employees traveling on official business may be reimbursed for travel expenses paid from grant funds, but are expected to comply with provisions of the grant, university policy, and any state and/or federal regulations.

c. Authority to Approve Travel

The traveler's supervisor will approve the travel expenses; however, the following officers and administrators have the authority to authorize and approve all employee travel within her/his area, except foreign travel. Foreign travel, including Canada and Mexico, needs to be approved by Office of International Affairs, as noted in OP 79.05, provided that such travel contributes to the mission of the university and is in accordance with current travel regulations. These officers and administrators may further delegate their authority.

- (1) Chancellor
- (2) President
- (3) Provost/Senior Vice President
- (4) Vice Presidents/Vice Chancellors

- (5) Deans
- (6) Director of Athletics
- (7) Office of International Affairs for all foreign travel, including Canada and Mexico

#### 4. Definitions

- a. *Cancellation Charge*—A fee, charge, or payment that a provider of travel services assesses or retains because of the cancellation or change of a travel reservation or other travel plan.
- b. *Commercial Lodging Establishment*—A motel, hotel, inn, apartment, house, or similar establishment that provides lodging to the public for pay.
- c. *Commercial Transportation Company*—A company or individual that transports people or goods at a cost.
- d. *Contiguous United States*—The District of Columbia and all states of the United States except Alaska and Hawaii.
- e. *Designated Headquarters*—The area within the boundaries of the incorporated municipality in which a state employee's **place of employment** is located.
- f. *Duty Point*—The destination, other than the place of employment, to which a state employee travels to conduct official state business.
- g. *Gratuity/Tip*—Something given voluntarily or beyond obligation, usually in response to or in anticipation of a service.
- h. *Incidental Expense*—An expense incurred while traveling on official state business. The term includes a mandatory insurance or service charge and an applicable tax, except a tax based on the cost of a meal. The term does not include a meal, lodging, or transportation expense; a personal expense; an expense that an individual would incur regardless of whether the individual were traveling on official state business; or a tip or gratuity.
- i. *Lease*—A contract with a term of at least one month that gives the lessee possession and use of property or equipment while the lessor retains ownership.
- j. *Lodging Expense*—A charge imposed by a commercial lodging establishment as consideration for providing lodging. The term does not include money paid as a donation, gratuity, or tip to the establishment.
- k. *Meal Expense*—The cost of a meal plus any tax that is based on the meal's cost. The term does not include a tip, a gratuity, or a mandatory service charge paid or imposed in conjunction with a meal.
- l. *Non-working Hours*—All hours in a calendar day *except* working hours.
- m. *Official Mileage*—The mileage on official travel, including mileage to and from out-of-town destinations, as well as point-to-point mileage within cities visited. All official mileage is based on shortest routes possible, which should include farm-to-market roads. Mileage reimbursement rates shall be determined by the [Official State Mileage Guide](https://fm.xcpa.state.tx.us/fm/travel/travelrates.php) at <https://fm.xcpa.state.tx.us/fm/travel/travelrates.php>

- n. *Official Travel*—Travel approved by the university.
- o. *Official Travel Status*—The time between leaving designated headquarters for official travel and returning to designated headquarters from official travel.
- p. *Per Diem Allowance*—The actual cost of meals and lodgings, not to exceed the daily maximum allowed by the state of Texas for in-state or out-of-state travel.
- q. *Prospective State Employee*—An individual that a state agency considers for employment with the agency.
- r. *Rented or Public Conveyance*—A motor vehicle, train, aircraft, boat, or bicycle that a state employee rents or pays a fare to use for a period of less than one month.
- s. *State Agency*—A unit of state government that is subject to the General Appropriation Act's travel regulations.
- t. *State Employee*—An individual employed by a state agency, including a key official, unless the travel allowance guide specifically provides otherwise. The term also includes a prospective state employee.
- u. *Transportation Expense*—A charge related to the cost of transportation; e.g., private auto, commercial airline, taxi, etc.
- v. *Travel Expense*—A meal, lodging, transportation, or incidental expense.
- w. *Travel Voucher*—The accounting document used to reimburse a state employee for travel expenses incurred during the discharge of official state business.
- x. *Workday*—A day on which a particular state employee is regularly required to conduct official state business.
- y. *Working Hours*—The hours during which a state employee is regularly scheduled to conduct official state business.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 79.02: Texas State Travel Management Program**

**DATE:** January 24, 2014

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to provide information to employees regarding vendors contracted by the State of Texas to provide travel services, as negotiated by the Comptroller of Public Accounts Texas Procurement and Support Services (TPASS). This OP will also outline procedures relating to compliance with the travel program regulations.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the manager of Travel Services with substantive revisions forwarded through the managing director of Procurement Services to the vice president for administration and finance and chief financial officer.

#### **POLICY/PROCEDURE**

##### **1. General**

The State Travel Management Program (STMP) has negotiated travel contracts for airline fares and hotels. When on official travel, Texas Tech University employees **must** use the contracted rates when reimbursement will be requested for expenses from state appropriated funds.

Details of the contracted agencies and applicable rates may be found at <http://www.window.state.tx.us/procurement/prog/stmp/>.

Any travel service obtained at a price lower than the contracted rate may be used. Tech employees **should** use these contracted services when reimbursement will be requested from institutional funds.

For rental cars, a contract has been established with UT Alliance, which provides a greater cost savings than the STMP contract and must be used for all vehicle rentals. Contract information is available at <https://www.fiscal.ttuhs.edu/Travel2/> under “Help >> Links.”

The STMP also has contracted for the services of a state travel agency, and the use of these services is optional for the university. At this time, the university has chosen not to exercise this option.

##### **2. Exceptions**

The contracted services should be used as required unless one of the following conditions exists:

- a. Travel is part of a group program or conference for which reservations must be made through



- a specified source to obtain a specified rate or service.
- b. A contract travel vendor cannot provide services in the time required to accomplish the purpose of the travel.
- c. A contract hotel is not available in a location that will reasonably allow the traveler's business requirements to be fulfilled.
- d. A contract hotel, airline, or rental car company cannot provide the required services because it is sold out or it does not offer services in the city being visited.
- e. Alternative rental car or hotel arrangements can be made at a lower total cost than the contract hotels or rental car companies. Note: For rental cars, the total costs should include the base rate, loss/damage waiver or liability insurance protection, mileage charge, taxes, and surcharges. For hotels, the cost of the guest room, less taxes, shall be used to compare total costs.
- f. A contract airline offers a fare lower than the contract fare.
- g. A non-contract airline offers a lower published fare to the general public. However, identical airfares offered to state travelers only are not included as part of this exception.
- h. Travel is undertaken by persons with disabilities, other persons in the custody of the state, or in a medical emergency.
- i. Use of contract travel vendors may present a security or safety risk to the traveler.

Even though a traveler is not required to use the contracted rental car companies for travel paid from non-appropriated funds, the amount of reimbursement (including the loss/damage waiver protection) will be limited to the contracted rates unless a valid exception is claimed. (Documentation may be required to verify the exception.)

### **3. State Contracted Credit Card System**

The STMP has contracted with a credit card company to provide charge cards for official travel use. The procedure outlining the use of the state travel card may be found in OP 79.03, Use of the State Travel Card.

### **4. Compliance Policy**

- a. It is the responsibility of the traveler's supervisor to review the employee's travel arrangements and travel vouchers to ensure that any travel reimbursed from appropriated funds meets the requirements of the contracted travel services and these services are used for official travel. If these services were not used, the traveler must claim an exception along with the travel voucher. Exception forms are available at <http://www.depts.ttu.edu/procurement/travelservice/travelforms.asp>.
- b. Travel Services will check travel vouchers for compliance with the requirements of the State Travel Management Program and/or university operating policies/procedures. Travel vouchers that are not in compliance with these provisions may be delayed or rejected.

**5. Problems with Contracted Vendors**

Travel Services should be notified as soon as possible if problems arise with any of the contracted vendors.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 79.03: Use of the State Travel Card**

**DATE:** April 21, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to set forth the procedures to be followed in applying for the state travel card and conditions under which the cards can be used and/or terminated.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the Manager of Travel and Payment Card Services with substantive revisions forwarded through the Chief Procurement Officer to the Vice President for Administration & Finance and Chief Financial Officer.

#### **POLICY/PROCEDURE**

The State Travel Management Program (STMP), CitiBank, and Texas Tech University (TTU) have provided the following guidelines for the state of Texas travel card issued by CitiBank.

##### **1. Application Process**

- a. Applications for the travel card may be downloaded from the Travel Services website <https://www.depts.ttu.edu/procurement/forms/> under the Travel header. Employees should complete the *Application for Individual Bill Travel Card* and the *Texas Tech University/Texas Tech University System State of Texas Travel Card Use Agreement* forms and obtain their supervisor's signature on the application. The forms should then be sent to Travel Services for processing.
- b. Upon receipt of the *Application for Individual Bill Travel Card*, online instructions for providing personal data will be emailed to the applicant. After submission of the online data, approval will be made by Travel Services and the application will be forwarded to CitiBank for additional approval.
- c. Applicants for the state travel card will be subject to a pre-approval credit check.

##### **2. Eligibility Requirements**

Any employee who expects to travel on official state business may apply for a state travel card.

##### **3. Conditions and the Appropriate Use of the Travel Card**

- a. The state travel card may be used only for official state business-related travel charges, such as airfare, rental cars, lodging, and meals. **Use for personal charges is prohibited.** Use of the card for charges other than official state business travel is a direct violation of the state's contract with CitiBank and the STMP ([Texas Administrative Code, Title 34, Part 1, Chapter](#)

[5, Subchapter C, Section 5.22](#)) and, therefore, is a misapplication of the state-issued card.

**Misuse of the card may result in disciplinary action up to and including termination.**

- b. Employees are responsible for the payment of all charges made on their state travel card and are required to pay the account in full in a timely manner. Notifications will be sent to the cardholder and the cardholder's supervisor for any account delinquency over 30 days. If the account becomes 60 days delinquent, the state travel card will be permanently canceled and Citibank will assess a 2.5% delinquent charge, which the cardholder will be responsible for paying. TTU is not responsible for the cardholder's charges, regardless of the type of charge, nor will TTU be liable for nonpayment by the employee.
- c. The STMP has updated the Texas Administrative Code (TAC), [Section 20.413](#), to require a state travel card be used for all travel expenditures when using state appropriated funding (funds beginning with 11xxxx through 14xxxx). Refer to [OP 79.08, Reimbursement of Travel Expenses](#), for the TTU travel policy for all funding types, including state appropriated funds.
- d. Employees who obtain the state travel card will not be eligible to receive a travel advance for non-prepaid expenditures. Employees who have an active state travel card may receive travel advances for international travel or for prepaid travel expenses that will be billed prior to the travel return date.

#### **4. Cancellation of Travel Cards**

- a. CitiBank will suspend or cancel the use of the state travel card if the charges are not paid in a timely manner. If the card is suspended or canceled for misuse or nonpayment, the employee will not be eligible for travel advances.
- b. Upon termination of employment, the department has the specific obligation to reclaim the travel card, destroy it, and immediately notify Travel Services. Travel Services will then close the account. The terminated employee will still be responsible for any outstanding card balance.

#### **5. Retail Charges Limitation**

CitiBank is required by contract to limit the use of the travel card for retail purchases to \$200.00. Retail charges should be made only in connection with travel on state business.

#### **6. Right to Change Policy**

TTU reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without prior notice or the consent of employees.

[Attachment A: Texas Tech University/Texas Tech University System State of Texas Travel Card Use Agreement](#)

[Attachment B: Application for Individual Bill Travel Card](#)

**Texas Tech University/Texas Tech University System**  
**State of Texas Travel Card Use Agreement**

The Statewide Travel Charge ("Card") issued to a state employee by the State of Texas remains the property of the State of Texas and shall be used only for official business expenditures while traveling. The Card is to be used for contract and non-contract travel services such as transportation, lodging, rental vehicles, and other necessary travel expenses.

I agree that use of the Card will be governed by the following:

I understand the Card is to be used for **State of Texas business-related travel charges only** and **is not for personal use**. Use of the Card for charges other than official State business is a direct violation of the State's contract with CitiBank, the Texas Comptroller's rules [1 TAC §20.308], and TTU/TTUS policies and, therefore, a misapplication of the state-issued card. Further, I understand that any misuse will result in cancellation of the Card and that I will be subject to disciplinary action up to and including termination of employment.

I understand that **I will be responsible for all charges resulting from use of the Card** and understand that I am required to pay the account in full, in a timely manner. I understand that if my account becomes over 30 days delinquent, notification will be sent to me ("the Cardholder") and the Cardholder's supervisor. Further, I understand that if my account becomes 60 days delinquent, the Card will be cancelled and CitiBank will assess a 2.5% delinquent charge, for which I am personally responsible for payment. Cancellation of the Card for any reason or termination of employment does not relieve me of the responsibility for payment of the charges and delinquency assessments.

I understand that any use of the Card in an emergency situation (i.e., lost luggage, automobile repair on personal vehicle) relating to TTU business travel, while away from designated headquarters, will require an explanation, documentation, and approval of the Cardholder's supervisor.

I understand that TTU/TTUS may request a copy of my Card statement and receipts to verify Card usage at any time.

I understand that the appropriate administrators, as well as my direct supervisor, will be notified in writing of any apparent misuse on my Card account. I also understand that any proven misuse of the Card and/or delinquency may result in disciplinary action up to and including termination of employment.

I understand that this signed Agreement becomes legally binding and will become part of my personnel file with TTU/TTUS.

**I understand the above-stated policies, regulations, and penalties for using a State of Texas individual corporate travel charge Card and agree to abide by them.**

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Signature of Cardholder

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Printed Name of TTU/TTUS Department/School

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Printed Name of Cardholder

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Headquarter City

---

Date



# Application Form for Individual Bill Travel Card

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## SECTION I - CARDHOLDER APPLICANT INFORMATION (Must be a TTU/TTUS Employee)

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**Last Name:**

**First Name:**

**Middle Initial:**

**Department:**

**R Number:**

**City, State, Zip**

**Phone:**

**E-mail Address:**

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## SECTION II - CARD INFORMATION

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Instructions will be provided for completing an online portion of application (for personal information)

This card may only be used for travel related business expenses.

Payment for charges incurred on card is the responsibility of the Cardholder.

Payment must be made in full to Bank each billing cycle.

Bank will run a personal credit check prior to issuing your card.

Card must be used for all travel expenditures when using State appropriated funding (funds 11xxxx through 14xxxx).

Prepaid advances can be claimed on a Travel Application in order to make timely payments.

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### SECTION III - CARD LIMITS

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30 - Day Cycle Limit: Select One

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### SECTION IV - SIGNATURES AND APPROVALS

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Applicant Approval (Required - This will be the reconciler on the Individual Bill Travel Card)

**Printed Name:**

**Signature/Date**

Supervisor Approval

**Printed Name:**

**Signature/Date**

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Submit applications for the Individual Bill Travel Card to:  
Campus Mail: Box 41094 or deliver to TTU Plaza Room 408  
E-mail: Travel Office (travelservices@ttu.edu)



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 79.04: Application for Official Travel**

**DATE:** November 27, 2013

**PURPOSE:** The purpose of this Operating Policy and Procedure (OP) is to set forth the policies and procedures governing the approval process for TTU employees requesting official travel status.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the manager of Travel Services with substantive revisions forwarded through the managing director of Procurement Services to the vice president for administration and finance and chief financial officer.

### **POLICY/PROCEDURE**

1. The approval process for official travel is activated by the submission of an online travel application (<https://www.fiscal.ttuhsc.edu/Travel2/>). The online form must be completed and submitted when reimbursement for travel will be requested, regardless of the funding source.
2. No trips away from headquarters shall be approved until arrangements have been made by the involved faculty or staff member to ensure the adequate performance of delegated duties and the undisturbed continuance of all parts of TTU operations during the faculty or staff member's absence.
3. All travel to duty points outside the contiguous U.S. must be approved in advance and in writing by the Office of International Affairs (OIA), regardless of the funding source. If the duty point is outside the U.S. or U.S. possessions, excluding Canada or Mexico, other travel restrictions apply and the traveler should consult OP 79.05.
4. Detailed instructions for completing the online travel application form are provided in the *Online Travel Training Guide for Applications and Vouchers* available at <http://www.depts.ttu.edu/procurement/travelservice/workaids.asp>.





## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 79.05: International Travel**

**DATE:** January 9, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to set forth the policies and procedures granting the approval of international travel to countries outside the United States.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the Manager of Travel Services and the Vice Provost for International Affairs with substantive revisions forwarded to the Managing Director of Procurement Services and the Vice President for Administration and Finance and Chief Financial Officer.

#### **POLICY/PROCEDURE**

##### **1. Authority**

Pursuant to § 660.024, Texas Government Code (Vernon's Civil Statutes Supplement, 2002), all international travel by state employees on state business must be approved in advance and in writing by the chief executive officer or an employee designated by the chief administrator. The president of Texas Tech University has delegated authority for this approval to the Office of International Affairs (OIA) for employees.

##### **2. Approval of International Travel**

International travel (including U.S. possessions, Canada, or Mexico) must be approved by OIA prior to the trip commencement to comply with federal Export Control Regulations. A Travel Application should be processed in the online Travel System at least 30 days prior to departure. Once the Travel Application is submitted, OIA will receive email notification and will approve via the Comments section in the Online Travel System. Once approved, email notification will be sent to the Traveler, Preparer and Travel Services and the Traveler may then proceed with making airline reservations, request advances, etc.

To comply with Federal Export Control regulations, the following information is required when submitting the Travel Application:

- List of All Destinations
- Destination Contacts
- Destination Affiliations
- Business Equipment/Supplies that will be taken with the traveler

##### **3. State Appropriated Funds**

State appropriated funds are not allowed for international travel reimbursement.

#### 4. Travel Restrictions

TTU will follow state policy in not approving a request for travel to a nation that is subject to a travel warning issued by the United States Department of State. OIA will determine if a country is under such a travel warning.

#### 5. Fly America Act

- a. The Fly America Act (49 U.S.C. 40118) mandates the use of U.S. flag air carriers when travelling internationally on federal funds (Funds beginning with 21XXXX). Waiver information, certified air carriers, and additional information is available at <http://www.depts.ttu.edu/procurement/resources/training-and-work-aids/documents/travel-services/procurement-fly-america-act.pdf>.
- b. Travel agencies should be used to ensure compliance with the Fly America Act for international travel on federal funds. See [OP 79.06, Transportation Requests](#), for additional information on transportation requests.

#### 6. Travel Accident Emergency Evacuation Insurance

TTU employees traveling in foreign countries on state business are covered by a supplemental insurance policy, Travel Accident Emergency Evacuation Insurance. For questions regarding the policy coverage prior to the departure date, the traveler should contact the managing director of the TTU System Office of Risk Management at 806-742-0212.

The schedule of benefits is as follows:

\$50,000–Accident/Sickness Medical (\$50 deductible)  
\$200,000–Accidental Death and Dismemberment  
\$100,000–Emergency Medical Evacuation  
\$20,000–Repatriation of Remains  
Included–Bedside Visitation

#### 7. Reimbursement of Travel Expenditures

- a. Meal and lodging expenses for travel may not exceed the amount actually incurred. Original, itemized receipts may be submitted or per diem may be claimed. The per diem rates used are the federal rates provided by the U.S. Department of State ([http://aoprals.state.gov/content.asp?content\\_id=184&menu\\_id=78](http://aoprals.state.gov/content.asp?content_id=184&menu_id=78)). Claims may not exceed the daily per diem rate without a completed *Travel Exception Form* (<http://www.depts.ttu.edu/procurement/forms/documents/travel/procurement-travel-exemption-form.pdf>)
- b. Food and entertainment expenses incurred must be in compliance with [OP 72.05, Expenditures for Official Functions, Business Meetings, and Entertainment](#).
- c. Travel expenses incurred in a foreign currency must be converted to U.S. dollars. Conversion documentation is required with the travel voucher and the date used for the conversion must be the date of the expense.

- d. For specific details regarding reimbursement of travel expenses to destinations outside the United States or its possessions, refer to [OP 79.08, Reimbursement of Travel Expenses](#).



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 79.06: Transportation Requests**

**DATE:** February 21, 2014

**PURPOSE:** The purpose of this Operating Policy and Procedure (OP) is to set forth the policies and procedures governing the use of transportation requests (TR) for airfare for official business travel.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the manager of Travel Services with substantive revisions forwarded through the managing director of Procurement Services to the vice president for administration and finance and chief financial officer.

#### **POLICY/PROCEDURE**

1. Transportation requests (TR) are designed to assist employees who do not have a state travel card or personal credit card to pay for their major airline transportation costs. The cost of the airline ticket will be charged to Travel Services' credit card, and the employee will not have to pay the airfare expense. The employee is required to turn in a travel voucher and include the airfare receipt.
2. An employee does **not** qualify for a TR if the employee:
  - a. Owes an outstanding balance to the university for previous travel; or
  - b. The trip includes personal travel outside of headquarters and duty point.
3. When requesting a TR using the online travel application, the employee will be asked to verify that the employee is eligible for the TR and to supply the following information:
  - a. The name of the travel agency (a scroll-down list is available) and the agent handling the reservations. If Southwest Airlines is used for the TR, instructions for using SWABIZ are available at <http://www.depts.ttu.edu/procurement/travelservice/workaids.asp>.
  - b. The estimated cost of the airfare; and
  - c. The flight's ultimate destination city and state.
4. When an employee submits an online travel application requesting a TR, Travel Services will receive an automatic notification of the request.
  - a. Upon review, Travel Services will approve the request and the travel system will automatically email both the traveler and the travel agency listed on the application.

- b. If there are problems with the application or if the TR request is denied, the travel system will notify the traveler via email.
- 5. Only Travel Services may cancel travel applications that include TRs. Travel Services should be contacted immediately if a travel application that includes a TR needs to be cancelled or modified.
- 6. When Travel Services' account is charged for the employee's airfare, the cost will be charged to the FOP listed on the online travel application. The airfare is charged by the travel agency to the Travel Services' account. The airfare expense is reconciled by submitting a travel voucher and claiming the exact amount charged, including travel agency fees, even if the TR is the only travel expense claimed.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 79.07: Travel Advances**

**DATE:** February 21, 2014

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to set forth the guidelines for the issuance of travel advance funds that may be used to cover a portion of official pre-travel and travel expenses.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the manager of Travel Services with substantive revisions forwarded through the managing director of Procurement Services to the vice president for administration and finance and chief financial officer.

#### **POLICY/PROCEDURE**

##### **1. Use of a Travel Advance (TA)**

- a. The university may advance funds for travel expenses to a university employee or student only if the expenses are incurred during travel that requires an overnight stay outside the employee's designated headquarters.
- b. The university will **not** issue a TA to:
  - (1) A person who is not an employee or student of the university; or
  - (2) A person who has an outstanding travel advance from a previous trip;
  - (3) A person who is on hold in the State Comptroller's Texas Payee Information System (TPIS). (Note: Possible reasons an employee may be on hold include being in default on a student loan, indebted to the state or a state agency, delinquent on state tax, not paying child support, or owing a reimbursement for unemployment taxes.)
  - (4) An employee whose travel expenses will be reimbursed directly to the employee by someone other than the university.
- c. Travel advances are allowed for prepaid expenses (airfare, registration fees, hotel deposits, etc.). The advance is approved upon receipt of the travel application and proof of payment of the prepaid expense.
- d. Advances for non-prepaid expenses may be requested. If approved, the TA will be approved five working days prior to departure. Travel advances for non-prepaid expenses are restricted as follows:

- (1) Airfare cost may be advanced with a copy of the itinerary showing the cost of the airline ticket;
  - (2) Up to 90 percent of the lodging costs may be advanced for the locale per diem unless staying at a conference hotel. Hotel taxes may be included but may not exceed 9 percent for travel within Texas or 15 percent for travel outside of Texas;
  - (3) Up to 90 percent of the meal costs may be advanced for the locale per diem rate;
  - (4) Up to 90 percent of mileage for travel in a personal vehicle for the shortest distance with point-to-point itemization and the current reimbursement rate; and
  - (5) A maximum of \$100 may be advanced for taxis, shuttles, gasoline, etc.
- e. Advances are not provided for:
- (1) Rental cars – These can be paid for with a credit card or through TechBuy with a purchase order;
  - (2) Parking costs; or
  - (3) Mileage to and from the airport.

## **2. Reimbursement of Travel Advances**

- a. The traveler must submit a travel voucher to Travel Services within 15 days after returning to headquarters. Failure to process the voucher within the 15-day period will result in the suspension of any further advances for that traveler until the delinquent advance has been cleared. Repeated delays in clearing delinquent advances may result in suspension of all future advances.
- b. If the travel voucher is not sufficient to cover the amount of the advance, the employee should attach a check or money order for the difference. Vouchers without required checks will be held without processing until the check is submitted.
- c. If the travel voucher exceeds the amount of the advance, a reimbursement check will be issued to the traveler for the difference.
- d. Students who obtain advances for their travel expenses and are delinquent in the reimbursement will have a hold put on their student account through the Registrar's office. The hold will not allow the student to register for classes or obtain a transcript until the reimbursement is paid.
- e. Under Internal Revenue Service regulations, any travel voucher not received by Travel Services (voucher and paperwork received) within 60 days of the trip end date will be taxable to the traveler. The taxable expense will be reported to Payroll Services for processing.

### 3. **Special Restrictions/Provisions**

- a. Travel advances for non-prepaid expenses may be picked up no earlier than two working days prior to departure. Exceptions are allowed for advance deposits for hotel. Other exceptions may be requested by contacting Travel Services.
- b. If the travel advance is to be picked up by someone other than the traveler, the person will be required to present a note or memo signed by the traveler authorizing the person to sign and receive the travel advance check.

See the [Online Travel Training Guide for Applications and Vouchers](#) for instructions on requesting a travel advance through the online travel application.

The managing director of Procurement Services and/or the manager of Travel Services has the authority to make any exceptions to this policy that in his/her determination are essential for the continued operations of the university and do not violate any federal or state laws.





TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 79.08: Reimbursement of Travel Expenses**

**DATE:** May 9, 2018

**PURPOSE:** The purpose of this Operating Policy and Procedure (OP) is to set forth the policy for reimbursement of travel expenses to Texas Tech University (TTU) employees when travelling for official state business.

**REVIEW:** This OP will be reviewed in May of even-numbered years by the Section Manager of Travel Services, the Chief Procurement Officer, and the Managing Director of Accounting Services with substantive revisions forwarded to the Vice President for Administration & Finance and Chief Financial Officer.

## **POLICY/PROCEDURE**

### **1. Policy Statement**

All travel must be for the benefit of the institution. It is the policy of TTU to follow travel requirements as set forth in:

- [2 CFR Part 200](#)
- [Internal Revenue Code §§1.62-2](#)
- [Texas Administrative Code Rule §5.22](#)
- [General Appropriations Act \(GAA\) Article IX Part 5](#)
- [Textravel](#)

The requirements set forth in this policy apply to all official travel, regardless of funding source, and are in addition to those outlined in [OP 79.01, Travel Authority and Definitions for Texas Tech University and TTU Employees](#), and [OP 79.05, International Travel](#). Exceptions applicable for specific funding sources are noted within each respective section below.

TTU employees must follow the policies outlined in this OP. TTU student travel for official business is authorized the same as university employees and will be in compliance with this OP; however, state-appropriated funds are not allowed to be used for student travel (students not employed by the university).

The Chief Procurement Officer and/or the Section Manager of Travel Services have the authority to make any exceptions to this policy that, in his/her determination, are essential for the continued operations of the university and do not violate any federal or state laws.

Travel news and updates will be provided on the Travel Services website at <http://www.depts.ttu.edu/procurement/departments/travel-services/>, through monthly Procurement Services Forums, and via TechAnnounce.

Individual TTU colleges, schools, institutes, and/or departments may also establish regulations more restrictive than those required by the state or TTU. However, TTU's travel office is not responsible for enforcement of those regulations.

## 2. Definitions

- a. *Travel Application* – An electronic document used to encumber expenses and request approval for travel in advance of the trip. See [OP 79.04, Application for Official Travel](#), for additional information.
- b. *Travel Voucher* – An electronic document used to request reimbursement for travel expenses incurred during the discharge of official state business.
- c. *Duty Point* – The destination, other than the place of employment, to which a state employee travels to conduct official state business. If the destination is outside the employee's *designated headquarters*, then the duty point is either the incorporated municipality in which the destination is located or the unincorporated area within a five-mile radius of the destination.
- d. *Designated Headquarters* – The area within the boundaries of the city in which a state employee's *place of employment* is located. If an employee's place of employment is located within an unincorporated area, then the area within a five-mile radius of the place of employment is the employee's designated headquarters. If an incorporated municipality or an unincorporated area is completely surrounded by the incorporated municipality in which an employee's place of employment is located, then the employee's designated headquarters includes the surrounded municipality or area.
- e. *Time of Departure* – For air transportation, time of departure is two hours prior to the actual flight departure. For vehicle transportation, the time of departure is when you depart headquarters/residence.
- f. *Time of Return* – For air transportation, the time of return is the time at which the flight lands at headquarters. For vehicle transportation, the time of return is when you arrive at headquarters/residence.
- g. *Working Hours* – The hours during which a state employee is regularly scheduled to conduct official state business.
- h. *State-appropriated Funds* – TTU funds 11xxxx-14xxxx (**Note: All travel expenses on state-appropriated funds must be paid on a State of Texas Travel Card**). State-appropriated funds starting with 13 do not permit travel.
- i. *Institutional Funds* – All TTU funds except 11xxxx-14xxxx, including sponsored projects (unless limited by a sponsoring agency).

Refer to [OP 79.01, Travel Authority and Definitions for Texas Tech University and TTU Employees](#), for additional definitions.

### 3. Reimbursement Procedures

#### a. Travel Application

The approval process for official travel is activated by the submission of an online travel application. The online form must be completed and submitted when reimbursement for travel is requested, regardless of funding source. Funds are encumbered using a travel application and the employee is entitled to reimbursement for allowable expenses incurred as a result of the performance of official duties. Instructions for completing the travel application are available at <http://www.depts.ttu.edu/procurement/resources/training-and-work-aids/>. Each traveler may only submit one application per trip. See [OP 79.04, Application for Official Travel](#), for additional information.

A purpose and benefit statement must be included in the Travel Explanation/Comments section of the application. The statement must provide a clear business purpose for the trip and the benefit to TTU. If attending a conference, the full name of the organization sponsoring the conference must be included (no abbreviations or acronyms).

Instructions for completing the travel application are available at <https://www.depts.ttu.edu/procurement/resources/training-and-work-aids/index.php> under Travel Services.

#### b. Travel Voucher

Upon return to Designated Headquarters, the traveler must complete a travel voucher and worksheet containing the business purpose and explanation of travel and upload all required supporting documentation as outlined within each respective section below. Travel vouchers must be completed, approved, and submitted to Travel Services within 30 days of returning to headquarters. When travel advances have been provided, vouchers are due within 15 days. See [OP 79.07, Travel Advances](#), for additional information. Instructions for completing reimbursement requests are available at <http://www.depts.ttu.edu/procurement/resources/training-and-work-aids/>.

#### c. Travel on State-Appropriated Funds (funds beginning with 11xxxx through 14xxxx)

[The State Travel Management Program](#) (STMP) has updated the [Texas Administrative Code \(TAC\), Section 20.413](#), to require a state travel credit card to be used for all travel expenditures when using state-appropriated funding. Any allowable travel related expense not purchased with a state travel card will require institutional funds unless limited by a sponsoring agency. Guidelines for using state-appropriated funds are available at <https://www.depts.ttu.edu/procurement/resources/training-and-work-aids/index.php> under the Travel Services header.

#### d. International Travel

International travel requires pre-approval from the Office of International Affairs at least 30 days prior to the departure date. Refer to [OP 79.05, International Travel](#). Expenses incurred in a foreign currency must be converted to USD based on the conversion rate at the time of travel. International travel is not permitted on state-appropriated funds.

To comply with Federal Export Control regulations, the following information is required when submitting the travel application: list of all destinations; destination contacts; destination affiliations; and any business equipment/supplies that will be taken with the traveler.

e. Group Travel

A group sponsor for student group travel may process travel through the online travel system, obtain a Travel Advance Card (TAC), or use a combination of the two methods.

- (1) A full time employee may act as a group sponsor for student group travel and the travel voucher is submitted under the sponsor's name. There can be more than one group sponsor per trip. A list of the travelers' names and R-numbers are required on the travel voucher.
- (2) Travel Advance Cards (TAC) are credit cards issued for a specific period of time with a specific dollar balance/limit according to the budget provided for student or other group travel. The TAC is issued to the group sponsor. Refer to the [Request for Travel Advance Card](#) for additional information.
- (3) A completed *Student Activity Release Form*, found in [OP 79.13](#), Attachment B, shall be obtained from the student travelers by the group sponsor. The form is retained by the group sponsor for a period of three years and does not need to be turned in with the travel voucher.

f. Taxable Expenses

In accordance with IRS regulations, travel reimbursements are taxable to the traveler when the travel voucher is not submitted to Travel Services within 60 days of the trip end date. Travel Services will report taxable expenses to the Payroll Office.

g. TPIS Hold

TTU is unable to reimburse an employee if the employee is on hold in the Texas Comptroller's Texas Payee Information System (TPIS) until the hold has been released. (Note: Possible reasons an employee may be on hold include being in default on a student loan, indebted to the state or a state agency, delinquent on state tax, not paying child support, or owing a reimbursement for unemployment taxes.)

h. Travel on Sponsored Project Funds

A detailed explanation describing the benefit to the scope of the project is required on travel vouchers for sponsored project funds.

i. Supplemental Voucher

Supplemental vouchers may be submitted if all expenses were not included when a travel voucher was initially submitted (i.e. toll charges). Approval to submit a supplemental voucher must be obtained from the Travel Services office at [travelservices@ttu.edu](mailto:travelservices@ttu.edu).

#### 4. Meals and Lodging

##### a. General Policies

- (1) Employees may either itemize expenses or claim the allowable per diem; the election made applies to the entire trip. Original receipts are required when requesting reimbursement of actual expenses. When travel expenses are itemized, reimbursement will be made for actual costs, but the reimbursement may not exceed the allowable per diem rates. (Note: Some sponsored projects require receipts for all charges. It is the department's responsibility to understand award terms and conditions and comply with the terms and conditions.)
- (2) TTU will reimburse meal and lodging expenses up to one day before and one day after official business begins. Exceptions may be granted when additional travel days are required to qualify for discount airfares or when travel to the duty point reasonably requires more than one day. The [Travel Exception Form](#) is required for additional days.

##### b. Travel Per Diems

- (1) Meal and lodging reimbursements for in-state and out-of-state travel, but within the contiguous U.S., are limited to the rates set forth by the [U.S. General Services Administration \(GSA\)](#). Employees traveling to localities not specifically listed are limited to the greater of the GSA's standard per diem rates or state of Texas rates.
- (2) Meal and lodging reimbursements for travel to Alaska and Hawaii are limited to the rates set forth by the [U.S. Department of Defense](#).
- (3) Meal and lodging reimbursements for travel outside the contiguous U.S. (other than Alaska and Hawaii) are limited to the rates set forth by the [U.S. Department of State](#).
- (4) Itemized receipts are required for group travel meals or students must sign a form acknowledging receipt of per diem.
- (5) Meal per diems may be reduced and used to increase the maximum lodging reimbursement rate. However, some federal agencies do not allow this practice. Departments are responsible for reviewing the award terms and conditions to determine if it is allowable on federally-sponsored projects.
- (6) If an employee travels to more than one duty point on the same day, then the maximum meal reimbursement for the day is equal to the highest of the maximum rates for the duty points visited. Example: If you travelled to College Station (meal per diem \$59) and also to Dallas (meal per diem \$64), you would be able to claim \$64.
- (7) Per diems above the maximum rate may be reimbursed on institutional funds in certain circumstances. However, some federal agencies do not allow this practice. Departments are responsible for reviewing the award terms and conditions to determine if it is allowable on sponsored projects. Requests must be documented on the [Travel Exception Form](#) and submitted with the travel voucher. The form must include sufficient documentation of the extenuating circumstances and the requisite approvals.

- (8) For overnight travel instances when the departure time and/or return time results in less than a full day of travel, the following reimbursement policy applies. Departure time is two hours prior to the actual flight time or, for vehicle transportation, it is when you depart headquarters/residence or duty point. Return time is when the flight lands at headquarters or, for vehicle transportation, it is when you arrive at headquarters/residence.
  - (a) Breakfast per diem is equal to 20 percent of the allowable daily per diem rate. If departure is prior to 8:00 a.m. and/or return to headquarters is after 9:00 a.m., breakfast may be claimed.
  - (b) Lunch per diem is equal to 30 percent of the allowable daily per diem rate. If departure is prior to 12:00 p.m. and/or return to headquarters is after 1:00 p.m., lunch may be claimed.
  - (c) Dinner per diem is equal to 50 percent of the allowable daily per diem rate. If departure is prior to 5:00 p.m. and/or return to headquarters is after 7:00 p.m., dinner may be claimed.

c. Unallowable Meal/Lodging Expenses

- (1) Alcoholic beverages;
- (2) Meals included with conference registrations fees, provided by hotel, or otherwise already paid by TTU (e.g., charged to the department through other procurement methods);
- (3) Meals or lodging when travel does not require an overnight stay;
- (4) Meals incurred within headquarters unless the expense is mandatory and connected with a training, seminar, and/or conference;
- (5) Meals incurred in accordance with Food and Entertainment policy (see [OP 72.05, Expenditures for Official Functions, Business Meetings, and Entertainment](#)); and
- (6) Lodging at a non-commercial establishment (e.g., an establishment that does not provide lodging to the public for pay, such as a relative's residence).

d. Additional Lodging Requirements

- (1) Lodging receipts are always required with the travel voucher. The lodging receipt must include the name and address of the commercial lodging establishment, the employee's name, the single room rate, and a daily itemization of the lodging charges. The receipt must indicate a zero balance.
- (2) For travel within the state of Texas, TTU employees are exempt from the state hotel occupancy tax. Therefore, TTU will not reimburse an employee for the state hotel tax when the employee fails to present a properly completed *Texas Hotel Occupancy Tax Exemption Certificate* to the establishment. However, if the employee presents the certificate to the establishment and the establishment refuses to honor the certificate, the employee will be reimbursed when this explanation is included on the travel

voucher. The certificate will need to be signed by the hotel with the refusal statement and turned in with the travel voucher. The *Texas Hotel Occupancy Tax Exemption Certificate* is available on the Travel Services website under forms at <http://www.depts.ttu.edu/procurement/forms/documents/travel/procurement-texas-hotel-occupancy-tax-exemption-certificate.pdf>.

- (3) An apartment or house rental expense may be reimbursed if the purpose of the rental is to lower costs and the employee will be using the apartment or house while conducting **official business** throughout the term of the lease. Application fees and other mandatory costs associated with applying for rental of the apartment or house are reimbursable. A copy of the lease will be required with the travel voucher. Preapproval should be obtained from the Contracting Office ([contracting@ttu.edu](mailto:contracting@ttu.edu)) prior to the lease commitment.
- (4) Guest lodging procedures through TechBuy may be used for prospective employees (see [OP 79.10, Travel by Prospective Employees](#)) and for employees who are not headquartered in Lubbock but are in Lubbock on TTU business. See the [“How To” Guide](#) for guest lodging.
- (5) When two individuals share lodging and both are TTU employees, TTU will reimburse each employee for his/her share of the lodging expense, not to exceed the maximum per diem rate. When two individuals share lodging and only one of the individuals is a TTU employee, TTU will reimburse the employee the lesser of the room rate for a single occupancy or the applicable maximum per diem rate.
- (6) Reimbursements for lodging expenses that exceed the per diem rate are allowed on institutional funds when lodging is at the **official** conference hotel. Documentation to support the hotel is the conference hotel, including the dates of the conference, should be provided when submitting the travel voucher.
- (7) Lodging expenses in excess of the per diem rate (other than conferences) are allowed on institutional funds in certain extenuating circumstances. Requests for reimbursements exceeding the per diem rate require the [Travel Exception Form](#) with the travel voucher. Sufficient documentation of the extenuating circumstances and the requisite approvals must be included on the form.

## 5. Transportation

Employees must select the most cost effective method of transportation. Travel outside the Texas/New Mexico/Oklahoma area by personal vehicle must be compared to the cost of airfare if purchased at least 30 days in advance of travel. A printed, regular fare ticket for 30-days prior will serve as sufficient documentation. A Mileage Calculator tool is in the [Online Travel System](#) under Help>>Links to determine whether renting a vehicle or driving a personal vehicle is more cost effective. The most cost effective method is required for all funding sources.

### a. Personal Vehicle

Employees may be reimbursed for mileage, parking, and tolls when travelling for official business. No other expenses related to the operation of a personally owned or leased vehicle are allowed. Reimbursements for personal mileage may not exceed the cost of a contracted rental vehicle. The [Online Travel System](#) provides a tool to assist in determining the most



cost effective mode of transportation: [Help>>Links>>Other Travel Links>>Mileage Calculator TTU](#).

- (1) Mileage reimbursement is limited to the product of the actual number of miles traveled for business and the maximum mileage reimbursement rate as established by the Texas Legislature each year (see [Travel Reimbursement Rates](#)).
  - (a) The actual miles traveled is determined by point-to-point itemization, documented by either the employee's odometer records or the shortest distance calculated by MapQuest or other mapping tool. The mapping tool printout or odometer records must be provided with the travel voucher.
  - (b) The mileage reimbursement rate is inclusive of all expenses (including damage) associated with the employee's use of his or her vehicle. TTU is not liable for any cost associated with an accident or vehicle damage while conducting TTU business.
- (2) Employees whose job responsibilities customarily require travel within their designated headquarters may be authorized for a local transportation allowance for this travel. The mileage will be actual miles traveled, using the shortest routes possible, and must be properly itemized on a point-to-point basis with sufficient detail for TTU verification.
- (3) Coordination of travel must occur when two or more TTU employees employed by the same department travel on the same dates with the same itinerary to conduct the same official business. TTU will only reimburse one of the TTU employees riding in the personally owned or leased vehicle. When more than four employees from the same department travel on the same itinerary, only one of every four may be reimbursed for mileage. Employees may be reimbursed for mileage incurred to meet or pick up the other employees to coordinate the travel. A list of travelers sharing a vehicle should be listed on the voucher.
- (4) Vehicle travel to/from an airport for travel via commercial airlines is reimbursed as follows:
  - (a) Mileage between headquarters and the airport is allowed during the hours 9AM to 4PM.
  - (b) Mileage between the employee's residence and the airport is allowed outside the above hours.
  - (c) The scheduled flight departure time minus two hours and the actual arrival time determine whether the travel occurs during working or non-working hours.

b. Parking and Toll Expenses

Parking and toll expenses are allowed when travelling in a personally owned, leased, or a rented vehicle. Receipts are required for individual parking and toll expenses that exceed \$100.00. (Note: Some sponsored projects require receipts for all charges. It is the department's responsibility to understand award terms and conditions.)



c. Rental Vehicle

- (1) Vehicle rentals are limited to the TTU Rental Car Rates found at <https://www.fiscal.ttuhs.edu/Travel2/> under “Help >> Links.” The daily rental rate includes both LDW (loss/damage/waiver) or comprehensive coverage and liability coverage.

Reimbursement for contract rented vehicles is allowed for sub-compact, compact, intermediate, standard, or full size. Vans and SUVs may be rented if for use by three or more people or if needed to transport business materials and if documented on the voucher in the comments section. Premium, luxury, and convertible vehicles will require the [Travel Exception Form](#). The form must be submitted with the travel voucher using institutional funds and include sufficient documentation and the requisite approvals.

- (2) Vehicle rentals should be obtained using the contract information provided above or processed by a purchase order in TechBuy. If a purchase order is used for the rental, the cost should not be claimed on the travel voucher (see the [“How To” Guide](#) on renting vehicles).
- (3) Allowable expenses
  - (a) All applicable taxes and mandatory charges;
  - (b) Collision and loss damage waiver not included in the contracted rate;
  - (c) Charges for an additional driver with a documented business purpose;
  - (d) Fuel (original receipts required); and
  - (e) Global Positioning System (GPS) rentals.
- (4) Liability supplements, personal accident, safe trip, and personal effects insurance are not reimbursable.
- (5) Receipts must include the rental company name, employee name, rental starting and ending dates, an itemization of the expenses incurred, and proof of payment. If the receipt does not include all of the requisite information, an original contract may be substituted.
- (6) 15 passenger vans are not allowed to be rented in accordance with [OP 79.13, University-related Travel by Motor Vehicle, Commercial Carrier, and Aircraft](#).

d. Commercial Air

- (1) Employees must obtain the lowest available airfare between the employee’s designated headquarters and duty point. [State contract rates](#) are available for last minute and/or fully refundable travel requirements. Use of state-appropriated funds requires the traveler to purchase airfare with a State of Texas (SOT) travel credit card. This can be accomplished by using a Transportation Request (See [OP 79.06, Transportation](#)

[Requests](https://www.depts.ttu.edu/procurement/forms/index.php)) or by applying for a SOT travel card (application available at <https://www.depts.ttu.edu/procurement/forms/index.php> under Travel Services.

- (2) First class airfare may be reimbursed **only** if it is the only available airfare or if it is necessary for international travel. Business class airfare may be paid or reimbursed **only** if a lower airfare is not available. Early Bird, business select, and main cabin extra are also not allowed. Reimbursement for any of the above requires a completed [Travel Exception Form](#) with requisite with the travel voucher. Preferred seating fees will not require the [Travel Exception Form](#). Preferred seating fees are not allowed on federally-sponsored projects.
- (3) Receipts or itineraries must include the airline name, employee name, ticket number, travel dates, origin and destination (for each flight/leg), airfare amount, fare basis code (for travel on state-appropriated funds 11xxx-14xxx), and proof of payment. If the passenger receipt is unavailable, the following may be provided instead:
  - (a) A canceled check or credit card slip documenting payment;
  - (b) A credit card statement documenting the charge; or
  - (c) A copy of the receipt, check, slip, or billing. If the supporting documentation is a copy of the canceled check or the credit card slip or billing, then the employee must include a statement detailing the information required above.
  - (d) Change fees may be reimbursed if a clear business purpose is provided with the travel voucher. Change fees relating to personal reasons are not reimbursable.
- (4) The baggage fee for the first checked bag is reimbursable. Two checked bags may be reimbursed for foreign travel, trips longer than 5 days in duration, and if checking a bag to transport conference or business material. Excess baggage charges are allowable on institutional funds with an approved [Travel Exception Form](#).
- (5) Fly America

The Fly America Act mandates the use of U.S. flag air carriers when travelling internationally on federal funds (i.e., Banner funds beginning with 21). The [Fly America Act Waiver Checklist](#) must be used by departments to determine and document whether air travel qualifies for a waiver of these restrictions. The completed checklist must accompany all travel vouchers for trips outside the contiguous United States using federal funds. In the event it is determined that the appropriate air carrier was not used, the expense may be denied or must be transferred to non-sponsored or non-state appropriated funds.

Guidelines for complying with The Fly America Act are available at <http://www.depts.ttu.edu/procurement/resources/training-and-work-aids/documents/travel-services/procurement-fly-america-act.pdf>.

e. Railroad, Bicycle, Boat, or other Vehicle

A TTU employee may be reimbursed for the actual cost of transportation by railroad, bicycle, boat, or other motor vehicles if it is incurred to conduct state business. The cost is only

reimbursable if transportation is provided by a commercial transportation company. The receipt must include the following:

- (1) The name of the commercial transportation company;
- (2) The name of the employee;
- (3) The starting and ending dates of the travel;
- (4) The mode of transportation;
- (5) An itemization of expenses incurred; and
- (6) Proof of payment.

f. Mass Transit, Taxi, or Limousine

The actual cost of transportation by bus, subway, other mode of mass transit, or taxi if incurred to conduct state business is allowable when it is provided by a commercial transportation company.

- (1) Individual trips must be itemized on the travel voucher, detailing the fare and destination for each trip. Receipts are required for individual transactions exceeding \$100.00.
- (2) If two or more state employees share a taxi, only the employee who paid for the taxi may be reimbursed for that expense.
- (3) Reimbursement for limousine service is allowed only if it was the least costly transportation available considering all relevant circumstances.

## 6. Tips and Gratuities

a. Reimbursements for tips and gratuities incurred during travel for official business are allowed only on institutional funds but are limited to the following amounts:

- |                        |              |
|------------------------|--------------|
| (1) Hotel Bellman      | \$1.00/bag   |
| (2) Restaurant staff   | 20 percent   |
| (3) Housekeeping staff | \$1.00/night |
| (4) Valet              | \$2.00       |
| (5) Other              | \$1.00       |
| (6) Airport Porters    | \$1.00/bag   |
| (7) Taxi Drivers       | 20 percent   |

- b. When lodging establishments and restaurants include a gratuity in the price, a voluntary additional tip is not reimbursable. Should a gratuity be included by an establishment that is greater than 20 percent, reimbursement will be made at the establishment's rate.

## 7. **Incidental Expenses**

An employee may receive reimbursement for the following incidental expenses, provided the business purpose for the expense is sufficiently documented and original receipts are provided.

- a. Local and long distance phone calls;
- b. Money orders;
- c. Currency exchange fees;
- d. Notary fees;
- e. Travel agency service charges (Note: State-appropriated funding is limited to State of Texas travel agency contract rates);
- f. Visa, passport, and departure taxes;
- g. Mandatory service charges imposed for meals or lodging;
- h. Postage/freight, photocopies, and fax charges;
- i. Repair parts, labor, and towing charges to repair state-owned vehicles if unable to use the TTU Fleet Card; and
- j. Travel expenses incurred to obtain medical care outside headquarters while on official state travel.

**Note:** Visa and passport charges may not be an allowable direct cost on all sponsored projects. Departments are responsible for reviewing the agency and award terms and conditions and consulting the respective grant accountant in Accounting Services to determine allowability.

Personal expenses including entertainment, dry cleaning or laundry, medical supplies, childcare, or kennel expenses for a pet will not be reimbursed. Business related expenses that are allowable may require the [Travel Exception Form](#).

## 8. **Registration/Membership Fees**

Conference registrations and membership fees should be paid through a purchase order or on a procurement card when possible. Reimbursement is allowable when the fees are charged to the employee's travel card or paid from the employee's personal funds. A receipt must accompany the travel voucher. Membership fees must be processed in accordance with [OP 72.16, Memberships](#).

Meals included in the registration fees must be deducted from the daily per diem. Entertainment or other personal expense items included in the registration fee are not allowable and must be deducted from the reimbursement request.

## 9. Cancellation Charges

Reimbursements for cancellation charges associated with any advance travel expenses are limited to reasons of natural disaster, illness, or personal emergencies.

## 10. Travel to Washington, D.C.

TTU personnel who travel to Washington, D.C. on state-appropriated funds *for activities that involve obtaining or spending federal funds or that impact federal policies* must inform the Office of State-Federal Relations (OSFR) about the trip (GAA Article IX, Section 6.12). Contact the Office of International Affairs for additional information. Lobbying activities are not allowed on federal funds.

If an employee is traveling on state-appropriated funds, he/she must also complete the *Report of State Agency Travel to Washington DC* and submit with his/her travel voucher. The form is available at [https://gov.texas.gov/organization/osfr/state\\_funded\\_dc\\_travel](https://gov.texas.gov/organization/osfr/state_funded_dc_travel).

## 11. Traveler Responsibilities

- a. Complete travel applications in advance of travel.
- b. Complete travel vouchers within 15/30 days of return.
- c. Ensure reimbursement requests comply with federal regulations, sponsored project award terms and conditions, state law, and institutional policy.
- d. Ensure reimbursement requests only include expenses actually incurred and reimbursable as set forth in this OP.
- e. Promptly reimburse TTU when travel reimbursements exceed allowable amounts and/or amounts actually incurred. Failure to do so will result in future travel being suspended until the overpayment has been returned.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 79.10: Travel by Prospective Employees**

**DATE:** March 4, 2014

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to set forth the policies and procedures governing the reimbursement of travel expenses of prospective employees.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the manager of Travel Services with substantive revisions forwarded through the managing director of Procurement Services to the vice president for administration and finance and chief financial officer.

#### **POLICY/PROCEDURE**

##### **1. Definition and Scope**

A prospective employee is an individual being considered for employment by Texas Tech University (TTU). This includes employees at other state agencies being considered for employment at TTU. This policy governs the reimbursement of travel expenses incurred by the individual visiting TTU for the purpose of being interviewed and evaluated for employment.

##### **2. Reimbursement for Travel Expenses**

- a. Prospective employees are to be reimbursed in the same manner as TTU employees except that they may not receive a travel advance.
- b. Airfare for a prospective employee may be requested with the transportation request (TR) as part of an online travel application (see OPs 79.04 and 79.06).
- c. Prospective employees are not exempt from hotel occupancy taxes, so all taxes paid should be entered when completing the travel voucher.
- d. Prospective employees will be expected to follow the same travel guidelines as TTU employees, including the amount of travel allowances and submission of a travel voucher with the required documentation (see OP 79.08). This also includes the guidelines on international travel to TTU by a candidate from a country outside the U.S. and its possessions, Canada, or Mexico (see OP 79.05).
- e. Reimbursement for travel expenses will be forwarded *after* the recruitment visit.

##### **3. Travel Expenses for Spouse/Family**

Travel expenses for the spouse and/or family of a prospective employee are allowed only on institutional funds and should be submitted through TechBuy. House hunting trips and other

nonbusiness related expenses are taxable reimbursements. Refer to OP 72.10 for additional information regarding moving expenses.

#### 4. **Lodging**

A department may either reimburse the prospective employee or process a guest lodging purchase order through TechBuy to reserve and pay for individual hotel rooms with certain Lubbock area hotels for prospective employees. (Note: This option is available only for prospective employees' expenses, not for employee expenses.) Guest lodging guidelines are available at <http://www.depts.ttu.edu/procurement/travelservice/howtoguides.asp>

Only official travel expenses may be direct-billed. These expenses include the lodging, all taxes, food charges, and local telephone calls made for official business purposes. Long distance telephone calls are not reimbursable for prospective employees. The prospective employee should be informed in advance to pay all non-reimbursable expenses upon checkout.



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 79.12: Official Travel of the President and Chancellor**

**DATE:** January 16, 2020

**PURPOSE:** This Operating Policy/Procedure (OP) sets guidelines to be followed when the President and Chancellor travel on official business.

**REVIEW:** This OP will be reviewed in July of odd-numbered years by the Chief Procurement Officer with substantive revisions forwarded to the Associate Vice President for Financial and Business Services and the Vice President for Administration & Finance and Chief Financial Officer.

## **POLICY/PROCEDURE**

### **1. Preparation of Travel Documents**

- a. Prior to each trip for executive travel, the Office of the President or the Office of the Chancellor will prepare an online travel application when it is anticipated that there will be travel expenses to be reimbursed or for all international travel (in accordance with [OP 79.05, International Travel](#)). If no reimbursable expenses are anticipated, a zero cost travel application may be submitted to document that a business trip is taking place.
- b. Upon the President's or Chancellor's return to headquarters, the Office of the President or the Office of the Chancellor will prepare the travel voucher if there are expenses requiring reimbursement. The method of payment for each expense will be noted (cash, personal credit card, state travel card, or executive card).
- c. Prior to submittal, the President or Chancellor will review the travel voucher, make any necessary corrections, and sign the travel voucher.

### **2. Processing Travel Documents**

- a. Travel Services and the Executive Card Supervisor in Procurement Services will review the travel voucher and make any necessary edits. The subtotals for personal, travel card, and executive card expenditures will be verified, edited if necessary, and the voucher will be approved.
- b. The online travel system will process a reimbursement check or ACH payment for any valid travel expenses paid personally by the President or the Chancellor, and the amount paid by the travel and executive cards will be allocated to the appropriate FOAP.



### **3. Payment of Expenses Charged to Credit Cards While on Travel**

- a. The Executive Card Supervisor in Procurement Services and the Travel Services Office will receive monthly statements from the travel and executive credit card companies for expenses incurred during official business trips. The President's Office or Chancellor's Office will prepare supporting documentation and provide the required accounting information.
- b. The Executive Card Supervisor will prepare a payment voucher, which will charge the balance sheet account and pay the credit card company.
- c. The balance sheet account has been set up to pay all statements immediately for charges the President or Chancellor makes while on official travel.

### **4. Travel by President's or Chancellor's Spouse**

This policy also regulates travel for the President's or Chancellor's spouse when the President or Chancellor deems it necessary to include her/his spouse for valid business purposes. The spouse's travel has the following restrictions:

- a. No travel for the spouse is to be paid from appropriated funds or sponsored project funds.
- b. Per IRS regulations, in order for TTU/TTUS to reimburse the President or the Chancellor for his or her spouse's travel and entertainment expenses, the accompanying spouse's presence must fulfill a bona fide business purpose for TTU. [U.S. Treasury Regulation Section 1.132-5\(t\)\(1\)](#).

### **5. Guidelines for President's/Chancellor's Travel**

- a. Due to scheduling conflicts, scheduling challenges, and unanticipated appearance requirements, upgraded airfare will be acceptable for the President or Chancellor in order to prevent additional costs associated with travel changes/cancellations.
- b. The duties required by the position of the President or Chancellor may allow for variances over the State or GSA per diem hotel and meal rates due to location availability and meeting purposes. A chief administrative officer of a state agency is entitled to reimbursement for the actual expense of meals and lodging incurred while performing the duties of the individual's office or employment per [Texas Government Code § 660.203\(a\)](#). If the expenses are incurred within the contiguous United States, the reimbursement is limited to twice the amount that could be reimbursed for regular state employee travel if utilizing appropriated funds per [Texttravel](#).
- c. The use of a transportation service other than the local taxi or ride-share service will be permitted if documentation is provided. Documentation should be accompanied by an explanation of why transportation other than the local taxi or ride-share service was used. For example, there may be a significant need of an executive car service when multiple back-to-back meetings are scheduled at various locations.
- d. The President or Chancellor may exceed the traditional gratuity policy thresholds if deemed appropriate and supports the business purpose of the expense.
- e. All travel activities for the President or Chancellor will be audited on an annual basis.



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 79.13: University-related Travel by Motor Vehicle, Commercial Carrier, and Aircraft**

**DATE:** March 21, 2014

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to help minimize the risks of liability connected with travel by university faculty, staff, and students. This OP applies to the use of motor vehicles in any activities directly related to the academic, research, and/or administrative responsibility of the department involved. This OP also applies to travel undertaken by one or more students presently enrolled at the university to reach a university-related activity located more than twenty-five miles from the university. It applies to travel required by a registered student organization. *\*In accordance with § 51.949, Texas Education Code and Board of Regents Minutes, December 13-14, 2001*

**REVIEW:** This OP will be reviewed in July of even-numbered years by the Office of the Provost and Senior Vice President, Vehicle Fleet Management, the Texas Tech University System Office of Risk Management, and the managing director of Procurement Services with substantive revisions forwarded through administrative channels to the vice provost for undergraduate education & student affairs.

#### **POLICY/PROCEDURE**

##### **1. Generally Applicable Definitions**

###### **a. Employee**

For purposes of this OP, an employee is defined as anyone appointed to work for the university in a manner that causes his or her name to appear on the university payroll.

###### **b. Sponsor**

The sponsor of a student activity is selected by the organization from faculty or full-time staff members who have been employed by the university for at least one year.

###### **c. Student**

A student is anyone eligible to hold a current student identification card.

###### **d. Authorized Passenger**

Employees, sponsors, students, and prospective students being recruited to participate in a specific university program or activity. In all such cases, reasonable efforts shall be made by the responsible department to ensure that each participant executes a release and hold harmless agreement.

e. Course and Scope of Employment

An employee is within the course and scope of employment when he or she is engaged in activities that are related to the mission of the university and are in the furtherance of its affairs or business, whether on the university's premises or elsewhere.

f. University-related Activities

University-related activities are those activities that are consistent with the university's mission and that are approved by the appropriate administrative unit. This includes activities organized or sponsored by the university, funded by the university, and using vehicles owned, rented, leased by, or loaned to the university.

**2. Travel Using Vehicles Owned, Rented, Leased by, or Loaned to the University**

a. Appropriate Use

Only persons who are acting within the course and scope of university-related activities should use vehicles owned, rented, leased by, or loaned to the system or its components.

b. Drivers

Because of the risks of personal injury, it is required that only those persons whose names appear on the list of approved drivers be asked or allowed to use any motor vehicle owned, rented, leased by, or loaned to the system or its components. To request a driver be considered for approval and addition to the approved driver list, the following are required:

- (1) The requesting department or unit must submit a completed request through the Texas Tech Vehicle Operating System (<https://apps.texastech.edu/vos/>). The request must include an attached copy of the Texas Tech University System Driver Approval Request form (see Attachment A) and a copy of the driver's current license
- (2) Qualifications for drivers of all motor vehicles owned, rented, leased by, or loaned to the system or its components are as follows:
  - (a) Must have held a valid (Texas or other U.S. state or District of Columbia) driver's license for at least two years and have attained 18 years of age. The two-year experience requirement may be satisfied by providing an English translation of the official driving record, or the equivalent thereof, from the individual's home country;
  - (b) Must comply with driver record check requirements on an annual basis. The driver record will reflect the driver's three-year driving history and will be ordered from the appropriate U.S. state agency.
  - (c) Must achieve an "approved" status using the *Driver Rating Evaluation Form* (OP 80.07, Attachment B);
  - (d) Are required to report any driving violations to their immediate supervisor within five days of the occurrence. This includes violations that occur while driving a vehicle not owned, rented, leased by, or loaned to the university; and

- (e) Must not have had any convictions for driving while intoxicated, driving under the influence of alcohol or drugs, or reckless driving in the five years immediately preceding the date on Attachment A, "Driver Approval Request."
  - (f) Must not have had a reinstated license in effect for less than one year after a revocation.
- (3) Additional qualifications for drivers of vans equipped for 15 passengers are:
- (a) Must be at least 20 years of age and have held a valid license, as defined in (2)(a) above, for at least two years;
  - (b) Must successfully complete a 15-passenger van driver-training course;
  - (c) Must successfully complete 15-passenger van driver retraining annually;
  - (d) Must not have more than one moving violation in the last 18 months;
  - (e) Must successfully pass a drug test; and
  - (f) Must complete the "15-Passenger Van Inspection Checklist" (Attachment C) for each trip. The inspection checklist should be kept in the vehicle glove box for the duration of the trip.

c. Operator Conduct

Operators of university vehicles must take a 15-minute break every three hours and may drive no more than ten hours in a 24-hour period. When the vehicle driven is a van with passengers, a second person who remains awake at all times must ride in the front passenger seat.

- (1) Those who operate a university vehicle represent the university to the general public. The image conveyed does affect the university; therefore:
  - (a) DO NOT use university vehicles for personal transportation or business
  - (b) DO NOT allow alcoholic beverages or narcotics to be consumed or illegally transported
  - (c) DO NOT pick up hitchhikers, transport family members or any other unauthorized passenger
  - (d) DO NOT allow the vehicle to become unnecessarily dirty and present an unfavorable image to the general public
  - (e) DO NOT operate the vehicle unless all occupants are wearing the appropriate restraints
  - (f) DO NOT allow the number of passengers to exceed the authorized capacity of the vehicle (the capacity typically can be determined by counting the number of available seat belts)

- (g) DO observe all traffic rules and regulations
  - (h) DO drive carefully, safely, and courteously
  - (i) DO require driver and all passengers to use seat belts and other appropriate occupant restraints at all times
- (2) When a vehicle is damaged through operator misuse or is operated by a person under the influence of alcohol or narcotics, the department head employing the operator will be furnished a complete statement of the circumstances and a copy of the police report for the appropriate administrative action. Citations for all parking and traffic violations will be the personal responsibility of the operator.
  - (3) If reasonable suspicion exists, testing may be conducted when an accident occurs causing an injury to anyone or damage to property owned by others or Texas Tech University or when the employee receives a traffic citation as a result of a motor vehicle accident. Refer to TTU OP 70.35 for details.
  - (4) Use common sense driving. For road trips of 100 miles or more, share the driving, if possible, and take frequent breaks.

d. Collision Reporting

The following procedures should be followed whenever a university vehicle is involved in a collision, regardless of the extent of damage:

- (1) Stop immediately and notify the proper law enforcement agency so that an official report can document the accident;
- (2) Take necessary steps to prevent another collision;
- (3) Use the Vehicle Fleet Management handbook for instructions and numbers to call;
- (4) Call a doctor, ambulance, or emergency medical team, if necessary. Render aid to the injured until help arrives;
- (5) Get names, addresses, and telephone numbers of all witnesses;
- (6) Provide all required information to the law enforcement officer;
- (7) Notify the department head or supervisor. If you are unable to contact or reach someone, contact the Texas Tech University Police Department; and
- (8) Refer to Texas Tech University OP 80.08 for the completion of required vehicle accident paperwork.

e. Authorization

Employees who drive vehicles owned, rented, leased by, or loaned to the university, or have driving listed as one of their functions of university employment, must have a current driver

record on file with the Texas Tech University System Office of Risk Management. This office may be contacted for information on how to add and delete names on the list of approved drivers.

f. Travel Using Personal Vehicles

The university recognizes that employees occasionally use personal vehicles while engaged in university-related activities on campus and in the local area. Because personal automobile insurance will be looked to first in the event of an accident, all persons who use their vehicles while conducting university business should be made aware of the possibility of personal liability related to such use. No coverage for personal injuries is available to students if they drive their personal vehicles. The university discourages use of personal vehicles.

g. Reimbursement for Costs of Using Personal Vehicles

Mileage costs related to any significant use of personal vehicles to conduct university-related business may be reimbursed to employees upon approval of department heads. Contact the travel office for additional information.

h. Use of Personal Vehicles Not Required

No individual shall be required to use his or her vehicle to perform university-related activities.

i. Policy Concerning Use of Personal Vehicles by Students

- (1) Use of personal vehicles by students to drive to university-related activities is discouraged.
- (2) If students use their own vehicles, and/or transport other students as passengers, they must be informed, in advance by the sponsoring department or unit, that their personal insurance will be responsible for any liability that may arise from such use.

**3. Travel by Commercial Carrier**

All faculty, staff, and students traveling by commercial carrier to university-related activities shall use only those vehicles and operators that meet the requirements set forth below:

The university will only use those commercial vehicles and operators that are certified to operate under 49 United States Code, Subtitle VI, Part B; 49 Code of Federal Regulations, Subtitle B, Chapter III, Subchapter B; and Texas Transportation Code, Title 7, Subtitle F. In addition, all commercial vehicles used pursuant to this provision must be operated, at a minimum, by operators that are fully qualified and insured in the vehicle being operated.

**4. Travel by Commercial or Charter Aircraft**

All staff, faculty, and students traveling on official university business or activities will use only those aircraft and aircraft operators that meet the requirements set forth below. The travel regulations contained in the Texas Appropriations Act and other applicable laws will be followed by the university. Allowable reimbursements will be established by the Texas Appropriations Act, regardless of the source of funds. In addition, university employees are encouraged to be as

conservative as possible in the use of air travel, using charter flights only when cost-effective or absolutely necessary.

a. Air Travel Requirements

The university will only use aircraft and aircraft operators that are flightworthy and are certified and operate under Subchapters F & G, Parts 91, 119, 121, 125, or 135, as applicable in Chapter 1, Federal Aviation Regulations, 14 Code of Federal Regulations (the "C.F.R."). In addition, all aircraft used pursuant to this provision must be piloted, at a minimum, by pilots that are fully qualified and insured in the aircraft being flown, possessing a commercial pilot certificate with instrument rating. All flights involving student travel must be piloted by two pilots.

b. Foreign Air Travel

Air travel to or in foreign countries by university faculty, staff, or students will be arranged only through commercial air carriers regularly engaged in scheduled passenger air transportation.

c. Information Requirement

With the exception of commercial, certified domestic and flag air carriers, aircraft operators will provide the university with the following information:

- (1) Type of certificate;
- (2) Certificate number;
- (3) Date issued;
- (4) Expiration date;
- (5) Type and registration number of aircraft authorized;
- (6) Name of Federal Aviation Administration Flight Standards Office having jurisdiction over certificate holder; and
- (7) Schedule of insurance coverage in effect, showing insurance companies, policy numbers, type, amounts, period of coverage and special conditions, exceptions and limitations.

d. Aircraft Made Available to the University by Other than Commercial Operations

Aircraft and crew made available to the university by other than commercial operators must, as a minimum, qualify under all regulations regarding aircraft and crew outlined in 14 C.F.R., Chapter 1, Subchapter G, Part 91, and conform to the insurance provisions set forth in Section 07.11.5, *Regents' Rules*. In addition, all aircraft used pursuant to this provision to transport students, must, at a minimum, contain a multi-turbo prop engine or jet engine and be piloted by two pilots, fully qualified and insured in the aircraft being flown, possessing a commercial pilot certificate with instrument rating.

## e. Insurance

Aircraft owners/operators must furnish a certificate of insurance to the university as proof of \$300,000 coverage per passenger, or the minimum amount required by law, whichever is greater.

## f. Administrative Requirements

The following are administrative requirements:

- (1) All flights involving leased or chartered aircraft, or aircraft made available to the university pursuant to Section 07.11.4, *Regents' Rules*, must be requested from and approved in advance by the chancellor or designee;
- (2) All flights involving student travel, other than travel on commercial air carriers, must be approved in advance by the chancellor or designee; and
- (3) The university department arranging travel under sections (1) or (2) above will ensure that contracts and other appropriate documents are reviewed by the Office of General Counsel prior to approval by the chancellor or his or her designee.

## g. University Waiver

**\* In accordance with Section 07.11.7, *Regents' Rules***

This policy can be waived by the chief academic officer's prior written approval for employees and graduate research assistants involved in research projects requiring aerial surveys. These research projects must be supported by fund grants that have been approved by the Office of Research Services.

## h. Aircraft Piloted by TTU System Personnel on Official Business

A TTU system employee may pilot an aircraft owned or leased by the employee for travel on official business and may be reimbursed for such travel in accordance with current state regulations (State of Texas Travel Allowance Guide, Chapter 6, Section 6.02). Any aircraft piloted by TTU system personnel for travel on official business must be maintained in accordance with all applicable Federal Aviation Regulations and shall have all instrumentation required for flying in the meteorological conditions then existing and as forecast. The pilot must be current and qualified in accordance with all applicable Federal Aviation Regulations for the type aircraft flown and for the meteorological conditions then existing and as forecast. ***No flight shall be piloted by TTU system personnel with other faculty, staff, students, prospective students, or guests aboard.*** Any TTU system personnel desiring to travel under this provision must execute a written release of liability releasing the TTU System from any and all liability associated with such travel. (Refer to OP 79.14.)

## 5. Trip Insurance

Texas Tech University System and its components do not provide trip accident insurance for individuals not employed by the system or one of its components. Optional trip insurance is available for purchase through the Texas Tech University Purchasing and Contracting office. The coverage is inexpensive and provides \$2,000 worth of medical expense protection.



## 6. **Policy Concerning Student Releases and Medical Authorizations**

Each student who travels by motor vehicle (or any other form of transportation) to participate in a university-related activity including, but not limited to, academically-related field trips, courses, competitions, or contests; or non-academic activities such as those sponsored by Recreational Sports, must execute a copy of the *Student Activity Release Form* (see Attachment B) prior to such activities. The *Student Activity Release Form* must be retained by the sponsoring department for the retention period specified in the *Texas Tech University Records Retention Schedule* (see item 69, OP 10.10 attachment).

## 7. **Guidelines Concerning Safe Travel Practices**

- a. Each administrative unit approving university-related travel, especially when it involves students, is encouraged to promulgate guidelines that encourage safe driving and minimize risks of injury during that travel.
- b. Registered student organizations are free to make such off-campus trips as are deemed worthwhile by the membership and sponsors of the organization. Students and their parents should understand that participation in such off-campus trips and activities is at the student's own risk. If personal injury or accident should occur to students or other persons during such activities, Texas Tech will assume no responsibility, financial or otherwise.
- c. Faculty and staff sponsors and organization officers are urged to take all possible precautions to ensure the safety and well-being of all persons participating in the off-campus activity.
- d. There is no official registration procedure for official off-campus trips, and there are no official excused class absences for students who participate in off-campus trips by student organizations. Students will be responsible for making their own individual arrangements with instructors for class work missed while participating in an off-campus trip. Instructors will be free to set their own requirements for class work missed under such circumstances; they must grant students an opportunity to make up all course work missed while participating in an official off-campus trip.
- e. Please contact the Office of International Affairs for information regarding travel for study abroad programs.

[Attachment A: Driver Approval Request](#)

[Attachment B: Student Activity Release Form](#)

[Attachment C: 15-Passenger Van Inspection Checklist](#)



# TEXAS TECH UNIVERSITY SYSTEM Risk Management™

## Driver Approval Request

In order to drive TTUS owned, leased, loaned, or rented vehicles, **you must read the following information, sign the form, and attach a photocopy of your driver's license.** Please return the information to the TTUS Office of Risk Management, Box 42003, MS 2003, Lubbock, Texas 79409-2003. Please allow 12-14 working days.

*I am aware that consumer and driver license record checks may be obtained as part of TTUS evaluation of my job application or employment. The records may be procured by TTUS or its insurance company representative(s), and may include personal information obtained from the appropriate state driver licensing agency, and my driving record, to be used in an assessment of my qualification as an approved driver.*

*By signing this letter, I hereby provide my authorization for TTUS or their insurance company representative(s) to procure such information and reports, as well as additional reports about me from time-to-time as deemed appropriate, to evaluate my continued approved driver status.*

**Please select one.**

New

Renewal

**Print Neatly or Type.**

\_\_\_\_\_  
Last, First, MI Home Telephone Number

\_\_\_\_\_  
Home Address City State Zip

\_\_\_\_\_  
Driver's TTU Email Address

\_\_\_\_\_  
Department Contact Telephone Number

\_\_\_\_\_  
Department Address Mail Stop City State Zip

\_\_\_\_\_  
Driver's License # State Exp. Date DOB

Will you operate a 15-passenger van? Yes No  
(Please make sure that you have/or will take the proper 15 passenger van training before driving a 15 passenger van).

\_\_\_\_\_  
Signature  
**Must be signed by Driver Applicant**  
**Attach copy of driver's license.**

**Authorization: (For your Department to fill out)**

\_\_\_\_\_  
Account #

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
Print Name (Must be Department Supervisor or Department Head)

\_\_\_\_\_  
Campus Phone

\_\_\_\_\_  
Signature (Must be Department Supervisor or Department Head)

\_\_\_\_\_  
Date

Attachment A  
79.13

**Texas Tech University System  
Student/Participant Release and Indemnity Agreement**

Printed Name of Student/Participant: \_\_\_\_\_

Course/Activity: \_\_\_\_\_ Course Number (if applicable): \_\_\_\_\_

Instructor/Sponsor: \_\_\_\_\_ Destination (if travel required): \_\_\_\_\_

Semester/Dates of Participation: \_\_\_\_\_

I, the undersigned, understand and agree that the officially-sponsored activities of Texas Tech University involve certain known risks, including but not limited to, transportation accidents, personal injuries, and loss or destruction of my property. I understand and agree that Texas Tech University cannot be expected to control all of said risks. In consideration of the benefits I will receive through my participation in the activities of Texas Tech University, I hereby expressly and knowingly **RELEASE TEXAS TECH UNIVERSITY, ITS OFFICERS, AGENTS, VOLUNTEERS, AND EMPLOYEES FROM ANY AND ALL CLAIMS AND CAUSES OF ACTION I MAY HAVE FOR PROPERTY DAMAGE, PERSONAL INJURY OR DEATH SUSTAINED BY ME ARISING OUT OF ANY TRAVEL OR ACTIVITY CONDUCTED BY, OR UNDER THE AUSPICES OF TEXAS TECH UNIVERSITY, WHETHER CAUSED BY MY OWN NEGLIGENCE OR THE NEGLIGENCE OF TEXAS TECH UNIVERSITY, ITS OFFICERS, AGENTS, VOLUNTEERS, OR EMPLOYEES, OR ANY OTHER PERSON.**

I hereby give my consent for any medical treatment that may be required during my participation with the understanding that the cost of any such treatment will be my responsibility.

**Further, I voluntarily and knowingly agree to HOLD HARMLESS, PROTECT, AND INDEMNIFY Texas Tech University, its officers, agents, volunteers, and employees, against and from any and all claims, demands, or causes of action for property damage, personal injury or death, including defense costs and attorney's fees, arising out of my participation in the activities of Texas Tech University, REGARDLESS OF WHETHER SUCH DAMAGES, INJURY OR DEATH ARE CAUSED BY MY OWN NEGLIGENCE, OR BY THE NEGLIGENCE OF TEXAS TECH UNIVERSITY, ITS OFFICERS, AGENTS, VOLUNTEERS, OR EMPLOYEES, OR ANY OTHER PERSON.**

Texas Tech University shall notify me promptly in writing of any claim or action brought against it in connection with my participation in these activities. Upon such notification, I or my representative shall promptly take over and defend any such claim or action.

I HAVE READ AND UNDERSTOOD THIS DOCUMENT, AND MY SIGNATURE EVIDENCES MY INTENT TO BE BOUND BY ITS TERMS.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
(PARTICIPANT)

If the participant is under 18, I am signing as a parent or guardian to reflect my agreement to indemnify (that is, protect by payment or reimbursement) Texas Tech University from any claim which may be brought by or on behalf of the participant, or any member of the participant's family, for injury or loss resulting from those inherent risks of the course, described above, and from the negligence of the participant, Texas Tech University, or any other person:

**SIGNATURE** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
(PARENT OR GUARDIAN)



## 15-Passenger Van Inspection Checklist

Driver \_\_\_\_\_

Date \_\_\_\_\_

Department \_\_\_\_\_

TTU Phone \_\_\_\_\_



### OUTSIDE THE VAN

1. Approach the van and look underneath for
  - ☐ Excessive leaks
  - ☐ Loose parts
2. Check the suspension
  - ☐ Is the van leaning to one side?
3. Check for obvious damage to
  - ☐ Windows
  - ☐ Exterior light lens
  - ☐ Wiper blades
4. Get in the van and turn on exterior lights. Are all exterior lights working properly?
  - ☐ Front ☐ Rear ☐ Left side ☐ Right side
- ☐ What is your organization's policy on the use of headlights during daylight hours?  
\_\_\_\_\_

### 5. Inspect the engine compartment. **The engine should be off with the keys in your pocket.**

Check all fluid levels

- ☐ Oil ☐ Radiator (when engine is cool)
- ☐ Windshield wiper fluid
- ☐ Inspect all hoses and cable connections for excess wear
- ☐ Check fan belts for proper tension
- ☐ Are fan belts frayed or cracked?

### 6. Use a gauge to check the tires for

- ☐ Pressure
- ☐ Tread depth
- ☐ Are the hubcaps secure?

### 7. When you're finished inspecting outside the van

- ☐ Turn off the exterior lights

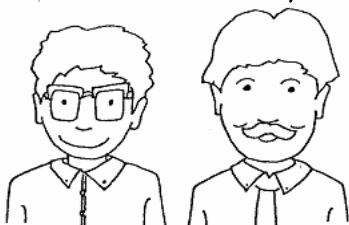
**Safety** is the reason you need to do an inspection!

Inspect with a **partner!** The job will get done faster and you'll do a better job!

### INSIDE THE VAN

8. Sit in the driver's seat to check
  - ☐ Horn
  - ☐ Windshield wipers and washer
  - ☐ Backup alarm, if your van has one
  - ☐ All indicator lights and gauges
9. Make sure the driver's seat is not loose and is properly adjusted for **you**
  - ☐ Can you reach floor pedals, steering wheel and all other controls comfortably without straining?
  - ☐ Are you so close that your movement is restricted?
10. Inspect the front seat areas
  - ☐ Are they clear of loose items and debris?
  - ☐ Keep the front seat area, dash, and floor clear of clipboards, papers, trash, etc.
11. Check all mirrors
  - ☐ Are they clean? Can you see clearly?
  - ☐ Adjust each mirror to reduce blind spots as much as possible
12. Check the passenger area
  - ☐ Is the interior lighting operational?
  - ☐ Are the seats secure and in good condition?
  - ☐ Are the seats and floor clean?
  - ☐ Are safety restraints out and accessible to each passenger?
13. Before driving the van
  - ☐ Adjust the steering wheel so the airbag is directed to your chest, not your face
  - ☐ Put on **your** safety restraint
  - ☐ Lock the doors
  - ☐ Make sure **all** passengers are buckled up
14. Never drive under the influence of
  - ☐ Alcohol
  - ☐ Illegal drugs
15. **Remember** – you represent Texas Tech University when you're driving a university vehicle
  - ☐ Observe all traffic rules and regulations
  - ☐ Drive carefully, safely, and courteously

**16. List all passengers on the back of this checklist.**





TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 79.14: Aircraft Piloted by Texas Tech University Personnel on Official Business**

**DATE:** February 26, 2019

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to outline the procedures for approval of the use of privately owned or leased aircraft by TTU employees in connection with official travel. Texas Government Code, Section 660.071 et seq. authorizes the use of personally owned or leased aircraft by state employees for travel on official business and provides that employees may be reimbursed for such travel in accordance with the General Appropriations Act. Section 07.11.8, *Regents' Rules*, extends this authorization to TTU employees, provided the following conditions are met:

1. The aircraft used is maintained in accordance with Federal Aviation Regulations (FAR) and has all required instrumentation required for flying in the weather conditions existing and forecast;
2. The pilot is current and qualified in accordance with Federal Aviation Regulations for the type aircraft flown and the meteorological conditions prevailing and forecast;
3. Passengers are not carried during flights connected with official and reimbursed travel; and
4. The pilot releases the TTU System from all liability associated with the travel

This OP does not address procedures for the approval of official travel in rented aircraft.

**REVIEW:** This OP will be reviewed in July of odd-numbered years by the Office of the President.

### **POLICY/PROCEDURE**

#### **1. Definitions**

##### **a. Employee**

A person employed by Texas Tech University as defined by university policy and including, for purposes of this OP, a key official or board member of the university.

##### **b. Official Travel**

Official travel is travel related to the TTU mission and approved by the appropriate administrative unit in accordance with current policy and procedures.

c. Personally-owned or Leased Aircraft

An aircraft owned by and registered in the name of the TTU employee or leased by the employee under a contract with a term of at least one month that gives the employee possession and use of the aircraft while the lessor retains ownership of the aircraft.

2. **Approval**

a. Initial Approval of the Use of Privately-owned or Leased Aircraft

Employees desiring to use a privately owned or leased aircraft for the conduct of official TTU travel must obtain prior, written approval from the president or his/her designee. Upon submitting a travel application, the employee must provide proof of the following by submitting an authorization form (see Attachment A):

- (1) Current pilot certifications and ratings appropriate to the type aircraft to be flown;
- (2) Current flight review;
- (3) Verification that the aircraft to be used is personally owned or leased, as defined in the OP, and that the aircraft is register under FAR, Part 47.
- (4) Verification that the aircraft has been and will be maintained in accordance with FAR, Part 443, and meets airworthiness requirements detailed in FAR, Part 23;
- (5) Verification that the aircraft will be operated at all times in accordance with FAR, Part 91;
- (6) Verification of appropriate insurance coverage;
- (7) Verification that passengers will not be carried while the aircraft is being used for official travel; and
- (8) Verification that any change in status of these items will be promptly reported to the president or his/her designee, by submitting an updated authorization form (Attachment A) prior to the time of travel.

In addition, the employee will provide a signed copy of the *Release and Indemnity Agreement* (Attachment B).

b. Approval of Routine Travel by Personally owned or Leased Aircraft

Once initial approval has been obtained, the designated travel approval authority in the employee's administrative chain of command may approve routine travel applications involving travel by personally owned or leased aircraft. Each travel application submitted must include a copy of the initial approved authorization form (Attachment A).

A new *Release and Indemnity Agreement* (Attachment B) must be executed prior to each application for routine travel and must be included in each travel voucher.

3. **Reimbursement for Official Travel by Personally owned or Leased Aircraft**

Employees shall be reimbursed for official travel in privately owned or leased aircraft in accordance with and at the rate authorized in current state regulations (Texas Government Code Chapter 660, General Appropriations Act, Article IX, Part 5, and Texas Administrative Code, Title 34, Part 1, Chapter 5, Subchapter C, Section 5.22).

[Attachment A: Application to Conduct Official Travel in a Personally Owned or Leased Aircraft](#)

[Attachment B: Release and Indemnity Agreement](#)

# Texas Tech University

## *Application to Conduct Official Travel in a Personally Owned or Leased Aircraft*

**Authority** Pursuant to state regulations (Texas Government Code Chapter 660; General Appropriations Act, Article IX, Part 5; and Texas Administrative Code, Title 34, Part 1, Chapter 5, Subchapter C, Section 5.22) and Section 07.11.8, *Regents' Rules*, employees of Texas Tech University may be reimbursed for official travel at the current rate approved by state regulations. Prior to initial travel authorization under this provision, the employee must submit an application to the Office of the President certifying the following qualifications and assurances.

### **Certifications**

- 1) I certify that I hold the following pilot certifications and ratings (copy of current certificate attached to initial application):

Privileges \_\_\_\_\_

Certificate number \_\_\_\_\_

Ratings \_\_\_\_\_

Date of Issue \_\_\_\_\_

- 2) I certify that I have a current flight review (copy of log book entry attached to initial application):

Date of current flight review \_\_\_\_\_

Expires \_\_\_\_\_

- 3) I certify that I have a current FAA Medical Certificate (copy attached to initial application):

Type Certificate \_\_\_\_\_

Date of examination \_\_\_\_\_

Expires \_\_\_\_\_



## Verifications

- 1) The aircraft is personally owned by me or leased under a contract with a term of at least one month that gives me sole possession and use of the aircraft while the lessor retains ownership of the aircraft;
- 2) The aircraft is registered under Federal Aviation Regulations (FAR), Part 47;
- 3) The aircraft has been and will be maintained in accordance with Federal Aviation Regulations, Part 43, and meets airworthiness standards under FAR, Part 23;
- 4) The aircraft will be operated in accordance with Federal Aviation Regulations, Part 91;
- 5) I have and will maintain appropriate insurance coverage on the aircraft and all associated flights;
- 6) I understand that passengers may not be carried while the aircraft is in use for official travel;
- 7) I will provide the university with a release from liability associated with travel in personally-owned or leased aircraft (A NEW RELEASE MUST BE EXECUTED AND ATTACHED WITH EACH APPLICATION);
- 8) I will promptly notify the university if any of these qualifications or conditions change in such a manner that my qualifications to conduct official travel under this provision are altered prior to the time of travel.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature

Witnessed:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

Approved (President or designated representative):

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**A COPY OF THIS APPLICATION WITH APPROVAL MUST BE  
APPENDED TO EACH TRAVEL VOUCHER SUBMITTED**

## Release and Indemnity Agreement

Pursuant to the Section 07.11.8, Texas Tech University *Regents' Rules*, I have elected to pilot non-Texas Tech University System (TTUS) aircraft for use on official Texas Tech University (TTU) business. I have read and understand Section 07.11.8, Texas Tech University *Regents' Rules*, and Texas Tech University Operating Policy 79.14, which address the use of aircraft for official TTU business, and I hereby specifically agree to comply with the provisions of these policies.

I specifically understand and agree that my choice to use non-TTUS aircraft for official TTU business involves certain known risks including, but not limited to, loss or destruction of my property, transportation accidents, personal injuries, and death. I understand and agree that neither *TEXAS TECH UNIVERSITY* nor the *TEXAS TECH UNIVERSITY SYSTEM* (hereinafter collectively referred to as "*TEXAS TECH*") can be expected to control any of said risks.

I further understand that the cost of any medical treatment that may be required as a result of any such transportation accident, personal injury, or death will be my sole financial responsibility.

I hereby expressly and knowingly **RELEASE TEXAS TECH, ITS OFFICERS, AGENTS, VOLUNTEERS, AND EMPLOYEES FROM ANY AND ALL CLAIMS AND CAUSES OF ACTION I HAVE OR MAY HAVE AT ANY TIME IN THE FUTURE FOR PROPERTY DAMAGE, PERSONAL INJURY, OR DEATH SUSTAINED BY ME OR ANY OTHER PERSON ARISING OUT OF MY USE OF AIRCRAFT FOR OFFICIAL TTU BUSINESS, WHETHER CAUSED BY MY NEGLIGENCE, THE NEGLIGENCE OF TEXAS TECH, ITS OFFICERS, AGENTS, VOLUNTEERS, OR EMPLOYEES, OR THE NEGLIGENCE OF ANY OTHER PERSON.**

Further, I voluntarily and knowingly agree to **HOLD HARMLESS, PROTECT, AND INDEMNIFY TEXAS TECH, its officers, agents, volunteers, and employees against and from any and all claims, demands, or causes of action for property damage, personal injury, or death, including defense costs and attorney's fees, arising out of my use of aircraft for official TTU business, REGARDLESS OF WHETHER SUCH DAMAGES, INJURY, OR DEATH ARE CAUSED BY MY NEGLIGENCE, BY THE NEGLIGENCE OF TEXAS TECH, ITS OFFICERS, AGENTS, VOLUNTEERS, OR EMPLOYEES, OR BY THE NEGLIGENCE OF ANY OTHER PERSON.**

*TEXAS TECH* shall notify me promptly in writing of any claim or action brought against it in connection with my use of aircraft for official TTU business. Upon such notification, I (or my representative) shall promptly take over and defend any such claim or action.

I HAVE READ AND UNDERSTOOD THIS DOCUMENT, AND BY MY SIGNATURE, AGREE TO BE BOUND BY ITS TERMS.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title



TEXAS TECH UNIVERSITY™

## Operating Policy and Procedure

### **OP 80.07: Vehicle Fleet Management Program**

**DATE:** April 28, 2021

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to implement the State of Texas Vehicle Fleet Management Plan developed in accordance with [Government Code, Section 2171.104](#) and in compliance with [Education Code 51.202](#) to establish procedures, state responsibilities, and provide guidance for compliance under the Texas Tech University Vehicle Fleet Management Program.

**REVIEW:** This OP will be reviewed in August of even-numbered years by the Managing Director of Transportation & Parking Services, the Associate Vice President for Operations, and the Managing Director of the Texas Tech University System (TTUS) Office of Risk Management with substantive revisions forwarded to the Senior Vice President for Administration & Finance and Chief Financial Officer.

## **POLICY/PROCEDURE**

### **1. Definitions**

- a. Vehicle Fleet Manager – The designated individual responsible for planning, directing, managing, coordinating, and supervising programs for the acquisition, assignment, utilization, maintenance and repair, replacement, and disposal of the university fleet. The manager serves as the primary contact with the state Office of Vehicle Fleet Management.
- b. Vehicle Custodian – The appointed individual listed on inventory records as property custodian (department head/director/dean/chairperson)
- c. Vehicle Coordinator – The individual appointed by the property custodian to coordinate all vehicle use reports, purchases, transfers, and deletions. The coordinator serves as primary contact with the university Vehicle Fleet Management Office.
- d. Vehicle Operator – The individual who operates the university vehicle
- e. Utility Vehicle (UV) – Slow-moving vehicles including all-terrain vehicles and golf carts

### **2. Personal Use/Misuse**

As set forth in the [Government Code, Section 2203.004](#), and [Penal Code, Chapter 39](#), no state-owned or leased vehicle shall be used for personal reasons. Refer to [OP 61.01, Use of University Facilities, Equipment, Vehicles, Supplies, and Services for Private Purposes Prohibited](#) for additional guidance.

### 3. Driver Authorization for All Vehicles, including Utility Vehicles and Golf Carts

The department head to which the vehicle is assigned will authorize the use of university vehicles. Such use will be confined strictly to faculty, staff, and students conducting official business for the university directly relating to the academic, research, and/or administrative responsibility of the department involved.

The vast majority of property damage, personal injury, and death from motor vehicle collisions are directly attributable to driver error. It is a privilege and a serious responsibility to operate a university vehicle, particularly when there are passengers involved. For this reason, the university reserves the right to be highly selective in approving faculty, staff, and student drivers of university-owned, leased, borrowed, or rented fleet vehicles.

All drivers must possess a valid Texas driver license or license from another state or the District of Columbia appropriate for the class of vehicle being operated and be approved by the TTUS Office of Risk Management. The TTUS *Driver Approval Request*, found in Attachment A or on the [TTUS Office of Risk Management website](#), shall be used for this purpose. This form must be completed, signed, routed as instructed, and approval granted BEFORE a driver operates a university-owned, leased, borrowed, or rented fleet vehicle. The TTUS Office of Risk Management will use the information contained in the three-year driver license record provided by the appropriate state agency; apply the criteria referenced in [OP 79.13, University-related Travel by Motor Vehicle, Commercial Carrier, and Aircraft](#); and use the rating system in the *Driver Rating Evaluation Form* (Attachment B) to determine whether driving privileges will be approved or denied.

All approved drivers will be subject to an annual driver record information check (or its equivalent) through the appropriate state licensing agency and approval renewal to ensure each operator continues to possess a valid driver license and has a driver record consistent with continued approved driver status. The driver record information will reflect the driver's three-year driving history, and it will be ordered from the appropriate U.S. state agency. The requesting department will coordinate with the TTUS Office of Risk Management to submit a list of drivers to be considered for renewal of approved driver status, an annual driver license record check using the TTUS *Driver Approval Request* (Attachment A) and, if necessary, the *Delete Approved Driver Form* (Attachment C). All associated costs will be the responsibility of the department requesting driver approval.

Some vehicles and positions require the employee to maintain a Class A or B driver license. The university will pay for the cost of the license if it is required in the employee's job description.

Individuals requiring a Class A or B driver license must comply with [OP 70.35, Drug and Alcohol Testing for Safety- and Security-sensitive Positions](#).

If an employee's position requires him or her to operate a motor vehicle, failure to maintain approved driver status will result in administrative action and/or termination.

### 4. Driver Qualifications

- a. Qualifications for drivers of all motor vehicles owned, rented, leased by, or loaned to the system or its components, including UVs are as follows:

- (1) Must possess a valid Texas driver license or license from another U.S. state or the District of Columbia appropriate for the class of vehicle being operated;
  - (2) Must have held a valid driver license, as defined in (1) above, for at least two years and have attained 18 years of age. The two-year experience requirement may be satisfied by providing an English translation of the official driving record from the individual's home country or the equivalent thereof;
  - (3) Must comply with annual driver record information check (or its equivalent);
  - (4) Must achieve an "approved" status using the *Driver Rating Evaluation Form* (Attachment B);
  - (5) Must report all driving violations or convictions and any license revocations, suspensions, or reinstatements following revocations or suspensions to their immediate supervisor within five business days of the occurrence. This includes violations, convictions, suspensions, and revocations that result from driving a privately owned vehicle. Approval to drive a university vehicle may not be granted for one year following reinstatement of a revoked license; and
  - (6) Must not have had any convictions for driving while intoxicated, driving under the influence of alcohol or drugs, or reckless (or equivalent) driving in the five years immediately preceding the date on the *Driver Approval Request* (Attachment A).
- b. Additional qualifications for drivers of vans equipped for 15 passengers or extended cargo are:
- (1) Must be at least 20 years of age and have held a valid license, as defined in a.(1) above, for at least two years;
  - (2) Must successfully complete a 15-passenger driver training course;
  - (3) Must successfully complete a 15-passenger refresher training annually;
  - (4) Must not have more than one moving violation in the last 18 months;
  - (5) Must successfully pass a drug test annually; and
  - (6) Must complete the *15-Passenger Van Inspection Checklist* (Attachment H) for each trip. The inspection checklist should be kept in the vehicle glove box for the duration of the trip.
- c. Additional qualification for drivers of UVs and golf carts:
- (1) Successful completion of cart vehicle training provided by the Office of Risk Management; this is the responsibility of the department.

## 5. Operator Conduct

Those who operate a university vehicle, including UVs and golf carts, represent the university to the general public. The image conveyed does affect the university; therefore:

- a. DO NOT use university vehicles for personal transportation or business;
- b. DO NOT allow alcoholic beverages or illicit drugs to be consumed or illegally transported in any university vehicle;
- c. DO NOT smoke nor allow passengers to smoke in any university vehicle, including vapor smoking;
- d. DO NOT pick up hitchhikers or transport family members or any other unauthorized passenger(s). Authorized passenger is defined in [OP 79.13, University-related Travel by Motor Vehicle, Commercial Carrier, and Aircraft](#), section 1.d;
- e. DO NOT allow the vehicle to remain unnecessarily dirty, and complete repairs as required in [OP 80.08, Collisions Involving University Vehicles](#), to avoid presenting an unfavorable image to the general public;
- f. DO NOT allow the number of passengers to exceed the authorized capacity of the vehicle (the capacity of a vehicle can typically be determined by counting the number of available seat belts);
- g. DO NOT operate the vehicle unless all occupants are wearing the appropriate restraints;
- h. DO NOT text message, read or compose emails, or use a handheld cell phone while operating the vehicle. A Bluetooth or other hands-free device is acceptable;
- i. DO observe all traffic rules and regulations;
- j. DO drive carefully, safely, and courteously.

## 6. Vehicle Use Reports (not including UVs and Golf Carts)

- a. Texas Tech policy requires that each operator of a state-owned motor vehicle make a daily report of use on the *Monthly Vehicle Use Report* (Attachment D).
- b. The report will show the purpose for which the vehicle was used, miles traveled, amount and type of fuel added, oil added, passengers carried, number of trips made, and other information as may be required to provide a record of vehicle use and maintenance performed. All vehicle maintenance will be recorded on the *Monthly Vehicle Use Report*, reflecting the appropriate feature and sub-feature codes, cost breakdown, and other required information. Refer to Attachment E for compliance tips.
- c. If more than one operator uses the vehicle during the day, the name of each operator must be entered into the report. If more than one page is required per month, a continuation page will be used or the operator information may be provided, as approved by the TTU Vehicle Fleet Manager.

- d. After the close of the reporting period, the custodian or coordinator of the vehicle will check the report for accuracy and sign in the designated space. The completed report then will be sent to the TTU Vehicle Fleet Manager (Transportation & Parking Services, MS 3161) no later than the fifth day of the following month.

## **7. Collision Reporting (including UVs and Golf Carts)**

The following procedures should be followed whenever a university vehicle is involved in a collision, regardless of the extent of damage:

- a. Stop immediately and notify the proper law enforcement agency so that an official report will document the collision;
- b. Take necessary steps to prevent another collision;
- c. Call 911, if necessary, for medical assistance. Render aid to the injured until help arrives;
- d. Get names and addresses of all witnesses;
- e. Provide all requested information to the law enforcement officers; and
- f. Notify the department head or supervisor.
- g. When a vehicle is damaged through operator misuse or is operated by a person under the influence of alcohol or drugs, the department head employing the operator will be furnished a complete statement of the circumstances and a copy of the police report for the appropriate administrative action.
- h. Citations for all parking and traffic violations will be the personal responsibility of the operator. Vehicle operators must notify their supervisors when they have received any type of citation relating to vehicle operation (on-the-job and off-the-job).

All collisions involving a university vehicle must be documented according to the procedures established in [OP 80.08, Collisions Involving University Vehicles](#).

## **8. Travel Outside the Continental United States**

Anyone planning to travel outside the United States in a university vehicle must follow the procedures established in [OP 80.03, Out-of-Country Use of University Vehicles](#).

## **9. Vehicle Security**

- a. The security of university vehicles and their contents is the responsibility of the operator. When vehicles are left unattended for any reason, remove the keys from the ignition, set the parking brake, and lock the vehicle.
- b. Vehicles that become disabled on the road will be secured with all possible precautions taken to prevent theft or vandalism. In the event that a vehicle cannot be secured in its present location, the driver will have the vehicle towed to a facility where it can be secured until assistance arrives. The operator is RESPONSIBLE FOR VEHICLE SECURITY. Vehicles

will not be left along highways or in any area where vandalism would be easily accomplished.

#### **10. Vehicle Procurement (including UVs and Golf Carts)**

- a. All vehicles, including UVs and golf carts, purchased (either new or previously owned) or leased are subject to the procedures set forth in [OP 72.15, Purchasing/Leasing Motor Vehicles](#). (Attachment F)
- b. All motor vehicles, including UVs and golf carts, donated to the university are subject to the procedures established in [OP 02.03, Acceptance of Gifts and Grants from Private Philanthropic Sources](#), and [OP 72.15, Purchasing/Leasing Motor Vehicles](#). (Attachment F)
- c. All motor vehicles, including UVs and golf carts, purchased from surplus, federal, or state agencies are subject to the procedures established in [OP 72.15, Purchasing/Leasing Motor Vehicles](#). (Attachment F)
- d. Additionally, for electric UVs and golf carts, charging locations, approved by Building Maintenance & Construction (BMC), must be established before purchase. This information must be included in the request to purchase vehicle. (Attachment F)

#### **11. Rental of Motor Vehicles (including UVs and Golf Carts)**

Emergency use only and rental of UVs and golf carts, both short-term and long-term, must be approved by the department head, TTU Fleet Manager, Chief Procurement Officer, and the Senior Vice President for Administration & Finance and Chief Financial Officer. Purpose and length of rental must be included, along with arrangements for charging station(s) which are approved by BMC. (Attachment F)

#### **12. Transfers and Deletions**

Vehicles, including UVs and golf carts, may be transferred from one agency to another or from one department to another within the university system with the approval of the TTU Vehicle Fleet Manager. Transferred vehicles must be in sound mechanical condition and not increase the receiving agency or departmental vehicle inventory unless documented approval is obtained from the state Office of Vehicle Fleet Management. Refer to [OP 72.15, Purchasing/Leasing Motor Vehicles](#), covering additions to the fleet.

Additionally, any university vehicle to be transferred or deleted from inventory must comply with the procedures established in [OP 63.08, Property Management](#), and [OP 80.04, Disposal of Motor Vehicles as Surplus Property](#). The transferring/deleting department will provide a fully executed copy of the applicable paperwork to the TTU Vehicle Fleet Manager and the Texas Tech University System Office of Risk Management.

#### **13. Fleet Size**

Texas Tech University will not increase the size of the vehicle fleet except in cases of legislatively mandated program changes, federal program initiatives, or documented need resulting from program growth or changes. When additional vehicles are necessary, the vehicle custodian will provide a memo stating the need for the increase that has been approved by the appropriate vice president or provost to the Vehicle Fleet Manager.



The TTU Vehicle Fleet Manager must provide the state Office of Vehicle Fleet Management with written notification of all vehicle replacements and university-approved additions. The notifications will include the following information for both the new vehicle and the vehicle being replaced: vehicle identification number, license plate number, year, make, and model. This applies to all vehicles, including UVs.

#### **14. Titles and Registration**

All original vehicle titles and registration receipts will be acquired and maintained by Vehicle Fleet Management.

#### **15. Preventive Maintenance**

- a. All university vehicles will be maintained on a routine basis using the following preventive maintenance schedule:
  - (1) 12 months/3,000 miles for gasoline engines
  - (2) 12 months/6,000 miles for diesel engines
- b. All licensable university vehicles must have a current state registration sticker and safety inspection certification. No university vehicle will be in service unless it is in good operating condition.
- c. Vehicles will be cleaned routinely to present a favorable image to the general public.
- d. The TTU Vehicle Fleet Manager will initiate and establish a formal university preventive maintenance program and provide notice to vehicle custodians when preventive maintenance is due. Failure to comply with preventive maintenance notices could result in loss of warranty coverage and/or loss of the privilege to maintain the vehicle on the department's inventory.

**16.** Vehicle and parts warranty information will be tracked through Texas Fleet System database to achieve maximum savings on maintenance and repairs. A good warranty tracking system can prevent the department from paying for repairs or parts that are still covered under the manufacturer's warranty.

#### **17. Operator Maintenance Checks**

- a. Vehicle operators are responsible for inspection of the unit BEFORE AND AFTER operation. All defects discovered during inspections or during actual operation should be noted and reported at the completion of the day. Any deficiency that would cause further damage to the vehicle, render it unsafe, or present a hazard should be reported immediately.
- b. As a minimum, the following checks should be accomplished for all gasoline and diesel vehicles (including nonelectric UVs) on a weekly basis: tire condition and pressure, leaks (any kind), oil level, all belts, all hoses, radiator coolant level, battery fluid level, hydraulic oil level, transmission oil level, lights/signals, fuel, windshield washer fluid level, valid state inspection certification, front and rear license plates, and the complete university inscription on both sides of the vehicle per [OP 80.01, Painting University Vehicles and Equipment](#). With engine started, but before moving the vehicle, check all gauges, brakes, and windshield wipers, and test the horn.

- c. For battery-operated vehicles, including UVs and golf carts, water level in batteries should be checked weekly to ensure battery life and safety. Additionally, all tires, steering, lights, signals, and safety equipment should be checked on a weekly basis.
- d. Failure to perform operational checks may result in breakdowns or damage to the vehicle. Hours of lost vehicle time could be reduced if each driver operates university vehicles in a professional and cautious manner.

## 18. Vehicle Replacement Criteria

The following guidelines provide minimum replacement goals for the routine replacement of vehicles within the university fleet. Attainment of these goals should help minimize fleet capital and operating costs.

Vehicle Type	Purpose	Replacement Goals Age or Mileage	
Sedans and wagons	Staff or client transport	9 years	100,000 miles
Light trucks and SUVs (8600 GVWR or below)	Basic transport, light hauling	10 years	110,000 miles
Passenger vans	Staff or client transport	9 years	100,000 miles
Cargo vans	Cargo hauling	10 years	110,000 miles
Utility Vehicles	Maintenance, low-speed transportation	10-12 years	

## 19. Utility Vehicles

- a. For the purpose of this policy, all vehicles classified as “off the road” will be referred to as “UVs.” Examples of UVs include, but are not limited to, courtesy service club cars, maintenance club cars, golf carts, gators, and mules. These vehicles are also classified as departmental equipment. Department heads/directors/deans/chairpersons are solely responsible for following and enforcing the required procedures outlined in this OP.
- b. All acquisitions for UVs will be coordinated through the TTU Vehicle Fleet Management Office to ensure minimum safety requirements and approvals (see section 10 above).
- c. Only university-owned courtesy service and UVs with the required safety equipment as described in the *Requirements for Utility Vehicles* (Attachment F) of this OP are authorized for on-campus use. On-campus use of privately owned UVs must gain approval through the Grounds Use Committee ([OP 61.02, Use of University Grounds, Facilities, and Amplification Equipment](#)).
- d. All university-owned UVs used on campus will be numbered by the Vehicle Fleet Management Office. Additionally, all UVs and golf carts must have “Texas Tech University” painted in black letters on both sides, if possible, but clearly identified as TTU property. UVs will be scheduled into the Operations Division garage for numbering application and

lettering. TTU Police Department is exempt from labeling and numbering requirements ([Section 51.932, Texas Education Code](#)).

- e. Custodians of UVs must arrange insurance coverage through the Texas Tech University System Office of Risk Management in coordination with Purchasing and Contracting.
- f. On-campus Use

Operational Boundaries: UVs will not be used on sidewalks or grass.

EXCEPTION: Maintenance-related and courtesy service UVs pursuing official university business (assigned job functions only). Grounds Maintenance will be notified of the need to use vehicles on walks or grounds, make the final determination of need, and give or deny permission based on its determination.

- g. UVs will normally operate only during daylight hours. Exceptions are Operation's, Athletic Department's, or Recreational Sports' use of UVs to provide regular, or emergency, service to campus facilities or grounds. Other exceptions should be approved by department head, Vehicle Fleet Manager, and the Managing Director of Services, Operations Division.
- h. UVs will not be operated on any municipal streets, roads, or highways.
  - (1) Approved operational boundaries for the TTU campus are 4th Street on the north, University on the east, Texas Tech Parkway on the west, and 19th Street on the south.

- i. Parking

UVs should be parked in designated service vehicle parking spaces, with prior approval from BMC. Utility vehicles cannot be parked where they impede vehicular or pedestrian traffic, nor block entrances to buildings or work areas. They cannot park in fire lanes nor impede ADA access to buildings or sidewalks.

- j. Daily Operation of UVs

- (1) UVs must not be overloaded; do not exceed recommended weight requirement or number of passengers. Riding on running boards, flat beds, or any place other than a designated seat is not allowed. Use of seatbelts is encouraged, if provided. Keep equipment and all body parts inside the vehicle.
- (2) Adhere to all traffic laws for campus and be aware of surroundings. Cell phones, radios, and earbuds (headphones) or use of anything that will distract the driver or impede the driver's ability to hear is not permitted.
- (3) When driving through congested areas, speed should match pedestrian's speed, and caution should be exercised. Pedestrians have the right-of-way.
- (4) Electric vehicles must be recharged at locations designated for such use, with BMC-approved electrical supply. Extension cords from inside buildings are prohibited. Charging locations are subject to Environmental Health & Safety routine inspections for safety.

[Attachment A: Driver Approval Request](#)

[Attachment B: Driver Rating Evaluation Form](#)

[Attachment C: Delete Approved Driver Form](#)

[Attachment D: Monthly Use Report](#)

[Attachment E: Tips for Reporting Compliance](#)

[Attachment F: Requirements for Utility Vehicles](#)

[Attachment G: Departmental Vehicle Coordinator Designation Form](#)

[Attachment H: 15-Passenger Van Inspection Checklist](#)



TEXAS TECH UNIVERSITY SYSTEM

# Risk Management™

## Driver Approval Request

**This form may be used in conjunction with the TTUS Vehicle Operator System to request approved driver status.**

In order to drive TTUS owned, leased, loaned, or rented vehicles, **you must read the following information, sign the form, and attach a clear photocopy of your current, valid driver's license.** Return the information to your Department Contact Manager for approval submission. Please allow 12 to 14 working days for processing.

*I am aware that consumer and driver license record checks may be obtained as part of TTUS evaluation of my job application or employment. The records may be procured by TTUS or its insurance company representative(s), and may include personal information obtained from the appropriate state driver licensing agency, and my driving record, to be used in an assessment of my qualification as an approved driver.*

*By signing this letter, I hereby provide my authorization for TTUS or their insurance company representative(s) to procure such information and reports, as well as additional reports about me from time-to-time as deemed appropriate, to evaluate my continued approved driver status.*

Please select one:

☐

New

☐

Renewal

**Type or legibly print on line. Form is invalid without signature and date.**

\_\_\_\_\_  
Last, First, MI

\_\_\_\_\_  
Department

\_\_\_\_\_  
Driver's Email Address (TTU/TTUHSC)

\_\_\_\_\_  
eRaider or Tech ID

\_\_\_\_\_  
Name as it appears on Driver License

Current Driver's License # \_\_\_\_\_ State \_\_\_\_\_ DOB: \_\_\_\_\_

Previous State Issued License # \_\_\_\_\_ State \_\_\_\_\_  
(Submit surrendered license number if you have had your current license less than 2 years)

I will operate:

(additional training required)

☐

15 Passenger Van

☐

Golf Cart/Utility Vehicle

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

**Must be signed by Driver Approval Applicant**

Photocopy of Valid  
Driver's License

# Texas Tech University System

# Driver Rating Evaluation Form

This form will be used in conjunction with the Driver Approval Request and Driver Approval System.  
Risk Management will complete this form based on the Information received from the Department of Public Safety Driver Records Bureau. Driving records will be requested on all TTUS, TTU, TTUHSC, TTUHSC El Paso, and ASU drivers to determine their rating.

## Driver Applicant:

Name: \_\_\_\_\_ DL # \_\_\_\_\_ State \_\_\_\_\_ Review Date \_\_\_\_\_

Categories	Points Assignable	Points Assigned
<b>At Fault Accidents</b> (within last 3 years)		
1 Accident	1.5	
2 Accidents	3	
3 Accidents	6	
<b>Major Violations/Convictions</b> (within last 3 to 5 years)		
Failure to stop and render aid/give information, Leaving the Scene	6	
Driving under the influence of drugs or alcohol	6	
Driving without a license	6	
Intoxicated manslaughter or assault	6	
Operating a vehicle during a period of license suspension or revocation	6	
Permitting an unlicensed person to drive	6	
Administrative license suspension or revocation	6	
Racing or Exhibition of Speed	6	
Reckless, Negligent, or Careless driving	6	
<b>All Other Moving Violations</b> (within last 3 years)		
Speeding <20 mph over limit	1.5 each	
Speeding 20-30 mph over limit	3 each	
Speeding >30 mph over limit	5 each	
All other moving violations	1 each	
<b>Total Points Assigned</b>		

## Driver Evaluation and Driver Approval Status:

## TTUS Driving Status:

Total Points Assigned	Driver Evaluation Rating	
0	Superior	<input type="checkbox"/>
1-2	Good	<input type="checkbox"/>
3-4	Average	<input type="checkbox"/>
5-6	Below Average	<input type="checkbox"/>
6+	Unacceptable	<input type="checkbox"/>

Drivers receiving a "Below Average" or "Unacceptable" Rating are not allowed to operate TTUS vehicles.

Approved ☐  
Not Approved ☐

15 Passenger Van Authorized ☐  
(Max. one violation in 18 months)

## Notifications:

Department Notified: ☐ Not needed ☐ Yes

Date of notification: \_\_\_\_\_

Name of Supervisor notified: \_\_\_\_\_

Notified by: \_\_\_\_\_



TEXAS TECH UNIVERSITY SYSTEM  
**Risk Management**

Delete Approved Driver Form

Date: \_\_\_\_\_

Department: \_\_\_\_\_ Contact: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

R# or EID	Last Name	First Name

Authorized Signature: \_\_\_\_\_

Email or Campus Mail to: TTUS Office of Risk Management  
[ttusrm@ttu.edu](mailto:ttusrm@ttu.edu)  
MS 2003

Monthly Use Report	
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[illegible]



## TIPS FOR REPORTING COMPLIANCE

### HEADING

- Record name of Vehicle Custodian (*Vehicle Custodian is defined as the department head*).
- Record Vehicle Make, Type and Year of vehicle.
- Record the pertaining Report Month/Year.
- Record the License Number of the vehicle.

### ODOMETER READINGS

- Record the Previous Month's Odometer ending.
- Record the Date and each Trip/Daily Ending Odometer reading on the corresponding line.
- Do not report odometer readings with the tenths.
- Record Month End Odometer.
- If multiple pages are utilized, record "Continued" and list ending odometer and total trips and passengers on last page.

### PURPOSE, DESTINATION, DRIVER LAST NAME AND NUMBER OF PASSENGERS

- Record a brief description of Purpose for use.
- Record a description of Destination.
- Record the Driver's Last Name.
- Record the number of Passengers per trip (*This does not include the driver*).

### COUNT OF TRIPS

- Record a Count of Trips (*A trip is defined as a "round trip" noted by a single entry and ending at the point of departure*).

### TOTAL PASSENGERS/MONTH

- Record the Total Number of Passengers for the Month (*this does not include the driver*).

### FUEL/FLUID TYPES

- Record the Fuel Type and Price per Gallon on the corresponding date line.
- Record the Total Fuel Quantity (*total gallons including tenths of fuel purchased*).
- Record the Total Fuel Cost (*total cost of the fuel transaction, not the price per gallon*).
- Staple all Voyager fuel receipts to the back of the report.

### MAINTENANCE AND OTHER EXPENSES

- Record the Date and Invoice number.
- Record the Parts Costs, Labor Costs and Total Costs of the repairs.
- Include copies of all Voyager receipts and repair orders for the corresponding month; please staple them to the back of the report.

### SIGNATURE OF CUSTODIAN

- The vehicle custodian should check the report for accuracy and sign the report.

### SUBMISSIONS DUE

- Vehicle use reports are due by the 5<sup>th</sup> day of the following report month.
- Submit the original report and all pertaining receipts to Transportation & Parking Services/Vehicle Fleet Management, MS 3161 or by email. Retain a copy of the vehicle use report for your records.

## **Vehicle Fleet Management Program Requirements for Utility Vehicles**

### **1. Required Safety Equipment**

All utility and courtesy service vehicles to be used on campus must be equipped with:

- a. Headlamps
- b. Multi-beam lamps (exempt if used only during light hours). Courtesy service vehicles must have headlights but are not required to have multi-beam lamps.
- c. Tail lamps
- d. Stop lamps
- e. Turn signals
- f. Reflectors
- g. Brakes
- h. Parking Brake
- i. Mirrors
- j. Muffler (exempt if vehicle is electric powered)
- k. Horn
- l. Windshield wipers (exempt if not equipped with a windshield)
- m. Slow moving vehicle emblem on back
- n. Amber strobe light on roof (exempt if not equipped with a roof)

### **2. Additional Requirement**

All utility and courtesy service vehicles must have liability insurance procured through the Texas Tech University Contracting Office and coordinated by the Texas Tech University System Office of Risk Management.

Texas Tech University

As established in TTU OP 80.07,19, Vehicle Fleet Management Program, all Vehicle Custodians (department heads/directors/deans/chairpersons) are responsible for establishing a Vehicle Coordinator in their areas of responsibility. The name and contact information for the Vehicle Coordinator should be provided to TTU Vehicle Fleet Management. The Vehicle Coordinator will be the main departmental contact for the TTU Vehicle Fleet Manager.

DEPARTMENT VEHICLE COORDINATOR	
NAME:	
DEPARTMENT:	
ADDRESS/MAIL STOP:	
TELEPHONE:	
FAX:	
E-MAIL ADDRESS:	
VEHICLE CUSTODIAN (department head):	
AREA VP (or equivalent):	

[illegible]

Please complete this form and forward to: Transportation & Parking Services/Vehicle Fleet Manager, MS 3161.

Thank you.



## 15-Passenger Van Inspection Checklist

Driver \_\_\_\_\_

Date \_\_\_\_\_

Department \_\_\_\_\_

TTU Phone \_\_\_\_\_



### OUTSIDE THE VAN

1. Approach the van and look underneath for
  - ☐ Excessive leaks
  - ☐ Loose parts
2. Check the suspension
  - ☐ Is the van leaning to one side?
3. Check for obvious damage to
  - ☐ Windows
  - ☐ Exterior light lens
  - ☐ Wiper blades
4. Get in the van and turn on exterior lights. Are all exterior lights working properly?
  - ☐ Front ☐ Rear ☐ Left side ☐ Right side
- ☐ What is your organization's policy on the use of headlights during daylight hours?  
\_\_\_\_\_

### 5. Inspect the engine compartment. **The engine should be off with the keys in your pocket.**

Check all fluid levels

- ☐ Oil ☐ Radiator (when engine is cool)
- ☐ Windshield wiper fluid
- ☐ Inspect all hoses and cable connections for excess wear
- ☐ Check fan belts for proper tension
- ☐ Are fan belts frayed or cracked?

### 6. Use a gauge to check the tires for

- ☐ Pressure
- ☐ Tread depth
- ☐ Are the hubcaps secure?

### 7. When you're finished inspecting outside the van

- ☐ Turn off the exterior lights

**Safety** is the reason you need to do an inspection!

Inspect with a **partner!** The job will get done faster and you'll do a better job!

### INSIDE THE VAN

8. Sit in the driver's seat to check
  - ☐ Horn
  - ☐ Windshield wipers and washer
  - ☐ Backup alarm, if your van has one
  - ☐ All indicator lights and gauges
9. Make sure the driver's seat is not loose and is properly adjusted for **you**
  - ☐ Can you reach floor pedals, steering wheel and all other controls comfortably without straining?
  - ☐ Are you so close that your movement is restricted?
10. Inspect the front seat areas
  - ☐ Are they clear of loose items and debris?
  - ☐ Keep the front seat area, dash, and floor clear of clipboards, papers, trash, etc.
11. Check all mirrors
  - ☐ Are they clean? Can you see clearly?
  - ☐ Adjust each mirror to reduce blind spots as much as possible
12. Check the passenger area
  - ☐ Is the interior lighting operational?
  - ☐ Are the seats secure and in good condition?
  - ☐ Are the seats and floor clean?
  - ☐ Are safety restraints out and accessible to each passenger?
13. Before driving the van
  - ☐ Adjust the steering wheel so the airbag is directed to your chest, not your face
  - ☐ Put on **your** safety restraint
  - ☐ Lock the doors
  - ☐ Make sure **all** passengers are buckled up
14. Never drive under the influence of
  - ☐ Alcohol
  - ☐ Illegal drugs
15. **Remember** – you represent Texas Tech University when you're driving a university vehicle
  - ☐ Observe all traffic rules and regulations
  - ☐ Drive carefully, safely, and courteously

**16. List all passengers on the back of this checklist.**

