



SIU Board of Trustees Policies

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Section 1: Academic Program, Degrees, and Awards

A. Mission and Scope Statements

1. Southern Illinois University is one university with multiple campuses, including Southern Illinois University Carbondale and Southern Illinois University Edwardsville, and is the only senior system of higher education serving the people of the southern half of the State of Illinois. It is a comprehensive university, with medical, dental, and law schools, and with degree programs from the associate to the professional and doctoral levels. As it has grown and flourished, SIUC and SIUE have developed comprehensive programs of instruction, research, and public service which have attracted students, faculty, and staff not only from the region but from throughout the state and nation, and from overseas as well. In properly and rigorously meeting its regional responsibilities, it has brought and will continue to bring educational distinction to southern Illinois and to the State as a whole. The University's diversity and comprehensiveness are manifest in SIUC and SIUE. Both offer the standard range of undergraduate programs, and both work cooperatively with the public schools and community colleges in their respective areas. Southern Illinois University Carbondale, as the older of the two, has developed broad and carefully monitored graduate and research programs of high quality; and its public service and continuing education components have been guided by its location in a region of small communities, farms, and mines. Southern Illinois University Edwardsville has strong master's level, specialist, and research programs, and its location in the second largest population center in the State governs the urban-oriented nature of its public service and continuing education programs. In these challenging times, Southern Illinois University is pledged: (3/13/03)
 - a. to maintain the high quality of its programs of instruction, research, and public service;
 - a. to monitor judiciously the development of and addition to these programs; and
 - b. to sustain, through these programs, its diverse and comprehensive educational contribution to the people of Southern Illinois, the State, and the nation.
2. Southern Illinois University Edwardsville is a student-centered educational community dedicated to communicating, expanding and integrating knowledge. In a spirit of collaboration enriched by diverse ideas, our comprehensive and unique array of undergraduate and graduate programs develops professionals, scholars and leaders who shape a changing world. (3/13/03, 09/12/13)

3. SIU embraces a unique tradition of access and opportunity, inclusive excellence, innovation in research and creativity, and outstanding teaching focused on nurturing student success. As a nationally ranked public research university and regional economic catalyst, we create and exchange knowledge to shape future leaders, improve our communities, and transform lives. (3/13/03, 7/11/13)

B. Policies on Approval of Educational Units, Curricula, and Degrees

Pursuant to Article III, Section 2 of its Statutes the Board has the following policies:

1. Any new educational units, curricula, or degrees proposed are authorized only for the proposing campus, and separate approval is required for any other campus to establish the same.
2. Authority is delegated to the President of Southern Illinois University to approve the changes in the titles of programs, units, and degrees; the addition or elimination of specializations, options, or concentrations within existing academic majors; administrative reorganizations which do not effectively increase the number of units of instruction, research, or public service; and requests from SIUC and SIUE for approval of off-campus program locations.
3. Dual Degree Title: Past or future approval of a Bachelor of Arts or a Master of Arts degree for a specific degree program shall also include approval of a Bachelor of Science or a Master of Science degree for the same degree program, and vice versa. Changes made under this policy will be reported annually to the Board of Trustees through the campus program inventories.

C. Program Inventories

The Office of the President shall maintain an inventory of all academic degree programs approved by the Board of Trustees and the IBHE including all approved specializations, options, or concentrations included within those programs. The inventory shall be by campus and in a format determined by the Office of the President. It shall be brought up to date annually not later than September 1.

D. Degrees, Certificates, and Awards

1. Earned Degrees and Certificates
 - a. The Board of Trustees shall award earned degrees upon completion of requirements for the particular degree to be awarded and upon recommendation to the Chancellor by the appropriate college, division, or school faculty. SIUC and SIUE shall maintain an annual record of degrees awarded.

- b. The Office of the President shall maintain an inventory of all degree titles approved by the Board of Trustees and the IBHE. The inventory shall be by campus and shall be brought up to date annually not later than September 1.
 - c. Upon recommendation of the appropriate faculty and Chancellor, degrees may be awarded posthumously to any student who, at the time of death, has substantially completed the work for a degree. SIUC and SIUE shall file guidelines in the Office of the President for implementing this policy. (3/13/03)
 - d. Certificates for completion of programs of work that do not lead to academic degrees shall be awarded, upon recommendation of the educational unit concerned, by the respective chancellors under general authority of the Board of Trustees. (3/13/03)
 - e. A student shall not be eligible for the award of a degree, or certificate of program completion, while the student's appeal of a disciplinary sanction is pending. (7/97)
2. Honorary Degrees. The Board of Trustees shall award honorary degrees based on the recommendations from the respective faculty, the Chancellor, and the President
- a. Such degrees shall normally be awarded at the Spring, rather than the Summer, commencement if two commencements are held annually. As the purpose is to limit honorary degrees ordinarily to one commencement and awards to the other, the order might be reversed; in either case, exceptions can be made if the recipients cannot attend at the time desired. Such degrees may also be awarded at special convocations or unique events. (5/14/98)
 - b. The number of honorary degrees awarded should be small and need not be awarded every year. (3/13/03)
 - c. Candidates for honorary degrees may be nominated through appropriate campus procedures after opportunity has been given to faculty members to suggest names for consideration. Nominations from faculty members and others should be forwarded through appropriate University channels. Final nominations with a list of names considered should be sent to the Chancellors not later than December 15. (3/13/03)
 - d. A candidate may be any person who has achieved great eminence in a field of endeavor or who has made significant contributions to

educational, cultural, scientific, economic, or humanitarian activity.
(3/13/03)

3. Other Awards. The Board of Trustees shall award Southern Illinois University Distinguished Service Awards based on recommendations from the respective faculty, the Chancellor, and the President. (3/13/03)
 - a. Except as noted below, policies regarding determination of candidates for these awards shall be the same as those set forth above for honorary degrees.
 - b. These awards shall be made for outstanding or unusual service to Southern Illinois, to the State, to the nation, to the world, and/or to the University. (5/14/98)
 - c. At special convocations or unique events when candidates are nominated for University-wide honorary degrees or Distinguished Service Awards, nominations from faculty members and others should be forwarded to the appropriate campus committee. Final nominations should be sent to the President. (5/14/98)
 - d. Other special awards shall be made upon a favorable vote of the Board of Trustees upon its own motion or upon approval of recommendations from the President and the Chancellors, who may receive nominations from faculty or alumni groups.
 - e. In order to protect the nomination and screening process outlined in paragraphs a-c, above, every effort will be made to preserve the confidentiality of the nominee and no publicity shall be issued regarding the nominee until final approval has been granted by the Board of Trustees.

E. Admission Policies and Graduation Requirements

1. Admission Policies

- a. Relying upon the original jurisdiction of the faculty in such matters each Chancellor is authorized to approve regulations for SIUC and SIUE dealing with admission of undergraduates, graduate, and professional students.
- b. Such regulations and any amendments shall become effective when approved by the President. (3/13/03)
- c. Such regulations shall be aimed at establishing and preserving the academic validity and integrity of SIUC and SIUE, and shall establish the

conditions and requirements which must be met for academic and other reasons to constitute admission to SIUC or SIUE or to special undergraduate, graduate, and professional programs within SIUC or SIUE; shall provide for the enrollment process; shall provide in the interest of effective academic practice for closing admissions to programs and ceasing the processing of applications; shall establish academic and program standards for admission of students to the University and to baccalaureate and associate degree programs, for admission of students to the Graduate School and to master's, specialist, doctoral, and professional programs, and for readmission of former students; and shall provide specific means for recognizing exceptional students or the special needs represented by admission requirements of special programs.

2. Graduation Requirements

- a. Relying upon the original jurisdiction of the faculty in such matters, each Chancellor is authorized to approve regulations stating the requirements for graduation from undergraduate, graduate, and professional programs.
- b. Such regulations and any amendments shall become effective when approved by the President. (3/13/03)
- c. Such regulations shall be aimed at establishing and preserving the academic validity and integrity of SIUC and SIUE, and shall establish the conditions and requirements which must be met for graduation from an academic program at the associate, baccalaureate, graduate, or professional levels.

Section 2: Faculty and Staff Services

A. Definitions

1. Academic Year: The nine-month period referenced in employment contracts for academic year appointees, the specific dates of which are determined by the Chancellor of SIUC or SIUE.
2. Board: The Board of Trustees of Southern Illinois University.
3. Civil Service Employee: Any employee not exempt from coverage by the State Universities Civil Service System.
4. Continuing Appointment: A continuing appointment is one which is automatically renewed each year unless the appointee is given notice as

specified in the appropriate personnel policies. All continuing appointees are subject to annual adjustments in salary and other conditions of employment.

5. Employee: Any person whose name appears on a University payroll, except student appointees and certain fellowships/traineeships that require past, present or future services to the University or non-University employer. (9/11/08)
6. Employment Administration: The appointment, employment, work load, reassignment, promotion, demotion, salary adjustment, space assignment, tenure, termination, and all other terms and conditions of employment for employees under an executive officer.
7. Executive Officer: The President acting only as to employees under his or her supervisory authority. (3/13/03)
8. Faculty: All persons holding academic rank.
9. Fiscal Year: July 1 through June 30.
10. Assistantships:
 - a. Undergraduate Assistantship: A position held by a duly registered undergraduate student appointed part-time in a paraprofessional endeavor related to a career/discipline and having contact hours with a faculty member or professional staff member, and registered in sufficient course work to achieve exemption from the State Universities Civil Service System.
 - b. Graduate Assistantship: A position held by a duly registered graduate student appointed part-time in professional or semi-professional endeavor and duly registered in sufficient course work to achieve exemption from the State Universities Civil Service System. This classification does not include Fellows who are assigned no specific duties.
(7/11/02)
11. Professional Staff: The principal administrative appointees as determined by the Merit Board governing the State Universities Civil Service System.
12. Student Appointees: Student workers and undergraduate and graduate assistants. (7/11/02)
13. Student Worker: A person appointed part-time and duly registered as a student for sufficient course work to achieve exemption from the State Universities Civil Service System.

14. **Tenured Appointment:** A tenured appointment signifies the permanent holding of an academic position of employment as governed by Board and University policies. Tenure applies only to a basic academic year appointment. A tenured faculty member's employment contract is subject, however, to annual adjustments in salary, rank, or conditions of employment, and to generally applicable amendments to personnel policies of Southern Illinois University or SIUC or SIUE. Tenure shall be awarded only by the positive action of the Board of Trustees. An individual's tenure within Southern Illinois University shall be held in an academic unit or units at either Southern Illinois University Carbondale or Southern Illinois University Edwardsville as specified by each tenure document. (3/13/03, 3/24/16, 3/28/19)
15. **Term Appointments:** A term appointment is employment for a specified period of time. Term appointments may be renewed; however, reappointment to such a position creates no right to subsequent employment or presumption of a right to subsequent employment.
16. **Termination of Employment:** The interruption for cause of a tenured or untenured continuing or term appointment or Civil Service appointment.

B. Appointment to Positions and Position Approval

1. Appointments to Positions of Employment
 - a. All appointments to positions of employment shall be made in the name of the Board as the employer.
 - b. All appointments are subject to applicable federal and state laws. All supervisors of other employees shall keep themselves informed of the currently applicable laws. Adherence to both the letter and the spirit of all civil rights laws is required.
 - c. No person who is related within the third degree of consanguinity or is the spouse, son-in-law or daughter-in-law of a current member of the Board shall be appointed to a position of employment within three reporting levels of the President. This limitation reaches the Dean and equivalent levels. Relatives within the scope of this policy include parents, siblings, grandparents, aunts, uncles, nieces, nephews, and offspring, including adoptees. (7/97)
2. Creation of Positions and Approval or Ratification of Appointments, Title Changes, Tenure, and Leaves

- a. The Board of Trustees shall approve the creation and appointment of a position of employment reporting directly to it. (3/13/03)
- b. Prior to its public announcement, the Board of Trustees shall approve a position of employment created by the President which is within two reporting levels of the President, but which is neither under the jurisdiction of a Chancellor nor a part-time, term, Civil Service or student appointment. The appointment to any such position is tentative pending ratification by the Board. If a search waiver request is generated or initiated by the President, such search waiver must be reviewed and approved by the respective equal opportunity office at the campus that will otherwise process the position's appointment. In addition, such search waiver request generated or initiated by the President must be signed, or otherwise approved in writing, by the Chair of the Board of Trustees or Trustee designated by the Chair. (3/13/03, 12/08/11, 3/28/19)
- c. Upon recommendation for approval by the Finance Committee, Board of Trustees approval shall be obtained prior to the appointment of professional staff receiving an annual salary of \$150,000 or more. The authority of the Finance Committee is retained to recommend approval of all Board appointed officers, all professional staff in the Office of the President, the Vice Chancellors at SIUC and SIUE, the Dean and Provost of the School of Medicine, the Dean of the SIU School of Dental Medicine, and the Dean of the SIU School of Pharmacy. (12/08/11, (3/24/16, 3/28/19)
- d. Upon recommendation for approval by the Finance Committee, Board of Trustees approval shall be obtained prior to increasing the annual salary of professional staff to \$150,000 or more. The authority of the Finance Committee is retained to recommend approval of all increases for all Board appointed officers, all professional staff in the Office of the President, the Vice Chancellors at SIUC and SIUE, the Dean and Provost of the School of Medicine, the Dean of the SIU School of Dental Medicine, and the Dean of the SIU School of Pharmacy, except for annual raises from salary pools established during budget development. (12/08/11, (3/24/16, 3/28/19)
- e. The President shall approve prior to its public announcement a position of employment created by the Chancellor which is within two reporting levels of a Chancellor or which reports directly to a Vice Chancellor, but is not a part-time, term, Civil Service or student appointment. The appointment to any such position is tentative pending ratification by the President, and by the Board if required under h. (3/13/03)

- f. The Chancellors have delegated authority to take final action of employment administration for SIUC and SIUE employees except as otherwise provided by Board policy. The President has delegated authority to take final action on employment administration for employees of the Office of the President except as otherwise provided by Board policy. (3/13/03)
- g. The Board of Trustees shall approve prior to its public announcement the title change in a position of employment which is changed by the President within two reporting levels of the President. The President shall approve prior to its public announcement the title change in a position of employment which is changed by a Chancellor within two reporting levels of a Chancellor or which reports directly to a Vice Chancellor. The change in title is tentative pending ratification by the President and the Board. (3/13/03, 3/28/19)
- h. The following personnel actions are also tentative pending ratification by the Board:
 - 1. initial appointments of faculty to tenured and tenure track positions;
 - 2. promotions of tenured and tenure track faculty;
 - 3. the grant of academic tenure;
 - 4. initial appointments and promotions of professional staff;
 - 5. the grant of a leave with pay.(3/13/03)
- i. A tentative appointment is an appointment made by an executive officer pending ratification by the Board or the President or both. A tentative appointment will expire if it has not been ratified, as required, as of the close of the day of the second Board meeting following the inception of the appointment, unless extraordinary circumstances have been demonstrated to and certified by the President. No reappointment of the same individual may then be made without prior Board approval, unless extraordinary circumstances have been demonstrated to and certified by the President.

C. Conditions of Employment

- 1. Documents describing conditions of employment and appointment:

- a. Civil Service Employees. The general conditions of employment of Civil Service personnel are as set forth in the following documents:
 1. the State Universities Civil Service System Statute;
 2. the Rules of the State Universities Civil Service System as approved by the Merit Board;
 3. the Civil Service Personnel Policies promulgated by Chief Campus Personnel officer and approved by the Chancellor; (3/13/03)
 4. any applicable collective bargaining contract as filed with the Board of Trustees. (3/13/03)
- b. Student Appointees. The general conditions of appointment of student appointees are as set forth in the State Universities Civil Service System *Statute and Rules* and in the Student Appointee Personnel Policies promulgated and approved by the executive officer to whom the appointee reports.
- c. Faculty and Professional Staff. The general conditions of employment of faculty and professional staff are as set forth in the Faculty and Professional Staff Personnel Policies promulgated by the chief academic officer and or the chief campus personnel officer and approved by the Chancellor. These policies may be promulgated in a single document or as two separate documents. These policies do not apply to individuals holding only restricted term appointments for non-credit activities, under which the appointee is not otherwise employed as a faculty or staff member within any unit of the University and assumes no obligation to perform services for the University except those related to the specific non-credit activity or event for which the restricted term appointment is made. For short term, non-credit activities, the restricted term appointment must be used in lieu of a purchase requisition for services, shall provide no expectation of reappointment and shall in no circumstances exceed three months in length. The following distinctions shall be maintained between provisions for faculty and for professional staff. (2/28/07), (3/24/16, 3/28/19)
 1. Only faculty may become eligible for sabbatical leaves.
 2. Only faculty may become eligible for tenured appointments.
 3. The general conditions of employment of faculty are also as set forth in any applicable collective bargaining contract as filed with the Chancellor. (3/13/03)

4. The usual faculty contract shall be for the academic year, and shall carry with it the obligation to perform ancillary duties, such as syllabus development, grading, and student advisement, which may require actions just before or after the calendar dates of academic terms.
 5. Faculty shall have the right and duty to participate in the formulation of academic policy affecting the performance of their duties, both by direct participation within their academic unit and through their elected representatives to the Faculty Senate and Graduate Council. (3/13/03)
- d. Personnel policies requiring the President's approval shall be filed with the President at least two weeks prior to their effective date. Each Chancellor is authorized to develop and approve personnel policies affecting employees under that executive officer's supervisory authority which are not inconsistent with the provisions of this chapter (Chapter 2, Faculty and Staff Service) or with personnel policies approved by the President and which do not otherwise require Board of Trustees or President approval. (3/24/16, 3/28/19)
 - e. The Board has the authority to declare a fiscal emergency and to provide specific direction to cope with such emergency. (3/13/03)
 1. The Board shall determine that a fiscal emergency exists and assess the extent of that emergency. (3/13/03)
 2. The Board may recognize a fiscal emergency ranging from a temporary financial crisis to a long-term loss of resources. (3/13/03)
 - a. A short term fiscal emergency is the condition of financial necessity, which results when a decline in financial support is such as to require a reduction within the fiscal year in the personal services budget exceeding that which may be accomplished by attrition or non-renewal of term positions or other such measures after all workable reductions in support and operational costs have been made.
 - b. A long-term fiscal emergency is the condition of financial exigency, which results when an imminent financial crisis will require long-term programmatic reductions and termination of tenured faculty.

- f. The Board of Trustees will consider a declaration of fiscal emergency for either institution or for the University when such a proposal from the President is placed on the Board agenda. (3/13/03)
 1. Representatives of the concerned SIUC or SIUE constituencies shall be consulted as far in advance as possible and continuously involved in making the decision to ask that the Board declare a condition of fiscal emergency.
 2. A matter proposing the declaration of a fiscal emergency and approval of a plan developed to deal with that emergency shall contain the following information:
 - a. A description of the fiscal situation which makes the action advisable.
 - b. A description of specific economy measures, such as the reduction of support costs, freezing of vacancies, non-renewal of term positions, and the like, which have already been invoked in an effort to deal with the situation.
 - c. A description of the proposed action.
 - d. An explanation of how the proposed scope and manner of execution of the proposed measures are proportional to the fiscal emergency and will cause the least possible disruption of the educational process and will inflict minimal hardship on employees.
 - e. An indication of how employees will be notified of the measures to be implemented by the proposed action and the method and period of notice to apply before that implementation.
 - f. A specification of the exemptions from the proposed action, if any, which will be required to safeguard the campuses and the conduct of uninterrupted activity if the proposed action is authorized, and an indication that the proposal otherwise has general application across the University employment spectrum, including administrative personnel.

- g. A report on the manner in which the constituencies have had an opportunity both to review the situation and the proposed action and to advise the executive officer.
 - h. An indication of how the proposed action will apply to Civil Service employees in terms of established Civil Service Rules and Regulations.
- g. The Board will authorize actions to adjust University operations to the limitations of a declared fiscal emergency.
 - 1. The Board must be satisfied that all reasonably possible economic measures have been taken before authorizing a reduction in personnel services.
 - 2. The Board will authorize procedures commensurate with the magnitude of the fiscal emergency. Such procedures may include but are not limited to measures such as invoking a mandatory leave without pay for all employees in a declared financial necessity situation or such measures as long-term programmatic reductions requiring termination of appointment for employees with and without tenure in a declared financial exigency situation. Such procedures will be open to review and comment by administration and constituency bodies.
 - 3. In a fiscal emergency situation, if budget reductions across-the-board are mandated by the Board, each basic academic or service unit will be involved in distributing its specific program and personnel changes.
 - 4. In a financial exigency situation, if budget reductions mandated by the Board are to be made programmatically, the administration will involve an appropriate faculty or constituency body in determining where within the overall academic or other program termination of appointments may occur.
- h. Any actions affecting an institution resulting from a declaration of fiscal emergency shall recognize the personnel policies of that institution so far as they are not in conflict with the fiscal procedures approved to cope with the emergency.
- i. A declaration of fiscal emergency will be in effect only during the fiscal year for which it is declared.

- j. Employees who receive notices that their appointments are to be terminated or who are placed into a leave of absence status because of a fiscal emergency shall have the right to appeal through appropriate SIUC or SIUE grievance procedures.
 - k. Pursuant to 2 *Policies* of the Board C.1.c.3), the basic term of faculty appointment remains the academic year, and individual contract renewals which reduce the period of employment to not less than an academic year will continue to be at administrative discretion.
- 2. All employees shall fully comply with all
 - a. applicable State and Federal laws;
 - b. policies, regulations, and decisions of the Board of Trustees, and as amended; (3/13/03)
 - c. policies, guidelines, regulations, and decisions promulgated by the President, or Chancellor on his or her respective campus, or the executive officer to whom the employee reports, as amended. (3/13/03, 3/24/16, 3/28/19)
- 3. Personnel policies shall adhere to the following standards:
 - a. Publication: Such policies will be regularly published and made available to affected employees and their supervisors.
 - b. Paid absences: Such policies will provide for holidays, vacations for Civil Service and fiscal-year appointees, and leaves.
 - 1. Paid holidays shall not exceed five, in addition to those prescribed by law, except for emergencies, or as provided in any notice of administrative closure. The executive officers shall designate one of those holidays as the Dr. Martin Luther King, Jr. holiday, and individually determine designations for the others. In lieu of the days of paid leave for faculty and staff which may be authorized during the period of December 26 through December 31 pursuant to 2 Policies of the Board C-3-b-4, the Chancellor of Southern Illinois University Carbondale may declare up to two additional designated holidays for Civil Service and fiscal year appointees of the School of Medicine-Springfield and its satellite clinical operations. Paid holidays and designated holidays for Civil Service and fiscal year appointees of the School of Medicine-Springfield shall not exceed seven, in addition to those prescribed by law, except for emergencies, or as provided in any notice of

administrative closure which is specifically designated by the Chancellor to also apply to the School of Medicine-Springfield.
(5/13/99)

2. Vacation: Vacation earned shall not exceed 28 working days per year; no accrued vacation beyond two years' credit shall be accorded.
3. Sick Leave: Unused sick leave may be accumulated to provide for extended sick leave and disability benefits in an amount not exceeding 15 days per year.
4. Administrative Closure: Closure of any or all parts of a campus may be declared by an executive officer with the approval of the President in response to a natural emergency, in support of national or State policy, for reasons of health and safety, or in response to a budgetary shortfall, including significant delays in state reimbursements. Announcement of such closure will specify campus guidelines regarding paid leaves during such closure. Administrative closure may also be declared for a period of up to three working days during the period December 23 through January 2, upon the determination of the President that such closure is economically justified. Days designated for administrative closure during this period will be considered days of paid leave for all affected faculty and staff. Days designated for administrative closure in response to a budgetary shortfall, including delays in state reimbursements, shall be considered days of unpaid leave for all affected faculty and staff and shall be limited to no more than one day per bi-weekly pay period or two days per month but not to exceed six days in a fiscal year. Unpaid administrative closures shall not be scheduled during time periods when classes are in session. Each campus may establish its own procedures to implement unpaid administrative closures.
(09/16/10)
5. Sabbatical and Professional Development Leaves: Personnel policies concerning faculty and professional staff will provide for such leaves. Sabbatical leaves for faculty and professional development leaves shall be granted only on the basis of an approved plan designed to improve the professional performance of the applicant which contains a recognition of an obligation to report in writing the execution of the plan and return to an assignment of duties wherein the leave experience will benefit the institution for a reasonable period of time but not less than

the duration of the leave. No such leave shall exceed one calendar year in duration, and the rate of compensation during the leave shall not exceed the regular monthly rate of the applicant at the time the leave commenced plus annual increments computed on the same basis as for the applicant's peers. Full sabbatical leaves, not to exceed six months at full pay or a calendar year at half pay, may only be granted after the completion of a six-year period of consecutive full-time employment measured from the commencement of employment as a faculty member or six years after the termination of a previous sabbatical leave. Policies concerning faculty may also provide for partial sabbatical leaves, not exceeding six months at half-pay, which may only be granted after the completion of a three-year- period of consecutive full-time employment or three years after the termination of a previous sabbatical leave.

6. Other paid absences: Other paid absences, such as those required for jury duty, certain military service, including active duty service during periods of national need, etc. shall also be addressed in the personnel policies as developed and approved by the Chancellors of his or her respective campuses, and shall be consistent with the provisions of this Chapter 2. (2/14/02)
- c. Nepotism: Such policies will prevent relatives within the third degree of consanguinity or spouses from making final personnel determinations for each other. Such relatives include, but are not limited to, parents, siblings, grandparents, aunts and uncles, nieces and nephews, and offspring including adoptees. (3/13/03)
- d. Grievances: Such policies will provide for prompt resolution of grievances by means of
 1. informal negotiations to be followed by, if necessary,
 2. a formal process through which an officer or panel makes findings or recommendations or both, and for which a record is compiled;
 3. a final determination by a responsible officer; and
 4. notice concerning the procedure for application for discretionary review by the Board.
- e. Conflicts of interest and commitment: Such policies will address the problems of conflict of interest and commitment and concurrent employment by other employers. (3/13/03)

- f. Tenure: Faculty and professional staff personnel policies will provide for tenured appointments of faculty.
1. Eligible academic ranks: Tenure may be granted to persons holding the faculty rank of professor, associate professor, or assistant professor. (3/13/03)
 2. Probationary service: The length of probationary service periods shall be specified in SIUC and SIUE policies on tenure, as approved by the President and in the initial employment contract. The maximum probationary service period is six years¹. except for faculty at the School of Medicine having a clinical and education commitment greater than their research component, in which case the maximum probationary service period is eight years. Shorter probationary periods may be specified in campus policies on tenure or in the initial employment contract but should normally not be less than two years. By the end of the last year of the probationary service period of a faculty member the faculty member shall be notified in writing either that tenure has been awarded pending ratification by the Board of Trustees or that the faculty member's appointment will not be renewed after the following year. The requirement of a minimum period of probationary service may be waived under conditions as specified in each institution's policy.
 3. Recommendation for tenure:
 - a. The primary criteria to be utilized in the tenure decision process are performance in teaching, research, and service.
 - b. The primary responsibility for the evaluation of the academic qualifications of an individual candidate for tenure rests with tenured faculty in the appropriate unit. If an individual has tenure at another institution and becomes employed full-time as a tenured member of the SIU faculty or a member of SIU's administration the individual must relinquish tenure at the other institution before commencing employment at SIU. (3/13/03)

¹ Assistant professors having job descriptions with a clinical and education commitment greater than their research commitment shall be notified in writing that tenure has been awarded at the end of the eight-year probationary period or that the appointment will not be renewed at the end of the ninth year.

- c. It is the responsibility of the head of each appropriate unit to evaluate annually each non-tenured faculty member in a tenurable rank within that unit and to individually inform such faculty members of their professional performance as measured by such evaluation.
 - d. Grievances arising out of a recommendation that tenure be denied shall be filed in writing and resolved through the approved faculty grievance procedures of SIUC including the School of Medicine or SIUE. In such cases, the burden of proof rests on the individual faculty member. (3/13/03)
- g. Professional positions.
 - 1. Tenure does not apply to positions on the professional staff. A person shall not be deprived of tenure or the highest academic rank attained because of assignment to a professional staff position under the authority of the Board of Trustees. Such appointment shall not deprive a person of service credit attained toward the achievement of tenure or limit a person's normal progress toward tenure or promotion. The functions, titles, salaries, and annual periods of employment of persons in professional staff positions shall be distinct and severable from their faculty status.
 - 2. Upon reassignment to duty in the tenured position, the monthly salary therein shall be determined after consultation with the individual on the basis of the nature of the position, the experience, academic qualifications and previous service of the individual, and the salary range within the department, school or college to which reassignment is made. Reassignment of duties may occur at any time. Adjustments in salary may occur at the end of any fiscal year or within a fiscal year if for cause duly stated. (3/13/03)
- h. Notice of non-reappointment: The Faculty and Professional Staff Personnel Policies will provide for such notice for faculty in tenure-eligible ranks and other employees on continuing appointments. Term appointments are for a specified period of time and expire at the end of the term stated in the notice of appointment; no separate notice of non-reappointment need be given for such appointments. Notice of non-reappointment of professional staff and untenured faculty on continuing appointments shall be given in writing as follows:

First Appointment Year	No less than 3-months notice
Second Appointment Year	No less than 6-months notice
Third and subsequent appointment years	No less than 1-year notice

- i. No notice period need exceed the length of the appointment. The notice periods shall be proportionally shortened for appointments of less than an academic or fiscal year. Notice periods longer than those stated above may be incorporated in the Faculty and Professional Staff Personnel Policies.
- j. Outside professional activities: Such policies will provide for the reporting to and regulation by the executive officers of extramural research, consulting, and employment of faculty and professional staff so that such activities complement professional performance. When such activities are of a nature that administrative involvement in their conduct is necessary or desirable to facilitate the complementary effect on professional performance, additional or supplementary policies may be promulgated by the executive officer, subject to the approval of the President. Such policies may govern administrative involvement and provide for the payment or reimbursement of the administrative expense from the proceeds of the external activity. Examples of the latter include, without limitation, patents, copyrights, and clinic practice of professionals conducted pursuant to the educational mission of SIUC or SIUE.
- k. Such policies will provide for a drug-free workplace which shall meet the minimum standards of applicable statutes or rules having the force of law and will be promulgated by the Chancellors at their respective campuses. (3/13/03)
- l. Such policies will provide for Family and Medical Leave which shall meet the minimum standards of applicable statutes or rules having the force of law.
- m. At SIUC, an assistant professor who has served previously as an instructor at SIUC may serve a total probationary period in both ranks not to exceed

seven years. At SIUE, this maximum period may be extended by one year by mutual written agreement of the academic unit and the individual.

D. Supplemental Retirement Plan (Tax-Deferred Annuities)

The President of Southern Illinois University is authorized to direct payments for eligible employees to companies approved under each campuses' Supplemental Retirement Plan ("Plan") as described in the corresponding campuses' Supplemental Retirement Plan Document and as described in Sections 403(b) and 403(b)(7) of the Internal Revenue Code, respectively, as amended. The University shall administer the Plan (previously referred to as the Tax-Deferred Annuity Program) in compliance with all related statutes for all eligible University faculty and staff members, on a voluntary basis, with participation by those approved companies authorized under the Plan. (3/13/03, 12/09/10)

1. The President shall name a plan administrator for each campus and shall have the authority to prescribe such additional guidelines deemed necessary to accomplish the purposes set forth in this policy. (3/13/03, 12/09/10)
 - a. The guidelines shall prescribe the responsible officer and method of approval for companies to participate in the Plan. (12/09/10)
 - b. The guidelines shall prescribe the responsible officer and method by which a company may be suspended or removed from the campuses' list of approved companies. (12/09/10)
 - c. Neither the Board of Trustees, nor any representative thereof, will recommend any one qualified company to employees.
2. Conditions of Approval Affecting Participating Companies
 - a. The company must agree to the conditions of the respective campuses', and all future regulations relating to the Plan that the University may adopt. (3/13/03, 12/09/10)
 - b. The company must be willing to accept the campuses' transmittal list each pay period as the evidence upon which the University will pay their account. (3/13/03, 12/09/10)
 - c. Each company must comply with the Internal Revenue Service limitations on tax-deferred contributions. (3/13/03)
 - d. Each company must undertake to indemnify, defend, and hold the Board of Trustees, its officers, and employees harmless from any and every

claim, demand, cause of action, loss or expense resulting from failure to adhere to limitations referred to in paragraph c. (3/13/03)

- e. The company may lose its privilege of participation through failure to meet the university's requirements on a continuing basis.

3. Additional Qualifications for Insurance Company Participation

- a. All tax-deferred annuity contracts issued by participating companies must comply with the Internal Revenue Code, as amended, and must be considered by the insurance industry as a pure annuity contract. Participating companies must be authorized by the Director of Insurance of the State of Illinois to issue tax-deferred annuity contracts.
- b. The performance of all approved companies will be reviewed at least annually by the SIU Supplemental Retirement Plan Best Practices Committee which may be comprised of SIU employees from each campus. Performance will be based on financial returns, company ratings, and SIU employee's participation with the vendor, customer service to SIU employees and past participants, and overall compliance to the Supplemental Retirement Plan. Companies that do not meet the performance standards will be removed from the Plan and employees will be notified in advance of the action taken. (12/09/10)
- c. Authorized contributions intended for an annuity purchase will be used exclusively for that purpose and not for life insurance in any form or riders, including but not limited to retirement income forms, term insurance, income riders, and waiver of premium on accidental death or dismemberment. The initial loading cost, if any, from the initial contract must be credited in any change in the participant's annuity. (12/09/10)

4. Additional Qualifications for Investment Company Participation

- a. The company must be a regulated investment company authorized to offer 403(b)(7) custodial accounts to employees of eligible institutions in Illinois, or an agency authorized by such a company to offer custodial accounts. (3/13/03)
- b. The company must provide assurance that all federal and state requirements for the offering of 403(b)(7) custodial accounts have been met, and must comply with all applicable requirements of the Internal Revenue Code and Regulations and Illinois law, regulations and procedures with respect to the offering and servicing of such accounts.

- c. The company must submit to the University copies of its 403(b)(7) plan agreement and other materials to be provided to employees describing the plan and funds offered, with satisfactory evidence that the plan meets provisions of the Internal Revenue Code for establishment of a custodial account. All alterations to the company's contracts must be submitted together with similar evidence before any altered contract is offered to any University employee.
- d. Authorized contributions intended for 403(b)(7) custodial account purchase will be used exclusively for that purpose and for investment in funds qualified for such custodial accounts. (12/09/10)

E. Indemnification Policy

1. Each Trustee, officer, employee, and student appointee of Southern Illinois University, whether or not in office, and the heirs, executors, administrators, and assigns thereof shall be indemnified by the Board of Trustees against all costs and expenses reasonably incurred by or imposed upon such person or such person's estate in connection with or resulting from an action, suit, proceeding, claim, or investigation, civil or criminal, to which such person or such person's estate shall or may be made a party, or with which such person or person's estate shall or may be threatened, by reason, directly or indirectly, of any action or omission to act in the scope of such person's appointment as a Trustee, officer, employee, or student appointee of the University, provided, however 1) that no such Trustee, officer, employee, or student appointee shall be indemnified against or be reimbursed for any cost or expense arising out of such person's own willful misconduct; 2) that the Trustee, officer, employee, or student appointee has given prompt notice to the Office of the Board of Trustees of the action, suit, proceeding, claim, or investigation or threat of same; 3) that the Trustee, officer, employee, or student appointee has agreed to legal representation by counsel acting on the matter for the Board of Trustees, or in the event of conflict of interest on the part of such counsel by individual counsel acceptable to the Board and its counsel, which acceptance shall not be reasonably withheld; 4) that the cost or expense is not reasonably recoverable from any other source. The costs and expenses against which any Trustee, officer, employee, or student appointee of the University shall be so indemnified shall be those actually paid or for which liability is actually incurred, including sums paid in settlement of any such action, suit, proceedings or claim, on advice of competent counsel and with the concurrence of the Board of Trustees, and irrespective of whether such costs or expenses are taxable costs as defined or allowed by statute or rule of court. These rights of indemnification shall be supplementary to any other rights with respect to any such costs and expenses to which the Trustee, officer, employee, or student appointee may otherwise be entitled against the Board of Trustees or any other persons. (3/13/03)

2. A Trustee, officer, employee, or student appointee shall not be deemed to have been guilty of willful misconduct in the performance of duty as a Trustee, officer, employee or student appointee, as to any matter wherein such person relied upon the opinion or advice of legal counsel employed or retained by or for the Board of Trustees, or relied upon erroneous information or advice furnished by an officer, or an employee of the University, and which was accepted in good faith from such persons. "Willful misconduct," as the term is used herein, includes but is not limited to the intentional violation of a law or of a regulation having the force of law or of the directive of a superior University authority.

F. Pre-employment Investigations Policy

1. The Board of Trustees of Southern Illinois University is committed to full compliance with the Illinois Campus Security Act, 110 ILCS 12, which requires public institutions of higher education to identify security-sensitive positions and make provisions for the completion of criminal background investigations prior to employing individuals in those positions.
2. The President is hereby authorized to approve regulations for the completion of appropriate criminal background investigations prior to the final selection of any candidate for a security-sensitive position. The President is further authorized to approve regulations for the completion of appropriate pre-employment investigations of candidates for other positions of employment, including but not limited to education, employment, and credential checks on all new hires.
(3/13/03)
3. Such regulations and amendments thereto shall become effective upon approval by the President. (3/13/03)
4. Such regulations and any amendments thereto shall provide for proper adherence to all applicable laws, including the adoption of appropriate precautions against any mandatory disclosure of legally protected personal information such as social security numbers, personal financial records or confidential medical records, as a condition of consideration for employment.
5. Such regulations shall also provide for the identification of security-sensitive positions in accordance with the following standards:
 - a. Positions which involve working with minors or individuals with diminished mental capacity.
 - b. Positions which involve providing for the safety of students, faculty, and staff.
 - c. Positions having regular access to controlled substances.

- d. Positions which provide significant overall responsibility, defined at \$50,000 or more per day, for the control of University financial resources.
6. Such regulation shall also provide for the identification of other similar positions of employment for which pre-employment investigations may be performed, and provide for determination of the nature and amount of investigation appropriate to each position.
7. Potential applicants for security-sensitive and similar positions shall be notified that they may become subject to a criminal background or other pre-employment investigation, or both. Such notice shall be offered as early in the recruitment process as feasible.
8. Such regulations shall provide criteria for determining the stage of the recruitment process at which an investigation or investigations shall be undertaken.
9. When a pre-employment investigation has been made, this information shall be considered only as it is relevant to performance in the position in question in a manner consonant with personal safety and the security of property. (3/13/03)

G. Electronic Direct Deposit Policy

The Board of Trustees of Southern Illinois University directs each campus to adopt an Electronic Direct Deposit Policy by July 1, 2011. Such policy shall require all newly hired and rehired employees, as a condition of employment, to participate in a direct deposit program with respect to receipt of wages, salaries, and employee travel and business expense reimbursements. Exceptions may be granted in order to comply with State and Federal labor laws and in other limited circumstances as deemed appropriate by each campus. (5/13/10)

H. Intellectual Property Policy

The purpose of this Intellectual Property Policy is to delineate the obligations of the persons that are governed by this SIU-S Intellectual Property Policy and those obligations of the Southern Illinois University – System (SIU-S). This Intellectual Property Policy does not apply to logos, identifiers or other branding materials related to SIU-S and/or its campuses. The Board encourages its faculty, staff and students employed or enrolled at Southern Illinois University Carbondale (SIUC), Southern Illinois University Edwardsville (SIUE), the Southern Illinois University School of Medicine (SIU-SOM) and the Office of the President (each of which shall be individually referred to as SIU Entity and shall encompass their respective satellite sites) to undertake research and other scholarly and creative endeavors. Basic policies of the Board support freedom of research and unrestricted dissemination of information. Research and other scholarly activities that produce and disseminate new knowledge are an important part of the

work of a comprehensive academic institution. The philosophy of the Board is that such activities should always maintain an intrinsic relationship to the mission of the institution.

As a state institution, the Board of Trustees is responsible to itself and to the public for the kinds of research and other scholarly and creative activities that the Board supports and for obtaining the greatest public benefit from such research and activities. The Board therefore encourages faculty and staff to seek intellectual property protection when warranted. Such protection promotes investment that advances the development and availability of discoveries to maximize the public benefit achieved via faculty and staff research. All faculty and staff members are required by the conditions of their employment to abide by this Intellectual Property Policy unless they are governed by a separate intellectual property policy negotiated by a collective bargaining unit.

Each SIU Entity may have its own intellectual property committee to assist in advising on the disposition of disclosures presented to the SIU System's Office of Technology Transfer (OTT). The SIUC University Intellectual Property Committee's composition and authority is dictated by Addendum C collective bargaining agreement between the Board of Trustees of Southern Illinois University and the SIUC Faculty Association, IEA-NEA. Addendum C of that Agreement applies to tenured and tenure-track Faculty employees represented by the SIUC Faculty Association. For all other employees and students, the use of the University Intellectual Property Committee shall be at the discretion of the Vice Chancellor for Research. A School of Medicine Intellectual Property Committee, appointed by the Dean and Provost of the School of Medicine, exists to review and make recommendations for the disposition of intellectual property developed at the School of Medicine. The Associate Provost of Research at Southern Illinois University Edwardsville may convene an ad hoc intellectual property advisory committee based on his/her discretion for recommendations. The OTT shall govern this policy as it applies to the faculty, employees, administrators, staff, students and other persons under the auspices of the Board and shall advise each SIU Entity on matters related to the disposition of intellectual property assets that benefit the university and the community it serves as a whole.

The Intellectual Property Policy concerning new technologies, discoveries, inventions or potential inventions (including products, processes, or any improvements thereof) (hereinafter collectively referred to as "innovations"), and copyrightable materials that accrue from research or scholarly and creative activities conducted by faculty, employees, administrators, staff, students and other persons (hereinafter referred to as creator(s)/author(s)) is as follows:

I. Intellectual Property Covered by this Policy

This Intellectual Property Policy supersedes all previous policies that cover intellectual property matters at the individual SIU Entities and shall apply to all

intellectual property (innovations and copyrightable materials as defined below) except those created by employees that are covered by a collective bargaining unit that have negotiated a separate intellectual property policy. Furthermore, as a condition of their employment with the Board, all employees **will assign and hereby do assign** their ownership rights in intellectual property covered by this Intellectual Property Policy to the Board of Trustees of Southern Illinois University, pursuant to the details below.

A. Innovations:

Any innovation, including discovery, records (such as laboratory notebooks), data (including databases, tables and spreadsheets), trade secrets and know-how, developed by an employee, student, or other user of facilities or resources of the Board that meets the criteria detailed in this section belongs to the Board and shall be used and controlled according to the discretion of SIUC, SIUE, and SIU-SOM in ways that will produce the greatest benefit to the university and to the public. All employees are required to report any such innovation through their respective SIU Entity where the employee resides and the SIU Entity will determine the disposition thereof, in the manner set forth below.

Innovations include anything: 1) developed within the scope of an employee's duties; 2) developed in whole or in part by the use of University facilities or resources; 3) developed as the result of efforts carried on by, or under the direction of, any employee, student, or other user of University facilities or resources; or 4) developed in part or in full from University funds or from funds under the control of or administered by the Board.

B. Copyrightable Material:

The Board shall not place any claim or restriction on any copyrightable material resulting from scholarly activity. Copyrightable materials include but are not limited to: 1) textbooks, workbooks, articles, online content and other forms of literary matter; 2) dramatic works and materials; 3) educational television/radio programs and works in such other media as films, videotapes, and recordings; 4) musical compositions and visual art; 5) tests and other measurement devices; and 6) computer software. Scholarly activity shall be defined as academic work done by the independent initiative of the copyright creator(s). These copyrightable materials shall be owned by the copyright creator. Examples of works that may be deemed scholarly activity include, but are not limited to:

- Classroom materials, including syllabi, notes, handouts, tests and other academic assessment devices;

- Educational courseware, including web-based and other electronic based materials, used on campus or in distance learning;
- Theses and dissertations;
- Articles, manuscripts and book chapters;
- Books, including textbooks, workbooks, scholarly monographs and anthologies;
- Works of non-fiction, fiction, and poetry;
- Educational television/radio programs and other works in audio-visual media;
- Musical compositions and performances;
- Dramatic works, including any accompanying music, pantomimes, and choreographic works;
- Pictorial, graphic, or sculptural works;
- Technologically based works such as blogs, tweets, and other forms of social media; and
- Other works of art that are not created as an institutional initiative.

Copyrightable material produced under specific written contract with the Board or copyrightable material that has a commercial application outside of the academic field belongs to the Board and shall be used and controlled according to the discretion of SIUC, SIUE, and SIU-SOM in ways that will produce the greatest benefit to the university and to the public. Copyrightable material produced under specific written contract means any copyrightable material which (1) a faculty or staff member prepares under the scope of his or her employment responsibilities with the Board and (2) falls under one of the following scenarios: (a) results in a commercially viable application, (b) is governed by a third party sponsored research or work-for-hire contract, or (c) is commissioned by an SIU Entity or the Board.

II. Innovations Developed Independent of SIU-S

If an innovation is developed by an employee or student of the Board outside the criteria as defined in Section I(A), it belongs to the employee or student. This would allow the creator/author to pursue his or her own intellectual property rights or to pursue joint intellectual property rights with the Board. In either case, detailed documentation should be kept by the creator/author about when, where, and by whom the innovation occurred. Such documentation may be needed to establish the rights of the creator/author to the innovation, as well as to pursue the pertinent intellectual property rights, in the event that the resources used to create or discover the innovation are not obvious.

If an innovation is developed by a non-paid student of the Board independent of his or her interaction with the Board, then the innovation is presumed to reside with the student. Intellectual property created as part of a course will belong to the Board when some or all of the course work involved is governed by a third party agreement obligating the Board to assign or transfer intellectual property rights to the sponsoring entity or the student uses significant Board funding or resources. All paid students are considered employees of the Board and the innovation that occurred as a result of their employment shall be governed by Section I.A. If the non-paid student uses substantial funding or resources of the university such as lab equipment, materials, or faculty or staff mentorship, innovations developed by the use of this funding or resources shall be owned by the Board. Board affiliates, such as medical residents, unpaid adjunct professors, and students may petition the Board to support innovation that would otherwise be owned by the affiliate. In the event that the Board agrees to support the innovation, then the Board will support the intellectual property assets that may be secured as a result of their innovation in accordance with this policy. In the event of such support, the Board affiliate or student shall enjoy the income distribution as defined in Section VI.

III. Procedure for Disclosure and Approval

Innovations covered by this policy must be disclosed by the creator(s)/author(s) in writing to the Office of Technology Transfer (OTT). If the innovation is the subject of a contract, grant or sponsored research agreement, the OTT will dispose of the intellectual property asset consistent with the terms of the governing contract, grant or sponsored research agreement. When a request to evaluate an innovation is received, the OTT will then evaluate the innovation based on its protectability and likelihood of market success to develop a recommended course of disposition. The OTT will present their opinion related to the disposition of the innovation to the creator(s)/author(s). To ensure maximum protection and preservation of intellectual property rights, disclosure of an innovation to the OTT should occur prior to any publication or other public disclosure of the innovation. After review, the creator(s)/author(s) may elect to advance the disclosure for institutional approval through the appropriate

advising committee, should one apply. In the event that the OTT believes the innovation has commercial merit and the creator(s)/author(s) elect not to advance the innovation for institutional approval, the OTT may advocate for the support and ownership of the innovation by SIU-S in place of the creator(s)/author(s).

The individuals authorized to approve institutional support for innovation protection and development shall be the Vice Chancellor for Research for SIUC (excluding SIU-SOM employees and students), the Dean and Provost of the School of Medicine for the SIU-SOM, and the Associate Provost for Research for SIUE. Collectively and individually, these administrators shall be referred to as "Senior Research Administrators" and "Senior Research Administrator" and their duties as outlined within this Intellectual Property Policy may be delegated. In the event that innovations are developed by personnel at more than one SIU Entity, the OTT shall have the discretion to decide which Senior Research Administrator to solicit for institutional support. The Senior Research Administrator shall have the discretionary right to use their institutional resources to support the protection and development of the intellectual property asset on the condition that ownership rights to those assets are assigned to the Board of Trustees of Southern Illinois University.

IV. Options for Disposition of Innovations

The Senior Research Administrators will determine the disposition of the innovation. In the event that an innovation has contributing work from more than one SIU Entity, a consensus on the appropriate disposition shall be sought from all Senior Research Administrators of which the innovation has a contributor. Such disposition may include, but is not limited to, the following options: A) release to the creator(s)/author(s) of a defined scope of intellectual property interest subject to the repayment clause at the end of this section; B) retention by the university for development, licensing, etc.; or C) release to the individual or agency sponsoring the project in the course of which the innovation was made. The release will only be limited to the innovation that was disclosed to the OTT. Upon request by the creator(s)/author(s), any disposition decision for an innovation may be reconsidered by the procedure outlined in Section III based on further developments that occur after the initial disposition decision is made.

The OTT will provide the creator(s)/author(s) an evaluation within three (3) months from the date of the received evaluation request form. Should the creator(s)/author(s) elect to have the appropriate SIU Entity pursue the innovation, the creator(s)/author(s) shall be notified of the disposition decision within three (3) months of that election. Should the OTT or the SIU Entity fail to adhere to either of these three month time periods, the creator(s)/author(s) may

petition OTT to relinquish all rights or portion thereof in any intellectual property interests that have been established. Often, the OTT works with the creator(s)/author(s) to work out a plan to enhance the likelihood of institutional support. Under this scenario, the time periods discussed above may take longer than three months and the OTT may elect not to support the relinquishment of the rights of the university's intellectual property interest. At any time, the Senior Research Administrator on the respective SIU Entity shall have the ultimate decision making authority to relinquish the university's rights in the innovation. Should any intellectual property be returned to the creator(s)/author(s), the creator(s)/author(s) shall be required to repay the appropriate SIU Entity for its sunk intellectual property costs subject to the creator(s)/author(s) profiting from said intellectual property. The recovery of these sunk intellectual property costs, including those internal costs as defined and accounted for in the published fee schedule, may be recovered in a manner or waived altogether as deemed appropriate by the Senior Administrator.

V. Impact of Grants and Contracts on Intellectual Property Rights

Grants/contracts between the Board and any other agency shall, whenever feasible, state clearly the obligations and rights of the Board and of the cooperating agency, and the procedure to be followed should the activity result in innovations. Grants and contracts from various agencies frequently require the agency's prior approval of the terms and conditions of intellectual property agreements dealing with the development and dissemination of products resulting from activities performed under the grant/contract. In such cases, the OTT shall assist as applicable in negotiating with the sponsoring agency about future intellectual property rights and licensing agreements. Situations not specified in the agreement with the sponsoring agency will be subject to this Intellectual Property Policy.

If innovations are created with federal funding, the federal government will retain various rights in intellectual property created with the support of that federal funding. If an innovation is retained by the Board, then the Board will be responsible for compliance with all federal regulations. If an innovation is released to the creator(s)/author(s), then the creator(s)/author(s) will be responsible for compliance with all federal regulations.

VI. Income Distribution

If revenue is received by the Board from any intellectual property rights (patents, copyrights, technology products, trade secrets, trademarks, trade dress, etc.) associated with an innovation or commercial application outside of the academic field, all costs of procuring, developing, and administering such intellectual

property rights, as well as costs for license agreement(s) and consulting services associated with those rights, shall first be paid from such revenue. Such costs may further include substantial undertakings by the OTT such as drafting patent applications and are subject to a fee schedule as outlined in Section VII. All income in excess of such expenses shall be distributed amongst the creator(s)/author(s), the SIU Entity from which the innovation was generated and creator/author's college/school and department. The creator(s)/author(s) shall receive 45%, the SIU Entity from which the innovation was generated shall receive 45%, the creator/author's college/school shall receive 5% and the creator/author's department shall receive 5% of net income received. If the creator/author does not report to a department (I.e. such as an administrative employee), then the unit to which the creator/author resides shall receive 5% of the income received, the SIU Entity from which the innovation was generated shall receive the other 50% and the creator/author shall receive 45%. If the creator/author is a Board affiliate, then the SIU Entity shall receive 55% and the Board affiliate shall receive 45% of income received.

Multiple creators/authors sharing in income shall decide among themselves how their share is to be divided, with the stipulation that the creators/authors shall divide one share of the 45% interest defined above. The allocation of the share among multiple creators/authors should be reported to the OTT at the time the creators/authors elect to proceed with seeking institutional support for their innovation. If the allocation of the share is not reported, the share will be allocated equally among all creators/authors. Income allocation for each distinct innovation is a one-time, irrevocable decision.

VII. Services Performed by the OTT

As warranted, the OTT may submit and prosecute patent applications with the United States Patent and Trademark Office. Those services constitute an internal cost for effort and shall be subjected to a fee schedule as published by the OTT after approval by the Senior Research Administrators. Those costs shall be recovered by the SIU Entity from which the innovation originated before a distribution is made as outlined in Section VI.

VIII. Responsibility of Creator(s)/Author(s) Regarding Intellectual Property Rights

If the Board elects to retain ownership in an innovation, the creator(s)/author(s) shall supply on a timely basis all information and execute all papers necessary for: A) preparing and/or pursuing intellectual property rights; B) pursuing and/or executing licensing agreements; and C) executing formal assignment documents for such innovations covered under this policy.

IX. Resolution of Controversy between SIU-S and Creator(s)/Author(s)

Any controversy or claim arising out of this statement of policy, or an agreement between the creator(s)/author(s) and the Board delineating individual and Board rights, claims, and responsibilities, or the breach thereof, shall follow the internal grievance procedures of the SIU Entity to which the creator(s)/author(s) report. If no agreement results from internal grievance procedures, arbitration shall be sought in accordance with the rules of the American Arbitration Association

X. Amending this Policy

Any amendment to this policy shall be subject to consultation by an IP Policy Advisory Group that shall comprise of the Director of Office of Technology Transfer and the Senior Research Administrators and two faculty representatives from each SIU Entity as appointed by the Senior Research Administrators. The Board shall have the ultimate authority to approve the amendment as presented by IP Policy Advisory Group. The faculty representatives shall have at least one invention disclosure on file with the OTT and have generated copyrightable material.

Section 3: Student Regulations and Policies

A. Residency Status

1. The following regulations govern the Determination of Residency Status for admission and assessment of student tuition. For the purpose of these regulations an "adult" is considered to be a student 18 years of age or over; a "minor" student is a student under 18 years of age. The term "the State" means the State of Illinois except in the following instances: 1) for the purposes of assessing graduate-level student tuition, the Chancellors, with the agreement of the President, may take the term "the State" to include the Kentucky Counties of Ballard, Caldwell, Calloway, Carlisle, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, McCracken, Marshall, Trigg, and Union; 2) for purposes of assessing graduate-level student tuition, the Chancellors, with the agreement of the President, may take the term "the State" to include the State of Missouri. Neither exception may apply to the assessment of tuition at the School of Dental Medicine, The School of Pharmacy, the School of Law, or the School of Medicine. Upon recommendation by the President and approval by the Board, the Chancellors of Southern Illinois University Carbondale and Southern Illinois University Edwardsville may, in special situations, charge alternate tuition rates to categories of persons otherwise classified as nonresident students under this regulation. Except for those exceptions clearly indicated in these regulations, in all cases where records establish that the person does not meet the

requirements for resident status as defined in these regulations the non-resident status shall be assigned (4/11/96, 3/13/03, 9/20/07, 11/14/13, 3/24/16).

- a. *Residency determination:* Evidence for determination of residence status of each applicant for admission to the University shall be submitted to the Director of Admissions at the time of application for admission. A student may be reclassified at any time by the University upon the basis of additional or changed information. However, if the University has erroneously classified the student as a resident, the change in tuition shall be applicable beginning with the term following the reclassification; if the University has erroneously classified the student as a nonresident, the change in tuition shall be applicable to the term in which the reclassification occurs, provided the student has filed a written request for review in accordance with these regulations. If the University has classified a student as a resident based on false or falsified documents, the student may either be reclassified to nonresident status which shall be retroactive to the first term during which residency status was based on the false or falsified documents or be denied initial or continuing admission. (3/13/03)
- b. *Adult student:* An adult, to be considered a resident, must have been a bona fide resident of the State for a period of at least 6 consecutive months immediately preceding the beginning of any term for which the individual registers at the University, and must continue to maintain a bona fide residence in the State, except that an adult student whose parents (or one of them if only one parent is living or the parents are separated or divorced) have established and are maintaining a bona fide residence in the State and who resides with them (or the one residing in the State) or elsewhere in the State will be regarded as a resident student. (10/8/98, 3/13/03)
- c. *Minor student:* The residence of a minor shall be considered to be, and to change with and follow:
 1. that of the parents, if they are living together, or living parent, if one is dead; or
 2. if the parents are separated or divorced, that of the parent to whom the custody of the person has been awarded by court decree or order, or in the absence of a court decree or order, that of the parent with which the person has continuously resided for a period of at least 6 consecutive months immediately preceding registration at the University (10/8/98); or

3. that of the adoptive parents, if the person has been legally adopted and, in the event the adoptive parents become divorced or separated, that of the adoptive parent whose residence would govern under the foregoing rules if that parent had been a natural parent; or
 4. that of the legally appointed guardian of the person; or
 5. that of the "natural" guardian, such as a grandparent, adult brother or adult sister, adult uncle or aunt, or other adult relative with whom the person has resided and by whom the student has been supported for a period of at least 6 consecutive months immediately preceding registration at the University for any term, if the person's parents are dead or have abandoned this person and if no legal guardian of the person has been appointed and qualified. (10/8/98, 3/13/03)
- d. *Parent or guardian:* No parent or legal or natural guardian will be considered a resident of the State unless this person. (3/13/03)
1. maintains a bona fide and permanent place of abode within the State, and
 2. lives, except when temporarily absent from the State with no intention of changing the legal residence to some other State or country, within the State.
- e. *Emancipated minor:* If a minor has been emancipated, is completely self-supporting, and actually resides in the State, the minor shall be considered to be a resident even though the parents or guardian may reside outside the State. An emancipated minor who is completely self-supporting shall be considered to "actually reside in the State of Illinois" if a dwelling place has been maintained within the State uninterrupted for a period of at least 6 consecutive months immediately preceding term registration at the University. Marriage or active military service shall be regarded as effecting the emancipation of minors, whether male or female, for the purposes of this regulation. An emancipated minor whose parents (or one of them if only one parent is living or the parents are separated or divorced) have established and are maintaining a bona fide residence in the State and who resides with them (or the one residing in the State) or elsewhere in the State will be regarded as a resident student. (10/8/98, 3/13/03)
- f. *Married student:* A nonresident student, whether male or female, or a minor or adult, or a citizen or noncitizen of the United States, who is

married to a resident of the State, may be classified as a resident so long as the individual continues to reside in the State; however, a spouse through which a student claims residency must demonstrate residency in compliance with the requirements applicable to students seeking resident status.

- g. *Persons without United States citizenship*: A person who is not a citizen of the United States of America who meets and complies with all of the other applicable requirements of these regulations may establish residence status unless the person holds a visa which on its face precludes an intent to reside in the United States.
- h. *Armed Forces personnel*: A person who is actively serving in one of the Armed Forces of the United States and who is stationed and present in the State in connection with that service and submits evidence of such service and station, shall be treated as a resident as long as the person remains stationed and present in Illinois. If the spouse or dependent children of such member of the Armed Forces also live in the State, similar treatment shall be granted to them. A person who is actively serving in one of the Armed Forces of the United States and who is stationed outside the State may be considered a resident only if the individual was a resident of the State at the time of entry into military service, except as otherwise specified by Board policy. A person who is separated from active military service will be considered a resident of Illinois immediately upon separation providing this person a) was a resident of the State at the time of enlistment in the military service, b) became treated as a resident while in the military, or c) has resided within the State for a period of 6 months after separation. (10/8/98)
- i. *State and Federal Penitentiary*: A person who is incarcerated in a State or Federal place of detention within the State of Illinois will be treated as a resident for tuition assessment purposes as long as this person remains in that place of detention. If bona fide residence is established in Illinois upon release from detention, the duration of residence shall be deemed to include the prior period of detention. (3/13/03)
- j. *Minor children of parents transferred outside the United States*: The minor children of persons who have resided in the State for at least 6 consecutive months immediately prior to a transfer by their employers to some location outside the United States shall be considered residents. However, this shall apply only when the minor children of such parents enroll in the University within 5 years from the time their parents are transferred by their employer to some location outside the United States. (10/8/98)

- k. *Employees and dependents of University employees:* Employees and the spouses and dependent children of all staff members (academic, administrative, nonacademic) on appointment with the University shall be considered as resident students for purposes of tuition assessment. (09/12/13)
- l. *Contractual Agreements:* The Chancellors, with the approval of the President, may enter into agreements with other institutions in or out of state under the terms of which students at the other institutions are defined as residents of the State of Illinois.
- m. *Definition of terminology:* To the extent that the terms, "bona fide residence," "independent," "dependent," and "emancipation," are not defined in these regulations, definitions shall be determined by according due consideration to all of the facts pertinent and material to the question and to the applicable laws and court decisions of the State of Illinois. A bona fide residence is a domicile of an individual which is the true, fixed, and permanent home and place of habitation. It is the place to which, whenever absent, the individual has the intention of returning. Criteria to determine this intention include but are not limited to year-around residence, voter registration, place of filing tax returns (home state indicated on federal tax return for purposes of revenue sharing), property ownership, driver's license, car registration, vacations, and employment.
- n. *Procedure for review of residency status or tuition assessment:* A student who takes exception to the residency status assigned or tuition assessed shall pay the tuition assessed but may file a claim in writing to the appropriate official for a reconsideration of residency status and an adjustment of the tuition assessed. The written claim must be filed within 30 school days from the date of assessment of tuition or the date designated in the official SIUC or SIUE calendar as that upon which instruction begins for the academic period for which the tuition is payable, whichever is later, or the student loses all rights to a change of status and adjustment of the tuition assessed for the term in question. If the student is dissatisfied with the ruling in response to the written claim made within this period, the student may appeal the ruling to the Chancellor or his or her designee by filing with that official within 20 days of the notice of the ruling a written request. (3/13/03)

B. Housing Policies and Regulations

1. Each Chancellor is hereby authorized to develop regulations for the campus dealing with student housing.

2. Such regulations and any amendments thereto shall become effective when approved by the President.
3. Such regulations shall prescribe the adherence to all applicable laws and regulations; shall provide for due consideration in housing facilities of health, safety, supervision, and creation of an environment conducive to academic achievement and personal growth; shall establish eligibility or requirements for assignment of housing and fair and equitable procedures for leasing of housing; and shall specify services related to provision of housing information and operation of housing facilities. (3/13/03)

C. Student Rights and Conduct Policy

1. General: Students enrolled in public institutions of higher education are entitled to the same First Amendment freedoms of association, speech and assembly, and press that they hold as citizens. Free discourse lies at the heart of the University's purpose, and the University remains concerned that an atmosphere conducive to reasoned pursuits of intellectual objectives be maintained at all times. Responsible intellectual inquiry requires that there be a respect for individual persons and both public and private properties throughout the conduct of all forms of discourse. To this end, the following policy is adopted.
2. Southern Illinois University at Carbondale and Southern Illinois University at Edwardsville
 - a. Each Chancellor is hereby authorized to develop regulations for SIUC or SIUE dealing with student rights and conduct. (3/28/19)
 - b. Such regulations and any amendments thereto shall become effective when approved by the President.
 - c. Such regulations shall provide specific recognition of basic student rights in the institutional context; shall for the protection of students clarify the distinction between institutional conduct standards and those established by civil and criminal statutes; shall specify non-acceptable activities for students aimed at preserving the welfare of the institutional community and the protection of its population and the sanctions which may be imposed in the name of the University for commission of such non-acceptable activities; shall provide for the bringing of complaints regarding activities, for procedures for assessing such complaints, and for due process in determining whether violations of any standards have occurred; and shall provide for an appeal procedure to be available to those who wish to challenge the judgment arrived at by such established procedures.

3. Separation of Students: Separation of a student from the University for academic or nonacademic reasons is the responsibility of the Chief Officer of either Academic Affairs or Student Affairs or designee. Any nonacademic separation may be appealed to the appropriate entity as designated by campus policies. (3/13/03, 3/24/16, 3/28/19)

D. Student Legal Services

1. Each Chancellor is hereby authorized to develop regulations for the University dealing with the provision of legal services to students by a students' attorney.
2. The regulations and any amendments thereto shall become effective when approved by the President. (3/13/03)
3. The regulations shall establish students' attorneys as employees at SIUC who act on behalf of student clients and not as a representative of the institution and as independent contractors at SIUE, not an employee of the institution, who act in an individual capacity, not as a representative of the institution, to provide legal services for fee paying students. (3/13/03)

The regulations shall specify the functions of the student legal services activity and of the students' attorney, including a list of those specific types of legal services which the students' attorney may perform for the well-being of students and those limitations on legal service which must be observed because of other-than-student considerations; and shall provide for the establishment, membership, responsibilities and procedures of an advisory board for the student legal services program, including specific duties and areas of concern for the board to deal with. (3/13/03)

E. Publications, Broadcasting, and Media Advertising

1. Student Publications Policy.

The Board of Trustees is responsible, as legal publisher, for student-operated publications to which it provides funding for the express purpose of publishing. In furtherance of the Board's responsibilities for these publications, the following policy is enacted to clarify the lines of responsibility and the considerations within which student publications will operate.

- a. Each Chancellor is hereby authorized to develop regulations for SIUC or SIUE dealing with the operation of all student publications which are supported in whole or in part by institutional monies provided for the express purpose of publication.

- b. Such regulations and any amendment thereto shall become effective when approved by the President.
- c. Such regulations shall establish necessary management elements for the conduct of student publications, including specifying the line of authority and responsibility from the Chancellor to the staff of each publication; establishing the mode of funding and the procedures of budget approval; providing for the establishment of a publications staff organization, of fiscal authority responsibility, and of guidelines for the conduct of operations; in addition, such regulations shall provide for a faculty/staff advisor and for selection of competent principal editors and advisors; shall provide for the establishment of appropriate ethical and professional standards; and shall provide for procedures for accepting and acting on complaints against the publication and its staff. (3/13/03)

2. Broadcasting Services Policy.

- a. General: All radio and television broadcasting facilities associated with Southern Illinois University operate under licenses issued by the Federal Communications Commission to the Board of Trustees of Southern Illinois University. The responsibility for fulfilling the requirements of those licenses thus ultimately falls upon the Board of Trustees, but the Chancellor of SIUC or SIUE and appropriate administrative officials and staff must inevitably share in that responsibility by virtue of their operational involvement with the facilities. For all broadcasting operations at the various locations, the following policy will establish a continuity of responsibility to the Board of Trustees but will seat the operational activities within the purview of the Chancellor and other officials.
- b. Southern Illinois University at Carbondale and Southern Illinois University at Edwardsville
 - 1. Each Chancellor is hereby authorized to develop regulations for the University dealing with the conduct of broadcast activity by institutionally affiliated facilities under Federal Communications Commission licenses.
 - 2. Such regulations and any amendments thereto shall become effective upon approval by the President.
 - 3. Such regulations shall provide for proper adherence to all applicable laws and for preparation and submission of all necessary reports, etc.; shall define the geographical service area and the audience of the broadcast facility; shall specify the

educational and service objectives of the broadcast facility; shall characterize the unique educational and service contribution of the facility programming to its audiences; shall relate the facility and its programming to the institutional goals of service, teaching, and research; shall characterize the educational and service programming elements in the broadcast practices of the facility; shall provide for instructional programming as appropriate with the academic mission of SIUC or SIUE; and shall support the academic mission of the University by providing for training of students within the operational activities of the facility.

3. Media Advertising Policy

- a. This policy provides a statement to govern the advertising activities of University-affiliated media within the institutions of Southern Illinois University, while at the same time insuring and protecting the rights of freedom of press and of academic freedom.
- b. University-affiliated media, receiving support through University funds, including those of officially recognized student organizations, may solicit and sell, and publish, broadcast or otherwise communicate commercial advertising on a more than an occasional basis, only in accordance with this policy.
- c. Any organization engaging in commercial advertising activity under this policy shall comply with the following conditions:
 1. In the case of student organizations or activities, the persons selling advertising must be currently enrolled students of SIUC or SIUE, who are members of the organization and under the guidance and supervision of a faculty or staff advisor.
 2. The advertising activity must be conducted in full compliance with relevant federal, state, and local laws and regulations. (3/13/03)
 3. Each organization shall operate in accordance with appropriate ethical codes in the interest of maintaining acceptable standards of fair play and social responsibility, for example, the Code of Ethics statement of Society of Professional Journalists, and the Code of the National Association of Broadcasters. (3/13/03)
 4. Each organization shall establish working papers to govern the advertising activity which must be submitted to the Chancellor or designee for approval. (3/13/03)

5. Each organization must maintain fiscal responsibility and, as required by institutional regulations, have a faculty or staff member as fiscal officer.
 6. A report shall be filed at the end of each fiscal year with the appropriate Chancellor showing the source and amount of non-advertising funds or support devoted to the medium involved, the operating costs attributed to publication or broadcasting activities, and the gross revenue derived in the preceding year from advertising.
 7. Direct or indirect institutional support given such organizations or media for media purposes shall not, in any fiscal year, exceed the difference between earned media income and actual operating costs of the media (including reserves).
- d. The working papers of each organization engaging in commercial advertising under this policy shall include the following:
1. identification of the faculty or staff advisor, fiscal officer, and where applicable, the student editor or station manager of the organization (to be submitted annually);
 2. a general statement of the types of advertising to be carried;
 3. assurance that the editor or manager and advisor are conversant with the prevailing laws of libel, obscenity, privacy, and any other laws, regulations, or ordinances affecting the publication or broadcast activity;
 4. a statement of orderly procedures for the filing and disposition of complaints concerning the advertising activity which specifies the appropriate SIUC or SIUE channels through which responses to such complaints may be administratively reviewed. Disposition of these complaints shall be maintained in writing and open to public scrutiny.
- e. Whenever a complaint is filed which provides substantial evidence that an institutionally-affiliated organization under this policy is competing unfairly in the advertising market with private media, or is being subsidized unfairly in an amount beyond that necessary to continue it, such complaint shall be reviewed by the Chancellor or designee for the purpose of determining (3/13/03):

1. whether or not the institutionally-affiliated organization is competing fairly and equitably with private media of similar character in respect to charges, prices, and other rate considerations for advertising; and
2. whether institutional funds, or direct or indirect institutional support, being provided such institutional organization should be adjusted in any way in view of income being generated by advertising activities, and in deference to paragraph c.7 above. Subject to meeting a standard of substantial fairness in rates charged for advertising, institutionally-affiliated media shall be permitted to continue advertising activities, although the Chancellor (or a designee), pursuant to such review, may require and effect such adjustments in direct or indirect institutional support to such media as may be necessary to assure that the "no-profit" guideline under paragraph c.7 above is maintained.

F. Student Constituencies and Recognized Student Organizations

1. Each Chancellor is authorized to develop regulations for the campus dealing with student constituency bodies and recognized student organizations.
2. Such regulations and any amendments thereto shall become effective when approved by the President.
3. The regulations shall establish procedures by which the Chancellor grants recognition to student constituency bodies of SIUC or SIUE. The student constituency bodies shall be the official organization designated to represent students in matters pertaining to student welfare, student activities, student participation in campus affairs, student participation in institutional planning and administration, and student opinion. The student constituency bodies shall make recommendations in writing to the chief officer for student affairs concerning the distribution each fiscal year of student welfare and activity funds. Student constituency bodies shall be responsible for reviewing and recommending disposition of requests for recognition of student organizations.
4. The regulations shall establish the procedures by which the Chancellor or that officer's designee identifies an organization as a recognized student organization. Recognized student organizations are authorized to represent student groups in their interactions with the student constituency bodies. Organized student groups must be recognized in order to receive allocations of funds generated by student welfare and activity fees recommended by the student constituency bodies.

5. No student constituency body or recognized student organization shall be authorized unless it adheres to all appropriate federal or state laws concerning nondiscrimination and equal opportunity; membership shall be limited to students officially affiliated with the SIUC or SIUE and to spouses and dependents of such students.

(3/24/16, 3/28/19)

Section 4: Tuition, Fees, and Charges

A. University Policies

State Statutes vest institutional governing boards with the sole authority to establish and collect tuition and fees, and the statutes grant the boards significant latitude in establishing processes for determining tuition and fees. The statutes are based on the premise that the governing boards are best able to determine institutional and student needs and the manner in which fees should support those needs. (3/13/03)

While preserving recognized institutional governance authorities, students should be well represented in decisions involving changes in mandatory fees. They should be included on committees considering fee issues, and should be consulted widely. Students should also have the opportunity in the formative stages to help shape the nature and scope of a proposal for a new fee or a restructured fee program. (3/13/03)

1. General policies applicable to student fees and charges
 - a. Authorization: All student fees and charges shall be fixed only under the authority of the Board of Trustees. That authority may be exercised directly by the Board or delegated by Board policy to the President, who may in turn delegate it to the Chancellors. (10/8/98)
 - b. Refunds, Exemptions, or Waivers: No exemptions, refunds, or waivers of fees or charges shall be granted except as specifically authorized by the Board of Trustees or as authorized in accordance with Board approved policies delegating such authority to the President and/or the Chancellors.
 - c. Publication: All student fees shall be published periodically in official University publications or on the Board of Trustees Website. Those students affected by changes in fees shall be given notice through publication prior to the implementation of such changes. (3/13/03)
 - d. Access: To enhance educational opportunities within Southern Illinois University, mandatory fees should not exceed the amounts necessary to maintain educational quality. Pursuant to this policy, no specific student

fee over \$200 (either per academic term or as a one-time charge) may be assessed of an individual student except by action of the Board of Trustees with the exception of mandatory fees that may be assessed upon authorization of the Chancellors to recover added costs of delivery of off-campus instruction. (10/8/98, 3/13/03)

- e. Fiscal Control: Each fee or charge established under the authority of the Board of Trustees shall have adequate fiscal controls shall have adequate fiscal controls; shall be separately accounted for and budgeted for; shall be susceptible to post audit; and shall be handled in accordance with established Board policy. (3/13/03)
- f. Annual Reports: The President shall annually submit to the Board of Trustees a report on all specific student fees established, and a report on tuition waivers by general category authorized by the Chancellors. (10/8/98)

2. Definition of student fees and charges. The categories of student fees and charges are defined as follows:

- a. Mandatory fees: A mandatory fee is any fee which is assessed as a condition of enrollment or which adds to the costs of a student participating in an instructional program within Southern Illinois University.
 - 1. Tuition fees: Tuition fees are collected in payment for instruction, including continuous enrollment in graduate programs where required by campus policy. (10/8/98, 5/13/04)
 - 2. General student fees: General student fees are mandatory fees assessed by term as a condition of enrollment in the University and for a special purpose. These fees are noted specifically in the Charter of the Board of Trustees as "fees for student activities; fees for student facilities such as student union buildings or field houses or stadia or other recreational facilities, student welfare fees; (and) . . . similar fees for supplies and material."
 - 3. Specific student fees: Specific student fees are those fees which are necessary to the pursuit or completion of a specific instructional program and which add to the overall instructional costs of a student attending Southern Illinois University.
- b. Regulatory fees: Regulatory fees are those fees necessary to the efficient and proper regulation of the University and are designed to prevent abuses to various University regulations. The Board of Trustees may

exercise, or delegate, the authority to impose fees for the government and management of the University. (10/8/98)

- c. Charges for special non-instructional services and privileges: These charges are special purpose, incidental charges assessed for non-instructional services or privileges provided through the University. These charges cover the operating costs of the services being provided and are not of general application and may not be assessed as a condition of enrollment. (10/8/98)
- d. Fees and charges in funded debt entities: Charges in funded debt entities are those assessments made under the authority of bond resolutions entered into by the Board of Trustees as carried out by the Board Treasurer. These charges are designed to retire the associated debt and comply with bond covenants. The charges or process for their determination will be stated in the relevant bond resolution. (10/8/98, 3/13/03)

3. Delegation of authority to establish student fees and charges.

- a. The Board of Trustees retains authority over the following mandatory fees:
 - 1. Tuition Fees
 - 2. General Student Fees
 - 3. Fees and charges in funded debt entities. (10/8/98, 3/13/03)
- b. The Board of Trustees delegates to the President the authority to establish overhead rates for cost-recovery programs, the receipts from which shall be deposited in the University Income Fund.
- c. The Board of Trustees delegates to the Chancellors authority over the following fees:
 - 1. Specific Student Fees within the category of Mandatory Fees
 - 2. Regulatory Fees
 - 3. Charges for Special Non-Instructional Services and Privileges
 - 4. Housing security deposits and miscellaneous housing charges. (10/8/98)

- d. The Board of Trustees delegates to the Board's Treasurer the authority to, with the approval of the President and in accordance with bond requirements, recommend rates and charges for funded debt entities that are sufficient to ensure retirement debt and compliance with bond covenants. (10/8/98, 3/13/03)

4. Miscellaneous fees and charges

- a. The Chancellors are authorized to establish application fees, acceptance deposits, and advance deposits related to applications for admission to SIUC or SIUE. Such fees and deposits may be non-refundable; however, such fees may be refunded, when after payment, there has been a failure of consideration on the part of the University.
- b. The Chancellors are authorized to assess participant charges necessary to recover costs of program delivery for non-credit offerings.
- c. The Chancellors are authorized to institute reasonable, necessary and customary regulatory and cost-recovery assessments, fees, and charges in connection with operation of the University library or libraries, applicable to any or all users including students, faculty and staff, and the general public. A copy of the current library circulation policies stating the amount and occasion for such assessments, fees, and charges shall be maintained on file in the Office of the President. (10/8/98)
- d. The Chancellors are authorized to assess a graduation fee applicable to each student applying for graduation from the respective institutions. The level of the fee may differ between undergraduates, graduates, and professional students.
- e. Instructional Contracts: The Chancellors are authorized to enter into contracts with agencies, institutions, or organizations or to establish programs for specified groups and purposes which provide instruction to non-residents of the State of Illinois at a tuition rate which is less than the then current out-of-state tuition provided that such instruction shall be delivered in facilities other than those owned or leased by Southern Illinois University. The Chancellors shall insure that such charges shall be sufficient to meet the marginal instructional costs of the program, and the Chancellors in establishing such charges shall consider
 - 1. student population served,
 - 2. payment of instructional costs,
 - 3. schedule of educational experiences,

4. travel and other support expenses,
 5. library and other instructional resources,
 6. special requirements.
5. The SIU Board of Trustees directs that the campus processes for reviewing student fee proposals ensure continued and informed dialogue between institutional administrators and students. Consultation shall involve review by a student advisory committee, or review by an elected student government, or a referendum, or a combination thereof.

The Board directs that the campuses adopt policies that: (a) specify the manner in which students will be consulted on proposals that include new fees for noninstructional purposes or proposals that significantly² restructure existing fee programs; (b) provide a definition of student fees; (c) provide for disclosure of fee information and (d) provide for cessation of fees when they have served their original purpose. Furthermore, students should be consulted in the development of such policies. (3/13/03)

6. Exemptions, waivers, credits, and refunds of fees and charges
- a. Employee tuition waivers: Tuition shall be waived for all faculty and staff (including Civil Service employees) as prescribed in applicable personnel policies. (10/8/98)
 - b. Student tuition waivers:
 1. Definition: A "waiver" is a scholarship or other tuition and/or fee award for which the institution does not receive reimbursement. Awards restricted to tuition and/or fees, but for which the institution receives funds or reimbursement, are not waivers. Waivers are either established by statute (mandatory) or by the University (discretionary).
 2. Purpose: Southern Illinois University (SIU) awards tuition and/or fee waivers (waivers) to support the University's mission, goals, and objectives. Purposes for waivers include the following:
 - a. To provide equal opportunity, access, and choice to higher education
 - b. To promote and reward academic excellence and talent

² "Significantly" - of or pertaining to a clear and evident departure from standard practice. (3/13/03)

- c. To facilitate undergraduate instruction, faculty research, and cultural and economic community initiatives
 - d. To promote the professional development of faculty and staff
 - e. To recruit and retain students, faculty, and staff
 - f. To enhance the diversity of the student body
 - g. To address special needs or problems
- 3. Chancellors' Authority: The Chancellors are authorized to award waivers to graduate, professional, and undergraduate students. Awards shall conform to the purposes for waivers, currently applicable Illinois Board of Higher Education policy, University policy, and any statutory requirements. The Chancellors shall develop policies, subject to the approval of the President, to administer and fully document the waiver process. Such policies must, at a minimum, address the purpose of waivers, application and selection process, required documentation of the award process, method of counting and reporting, and system for monitoring waivers. (10/8/98)
- c. Refunds: Subject to the approval of the Board, the Chancellors shall establish policies governing the refund of mandatory fees, including tuition, to students who officially withdraw from the institution; and subject to the approval of the appropriate Chancellor each institution shall establish policies governing the refund of other student fees and charges. (10/8/98)
- d. Offset of State of Illinois Income Tax Against Non-Resident Tuition: The Chancellors may, subject to the approval of the President, establish policies to permit residents of states contiguous to Illinois to offset Illinois personal income tax amounts paid against their non-resident tuition charges or the tuition charges of their spouse or dependent children. The offset shall not apply to tuition charges of the Schools of Dental Medicine, Law or Medicine. (10/8/98)
- e. Partial Tuition Waiver Policy for Children of Seven-Year Employees. Interinstitutional Undergraduate Tuition Waiver. (5/14/98, 10/8/98)
 - 1. *Eligibility:* The applicant for this benefit must be under the age of 25 at the commencement of any academic year in which the benefit is claimed, must qualify for admission to the University

under its usual rules, and must maintain satisfactory academic progress toward graduation, as defined by Financial Aid Office guidelines, in order to claim the benefit in each following year. (110 ILCS 520/8f) (5/14/98, 3/13/03)

2. *Duration:* The tuition waiver will be granted for a total of 130 semester hours. The parent must be a seven-year employee, as defined below, of a qualifying institution at the time each term's benefit is claimed. Subsequent terms need not be consecutive. The benefit is not applicable for non-credit or graduate/professional studies. (5/14/98)
3. *Amount:* The maximum amount of waiver any student may receive under this program shall be 50% of the tuition for the number of credit hours in which the student is enrolled. Fees other than tuition are not affected.
4. *Ownership:* The statute grants the tuition waiver to the student, who consequently has sole control of it unless under some legal disability. The benefit will therefore be granted upon application of any eligible student for any school term within the duration of the waiver.
5. Definitions:
 - a. *Employing Institution:* The university where the employee is actively employed at the time the partial tuition waiver is utilized. (5/14/98)
 - b. *Employment at an Illinois University:* Employment at any of the designated universities specified in state law including all campus and office locations under the present or former jurisdiction of Illinois senior public university governing boards including the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, and Western Illinois University. 110 ILCS 520/8f. (5/14/98, 3/13/03)
 - c. *Employment Eligibility:* Eligibility for the 50% tuition waiver benefit is conditioned upon the parent being employed, and having seven or more full years of total (consecutive or non-consecutive) university employment, as of the first day of the academic term or semester (in

accordance with the academic calendar where the student is enrolled) for which the tuition waiver benefit would apply. Employment among different universities shall be cumulative in terms of fulfilling the seven-year requirement. For purposes of eligibility standards, university employment must be at a full-time-equivalent rate of 50% or more in a SURS-eligible appointment capacity. An eligible child of an employee who is on approved leave of absence, and not on permanent layoff status, at the time of application for the benefit shall be authorized for participation consistent with the public act. (5/14/98)

d. Employment shall be defined as 50% time or greater over a minimum of seven academic years under the jurisdiction of Illinois senior public university governing boards (as defined above) in a capacity that is eligible for participation in the State Universities Retirement System (SURS). Eligibility for participation with SURS includes employees with appointments (excluding extra-help, graduate assistants and student workers) of 4 months or greater. Employees who complete a 9-month appointment comprising a full academic year for purposes of benefits eligibility shall receive the full-year service credit so long as this appointment was made on a 50% or greater basis. (5/14/98)

e. Child: Subject to the eligibility provisions of 110 Illinois Compiled Statute 520/8f, an eligible child shall include the natural, adoptive or step child of the employee. (5/14/98)

6. Appropriate documentation may be required by the Department of Human Resources of the employing campus.

f. Other waiver policies shall be developed by the Chancellors at their respective campuses and approved by the President (3/13/03)

7. Intra-University Assessment. For any semester in which a graduate student is in a cooperative degree program or concurrently enrolled in degree programs at both SIU Carbondale and SIU Edwardsville, the student will register for courses and pay all tuition and fees at the rates applicable at the campus where coursework is being taken. If the student has a tuition waiver, it shall be honored on both campuses. During such concurrent enrollment the student shall have library privileges on both campuses and shall be eligible to purchase an appropriate parking permit at either or both campuses. (12/10/15)

8. Southern Illinois University Undergraduate Tuition Waiver. (5/14/98) In addition to the interinstitutional tuition waiver benefit listed above, a waiver will be extended to eligible children of a seven-year employee of Southern Illinois University who has retired or who is on permanent layoff status. Subject to the requirements listed above, an eligible child will be entitled to a 50% waiver of the undergraduate tuition for the number of credit hours in which the student is enrolled at Southern Illinois University. (5/14/98)

B. Southern Illinois University of Carbondale

1. Current tuition charges, general student fees, room and board charges and policies and guidelines shall be published in the official university publications (including the SIUC website) for undergraduate, graduate, School of Law, and School of Medicine students at Southern Illinois University Carbondale and shall be posted on the Board of Trustees Website as Appendix A to the BOT policies. (3/13/03)

C. Southern Illinois University at Edwardsville

1. Current tuition charges, general student fees, room and board charges and policies or guidelines approved by the Board for Southern Illinois University Edwardsville for all on-campus students and students attending at an off-campus location in a non-cost-recovery course or program shall be posted on the Board of Trustees Website as Appendix B to the BOT policies. (3/13/03)

Section 5: Financial and Administrative Affairs

A. Budgets

1. General Comment. The Board of Trustees shall establish basic financial policies and be involved in strategies as they relate to financial support of operations, programmatic directions, and capital maintenance and development of Southern Illinois University. (3/13/03)
2. Annual Budget Requests to the Illinois Board of Higher Education. The President, working with the Chancellors shall develop specific budget requests for SIUC, SIUE, and for the Office of the President for approval by the Board of Trustees and for submittal to the Illinois Board of Higher Education. (3/13/03, 3/24/16, 12/13/18, 3/28/19)
3. Annual Budget for Operations. The annual budget for operations will be developed by the Chancellors for SIUC and SIUE under the direction of the President and shall be submitted to the Board for approval. Budget development will take into consideration state appropriations and other revenue

expectations; spending priorities and salary increase plans which will be approved by the Board. (3/13/03), (3/24/16), (12/13/18), (3/28/19)

B. Functions of the Treasurer

1. Fund Depositories

- a. University accounts shall be held in the name of "Board of Trustees - Southern Illinois University." (3/13/03)
- b. The Board authorizes the Board Treasurer to open and maintain bank accounts and to make such arrangements for the conduct thereof as that officer shall deem proper. (3/13/03)
- c. The Treasurer will conduct banking activities in a manner that is in compliance with State Statute and applicable Board policy and that maintain safety of funds, sufficient liquidity and maximum investment return. (3/13/03)
- d. The Board Treasurer is authorized to designate temporary depositories at such locations at which a need for local banking services may arise to serve a University activity remote from the base campus. For such accounts the Board Treasurer may appoint an agent or agents with signature authority over such accounts provided, however:
 1. The amount maintained in each such banking facility should be the minimum required to conduct operations;
 2. A U.S. bank in the area be utilized if at all workable in the circumstances. (3/13/03)

2. Investments

- a. The Board Treasurer is given continuing authority to purchase, to sell, or to transfer between University accounts those securities held as investments and to oversee externally managed investments in accordance with University Guidelines promulgated by the President. (3/13/03)
- b. SIUC and SIUE will maintain the control records of such investments in a manner approved by the Board Treasurer. (3/13/03)
- c. A report on cash and investment activity shall be made at least quarterly to the President and the Board of Trustees. (3/19/15)

3. Financing

- a. The Treasurer oversees the issuance of revenue bonds or other forms of external financing. (3/13/03)
- b. The Treasurer is authorized to finance certain capital and other improvements from internal cash reserves as that officer deems appropriate in accordance with University Guidelines promulgated by the President. (3/13/03)

C. Purchasing

Purchases are to be made subject to the provisions of the Illinois Procurement Code using the bid amounts prescribed in the State Procurement Code, 30 ILCS 500/, as amended, using the competitive bidding principles, economical procurement practices, and the bid amounts prescribed in the Code and the Procurement Rules of the Chief Procurement Officer for Public Institutions of Higher Education. Biddable transactions will be advertised in the Higher Education Procurement Bulletin and will be awarded on the basis of competitive selection. When deemed to be in the best interest of the University, it will be SIU's practice to buy on a competitive basis for transactions that are less than the State-required bid amount. (11/11/99, 04/14/11)

1. Contracts -- General

The University Purchasing Directors of Southern Illinois University are authorized to rent from others, as necessity warrants, properties that in their opinion will help to satisfy the requirements of the administrative, educational, and auxiliary operations of the University. The University Purchasing Directors may negotiate lease contracts in which the University is the lessee subject to approval by the President prior to final execution of the document. The University Purchasing Directors may negotiate leases of University properties to others and give notice to vacate subject to approval by the President. (3/13/03, 04/14/11)

2. Approval - Fixed Improvement Projects

Prior approval by the Board of Trustees is required before the commitment of funds can be made for requisitions for fixed improvements projects or annual needs by subdivision of work for renovation, repair, and maintenance activities where the entire project cost or annual need by subdivision of work is \$500,000 or more. The Board of Trustees shall approve the project, the budget, and major changes to the budget, defined as changes of 10 percent. The Board shall receive the bids and award all contracts. (12/08/11)

Prior approval by the Board of Trustees is not required if the fixed improvement project involving a commitment of less than \$500,000, provided that the

President's approval is obtained for projects of \$100,000 or more. (9/14/00, 2/12/09, 12/08/11)

3. Requisitions-Purchasing of Goods and Services, Approval and Reporting

Requirements

- a. Policy Statement -- General: The Board of Trustees of Southern Illinois University has delegated to each University Purchasing Director, through appropriate administrative channels, the authority to purchase goods and services. All purchases are made in accordance with the Procurement Rules of the Chief Procurement Officer of Public Institutions of Higher Education, as approved by the Joint Committee on Administrative Rules, and filed with the Secretary of State. (04/14/11)
- b. Approval Required: Approval is required by the Board for all purchasing contracts involving the commitment of \$500,000 or more. This requirement also includes purchases requesting multiple deliveries over a period of time. Additional approval of a supplemental requisition will be required if the amount of the supplement is in excess of 10% of the amount originally approved. (3/13/03, 12/08/11)
- c. Authorization by the Board of Trustees is not required:
 1. for requisitions involving a commitment of less than \$500,000, provided that the President's approval is obtained for commitments of \$100,000 or more; (12/08/11)
 2. for requisitions involving expenditures of a routine nature necessary for normal and usual operation of the University, where there is only one source of supply or in actual practice no price selection is possible; such instances include, but are not limited to
 - a. postal charges purchased from the Postmaster and locked in the postage meter machine;
 - b. postage stamps, post cards, and bulk mailing;
 - c. utilities (electrical energy, city water, and sewage charges, natural gas, and telephone charges); (3/13/03)
 - d. freight, express, and interstate moving expenses;
 - e. annual renewals for rental of various physical facilities;
 - f. annual renewal insurance premiums in years subsequent to the year in which the original insurance was contracted.

- g. subscriptions to journals and periodicals;
 - h. books and bound periodicals;
 - i. professional and technical services;
 - j. credit card encumbrances for usual and customary automotive service station charges. Repair work other than the minor or emergency type must have previous approval of Transportation Service.
 - k. annual rental of equipment in years subsequent to the year in which the original requisition was approved for installation, such as data processing equipment, photo-static copiers, accounting machines, and similar items;
 - l. annual maintenance contracts provided by a manufacturer or its agent for the equipment made by them. (3/13/03)
 - m. payments for items from specific single-item appropriations, such as CDB lease rental payment, retirement contributions, and fire protection, but excluding capital items;
 - n. in emergencies involving public health, public safety, or where immediate expenditure is necessary for repairs to University property in order to protect against further loss of or damage to University property, to prevent or minimize serious disruption in University services, or to insure the integrity of University records;
 - o. where the goods or services are procured from another governmental agency;
 - p. purchases of and contracts for office equipment and associated supplies when such contracts provide for prices that are equal to or lower than Federal General Services Administration contracts and when such contracts or pricing result in economical advantage to the University.
3. for requisitions involving commodities and stock equipment for internal distribution through normal procedures of established storeroom and service units and resale necessary for normal and usual operation of the University, where there are various sources of supply. This category will include, but is not limited to, commodities and stock equipment for the following operations:

- a. Food Services
- b. Pharmacy
- c. Student Center Bookstore

In the case of purchases which fall within the above-mentioned exceptions, the approval of the Board of Trustees is not required, but the appropriate internal approvals are required. (2/12/09, 12/08/11)

The various offices and departments of the University shall communicate their requirements for commitments to the appropriate office by means of a requisition. When properly approved, the document constitutes authority for making commitments according to the procedures described in these regulations.

d. Monthly Reporting Procedure

1. The Purchasing Offices of SIUC and SIUE shall prepare an information report monthly, summarizing all purchase orders and contracts against University funds for the period and shall submit such reports to the President and the Board of Trustees.
2. The monthly reports to the President and the Board of Trustees shall also include those contracts and subcontracts with grantors deemed exempt from the Illinois Procurement Code, 30 ILCS 500/1-10(b)(2). (04/14/11)
3. The report of Southern Illinois University Carbondale shall consist of two parts: one for SIUC excluding the School of Medicine and one for the School of Medicine. The Office of the President, the Office of the Board of Trustees and University-wide Services transactions will be included in the campus section where the transaction occurred. (3/13/03)
4. Each part of each report shall be divided into three sections:
 - a. a section entitled "Detailed Report of Speaking and Performing Fees, Consultants, and Architectural and Engineering Fees" that provides:
 1. a summarization of those orders under the state required bid amount which shows the total of the

number of orders with an aggregate dollar total;
(3/13/03, 12/08/11)

2. a list of all orders of the state required bid amount or more containing information on order number, type of funds, vendor, brief description, and amount. (3/13/03, 12/08/11)

- b. a section on all other "Purchase Orders and Contracts" under \$100,000 that provides:

1. a summarization of those orders under the state required bid amount which shows the total of the number of orders with an aggregate dollar total;
(3/13/03)

2. a list of all orders between the state required bid amount and \$100,000 containing information on order number, type of funds, vendor, brief description and amount. (3/13/03)

- c. a section on all orders of \$100,000 or more containing information on order number, type of funds, brief description, amount, a list of bidders with amount of their bids, the number of vendors invited to bid and declining, information on Executive Committee or President's approval, and the basis of award if other than low bid meeting specifications. (3/13/03)

- e. Authorization of purchases by Illinois Public Higher Education Consortium (IPHEC) on behalf of the Board of Trustees of SIU is approved as follows:

1. IPHEC is authorized, as agent and on behalf of the Board, to prepare specifications, advertise, receive, open, tabulate and evaluate competitive bids for such commodities, equipment, and services as may from time to time be designated by the University Purchasing Directors of Southern Illinois University. In all such activities, IPHEC shall identify the Board of Trustees as its principal. (04/14/11)
2. IPHEC shall report to the Board all of IPHEC's activities as such agent, its evaluation of the bids received, and its recommendations for award of contracts. Bids shall be accepted or rejected and contracts shall be awarded by and in the name of

the Board of Trustees in accordance with procedures heretofore or hereafter established by the Board.

3. All advertising, receiving, opening, recording, and tabulating of bids by IPHEC and the award of any contract shall be in accordance with the Procurement Rules of the Chief Procurement Officer of Public Institutions of Higher Education and in accordance with the provisions of the laws of the State of Illinois.
- f. Guidelines for Procurements Exempt from the Procurement Rules of the Chief Procurement Officer of Public Institutions of Higher Education. Occasionally it is convenient or necessary to vend or lease a privilege or property to the larger community. Examples include the food service franchise within a student union, concessions or broadcasting rights for sports or entertainment events, automatic vending services, and leases of property for uses compatible with the mission of the Board. Sales of a privilege or property do not involve the expenditure of University funds. Nevertheless, such sales do represent the bartering of a University asset in return for cash, services or goods, and most of the same procurement principles and standards should be applied. (12/08/11)

1. Principles

- a. The opportunity to submit a bid should be offered to any qualified supplier. Minor transactions may be offered on the basis of telephone bids or communicated in electronically transmitted form. When in the best interest of the University, transactions over the legal bid limit should be subject to formal competitive selection procedures. (3/13/03)
- b. The structure of the competitive selection process must be such as to assure bidders that the award was based on objective judgment of known criteria applied to a defined set of facts. It is not sufficient that the award is subjectively impartial; it must also be perceived as impartial. The President will promulgate Guidelines to ensure that such privileges are awarded competitively and impartially. (3/13/03)

2. Standards

Use of the following standards will aid in producing the perception that privileges are awarded competitively and impartially.

- a. Bid specifications should set forth clearly the extent of services or quality of goods to be provided and the form and time of payment of any cash.
- b. Bid specifications should state clearly the criterion or criteria for award, and no award shall be made which is materially influenced by any other factor.
- c. When technical competence as opposed to unique artistic or professional talent is all that is necessary to performance, a minimum standard of competence shall be clearly described and required as a condition or qualification for consideration of a bidder's proposal. To the extent fiscal stability of the supplier bears upon the performance expected, a minimum prerequisite should also be used. The capacity to furnish a performance bond will usually satisfy the latter concern. The important concern is to avoid subjective comparisons of technical or fiscal ability as a criterion for award whenever such comparisons can be avoided.
- d. Consultants should be used as necessary to achieve the clarity and quantifiability required by the preceding principles, to the end that awards may be on demonstrably objective bases so far as is possible. Where subjective judgments cannot be avoided they should be made on the basis of recommendations of disinterested experts on the subject.
- e. All submittals by bidders shall be received at a specified location via electronic transmission or in sealed packages or envelopes clearly labeled as a bid on a particular proposed transaction, and publicly opened (except proposals), read or described or otherwise made public. Only materials so received shall be considered in making an award. No material omission, pertinent to a criterion for award, may be waived, unless determined by the University Purchasing Director to be in the best interest of the University. No other communication by a bidder on the subject of the bid shall be received or considered if known, except requests for clarification of specifications prior to the bid opening; response to such requests may only be made by an amendment to specifications distributed to all potential bidders or in mandatory pre-bid

meeting where all bidders must be present. Further clarification or documentation or other proof of representations in bid documents in hand are the only communications which may be received from a bidder after the bid opening. (3/13/03, 04/14/11)

3. Procedures

- a. The office desiring to lease or lease purchase tangible personal property or vend a privilege or property of the University in return for cash, services, or goods shall utilize the same procedure as is mandated for procurement from University funds. A Requisition describing the functions required or stating the privilege or asset to be vended and the desired return shall be approved in the usual manner and submitted to the University Purchasing Director.
- b. The dollar limit above which Board of Trustees approval of a lease or lease purchase of tangible personal property is required is determined by the cost over the whole prospective period of a lease or renewals provided for therein, and approval shall be obtained before making any promise of payment or commitment of funds whatsoever.
- c. The University Purchasing Director will handle a tangible personal property lease or lease purchase or the procurement of the services or goods in the same manner as other procurements so far as possible.
- d. The Procurement Rules of the Chief Procurement Officer of Public Institutions of Higher Education will govern either directly, by inversion, or by analogy, to the extent feasible.

(9/14/00, 04/14/11)

g. Vendor Suspension or Debarment

The Board authorizes the University Purchasing Directors to petition the State Purchasing Officer to suspend or the Chief Procurement Officer to debar a vendor from submitting future bids for violation of the Procurement Code and/or the Rules of the Chief Procurement Officer of Public Institutions of Higher Education. (12/08/11)

h. Procurement of Search Firm Services

The services of an external hiring search firm shall be retained by the University only as specified in this policy. A search firm may be retained to assist the Board of Trustees in the recruitment, selection, and hiring of a President or Chancellor. For all other positions, the Board of Trustees authorizes the President to retain an external hiring search firm to assist in the recruitment, selection, and hiring when a justifiable need is established and approved by the President based on any of the following qualifying criteria.

1. The position to be filled is of such a specialized nature or scope that use of an external search firm provides a more cost effective use of University resources.
2. The position to be filled requires a level of professional search expertise exceeding that available internally to the University.
3. The position to be filled is of such a critical nature or scope that it must be filled immediately, time being of the essence.
4. The diversity of the applicant pool will be significantly enhanced by services provided by an external hiring search firm.

(11/08/12)

D. Legislative Audit Commission University Guidelines

The Legislative Audit Commission University Guidelines 1982 as amended 1997 are adopted as operating policy for the Board of Trustees of Southern Illinois University. University staff are authorized to establish procedures required to implement the Guidelines and to use the formulae and calculation procedures in these Guidelines for determination of indirect cost carry forward, current excess funds, and capital and other reserves. (5/14/98)

E. Internal Audit Policy

1. The President, as the chief executive officer of Southern Illinois University, is responsible for the development and implementation of a program of internal audit.
2. The President will promulgate guidelines which give direction to the overall internal audit function of the University; these guidelines, as they are developed and amended, will be transmitted to members of the Board of Trustees.
3. Internal Audit Charter: This charter identifies the purpose, authority, and responsibility of the Internal Audit function at Southern Illinois University. The

Internal Audit function resides within the Office of Internal Audit, Compliance and Ethics. (9/13/12)

- a. Purpose: The Internal Audit function was established within Southern Illinois University to conduct assurance reviews of operations and procedures and to report findings and recommendations to the institution's administration and to the Board of Trustees. All Internal Audit endeavors are to be conducted in accordance with applicable law, institutional objectives and policies, as well as professional ethics and standards. Specifically, activities of the Internal Audit function will be carried out in accordance with the mission of Internal Audit and the mandatory elements of the International Professional Practices Framework (the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics, Standards, and the Definition of Internal Auditing) as established by the Institute of Internal Auditors. The Internal Audit function may report that its operations are conducted in conformance with the International Standards for the Professional Practice of Internal Auditing, only if the results of the quality assurance and improvement program support the statement. (11/9/06, 4/14/11, 9/13/12, 4/6/17)
- b. Authority
 1. The Internal Audit function reports administratively to the President, whose authority as chief executive officer is sufficient to assure a broad range of audit coverage and adequate consideration of effective action on internal audit findings and recommendations. The Internal Audit function has an independent, functional responsibility to the Audit Committee of the Board of Trustees for reporting on the adequacy and effectiveness of internal controls. (5/14/98, 3/13/03, 9/11/08, 9/13/12)
 2. While the Internal Audit function is an integral part of Southern Illinois University and functions in accordance with the policies established by the President and the Board of Trustees, it is essential for the internal audit activity to be independent of the activities audited. To enhance and ensure this independence, and with strict accountability for safekeeping and confidentiality, internal audit staff are authorized unlimited access to all records, personnel, and physical properties which the Executive Director of Audits has determined to be relevant to the performance of assigned audits. Consulting services may be performed, if

conducted in accordance with applicable standards. (11/09/06, 4/14/11, 3/22/12, 9/13/12)

3. In performing its work, the Internal Audit function shall assert no direct responsibility nor authority over activities reviewed. Therefore, its appraisal of activities does not relieve other persons in the organization of any responsibilities assigned to them. Furthermore, when assisting management in establishing or improving risk management processes, internal auditors must refrain from assuming any management responsibility by actually managing risks. (4/14/11, 9/13/12)

c. Responsibility

1. The Internal Audit function is responsible for providing Southern Illinois University's administrators and Board members with information about the adequacy and the effectiveness of its system of internal controls and quality of operating performance. To accomplish this responsibility, all institutional activities are subject to audit, including all governance activities and processes. (9/13/12, 2/2/15)
2. The scope of internal auditing encompasses examining and evaluating the University's governance, operations and information systems against established standards in carrying out assigned responsibilities. Areas of review include (04/14/11, 2/2/15):
 3.
 - a. reliability and integrity of financial and operating information;
 - b. compliance with policies, plans, procedures, laws, and regulations;
 - c. safeguarding assets;
 - d. effectiveness and efficiency of operations and programs;
 - e. accomplishment of institutional goals and strategic objectives;
 - f. evaluation of the potential for the occurrence of fraud and how the organization manages fraud risk;

- g. assessment of whether the Information Technology governance supports the University's strategies and objectives; and
 - h. evaluate the effectiveness and contribute to the improvement of the governance and risk management processes. (4/6/17)
- 4. The Executive Director of Audits is generally responsible for the administration of this policy and for functionally directing and effectively managing the internal audit activities throughout Southern Illinois University. Specifically, the Executive Director of Audits (04/14/11):
 - a. is responsible for communicating directly and interacting with the Audit Committee regarding the results of activity of the Internal Audit function. The Chief Audit Executive must report periodically to senior management and the Audit Committee on the internal audit activity's purpose, authority, responsibility, and performance relative to its plan. Reporting must also include significant risk exposures and control issues, including fraud risk, governance issues, and other matters needed or required by the Audit Committee or senior management. (9/13/12)
 - b. must develop and maintain a quality assurance and improvement program that covers all aspects of the internal audit activity. The results of external assessments must be reported to senior management and the Audit Committee.
 - c. must have direct and unrestricted access to senior management and the Audit Committee, and must identify and consider the expectations of senior management, the board and other stakeholders for internal audit opinions and other conclusions. When an overall opinion is issued, it must take into account the expectations of senior management, the board, and other stakeholders and must be supported by sufficient, reliable, relevant, and useful information.
- 5. Southern Illinois University administrators are responsible for providing internal auditors with timely access to records, personnel, and physical properties which the Executive Director of Audits has determined to be relevant and for making sure that

prompt, pertinent, and comprehensive responses are made to audit recommendations.

F. Records Management Program

1. Office of the Board of Trustees, the Office of the President, SIUC and SIUE shall have a records management program which will provide for the maintenance of records in an efficient and orderly manner and for the discarding of records no longer needed. Such program will comply with all state and federal regulations.
2. The details of the programs established will include those general guidelines herein established, and the program will become effective when submitted in writing to and approved by the President.
3. Each program will include consideration of the following:
 - a. Retention Schedules
 1. Legal constraints
 2. Operational needs
 3. Archival value
 - b. Storage and Retrieval
 1. Filing systems
 2. Medium
 - a. Paper
 - b. Microfilm
 - c. Computer storage
 - d. Microfiche
 - c. Designation of individual responsible for the program
 - d. Provisions for appropriate confidentiality of records
 - e. Provision for identification of and special care of records vital to the continuation of operations in the event of disaster.

(3/24/16, 3/28/19)

G. Travel Regulations

1. The Higher Education Travel Control Board, as authorized by "An act in relation to State finance," sets travel regulations for all University employees. These regulations, and any changes that may be made, are considered as Board of Trustees travel policy. SIUC and SIUE, the Office of the President, and the Office of the Board of Trustees may have travel regulations that differ from these regulations so long as they are not inconsistent with the Higher Education Travel Control Board travel regulations.
2. Travel related expenditures for the President of Southern Illinois University shall be submitted to the Board of Trustees' Executive Committee, or other committee or individual(s) as designated by the Board, for approval, prior to reimbursement. (07/24/14)

H. University Self-Insurance Program

1. The President of Southern Illinois University is authorized, pursuant to authority granted to the Board of Trustees by State law, to direct the development of a University Self-Insurance Program. Where appropriate, the self-insurance program will replace the protections and administrative services historically provided to the University by commercial insurance companies. The program will include:
 - a. Retention of risks by the University within its financial capabilities through the establishment of self-insurance limits to be determined by normal loss levels.
 - b. Creation by the university of a self-insurance reserve, funded within the University's financial capabilities, in those amounts necessary to insure against potential liabilities. Protection against potential liabilities in excess of funds held in reserve would be provided through other University resources or the purchase of insurance coverage for amounts in excess of self-insurance reserve funds.
 - c. Solicitation by the University, as needed, of claims adjustment and legal services to be paid from available resources on a "fee for service" basis.
 - d. Initiation of internal risk management programs intended to reduce the University's exposure to potential liabilities.
2. Guidelines promulgated by the President direct the functioning of the University Risk Management and Self Insurance program. (3/13/03)

I. Software Piracy Policy Statement

Southern Illinois University. Respect for the intellectual work and property of others is vital to the mission of higher education. This principle applies to works of all authors and publishers in all the media, including the labor and creativity resulting in computer software. It encompasses respect for the right to acknowledgement and the right to determine the form, manner, and terms of publication and distribution. Unauthorized copying of software is illegal and may force the University as well as individuals to incur legal liability. The United States Copyright Law protects software authors and publishers in much the same manner as patent law protects inventors. Unauthorized copying of software, including programs, applications, data bases, and code, deprives developers of fair return for their work, may result in increased prices, may reduce the level of future support and enhancement available to the University, and may inhibit the development of software products. Unless software has been placed in the public domain, the owner of a copyright holds exclusive right to the reproduction and distribution of his or her work. The purchaser of software generally purchases only a license to use the software on one machine. Most licenses do not permit copying although a licensee may generally make a backup or archival copy. Some institutional licenses permit copying for use on local area networks or on multiple machines, but such uses must be authorized in a license agreement commonly called a site license, which might include a network license or a limited-use license. It is the policy of Southern Illinois University that unauthorized copying of computer software will not be tolerated. Such copying is both unethical and illegal. University employees and students making, acquiring, or using unauthorized copies of computer software may be subject to University disciplinary sanctions as well as legal action by the copyright owner. Neither the University nor the State of Illinois will provide legal indemnification or defense for employees or students whose violation arises out of willful misconduct as defined in 2 Policies of the Board of Trustees E. Under the President's direction, the Chancellors of Southern Illinois University Carbondale and Southern Illinois University Edwardsville shall develop procedures for the implementation of this policy, pursuant to V Bylaws 8. (3/13/03)

J. SIU System Information Security Plan

1. Information Security Plan Charter

a. Southern Illinois University has established this Information Security Plan to:

- 1. Ensure the security of information the University creates, receives, maintains, or transmits by providing for the confidentiality, integrity and availability of that information, regardless of the medium in which the asset is held or transmitted.**
- 2. Protect against reasonably anticipated threats or hazards.**

3. Protect against reasonably anticipated uses, disclosures, or losses that violate applicable laws, regulations, and/or policies.
 4. Identify roles and responsibilities for implementing this Information Security Plan.
- b. It is the collective responsibility of all users to ensure:
1. Compliance with the policies, guidelines and procedures contained within this Information Security Plan.
 2. Confidentiality of information which SIU is required to protect from unauthorized access.
 3. Integrity and appropriate availability of information stored and/or processed by SIU.
 4. Compliance with applicable laws, regulations, and policies governing information security and privacy protection.
- c. Failure to comply with this Information Security Plan shall subject users to disciplinary action consistent with University policies and any applicable laws and/or regulations.
- d. This Information Security Plan shall apply to the following:
1. All SIU information assets, including central and departmentally-managed computing resources.
 2. All employees of SIU, contractors, vendors or any other person with access to SIU computing resources or information assets. This includes non-SIU owned devices that may store protected³ information.
 3. All SIU information assets regardless of medium (e.g. physical or electronic)
 4. All computing resources (e.g. networks, systems, applications, etc.) owned or managed by SIU.

2. Information Systems Privacy & Statement of Ethics

³ Information that is protected from release by state and/or federal law/regulation or would require SIU to provide notice to individuals and/or government agencies if information is lost, stolen or compromised; examples include protected health information (PHI/HIPAA), credit card numbers (PCI), banking information (GLBA), and protected student information (FERPA)

Southern Illinois University takes justifiable pride in the electronic information systems provided to its faculty, staff, and students. These resources include computer systems, software, data sets, and communications networks. Members of the University community may use these resources only for purposes related to their studies, instruction, the discharge of duties as employees, official business with the University, or other University-sanctioned activities. Any other use, unless specifically authorized, is prohibited. Access to the University's electronic information systems is a privilege to which all University faculty, staff, and students may be granted access to varying degrees. Certain responsibilities accompany that privilege; understanding them is important for all users. Those within the University community who make use of these resources are subject to high standards of ethics to insure the privacy, security, and proper use of data. Recognized as a primary educational, research, and administrative asset, the University's electronic information systems should be protected from unauthorized modification, destruction, disruption or disclosure-whether accidental or intentional.

a. User Responsibility for Security of Stored Information

The user is responsible for correct and efficient use of the tools each electronic information system provides for maintaining the security of stored information.

1. Individual users to whom computer accounts, passwords, and other types of security authorizations have been assigned must obey any express restrictions on disclosure of such authorizations to others. No otherwise authorized disclosure may be made until the proposed recipient of the disclosure has demonstrated familiarity with the security requirements for usage of the authorizations and agreed to comply with them.
2. The user must strive to understand the level of protection each electronic information system automatically applies to files and supplement that protection, if necessary, for sensitive information.
3. The user must be aware of computer viruses and other destructive computer programs, and take steps to avoid being either their victim or propagator.
4. Use of computers by individuals implies that they accept responsibility for protecting any information (processed and/or stored under directories or accounts assigned to them) which is restricted, licensed, proprietary or protected by law or regulation.

b. Confidentiality of Stored Information

1. Information stored on electronic information systems is considered confidential, whether protected by the computer system or not, unless the owner intentionally, and with proper authority, makes that information available to other groups or individuals. The University assumes that computer users wish the information they store on central and campus shared computing resources to remain confidential.
2. Requests for the disclosure of confidential information outside the University will be governed by the provisions of law, including but not limited to the Family Educational Rights and Privacy Act of 1974, the State Records Act, and the Illinois Freedom of Information Act. All such requests will be honored only when approved by university officials who are the legal custodians of the information requested, or when required by state or federal law, or court order.

c. Inappropriate Usage

Computing and networking resources may be used only in accordance with accepted University practice. Examples of inappropriate and unacceptable use of computing and networking resources include, without limitation:

1. harassment;
2. fraud or misrepresentation;
3. destruction of or damage to equipment, software, or data belonging to the University or other computer and networking users;
4. disruption or unauthorized monitoring of electronic communications;
5. violations of computer system security;
6. unauthorized use of computer accounts, access codes, or network identification numbers assigned to others;
7. unauthorized use of computer and/or network facilities in ways that impede the computing activities of others;

8. use of computing facilities for personal or business purposes unrelated to the mission of the University;
9. violation of copyrights and software license agreements;
10. violation of the usage policies and regulations of the networks of which the University is a member or has authority to use;
11. violation of another user's privacy;
12. academic dishonesty such as plagiarism or cheating;
13. accessing, or attempting to access, another individual's or entity's data or information without proper authorization regardless of the means by which this access is attempted or accomplished;
14. giving another individual access to data or information, or the means to access data or information, they are not authorized to access;
15. obtaining, possessing, using, or attempting to use passwords or other information about someone else's account;
16. inspecting, modifying, distributing, or copying data, mail messages, or software without proper authorization, or attempting to do so;
17. concealing or misrepresenting user's name, affiliation or other identifier to mask irresponsible or offensive behavior or unauthorized use of identifier of other individuals or entities;
18. Violations under the applicable student conduct code, applicable faculty or other constituency code of ethics or conduct, or other University policies;
19. tapping phone or data lines.

d. Sanctions

Violation of the policies described herein for use of computing resources will be dealt with seriously. Violators are subject to disciplinary procedures of the University and, in addition, may lose computing privileges. Illegal acts involving the University's computing and networking facilities may also be subject to prosecution by local, state, and federal authorities.

3. Plan Oversight

Each campus shall:

- a. Identify an Information Security Officer;
- b. Assign joint responsibility for their information security plan to their Chief Information Officer and Information Security Officer or equivalent positions;
- c. Ensure appropriate University officers, offices or employees are appropriately authorized to implement, maintain, and enforce this plan;
- d. Implement guidelines, procedures and processes to address the requirements of this Information Security Plan;
- e. Regularly review their local information security plan materials;
- f. Maintain records of their information security plan activities in compliance with applicable University policies, regulations and guidelines, and local, state and federal law

The campus Information Security Officers, or their designates, shall meet annually to review the SIU System Information Security Plan and suggest modification as required.

4. Plan Requirements

Each campus shall maintain an information security plan that, at minimum, addresses the following:

a. Guidelines

1. Responsible/Acceptable Use

Maintain acceptable or responsible use guidelines that include or address:

- a. Identification of appropriate university officers or offices/units responsible for decisions as to whether a particular use of computing and network resources conforms to University guidelines;
- b. General user responsibilities;
- c. User responsibilities for securing protected information;

- d. Impermissible use;
- e. Acceptable network and Internet use;
- f. Users expectations of privacy and confidentiality;
- g. Sanctions.

2. Security Awareness and Training

Ensure that workforce members receive training regarding:

- a. The acceptable use of computing resources;
- b. The regulatory requirements and liabilities of access to protected information;
- c. How to use information systems and security controls;
- d. Handling, storing and disposing of protected information;
- e. Individual responsibilities and roles related to maintaining institution integrity.

3. Data Classification

Maintain Standards and guidelines for the classification of information the University creates, receives, maintains, or transmits.

4. Procurement

Maintain standards and guidelines for the procurement of computing resources. Ensure that systems handling protected information are compliant with relevant requirements of applicable law and this Information Security Plan.

b. Securing Systems, Hardware, Data, and Software

1. Infrastructure Configuration Standards

Maintain standards for the equipment, applications, and devices deployed to ensure predictable operability and security of those devices. These standards are mandatory for computing resources involved in the processing and storage of protected information.

2. Change Management

Ensure significant changes to computing resources are managed to establish that changes are reasonable and necessary; do not introduce unintended risk to the confidentiality, availability, or integrity of data; and are executed as planned.

3. Workstation Security

Ensure workstations are configured, maintained, and employed in a manner to ensure the confidentiality, integrity and available of the information they contain.

4. Patch Management Standards

Ensure information system software is regularly tested and updated to reduce risk of system vulnerability exploitation and malfunction.

5. Malware Protection

Ensure information systems and data are adequately protected from malware or other destructive computer programs.

6. Physical Safeguards

Maintain reasonable and appropriate protection for physical computing resources. Access to data centers, network closets, remote points of presence, etc. shall be appropriately restricted. Physical locations containing high-risk information assets shall receive additional protections. i.e. access logging, proximity badge access, video surveillance, etc.

7. Data Backup

Maintain standards for the backup, retention, recovery, and protection of critical data.

8. Disposal Standards

Maintain standards for reuse, destruction and disposal of computing devices and information. Disposal of physical assets and data must be done in accordance with applicable laws, regulations, and policies.

9. Data Handling

Maintain standards for the proper handling, tracking and disposal of protected information regardless of medium to prevent inadvertent disclosure.

10. Network Security

Maintain network standards that include:

- a. Network perimeter defense mechanisms including firewalls, virtual private networks, and intrusion detection/prevention
- b. Network partitioning mechanisms to ensure proper isolation of high-risk information
- c. Wireless network security and access control mechanisms

c. Access Control

1. Clearance & Authorization

Ensure employees, contractors, vendors or any affiliates with access to computing resources or information assets are appropriately vetted by the appropriate University officials, managers, supervisors, and data stewards.

2. Terminating Access

Ensure timely termination of user access to information systems, as appropriate, to protect the confidentiality and integrity of those systems.

3. Access Management

Provide users the least privilege access to information systems necessary and appropriate to conduct University business need and perform University job duties.

4. User Accounts and Passwords

Require individually assigned accounts and strong passwords to ensure access to information systems is appropriate and adequately logged.

5. Remote Access

Ensure remote network and application access is appropriate to individual users' roles and responsibilities.

d. Business Continuity and Disaster Recovery Planning

1. Disaster Recovery

Ensure business systems and business processes are prioritized by mission impact to establish criticality in the event of catastrophic failure. Assign appropriate backup and redundancy processes to critical systems. Maintain and regularly test a disaster recovery plan.

2. Business Continuity

As appropriate, maintain procedures to ensure that critical University processes can continue in the event an information system is unavailable.

e. Information Risk Management

1. Risk Analysis

Regularly undertake a formal analysis of the risks and vulnerabilities associated with the security of protected information contained in or accessed through University computing resources.

2. Information Incident Management

Investigate, document, report, and remediate information security incidents as appropriate and required.

3. Inventory

Maintain an inventory of systems and processes that store, process, manipulate or access protected information.

4. Exception Management

Ensure that exceptions to guidelines, policies and standards developed pursuant to this Information Security Plan are formally approved, documented and regularly reviewed in recognition of the balance between the rigidity and structure of standards with the necessity of effective operations and the limitations of available resources and technology.

(07/24/14)

K. Information Technology: University Internet Privacy Policy

Introduction

Southern Illinois University provides extensive computing and network communication services for students, faculty, staff, and individuals affiliated with the University. Several entities, including the federal government, the Illinois Technology Office, the National Electronic Commerce Coordinating Council, and the Auditor General's Office have strongly recommended the posting of privacy policies on Web sites. Currently, the University does not have posted an Internet Privacy Policy on its Web sites.

This document constitutes the University's Internet Privacy Policy.

Internet Privacy Policy

As a provider of extensive computing and network communication services for students, faculty, staff, and individuals affiliated with Southern Illinois University, the University shall post an Internet Privacy Policy on its Web sites to clearly and concisely inform visitors to its Internet sites what information it collects about individuals, why it collects the information, and how it will use the information.

The posting of the University's Privacy Policy addressing the collection, maintenance, and disclosure of personal information, as well as defining the technology used to collect information from its Web sites, will help ensure that visitors to the University Internet sites are informed of University practices.

Such a policy shall disclose practices regarding:

- Notice - Notice that the University is collecting information, what information is collected, how it is collected, and how it is used.
- Choice - Whether users have a choice on how personal information is used.
- Access - Whether users are given the opportunity to access the information on the Web sites to review and correct errors.
- Security - The steps the University has taken to ensure that user information is protected.

In addition to the above, the University shall:

- Develop a Privacy Policy for its Web sites that is readily accessible by being located on the homepages and other places where personal information is collected and tracking technology is used.
- The University Privacy Policy shall comply with Public Act 93-0117 (State Agency Web Site Act) effective January 1, 2004 by identifying any technology used to collect information on or track individual users.
- The University Privacy Policy shall contain provisions that effectively disclose practices regarding notice, choice, access, and security.
- The University Privacy Policy shall be placed on all University Web sites whether they collect information or not.

Existing University Rules and Regulations

This policy is intended to be an addition to existing University rules and regulations and does not alter or modify any existing University rule or regulation.

(11/13/03, 07/24/14)

L. Trademark Policy

1. The trademarks, service marks, logos, insignias, seals, designs, symbols, trade names, slogans, and logotypes developed by or associated with Southern Illinois University and any campus or unit of Southern Illinois University, hereinafter "SIU marks", whether registered or unregistered for federal and state trademark protection, shall be owned and controlled by the Board of Trustees of Southern Illinois University. All applications for registration of SIU marks pursuant to federal or state law shall be filed by the Office of General Counsel, at the request of the President or a Chancellor, in the name of and on behalf of the Board of Trustees of Southern Illinois University. Records of such applications shall be maintained in the Office of General Counsel and in a campus office designated by the Chancellor.
2. Any and all private or commercial uses of SIU marks by any person, group, association, corporation, institution, or other entity, including University Related Organizations, shall require the written consent and authorization by the Board of Trustees. For commercial uses, license agreements approved as to legal form by the Office of General Counsel and naming the Board of Trustees of Southern Illinois University as Licensors, shall be executed on behalf of the Board of

Trustees by the Chancellors. Royalties received from such licenses shall be retained at the campus level for uses determined by each Chancellor.

3. Appropriate legal actions on behalf of the Board of Trustees to protect SIU marks from misappropriation and infringement by others shall be undertaken by the Office of General Counsel.
4. Each Chancellor is authorized to develop administrative regulations, policies, and procedural guidelines for the institutional use of respective SIU marks on the campus and for the commercial licensing of the SIU marks. Such regulations, policies, and guidelines shall identify the campus office(s) or official(s) responsible for overseeing administration and licensing of the SIU marks, serve to promote appropriate use of the SIU marks, and become effective when approved by the President.
5. A Chancellor may, with approval of the President, delegate full or partial authority created under this policy to a designated senior administrator as appropriate, including but not limited to the Dean of the School of Medicine.

(11/08/07), (07/24/14), (3/24/16), (3/28/19)

M. Freedom of Information Act Policy

1. Purpose:

The public policy of the State of Illinois states "that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees" consistent with the limitations contained in Illinois' Freedom of Information Act (hereinafter "Act"). 5 ILCS 140/1 et. seq.

Pursuant to Section 3(h) of the Act (5 ILCS 140/3), Southern Illinois University has promulgated policies governing access to public records of the University in conformity with the Act. The purpose of the policies are to provide timely access to public records in the possession of the University while, at the same time, protecting legitimate privacy interests and maintaining administrative efficiency within the requirements of the State Records Act. 5 ILCS 160/1 et. seq.

2. Definitions:

FOIA: The Freedom of Information Act.

Freedom of Information Act Office(r): The individual or office designated by the Chancellor for each campus, and the Dean and Provost of the SIU School of Medicine (SIUC, SIUE, and the School of Medicine) or for the President's office

responsible for receiving and responding to requests for public records.

FERPA: The Family Educational and Privacy Rights Act.

Head of public body: The President of Southern Illinois University.

Requester: A person or entity who submits a request for public records in accordance with the Act.

Commercial purpose: The use of any part of a public record, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services.

Business days: Calendar days, other than Saturdays and Sundays, legal holidays, and other University closures. For purposes of calculating time periods for responses to requests, the calculation begins on the first business day after the public body receives the request.

Any other terms which are defined in Section 2 of the Act shall have the same meaning for purposes of this policy.

3. Freedom of Information Act Office(r):

The Chancellor of each campus and the Dean of the SIU School of Medicine shall each appoint a FOIA officer who shall have the authority to receive and respond to all FOIA requests for the campus. With respect to FOIA requests involving the SIU Board of Trustees and/or the President of the University, the President shall designate a FOIA officer for such requests. The contact information for each FOIA office(r) shall be posted on the website and shall be available through the President's Office, Chancellor's office at each of the campuses, and the Provost and Dean of the SIU School of Medicine.

The FOIA office(r) is responsible for ensuring an appropriate response to requests for access to records under the Act. The FOIA office(r) shall:

- a. Implement these rules governing access to public records.
- b. Coordinate the efforts of other University employees and campuses under the Freedom of Information Act and this policy.
- c. Maintain and make available for public inspection pursuant to Section 4(a) and (b) of the Act, a brief description of the University and a brief description as to how the public may request public records. This information shall also be posted on the University's website.

- d. Maintain and make available for public inspection pursuant to Section 5 of the Act a reasonably current list of the types or categories of records under the University's control.
- e. Assist the public in identifying requested records.
- f. Extend the time for acting on a request, if necessary, for any of the reasons specified in Section 3 of the Act.
- g. After records are located and reviewed, make the records available for inspection or deny access to the records in whole or in part.
- h. When applicable, explain in writing the reasons for denial of access, the names and titles of persons responsible for denial and inform the requester of his or her right to submit a request for review to the Public Access Counselor of the Illinois Attorney General's Office.
- i. Upon request for a copy of a record which is subject to public inspection, make a copy available upon compliance with fee and copyright requirements.
- j. Upon request, certify that a copy is a true copy.
- k. Upon failure to locate records, declare in writing to the requester that the University is not the custodian for such records or that the records cannot be found after diligent search.
- l. Upon request, provide information about what records are electronically available and how to access the records pursuant to Section 5 of the Act.
- m. Determine, pursuant to Section 6(b), whether a request for a reduction or waiver of any charge is appropriate because the specific purpose for the request is in the public's interest (i.e., health, safety and welfare) and not primarily for personal or commercial benefit.
- n. Maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied.
- o. Create a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications.
- p. Maintain a public file of denials indexed according to type of record requested and type of exemption asserted by the University as required by Section 9(b) of the Act.

- q. Complete an annual training program provided by the Public Access Counselor. In the event a new FOIA officer is designated, the new officer shall complete the electronic training curriculum provided by the Public Access Counselor within 30 days after assuming the position.

4. Form and content of FOIA requests:

FOIA requests shall be in writing and submitted to the appropriate FOIA office(r) identified in Section 3 above. Requesters are encouraged to utilize the University's request form available on the University's website, but use of this form is not required. The request may be submitted via personal delivery, mail, fax, or electronic mail. All requests shall be date and time stamped upon receipt and logged in a centralized database with a notation for each response deadline.

The University shall document and date all contacts between the University and the requester in the requester's file.

The requester shall include the following information in a request:

- a. The requester's full name, address, and telephone number;
- b. The date of the request;
- c. A brief description of the public records sought, being as specific as possible regarding dates; file designations, names, etc.;
- d. Whether the request is for inspection of public records, copies of public records, or both;
- e. Whether the information being requested is for a specific public purpose sufficient to reduce or waive any cost applicable to the request;
- f. Whether the request is for a commercial purpose pursuant to Section 3.1 of the Act; and
- g. If the request is being submitted on behalf of a business or financial institution, whether that business or financial institution issues credit and/or debit cards pursuant to the Southern Illinois University Management Act, 110 ILCS 520/16.

5. Authorized responses to FOIA requests:

- A. For all FOIA requests other than requests made for commercial purposes, the FOIA Office(r) shall respond to a request for public records in one of five ways:

1. Approve the request in writing within five (5) business days after receipt of the request and either (i) provide the materials immediately, (ii) give notice that the materials shall be made available upon payment of reproduction costs and/or mailing costs, or (iii) give notice of the time and place for inspection of records. When a request is made for a record maintained in an electronic format, the University will produce it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the records in the specified electronic format, then it shall be furnished in the format in which it is maintained by the University, or in paper format at the option of the requester.
2. Notify the requester within five (5) business days that either (i) the University does not maintain or possess the documents requested or that the requested documents could not be found after a diligent search and/or (ii) the written request is illegible, incomplete or incomprehensible and must be resubmitted to remedy the identified problem. The University is not obligated to create or maintain a public record solely to respond to a request.
3. Notify the requester in writing within five (5) business days after receipt of the request that an additional five (5) business days will be necessary to determine a response and provide the requester with the specific reason for the delay consistent with the grounds identified in Section 3(e) of the Act, as well as the date the delayed response will be forthcoming. Where a categorical request creates an undue burden, the University shall send written notification within five (5) business days asking the requester to reduce the request to manageable proportions in accordance with Section 3(g) of the Act.
4. Approve the request in part and deny it in part, in writing, within five (5) business days after receipt of the request, and notify the requestor of (i) the specific reason why part of the request has been denied, (ii) the University personnel responsible for the decision, and (iii) the availability of the right to review by the Public Access Counselor consistent with Section 9 of the Act.
5. Deny the request in its entirety within five (5) business days after receipt of the request, and notify the requestor of (i) the specific reason the request has been denied, (ii) the University personnel responsible for the decision, and (iii) the availability of the right to review by the Public Access Counselor consistent with Section 9 of the Act.

- a. A denial of a request for public records shall be made in writing and shall state the reasons for the denial in accordance with either Section 3(g), Section 7, or Section 7.5 of the Act, and include the names and titles of individuals responsible for the decision. It shall give notice of the requester's right to appeal to the Public Access Counselor of the Illinois Attorney General's Office and provide contact information for the Public Access Counselor. It shall also inform the requester of the right to judicial review under Section 11 of the Act. Exemptions expressly articulated under Section 7 or Section 7.5 of the Act are per se exempt from disclosure under the Act.
- b. When a denial of a request is based upon a law other than the Illinois Freedom of Information Act, such as FERPA, the requester shall be notified of the applicable statute and provision in writing. The University's FERPA policy shall be consulted prior to disclosing any information about a student and that policy is incorporated by reference as if fully stated herein.
- c. When a denial of a request is based upon an express exemption from disclosure under Section 7 or Section 7.5 of the Act, the University shall, where possible, redact the exempt information and make the remaining information available for inspection and copying pursuant to Section 7(1) of the Act.
- d. When a denial is based on the exemptions contained in subsection 7(1)(c) or subsection 7(1)(f) of the Act, the requester and the Public Access Counselor will be notified of the intent to deny the request in whole or in part. The notice shall include: (i) a copy of the request; (ii) the proposed response from the public body; and (iii) a detailed summary of the public body's basis for asserting the exemption.
- e. Categorical requests creating an undue burden shall be considered denied if the requester refuses the University's invitation to confer about reducing the request to manageable proportions in accordance with Section 3(g) of the Act.
- f. Copies of all denial notices shall be retained by the FOIA office(r) in a single central office file open to the public and

indexed according to the type of exemption asserted. The central office file for Southern Illinois University Carbondale is located at the Budget Office, Anthony Hall, Carbondale, IL; Southern Illinois University Edwardsville is located at the Office of the Vice Chancellor for Administration, Rendleman Hall, Edwardsville, IL; SIU School of Medicine is located at the Office of the General Counsel, Springfield, IL; and for matters pertaining to the Board of Trustees or President and their immediate staff, Office of the President, located at the Stone Center, 1400 Douglas Drive, Carbondale, IL.

- g. The failure to respond to a written request within five (5) business days after receipt of request may be treated as a denial by the requester. A failure to respond within five (5) business days after an extension has been exercised may also be treated as a denial by the requester.

6. For FOIA requests made for commercial purposes, the FOIA Office(r) shall respond in one of three ways:

1. Approve the request in writing within 21 business days after receipt of the request and either provide the records or provide the requester an estimate of the time required by the public body to provide the records requested and an estimate of the fees to be charged, which the University may require to be paid in full before copying the requested documents; or
2. Deny the request within 21 business days pursuant to one or more of the exemptions set out in the Act and subject to Section 5(A)(5)(a) through (f) of this Policy; or
3. Notify the requester within 21 business days that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions.

Unless the records are exempt from disclosure, the University will comply with a request within a reasonable period considering the size and complexity of the request and giving priority to records requested for non-commercial purposes.

N. Time limits for responses:

The FOIA Office(r) shall respond to all written request for public records other than requests for commercial purposes, within five (5) business days after receipt of the request, and within 21 business days after receipt of a request for commercial purposes,

unless otherwise authorized by this policy or law. The calculation of the time period for response begins on the first business day after the public body receives the request.

- a. The initial five (5) business day time limit for non-commercial requests may be unilaterally extended by the University for another five (5) business days for the following reasons:
 - i. the requested records are stored in whole or in part at other locations than the office having charge of the requested records;
 - ii. the request requires the collection of a substantial number of specified records;
 - iii. the request is couched in categorical terms and requires an extensive search for the records responsive to it;
 - iv. the requested records have not been located in the course of routine search and additional efforts are being made to locate them;
 - v. the requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under section 7 or section 7.5 of this Act or should be revealed only with appropriate deletions;
 - vi. the request for records cannot be complied with by the public body within the time limits prescribed by subsection 3(d) without unduly burdening or interfering with the operations of the public body; or
 - vii. there is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.
- b. When additional time is required for any of the reasons identified above, the public body must notify the requester by letter specifying (i) the reason for the delay and (ii) the date when either the records will be released or the denial of the request will be made. This letter must be sent within the original five (5) business day period. The extended time period cannot be longer than five (5) extra business days, and if a response is not made within that extended period, the request may be considered denied by the requester.
- c. The requester and the public body may agree in writing to further extend the time for compliance for a period to be determined by the parties.

O. Inspection of records at University offices:

Generally, public records will be available for inspection at the FOIA offices designated above in Section 3 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except on State holidays and other University closures.

The requestor shall be notified in writing within five (5) business days after receipt of the request when and where the records will be available for inspection.

The University will notify the requester of the availability of the records for inspection within five (5) business days after receipt of the request or as extended pursuant to the Act.

The written notification shall admonish of the requester of the following:

- a. Space will be provided for the requester to inspect public records. Upon request, the University shall make whatever reasonable accommodations are necessary to remedy physical obstacles to inspection. Although appointments are not required, appointments are strongly encouraged to ensure record availability when and where the requester appears for inspection.
- b. The University reserves the right to have designated personnel present throughout the inspection to maintain the integrity of the public records.
- c. A requester shall not be permitted to take briefcases, bags, folders or other similar materials, or pens, into the inspection area.
- d. A requester is allowed to take pencils and paper into the inspection area.
- e. The requester shall identify and/or segregate during the course of inspection any documents the requester desires to have copied. All copying shall be completed by university employees at the cost specified in these policies.
- f. There shall be no fee charged for the inspection of records.

P. Copies of public records:

Copies of public records shall be provided to the requester only upon payment of any fees that are due. There shall be no fee charged, however, for the University's cost of searching and reviewing the requested records. The availability of the record and the amount of the fee being charged shall be communicated to the requester within five (5) business days of receipt of the request, unless more time is authorized under the Act or this Policy.

- a. Fees for copies of public records shall be assessed in accordance with Section 6 of the Act. A schedule of fees shall be available in each of the University's FOIA offices as required by Section 4 of the Act.

- b. Fees may be reduced or waived if the requester satisfies the criteria set forth in Section 6(c) of the Act and specifies a public purpose upon which the request is based. Fees may also be waived for good cause at the discretion of the FOIA Office(r).
- c. No fees will be charged for the first 50 pages of black and white, letter or legal sized copies. The charge for copying after the first 50 pages is \$0.15 per single-sided letter or legal sized page, with an additional charge of \$1.00 per document if certification of the document is requested. Microfilmed records are charged at a rate of \$0.15 per single-sided paper page produced. If the records requested cannot be copied on the university's standard office copying equipment, or if the copies provided are in color or in a size other than letter or legal sized paper, the requester will be charged the actual costs incurred by the university.
- d. Fees shall be waived if the requester is a State agency, a constitutional officer, or member of the General Assembly.
- e. Payment shall be made by cash, check, or money order payable to the Southern Illinois University, and mailed or hand delivered to the FOIA Office(r).
- f. If the requester is unwilling or unable to pick up the copies of requested records at the University's offices, the requester shall incur the costs of mailing or shipping the requested materials.
- g. In accordance with federal law and/or regulations governing copyright, the University will not provide copies of records protected by copyright without (i) a written authorization or proof of a license from the copyright holder of record or (ii) a copyright acknowledgement signed by the requester attesting that the copied materials will not be used for any purpose other than personal use, private study, scholarship or research.

Q. Right to Review of a denial:

If a person's request for public records has been denied in whole or in part by the FOIA Office(r), that person may file a request for review with the Public Access Counselor of the Attorney General's Office no later than 60 days after the date of the denial. The request for review must be in writing, signed by the requester, and include (i) a copy of the request for access to records and (ii) any responses from the public body.

R. Litigation:

A person whose request has been denied by the University may file suit for injunctive or declaratory relief pursuant to Section 11 of the Act, in either the circuit court where the University's principal office is located or where the person denied access resides. All communications involving litigation and/or a court summons arising out of a denied

request under the Act shall be transmitted to the President's Office, Chancellor's Office, or the Provost and Dean's Office as appropriate immediately upon receipt.

(01/17/08, 02/11/10, 07/24/14, 3/24/16)

N. Identity Theft Prevention Policy

6. Policy Adoption

Southern Illinois University ("University") developed this Identity Theft Prevention Policy ("Policy") pursuant to the Federal Trade Commission's ("FTC") Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. This Policy was developed with oversight and approval of the Audit Committee. This Policy will be presented to the Southern Illinois University Board of Trustees for approval at the May 7, 2009 meeting.

7. Purpose

The purpose of this policy is to establish an Identity Theft Prevention Program designed to detect, prevent and mitigate identity theft in connection with the opening of a Covered Account or an existing Covered Account, as defined in section III, and to provide continued administration of the program in compliance with 16 C.F.R. Part 681. This Policy enables Southern Illinois University, in its capacity as a creditor to protect existing consumers, reduce risk from identity fraud, and minimize potential damage from fraudulent new accounts with the least possible impact on business operations. This Policy applies to business practices used by employees when conducting business activity relating to a Covered Account. In order to obtain these objectives Southern Illinois University will:

- Identify risks that signify potentially fraudulent activity within new or existing Covered accounts;
- Detect risks when they occur in Covered accounts;
- Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed; and
- Update procedures periodically, including reviewing the accounts that are Covered and the identified risks that are part of the program.

8. Definitions and Program

Red Flags Rule Definitions Used in this Program: "Identity Theft" is a "fraud committed or attempted using the identifying information of another person without authority." A "Red Flag" is a "pattern, practice, or specific activity that indicates the possible existence of Identity Theft." A "Covered Account" is a 'continuing relationship established to provide a financial product or service' and

includes all consumer accounts or loans that are administered by the University. "Program Administrator" is the individual designated with primary responsibility for oversight of the program. "Identifying information" is "any name or number that may be used, alone or in conjunction with any other information, to identify a specific person," including: name, address, telephone number, social security number, date of birth, driver's license, student identification number, or network ID.

9. Administration of the Policy

The Board of Trustees shall be responsible for establishing the Policy. Responsibility for implementation and oversight of the Policy is delegated to the chancellor, or his/her designee, at each campus.

Acknowledgement: Because many universities have been involved in drafting Identity Theft Protection Policies to be in compliance with changes in the laws, these policies may look similar. This policy was developed in accordance with Sections 114 and 315 of the Fair and Accurate Credit Transactions Act, the Fair Credit Reporting Act, and the Federal Trade Commission regulations and guidelines (16 CFR Part 68). Additionally, several other university policies were reviewed in creating this policy including: Purdue University, UCLA University, and Kalamazoo College.

(5/7/09, 07/24/14)

- *Investment Policy*

- I. STATEMENT OF OBJECTIVES

It is the policy of Southern Illinois University to invest funds in a manner which will provide investment returns and security consistent with good business practices, while meeting the daily cash flow demands of the University, and conforming to all statutes governing the investments of funds. Funds of Southern Illinois University will be invested in accordance with the provisions of the Illinois Compiled Statutes, Chapter 30, Sections 235/0.01 - 235/8, "The Public Funds Investment Act", the Policies of the Board of Trustees of Southern Illinois University, and covenants provided from the University's bond and Certificate of Participation issuance activities.

As provided in Illinois Compiled Statutes, Chapter 30, Sections 225 "The Public Funds Deposit Act," public funds of the University will be deposited in savings and loan associations, savings bank, or State or national banks in Illinois.

- A. **Overall Risk Profile**

The three basic objectives of Southern Illinois University's Investment Program are:

1. Safety of invested funds;
2. Maintenance of sufficient liquidity to meet cash flow needs;
3. Attainment of the maximum investment returns possible consistent with the first two objectives.

The achievement of these objectives shall be accomplished in the manner described below:

1. Safety of Invested Funds

The University will insure the safety of its invested funds by limiting credit and interest rate risks. Credit risk is the risk of loss due to the failure of the security issuer or backer to meet promised interest or principal payments on required dates. Interest rate risk is the risk that the market value of portfolio securities will fall or rise due to changes in general interest rates. The physical security of the University's investments is also an important element of safety. Detailed safekeeping requirements are defined in Section IV of this policy.

a. Credit risk will be mitigated by:

- i) Limiting investments to those specified in the Illinois Public Funds Investment Act, which prohibits investment in corporate bonds with maturity dates longer than 3 years from the date of purchase;
- ii) Diversifying the investment portfolio so that the failure of any one issue or backer will not place an undue financial burden on the University.

b. Interest rate risk will be mitigated by:

- i) Maintaining significant balances in cash equivalent and other short maturity investments as changing interest rates have limited impact on these securities' prices;
- ii) Establishing maturity diversification that is consistent with the expected cash flows of the University.

2. Liquidity

The University's investment portfolio will be structured in such a manner that securities mature at the same time as cash is needed to meet anticipated demands. Additionally, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets.

3. Investment Returns

Investment returns on the University's investment portfolio is a priority after the safety and liquidity objectives described above. Investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed.

B. Maturity Diversification

The University's investment portfolio will be structured to provide that sufficient funds from investments are available every month to meet the University's anticipated cash needs. Subject to the safety provisions outlined above, the choice in investment instruments and maturities will be based upon an analysis of anticipated cash needs, existing and anticipated revenues, interest rate trends, and specific market opportunities.

The University's funds (excluding debt financing funds) will generally be invested in accordance with the following maturity ranges:

Portfolio	Approximate Average Maturity Range
Cash & Cash Equivalents	Less than one year; typically less than 30 days
Short Term	Up to 3 years;
Intermediate Term	Up to 10 years

C. Definition of Funds

Funds for the purpose of this policy are all University funds which are available for investment at any one time. Funds include those in the University's general operation and debt financing activities.

D. Prudence

Investments shall be made with judgement and care - under circumstances then prevailing - which persons of prudence, discretion and intelligence exercise in management of their own affairs, not for speculation but for investment, considering the probable safety of their own capital as well as the probable income to be derived.

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio.

II. INVESTMENTS

This section of the Investment Policy identifies the types of instruments in which the University may invest its funds.

A. Eligible Securities

1. Southern Illinois University will make investments under the Public Funds Investment Act (Illinois Compiled Statutes Chapter 30, sections 235/0.01 - 235/8). This affords the University a number of investment opportunities including:
 - Securities of the United States of America, its agencies, and its instrumentalities;
 - Interest bearing savings accounts, certificates of deposit, interest bearing time deposits, other direct obligations of any bank defined in the Illinois Banking Act;
 - Certain obligations of U.S. Corporations rated in the three highest rating classifications by at least two standard rating services provided such obligations do not mature in longer than 3 years from the time of purchase and the issuing entity has at least \$500 million in assets (limited to one-third of total funds);
 - Money market mutual funds provided they are comprised of only U.S. Treasuries, Agencies, and instrumentalities;
 - Public Treasurer's Investment Pool-State Treasurer's Office;
 - Repurchase agreements of Government securities;
 - Other specifically defined repurchase agreements.
2. Southern Illinois University may pool their funds with other Illinois Public Agencies for investment purposes under the Intergovernmental Cooperation Act, 5 ILCS 220/et seq. This affords the University the opportunity to invest, in accordance with the Public Funds Investment Act (Illinois Compiled Statutes Chapter 30, sections 235/0.01 - 235/8), through:

- The Illinois Trust local government investment pools.

B. Diversification

Southern Illinois University will diversify its investments by security type, issue and maturity in order to reduce overall portfolio risks while striving to meet or exceed the benchmark average rate of return. Obligations of the United States of America, its agencies, and its instrumentalities are eligible without limit. No more than one-third of Southern Illinois University's funds may be invested in obligations of corporations.

C. Collateralization Requirements

In accordance with the State Finance Act (30 ILCS 105/6a-1), deposits that exceed the amount of federal deposit insurance coverage shall be collateralized using eligible securities as listed in the Deposit of State Moneys Act (15 ILCS 520/11). The collateral for various investments shall be held by third parties or in a separate trust department of a participating bank. The collateralization level must be in an amount equal to at least market value of that amount of funds deposited exceeding the insurance limitation provided by the Federal Deposit Insurance Corporation or the National Credit Union Administration or other approved share insurers.

D. Release of Collateral

Only the Treasurer and his designees shall be authorized to release securities pledged as collateral. All requests for the release of collateral shall be confirmed in writing.

E. Confirmation

Receipts for confirmation of purchase of authorized securities should include the following information: trade date, par value, rate, price, yield, settlement date, description of securities purchased, agency's name, net amount due, and third party custodial information. These are minimum information requirements.

F. Pooling

The University will pool all operating cash for investment purposes to provide for efficiencies and economies in their management. Proceeds related to revenue bond and certificate of participation financing activities will be pooled to the extent allowed under the covenants.

III. SELECTION OF INVESTMENT ADVISORS, INVESTMENT MANAGERS, AND FINANCIAL INSTITUTIONS

A. Investment Advisors and Investment Managers

Investment advisors and investment managers who manage University funds must be registered with the Securities and Exchange Commission and carry adequate levels of insurance. The University will annually send a copy of the Investment Policy to investment advisors and investment managers who manage University funds. The University will follow the State's Procurement Policy when issuing public Requests For Proposal in selecting its advisors and managers.

B. Qualification of Brokers, Dealers, and Financial Institutions

The University will only transact business with banks, savings and loan associations, and broker dealers who have been approved by the University.

If the University hires an investment advisor to provide investment management services, and the investment advisor maintains a list of approved Broker/Dealers that is adhered to for investment transactions, the University may adopt that Investment Advisor's list as it may be amended periodically.

IV. INTERNAL CONTROL PROCEDURES

A. Purchase of Securities

The Treasurer will delegate authorization to purchase investment securities to employees, as needed. A list of these authorized employees will be provided to each investment broker/dealer. A confirmation of the purchase of authorized securities will be provided to the Treasurer. All security transactions will be conducted "delivery versus payment."

On occasion, there will be a need for the Treasurer to delegate authorization to a third party to purchase securities on behalf of the University. In these instances, a one-time delegation will be executed that clearly states the type of security, the amount to be purchased, the maturity date, and the purchase date.

B. Safekeeping of Assets

All securities (except collateral) owned by the University will be held by its safekeeping agents. The University will contract with a bank or banks for the safekeeping of securities which are owned by the University as a part of its investment portfolio or which have been transferred to the University under the terms of any repurchase agreements. Safekeeping reports shall be provided.

C. Sale of Securities

The Treasurer will delegate authorization to initiate the sale of investment securities to employees, as needed. A list of these authorized employees will be

provided to each broker/dealer. The proceeds of all sales transactions will be deposited into a University account.

D. Wire/ACH Transactions

Where possible, the University will use repetitive wire transfers and preformatted ACH transfers to restrict the transfer of funds to preauthorized accounts only. When transferring funds to an account using a non-repetitive wire or a non-preformatted ACH transfer, the bank is required to call back a second pre-established employee for confirmation that the transfer is authorized.

V. STRUCTURE AND RESPONSIBILITY

This section of the Policy defines the overall structure of the investment management program.

A. Responsibilities of the Finance Committee of the Board of Trustees

The Finance Committee of the Board of Trustees will, upon recommendation of the Treasurer:

1. review and recommend to full Board a written investment policy, consistent with the requirements of the Public Funds Investment Act.
2. review quarterly investment reports.
3. approve the selection and assess the performance of investment managers.

B. Responsibilities of the Treasurer

The Treasurer is appointed by the Board of Trustees and is chief custodian of all funds held in the name of the Board of Trustees. The Treasurer is responsible for recommending, as necessary, financial policies and procedures to ensure compliance with State and Federal laws, Board Policies and University Guidelines. Investment oversight and banking relations are also responsibilities of the office. The Treasurer is responsible for providing the President and Board of Trustees, via the Finance Committee, a quarterly report of cash and investment activities.

C. Investment Managers

The investment managers are accorded full discretion, within the limits set forth in this Statement of Investment Policy and investment guidelines, to (1) select individual securities, (2) adjust the maturity mix, where applicable, and (3) diversify their portfolios so as to limit the impact of large losses in individual investments on the total portfolio.

The investment managers will provide the Treasurer with a monthly report of investment activity and investment performance.

D. Ethics and Conflicts of Interest

Officers, employees and agents, including, but not limited to, investment managers, involved in the investment process shall refrain from personal business activity that conflicts with the proper execution of the investment program, or impairs their ability to make impartial investment decisions. They shall disclose any material financial interests that could be related to the performance of the University's investment portfolio. They shall also comply with all applicable Federal and State laws governing ethics and conflict of interest.

VI. PERFORMANCE EVALUATION

The Treasurer will perform periodic reviews of the cash and investment activity to ensure that the safety, liquidity and performance of the investment portfolio is appropriate.

The Treasurer will provide a quarterly report of cash and investment activity to the President and Board of Trustees, via the Finance Committee, for review.

Performance results will be evaluated by the Board Treasurer, or a designee, relative to the below benchmarks and relative to the risks incurred in generating the results.

Portfolio	Benchmark	Description
Cash Equivalents	S&P Rated Government	An index comprised of S&P rated local government investment pools with a \$1 NAV.
	ICE BofA Merrill Lynch US 3-Month Treasury Bill Index	An index that is comprised of the rolling 3-Month Treasury Bill.
Short Term		

		A market value-weighted index of U.S. Treasury and Agency bonds with maturities between one and ten years.
Intermediate Term	Barclays Capital Intermediate U.S. Government	

VII. STATEMENT OF INVESTMENT POLICY REVIEW

This Statement of Investment Policy will be reviewed as governing Statutes are modified or when there is a material change in University circumstances that may warrant a new asset allocation policy. Absent these changes, this policy statement will be reviewed and modified, if appropriate, no less than every five years.

VIII. PUBLIC NOTICE

A. Investment Policy

Pursuant to the Public Funds Investment Act (30 ILCS 235/2.5(c)), the investment policy shall be made available to the public at the University's main administrative office. Further, a copy of the investment policy will be posted on the web site of the Treasurer.

B. Investment Performance

Pursuant to the Accountability for the Investment of Public Funds Act (30 ILCS 237), the University will post monthly investment performance on the Treasurer's web site by the 15th day following the end of the month.

(3/28/19)

P. Debt Policy

I. **Policy Statement**

The University's use of debt plays a critical role in ensuring adequate and cost-effective funding for the acquisition, construction and renovation of capital assets. Since debt is a limited resource it must be managed strategically in order to best support the University's priorities. The following Debt Policy sets forth the guiding principles for the issuance of debt and provides a framework by which decisions will be made regarding the use and management of debt.

The University's debt management goals are to:

- Use debt as means to fund mission-critical projects.

- Strategically manage debt in order to maintain continued access to capital markets and maintain an acceptable credit rating.
- Limit risk within the University's debt portfolio.
- Achieve lowest cost of capital possible consistent with the first three goals.

The objectives of this policy are to:

- Outline the legal and regulatory authority by which the University can issue debt.
- Establish a framework for prioritizing projects and approving debt issuance.
- Establish guidance for debt capacity parameters.
- Document debt compliance and reporting requirements.
- Provide a framework for the University's debt management strategies.

II. Legal & Regulatory Authority

All debt issued by the Southern Illinois University System will be issued under the provisions of the legal and regulatory authority described below.

1. Constitutional Authority

Article IX, Section 9 of the Constitution of the State of Illinois permits State colleges and universities to issue bonds or other evidences of indebtedness for such purposes and in such amounts as may be authorized by law, but such debt may not be secured by the full faith and credit or tax revenue of the State and cannot be repaid, directly or indirectly, from tax revenue.

2. Revenue Bonds

The Board is authorized to issue revenue bonds pursuant to the Southern Illinois University Revenue Bond Act (110 ILCS 525/1 et seq.) (the "Revenue Bond Act") for the purpose of acquiring "projects" as defined in Section 525/2(5) and to refund bonds as provided in Section 525/4 (B) and (C). The sources of payment of such revenue bonds, as provided by the Revenue Bond Act and as authorized by resolution of the Board of Trustees, are net revenues of the project or any group of projects. The Revenue Bond Act authorizes the pledge of tuition and

fees as additional security for revenue bonds.

In general, revenue bonds may be utilized for the purpose of acquiring, constructing, and equipping revenue-generating projects or for refunding previously issued revenue bonds.

3. Certificates of Participation

Between June 2009 and December 2014, the University issued certificates of participation pursuant to the authority granted in the State University Certificates of Participation Act (110 ILCS 73) (the "COPS Act"). Following the expiration of the COPS Act on December 31, 2014, authority to issue certificates of participation defaulted to authority granted by the Southern Illinois University Management Act (110 ILCS 520/0.01 et seq.) (the "Management Act"). Under the provisions of the Management Act, the Board may enter into installment contracts providing for the acquisition of various improvements by the Board paid for from the proceeds of certificates of participation representing interests in the payments to be made over time by the Board as consideration for such improvements. The certificates of participation are issued by a trustee under an indenture, which provides security for the certificates of participation.

In general, certificates of participation are used for acquiring, constructing, and equipping non-revenue producing projects, such as infrastructure, administrative or academic projects.

4. Public University Energy Conservation Financing

The Public University Energy Conservation Act (110 ILCS 62/1 et seq.) (the "Energy Conservation Act") authorizes the Board to enter into a "guaranteed energy savings contract" with a "qualified provider" to provide "energy conservation measures" (as such terms are defined in the Energy Conservation Act). The Energy Conservation Act contains the methods for obtaining and evaluating proposals and awarding the contract. Under the guaranteed contract, the provider guarantees the University that the savings under the contract will meet or exceed the costs of the conservation measures within twenty years of the date of final installation of the measures.

Section 110 ILCS 62/25 provides that the University may issue debt certificates to finance an installment payment contract or lease purchase agreement for the purchase and installation of the energy conservation measures.

5. Illinois Procurement Code

The Illinois Procurement Code (30 ILCS 500) contains limitation provisions which apply both to the issuance of revenue bonds and to the issuance of installment contract certificates of participation. Service providers instrumental in the issuance of debt must be approved through a competitive request for proposal (RFP) process. Certain participants may be exempt from the procurement process. In addition, certificates of participation installment contracts are limited to a maximum duration of 10 years per the Illinois Procurement Code.

6. Illinois Board of Higher Education

The Board of Higher Education Act (110 ILCS 205/0.01 et seq.) requires that the University submit its plan for capital improvement of non-instructional facilities to the Illinois Board of Higher Education (the “IBHE”) for approval before final commitments are made. Non-instructional facilities include, but are not limited to, residence halls, stadiums, student centers, recreational facilities, and parking lots. The IBHE shall determine whether or not any project submitted for approval is consistent with the master plan for higher education and with instructional buildings that are provided for therein.

7. Legislative Audit Commission Guidelines

The Legislative Audit Guidelines limit the purpose for which revenue bonds may be issued, the uses of funds, the sources of payment and the accumulation of excess reserves.

III. Establish Framework for Prioritizing Projects and Approving Debt Issuance

The University seeks to optimize its debt capacity by prioritizing projects and financing those projects that are critical to the mission and advance the strategic objectives of the University. Listed below are the processes established for prioritizing projects and approving the use of debt:

1. Identify & Prioritize Projects

Debt financed projects will be identified as early as possible. All potential debt financed projects under consideration for the next several years are discussed as to their budget, timeline, and priority. Projects should be prioritized based on their relationship to the University’s mission and strategic objectives.

2. Internal Approval Process

Project details are reviewed by key administrative staff to assure there is demand for the project, a reliable source of revenue is identified for debt

repayment and that the financial analysis assumptions are reasonable. Projects are reviewed and approved by the Chancellor and brought forward to the President on a campus-by-campus and programmatic basis. The President recommends project financing and brings forward to the Board of Trustees for project financing approval.

3. Authorization to Issue Debt

Bonds and Certificates of Participation are authorized by resolution of the Board of Trustees prior to issuance. The Board has delegated to the Board Treasurer the responsibility for overseeing the issuance of revenue bonds and other forms of external financing.

IV. Establish Guidance for Debt Capacity Parameters

Debt capacity is generally measured through ratio analysis. Ratios provide a consistent measure of the debt level carried by an institution in relation to its balance sheet, revenues and expenses. Ratio analysis provides insight into the debt capacity from two perspectives: by monitoring trends over time and in comparison to benchmarks. It is the intent of the university to maintain a strong financial position that will support a favorable ratio analysis measured against national standards, peer and in-state comparisons, and credit rating agency medians.

Below are four key quantitative ratios used by the University to evaluate its level of debt affordability and debt capacity.

- **Spendable Cash & Investments to Total Debt**— Measures the ability of the University to repay bondholders from wealth that can be accessed over time or for a specific purpose.
- **Total Debt to Cash Flow**— Measures the ability of the University to repay its debt from the profitability of its current operations, as opposed to financial reserves, and is a measure of debt affordability.
- **Operating Cash Flow Margin**— Compares net income before non-cash expenses relative to operating revenue to indicate the amount of cash the University generates to support its strategic and capital investments.
- **Debt Service Coverage**— Measures the margin of protection for annual debt service payments from annual operations.

The University recognizes that its strategy and mission must be the primary drivers of its capital investment and use of debt. External credit ratings provide a

view on debt capacity and affordability, and will be used to help maintain a strong financial profile.

V. Debt Compliance and Reporting Requirements

In order to have continued access to the capital financing markets, the University must comply with Securities and Exchange Commission laws, various Internal Revenue Service rules and regulations, and bond covenant requirements. The Board Treasurer is responsible for ensuring these compliance and reporting requirements are maintained.

The Board Treasurer has established a Debt Compliance Policy, which includes, but is not limited to, the following procedures and processes used to assist in monitoring these compliance and reporting requirements.

- Responsibility for Maintaining Compliance
- Private Business Use
- Arbitrage Rebate
- Investment of Debt Proceeds
- Expenditure of Debt Proceeds
- Record Retention
- Continuing Disclosure

VI. Debt Management Strategies

When selecting a debt management strategy, all options will be evaluated within the context of balancing the goals of limiting risk and achieving the lowest cost of capital possible. In order to limit risk of the University's debt portfolio, the University will manage debt on a portfolio, rather than a transactional or project specific basis.

Described below are some of the key debt management strategies and tools that can be utilized to achieve the University's goals:

1. Methods of Sale

The University will consider various methods of sale. Negotiated, competitive, private placement, and bank qualified sales will be considered on an individual transaction basis. Issue size and complexity will be factors in determining which method of sale to pursue.

2. Fixed versus Variable Rate Allocation

Variable rate debt can provide a lower cost of capital, but introduces

additional risks. The University will carefully examine the risks and rewards of variable rate exposure. Variable rate debt should only be used as an integral part of a long term strategy and should not exceed twenty percent of the total debt portfolio or fifty percent of total operating cash.

3. Purchase of Insurance or Credit Enhancement

The University will evaluate insurance and credit enhancement opportunities and utilize them if they are deemed cost effective.

4. Call Features

The University may use call provisions when issuing debt. Call features should be structured to provide maximum flexibility relative to cost.

5. Refunding Opportunities

The University will monitor its debt portfolio for refunding and/or restructuring opportunities. For a stand-alone refunding for savings, the University will generally enter into a transaction that produces at least a 3% present value savings (based upon the amount of callable bonds or certificates). The University may also seek to refinance debt for legal reasons, such as to ensure compliance with IRS regulations or to address any bond document related issues, including eliminating restrictive covenants, payment obligations, reserve and/or security requirements or other obligations, or from consolidation into larger, more cost-effective transactions. Advance refunding transactions must weigh the current opportunity against possible future refunding opportunities.

6. Selection of Underwriters and Participants on the Selling Team

The members of the selling team, including the senior and co-managing underwriters, bond counsel, financial advisor and other service providers, will be selected in compliance with the Illinois Procurement Code. The selling team members assembled should complement the specific needs of the particular transaction. The University will reserve the right to utilize a competitive process for any single debt issue.

7. Public-Private Partnerships

Third parties may provide other types of funding for capital investments and other needs. When considering public-private partnerships, the University will assess the direct or indirect impact on the University's debt position or overall credit profile.

8. Taxable Debt

The University will manage its debt portfolio to minimize its taxable component in order to keep its cost of borrowing as low as possible. The University may utilize taxable debt for projects ineligible for tax-exempt

financing. Taxable debt would be issued pursuant to the same legal and regulatory authority as tax-exempt debt.

Section 6: University Property and Physical Facilities

C. Real Property (Land)

2. The Board of Trustees will approve matters relating to the acquisition and disposal of land.
3. The Board of Trustees will approve changes in city boundaries when they encompass land where title or interest is vested in the Board of Trustees.
4. The President shall promulgate University guidelines assuring that towers built on University land return fair compensation to the institution; be structurally safe; meet all governmental requirements; be designed to be aesthetically acceptable; and be located away from campus buildings, parking lots, walk and roadways, and other frequently used areas. The Board of Trustees will be held harmless for losses. At the end of the lease, the tower owner must remove the tower equipment and restore the land to its original condition.

(3/13/03)

B. Physical Facilities

1. Fixed Improvements
 - a. Project Approval: The Board of Trustees shall consider for approval all projects for fixed improvements forwarded to it by the Architecture and Design Committee and all projects having an aggregate budget of \$500,000 or more. For such projects, the selection and employment of each major design consultant, shall be in accordance with the Architectural, Engineering and Land Surveying Qualifications Based Section Act and with University guidelines promulgated by the President. Project plans and specifications and the details shall be reviewed by an architect retained on behalf of the Board. The Board shall receive the bids and award all contracts therefore. Fixed improvements as herein used includes but is not limited to the construction of buildings or other structures affixed to land, rehabilitation or remodeling, fixed equipment, and landscaping, whether done by University forces or by contract or by any combination thereof. (9/14/00, 3/13/03, 2/12/09)
 - b. Superintendence of Construction: After any contract shall have been awarded for the construction of a new building, or for rehabilitation or

remodeling projects, supervision of such construction or projects shall be the responsibility of the respective Chancellor as the agent of the Board.

- c. Projects in the interest of the Board: From time to time, fixed improvement projects to be located on property under the jurisdiction of the Board of Trustees will be accomplished by another governmental agency, a foundation, or group. After such project is recommended by the Architecture and Design Committee and approved by the Board of Trustees, the board will be informed of the subsequent bidding process and award of contracts. (9/14/00)

2. Policy for Naming Physical Components of the University

a. Southern Illinois University Policy

1. The Board of Trustees reserves the right to name, or rename, all buildings, structures or facilities, or discrete wings or additions to structures, and all streets, drives, playfields, lakes, and other areas external to structures and belonging to the University and under the control of the Board of Trustees, either Southern Illinois University at Carbondale or Southern Illinois University at Edwardsville (10/10/96). The President of Southern Illinois University is authorized to name, or rename, interior facilities or areas of buildings and other structures belonging to the University and under the control of the Board of Trustees (10/10/96). Hereafter in this policy and in the policies for SIUC and SIUE, all of the above-mentioned physical components shall be referred to as physical components of the University. (10/10/96)
2. The Chancellor of SIUC or SIUE shall make recommendations to the President who will make recommendations to the Board of Trustees regarding the naming of a physical component of the University. (3/28/19)
3. The selection of a name for a physical component of the University shall be governed by policies for Southern Illinois University at Carbondale and Southern Illinois University at Edwardsville as submitted to and approved by the President.(3/28/19)
4. The policies established by SIUC and SIUE shall include the following considerations:

- a. Physical components of the University may be named for living or deceased: notable members of the University faculty, staff, and student body; for distinguished former members of the Board; for donors of substantial funds; or for public persons of the state and nation, or of any country. (10/10/96)
- b. No more than one physical component shall be named for any one person at the University campuses, except for presidents and statesmen of the United States.
- c. When physical components of the University comprising permanent buildings and structures used for housing, instruction, research, or administrative purposes are given a proper name, an appropriate suffix noun excluding "Building" should be used. The noun "Building" will be used, with function names as a prefix, whenever a building is not named for a person. This policy for suffix nouns holds for all except special purpose physical components of the University, such as libraries, athletic buildings and structures or facilities, extracurricular activity buildings, physical service buildings and structures, over/underpasses, streets, drives, special purpose areas, and the like.
- d. The appropriate suffix noun for auditoria, theaters, lecture halls, lounges, art galleries, dining rooms, and other spaces contained within a permanent building that are suitable for honoring a person will be determined by the predominant intended use of the space.

3. Architecture and Design Committee Procedures

- a. In accordance with the *Bylaws* of the Board, the Architecture and Design Committee will review all capital improvement projects which affect the function and appearance of a campus and all capital improvement projects which require Board approval and, when appropriate, will recommend action to the Board of Trustees.
- b. In preparation for Committee review, concerned campus officers will provide, through established channels to the President's Office, detailed information, for each project appropriate to the purpose of the review and the status of the project. The President's Office will forward the information together with any additional comment deemed necessary, for Committee review. (3/13/03)

- c. After initial review of the information, the Committee may, through the President's Office and established channels, ask campus officers for comment, presentations, discussions, etc., until Committee reaction can be formulated.
- d. Results of Committee review of a project may range from informal concurrence to formal recommendation presented by the Committee to the entire Board, depending upon the status of the project under examination.
- e. For the support and guidance of the Committee, each campus will develop a "Master Plan for Capital Improvements" emphasizing factors of campus function and appearance, such as project location, traffic flow, parking, building utilization, etc. Each "Master Plan" will be maintained by the respective campus to recognize Board actions and as the result of annual review and updating conducted by each institution. These "Plans" and their annual updates shall be recommended by the Chancellors to the President and shall be reviewed by the Architecture and Design Committee prior to presentation to the Board of Trustees for approval.
(3/13/03), (3/24/16), (3/28/19)

C. Use of University Property

1. Policies Governing the Use of University Property for Scheduled Events and Meetings

- a. Use of University premises is restricted to events and meetings sponsored by the following:
 - 1. Colleges, schools, departments, and functional units of SIUC and SIUE and any of these units in conjunction with professionally recognized educational organizations or bona fide non-University organizations;
 - 2. University-recognized student organizations;
 - 3. University-allied or affiliated organizations such as the Southern Illinois University Foundation and the Southern Illinois University Alumni Association;
 - 4. Non-student on-campus groups that require facilities unique to the campus;
 - 5. Non-University groups and organizations, with approval of the appropriate University Scheduling Officer, when the event or

meeting is of educational, cultural, or social significance and constitutes a desirable contribution to general community welfare.

6. In keeping with the traditional neutrality of state universities in political matters, Southern Illinois University provides the free use of certain physical facilities for purposes primarily political for any political party listed on the present state ballot. The free use of these facilities is allowed on each campus of the University for not more than one meeting for each division of the party (National, State, County) during any election campaign (primary or general). All meetings of this nature must be cleared through the elected county chair or other appointed party official. Meetings which are scheduled and paid for, such as a dinner meeting held at the University Center, are not included in the number of meetings allowed each political party. (3/13/03)
7. The use of University premises and facilities shall be subject to every applicable federal and state law.

2. Policies Governing the Use of University Property for Fund-Raising, Canvassing, Soliciting, Vending, and Allied Advertising

- a. Fund raisers, canvassers, solicitors, vendors, and agents are forbidden to pursue their occupations on any property owned or controlled by the University except on official University business or in accordance with policies to accept certain educational, cultural, and service activities. Proper notice of the policy shall be given.

1. An admission fee may be charged or contributions solicited for events or meetings held on University premises only in accordance with University policies and regulations. Permission to charge admission fees or to solicit contributions may be granted to the following:
 - a. Recognized student organizations, when the proceeds from approved and properly scheduled activities are deposited into the University Agency Fund of the organization concerned and are expended in accordance with established policies and regulations;
 - b. Faculty and staff organizations recognized by the University, when the funds collected are for the purpose of defraying the expenses of the event or meeting, or are

to be used for University scholarships, University projects, or University philanthropic programs;

- c. University-allied or affiliated organizations and non-University groups and organizations, when the funds collected are for the purpose of defraying the expenses of the event or meeting, or are to be used for University scholarships, University projects, or University philanthropic programs.
2. No person shall conduct such activity without first having procured credentials for identification as the agent for an activity within one of the above exceptions, nor when an otherwise excepted activity disrupts or interferes with or might reasonably lead the responsible administrative officer to forecast substantial disruption of or material interference with the official operations of the University; the normal flow of vehicular and pedestrian traffic; conditions compatible with instruction, research, study, rehearsal, and practice; and health, sanitation, and safety of the University students, staff, and invitees. In addition, no such person shall in the course of such occupation purvey any material which contains, or publish about such material, statements which are willfully scurrilous or profane, demonstrably without factual foundation, malicious in law, or intentionally misleading or fraudulent, unless such statements are within the constitutional protection of the First Amendment or other legal privilege, nor shall any such person engage in any unlawful act in the course of such occupation.
3. Campus procedures for implementation of this policy shall be developed by the Chancellors and approved by the President.
(3/28/19)
4. The following guidelines shall serve as standards for classification as an acceptable educational, cultural, or service activity as expressed in paragraph a above in any such regulations and procedures.
 - a. An educational or cultural activity may warrant such classification when it is an activity of or sponsored by a college, school, unit or department of the University including recognized student organizations and when the major aspect of the activity is the display or exhibition of goods, products, or materials for the educational or

cultural benefit of persons enrolled, registered, invited, or otherwise formally involved in the activity.

- b. A service activity performed by an accredited representative of a bona fide organization which is of benefit to the education and welfare of members of the University community or its service areas, or both, may also warrant such classification. All charitable solicitations must conform to law and comply with the highest standards of disclosure of and accountability for funds received.

5. The credentials of such persons may be revoked for cause on the following grounds:

- a. misrepresentation at the time of application;
- b. material alteration or loss of an organization characteristic essential to its continued compliance with a standard of classification under paragraph d above.

3. Alcoholic Beverages Policy.

Preamble. Southern Illinois University and its students, faculty, and staff are committed to promoting a safe, healthy learning community for all its members. Southern Illinois University strives to encourage legal, health enhancing behaviors, norms and practices regarding the use of alcohol. The responsibility for reaching these goals lies with each member of this academic community. This policy is intended to articulate and affirm community wide norms consistent with legal requirements for use of alcoholic beverages that minimize situations where alcohol use compromises positive living, learning and working experiences for each member of our community. The rationale for this policy includes a recognition that a significant portion of undergraduate students are under the legal age for use of alcohol and that serious health and safety risks are associated with the use of alcohol in the collegiate environment. The abuse of alcohol, regardless of the user's age, may pose a threat to health and interfere with one's ability to participate fully in academic activities. Alcohol abuse is associated with violent behavior towards others, short and long range medical, behavioral or social problems as well as negative effects on academic or work performance. It may lead to inappropriate risk taking which can result in injury or death. The abuse of alcohol interferes significantly with the mission of the University. In addition to affecting the health and safety of students, faculty and staff, it exacts tremendous costs in its interference with the goals of learning, and through crime, property damage, and personal injury and impairment. The abuse of alcohol can create serious problems for non-abusing members of the community through incidents of criminal victimization, harassment, impaired

study time, and other secondhand effects. Students, faculty, and staff make up a community in which each individual should respect the rights, health, property, and participation of others within the community. A university- wide commitment to alcohol education is a necessary part of the effort to minimize such risks.

a. General Policies

1. The University shall develop policies and procedures designed to prevent alcohol abuse and its deleterious effects to the people of the University community, the University's reputation, and to the communities in which students live by:
 - a. Educating members of the community about alcohol, health effects, safety hazards, and policies and sanctions used to implement these policies;
 - b. Promoting and supporting institutional programs that foster health and wellness in academic and nonacademic settings. These programs will include a variety of health-related topics and risk reduction strategies.
 - c. Intervening and providing assistance to those with problems while creating an atmosphere in which those problems are encouraged to seek help.
 - d. Applying disciplinary sanctions that support prevention programs and emphasize the consequences of alcohol abuse.
2. The use, including sale, delivery, possession, and consumption of alcoholic beverages in or on any property owned or controlled by Southern Illinois University is strictly prohibited, except as permitted by campus policy or Board Policy, including the Alcohol Management Policy. (12/8/16)
3. Where permitted under this policy, the use of alcoholic beverages on University premises shall be considered a privilege and may be permitted only if consistent with applicable laws and regulations, and only when such use will not interfere with the decorum and academic environment of the University.
4. All members of the University community and their guests are responsible for conducting themselves in accordance with applicable laws and the policies and regulations of the University

governing the use of alcoholic beverages. All student and other groups or organizations using University facilities or premises shall be required to adhere to such laws and regulations.

5. The University assumes no responsibility for any liability incurred as a result of an organization's or individual's violation of the policy or any applicable laws governing the use and consumption of alcoholic beverages. All student and other organizations while using University facilities or premises shall be required to abide by State laws and University policies governing alcoholic beverages; members of the organization are responsible for conducting themselves in accordance with the State laws and University policies.
6. The Chancellors shall, subject to the approval of the President, develop, to the maximum extent possible, common procedures to implement this policy.

(5/10/01), (3/24/16), (3/28/19)

b. Alcohol Management Policy.

This Alcohol Management Policy implements Public Act 99-0795, which authorizes the Board to allow alcoholic liquor to be served or sold at facilities under the control of the Board if such service or sale is at events determined to be public events, and not student related activities. All possession, service, sale, or consumption of alcoholic liquors at facilities under the control of the Board shall be in accordance with all applicable laws and regulations of the State of Illinois, this Policy, and any campus policies, regulations, and procedures adopted pursuant to this Policy.

The Board of Trustees hereby authorizes the Chancellors to promulgate and/or amend policies, regulations, and/or procedures for their respective campuses to regulate the possession, service, sale, or consumption of alcoholic liquors at facilities under the control of the Board. The written approval of the appropriate Chancellor (or his/her respective designee(s)) must be obtained prior to serving or selling alcohol at facilities under the control of the Board. Chancellors (or his/her respective designee(s)) shall give consideration to the following factors and principles when determining whether an event is a public event, and not student related activity, which would allow the service or sale of alcoholic liquors:

1. Whether the event is a student activity or student-related activity;

2. Whether the physical setting of the event is conducive to control of liquor sales and distribution;
3. The ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law, University policies, and applicable campus regulations and procedures;
4. Of the anticipated attendees at the event, the relative proportion of individuals under the age of 21 to individuals age 21 or older;
5. The ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21;
6. Whether the event prohibits participants from removing alcoholic beverages from the venue; and
7. Whether the event prohibits participants from providing their own alcoholic liquors to the venue; and

This Alcohol Management Policy shall be implemented throughout the University. In the development or amendment of any policies, regulations, and/or procedures, the Chancellors shall specifically incorporate the above factors and principles into such policies, regulations, and procedures. Campus policies, regulations, and procedures may include additional factors and principles for consideration in the decision making process that are consistent with, but not less stringent than, the factors and principles set forth in this Policy. The Chancellors (or his/her designee(s)) shall keep a record of all such events that are approved pursuant to this Policy, subject to records retention laws and policies.

(*Attribution: Policies of this nature are governed by state law. As such, policies at many institutions throughout Illinois can look similar to that adopted by Southern Illinois University. This policy was developed in accordance with the Liquor Control Act of 1934 (235 ILCS 5/1-1 *et seq.*). Additionally, policies from other universities were reviewed, including the University of Illinois and Northern Illinois University.)

(12/8/16), (3/28/19)

4. Policy on Demonstrations

- a. General: The University is a community dedicated to intellectual development by the process of rational thought and to the freedom of expression of ideas and opinions. It is a community that not only tolerates dissent, it welcomes responsible dissent and discourse on the issues of our time. Southern Illinois University has historically stood in this tradition. Freedom is indivisible and recognition of this fact is paramount to the maintenance of the open University community. Freedom to protest by lawful means must and will be protected by all the authority available to the University. However, when actions of individuals or groups interfere with the legitimate rights of others and are directed at the disruption of the normal processes of University life they must and will be resisted. The democratic process is based on the principles of acceptance by both the majority and the minority of the rights of both -- freedom to dissent and freedom to pursue one's own purposes so long as they do not interfere with the rights of others. We are committed as a University to maintain these freedoms and will use all the means at the disposal of the University to do so. Acts which interfere with the rights of students, faculty, and staff to conduct their normal duties will be appropriately dealt with. Interference with the normal function and proper conduct of the University or with the legitimate rights of individuals forces the University to take appropriate disciplinary action including suspension and expulsion when University regulations are disregarded and to invoke legal action by civil authority when the laws of the state of Illinois are broken. The preservation of freedom of speech and the recognition of the right to peaceful demonstration as part of that freedom is possible only in an orderly environment in which individuals and the University are free from coercion and interference in the exercise of their rights or in carrying out their legitimate activities. The fundamental standards governing group and individual behavior to be enforced by the University prohibit activities that:

1. disrupt the regular and orderly performance of authorized University functions;
2. interfere with the safety, welfare, and the rights of members of the University community, University guests, and local citizens;
3. are destructive of public or private property.

In keeping with these basic provisions, the following specific authorizations are adopted:

- b. Southern Illinois University at Carbondale and Southern Illinois University at Edwardsville

1. Each Chancellor shall develop regulations and procedures governing University involvement in protecting the basic freedoms of individuals and the basic responsibilities of the institution and in acting when those freedoms and responsibilities are threatened by the behavior of individuals or groups.
2. Such regulations and procedures and amendments shall become effective when approved by the President. (3/13/03)
3. Such regulations and procedures shall identify conduct which is specifically prohibited in the interest of protecting the rights or safety of individuals, the performance of the University mission, and the safety of property; shall specify the University authority who shall determine that disruptive behavior is occurring and who shall provide appropriate warning to the participants in such behavior; shall specify sanctions to be imposed for disruptive activities; shall specify an appropriate hearing process for determination of facts or appeals of alleged disruptive behavior; shall establish facilities for the gathering of groups who wish to exercise their rights in a visible manner, and shall provide procedures for the orderly use of such facilities; shall provide for maintaining the mission of the University in as full a manner as is possible in the face of any disruptive activities; and shall set forth the basic responsibilities of all University personnel -- students, faculty, and staff -- when disruptive behavior occurs.

5. Motor Vehicle and Bicycle Regulatory Policies

a. Motor Vehicle Regulatory Policies

1. SIUC and SIUE Chancellors are hereby authorized to develop regulations for their campus dealing with the registration and use of motor vehicles on University property.
2. Such regulations shall prescribe adherence to all applicable Federal, State, and local laws and regulations; shall provide authority for duly authorized security officers to enforce such regulations or to direct actions differing from such regulations; shall establish conditions and stipulations governing the use and operation of motor vehicles on University property which preserve the safety and protect the property of both individuals and the University; shall establish sanctions, including monetary

use charges, to be imposed for violations of such regulations; shall provide a just and equitable process for those who wish to challenge any allegations of violation of the regulations; shall support the effective use of University facilities by establishing conditions and fees for registration of vehicles and for parking, and shall stipulate that such fees will be devoted to defraying the costs of vehicle registration, enforcement of regulations, and parking facilities; and in the same spirit shall authorize the establishment of short-term parking areas and assessment and collection of fees for use of such areas.

(3/13/03)

b. Bicycle Regulatory Policies

1. SIUC and SIUE Chancellors are hereby authorized to develop regulations for the institution dealing with the registration and use of bicycles on University property.
2. Such regulations shall prescribe scrupulous adherence to all applicable Federal, State, and local regulations; shall provide authority for duly authorized security officers to enforce such regulations or to direct actions differing from such regulations; shall establish conditions and stipulations governing the use and operation of motor vehicles on University property which preserve the safety and protect the property of both individuals and the University; shall establish sanctions, including monetary use charges, to be imposed for violations of such regulations; shall provide a just and equitable process for those who wish to challenge any allegations of violation of the regulations; shall support the effective use of University facilities by establishing conditions and fees for registration of vehicles and for parking, and shall stipulate that such fees will be devoted to defraying the costs of vehicle registration, enforcement of regulations, and parking facilities; and in the same spirit shall authorize the establishment of short-term parking areas and assessment and collection of fees for use of such areas.(3/13/03)

6. Use of University Personal Property

- a. The Law: The Illinois Constitution provides that public funds, property or credit shall be used only for public purposes. Both the Illinois and U.S. Constitutions prohibit deprivation of property without due process of law. Application of tax money for other than public purposes has been held to deprive the taxpayer of property without due process of law. The

University is a trustee under a duty to see that public property is applied only to public purposes and each employee is an agent of that trustee charged with the same duty as to all property within his or her control. In addition, the procedures for administering property are prescribed by the State Property Control Act. (3/13/03)

- b. Scope of these Guidelines: Use of public funds and credit and use of University land and buildings are separately regulated. These guidelines cover all other assets or items with an exchangeable value, whether tangible or intangible (such as a copyright). The short description of such assets or items is "personal property."
- c. Public Purposes: The public purposes to which Southern Illinois University can devote its funds or property are defined by its mission as set forth by the General Assembly plus activities necessarily implied or incidental to the performance of those objects. (3/13/03)
- d. Misuse of Personal Property: Misuse of University personal property consists of giving it to, permitting its use or consumption by, or using or consuming it for the benefit of any person, group or organization within or outside the University, except in pursuit of the public purposes of the University as defined above. It is also misuse to waste, abuse or neglect personal property to its damage, destruction, or impairment of function or useful life. It is not misuse of personal property to give or lend it to, or use or consume it for the benefit of a third party pursuant to a contractual agreement, executed by proper authority, wherein a full and fair consideration is to be received in exchange for its use and where the consideration is or may be used to advance the public purposes of the University.
- e. Regulations: Since the detailed application of these guidelines will vary with the internal organization within which they are applied, the Chancellors are hereby authorized to issue and enforce regulations for all units and personnel under their respective jurisdiction. Such Regulations shall become effective upon approval of the President. (3/13/03)

Section 7: Legal and Ethical Conduct Requirements

A. Personnel Policies Required by the State Officials and Employees Ethics Act

No university employee shall conduct any political activity prohibited by the State Officials and Employees Ethics Act on university-compensated work time (other than "vacation, personal, or compensatory time off"), nor shall any university employee

misappropriate any university property or resources for any prohibited political activity. Nothing in this policy prohibits activities that are otherwise appropriate for a university employee or Trustee to engage in as a part of his or her official university duties, or activities that are undertaken by a university employee or Trustee on a voluntary basis as permitted by law.

(5/7/09)

B. Conflict of Interest Policy

1. Preamble

The Southern Illinois University Board of Trustees acknowledges that as members of the Board, each Trustee has a fiduciary responsibility to the University, that each member is a steward of the public trust, that each member has a legal obligation to comply with relevant laws and regulations, and that each member has an ethical obligation to uphold the highest ethical standards in the conduct and discharge of the University business, academic, and service affairs.* Further, each member of the Board acknowledges that each member should take reasonable steps to avoid even the appearance of a conflict of interest or something that might be perceived as improper or inappropriate.

A Trustee shall be considered to have a conflict of interest if (a) such Trustee has existing or potential financial or other interests which impair or might reasonably appear to impair such member's independent, unbiased judgment in the discharge of his or her responsibilities to Southern Illinois University, or (b) such Trustee is aware that a member of his or her family, or any organization in which such Trustee (or member of his or her family) is an officer, director, employee, member, partner, trustee, or controlling stockholder, has such existing or potential financial or other interests. For the purposes of this provision, a family member is defined as a spouse, parent, sibling, child, and any other relative who resides in the same household as the Trustee.

Each Trustee shall complete and sign a conflict of interest disclosure form annually, prior to the Board's first regular meeting of each calendar year, which shall indicate that the Trustee acknowledges a conflict of interest or potential conflict of interest, if any, and shall recuse himself or herself pursuant to the procedures adopted by the Board. In addition, a Trustee must also make changes to their disclosure form as his or her situation changes or conflicts of interest or potential conflicts of interest arise throughout the year. If a question arises as to whether a conflict exists, a Trustee shall disclose in writing to the Chair of the Board and the General Counsel any possible conflict of interest at the earliest practical time, and if such disclosure is complete, shall be entitled to rely upon the opinion of the General Counsel as to whether a conflict exists. If a conflict does exist, the General Counsel shall disclose the conflict to the Board and the Trustee shall abstain from discussions of and advocacy for, voting on the

matters under consideration by the Board of Trustees or its committees. The minutes of such meeting shall reflect that a disclosure was made and that the Trustee having a conflict or potential conflict abstained from deliberating and voting. The General Counsel shall maintain a confidential file of all such inquiries in the offices of the Board of Trustees.

Nothing in this policy shall be construed to abridge, abrogate or otherwise alter any professional privileges recognized by law including but not limited to the attorney- client privilege, doctor-patient confidentiality and mental health provider privileges.

2. Trustee Duties and Obligations

a. Time commitment

In undertaking the duties of the office, a Trustee shall make the necessary commitment of time and diligence to carry out his/her public governance responsibilities.

b. Trustees authority

A Trustee shall not use the authority, title, or prestige of office to solicit or otherwise obtain a private financial, social, or political benefit that in any manner would be inconsistent with the public interest or the interest of the university, or to secure unwarranted privileges or advantages for him/herself or others.

c. Prohibited Activities

A Trustee shall not have any interest (financial or otherwise, direct or indirect) or engage in any business transaction or professional activity that is in substantial conflict with the proper discharge of his/her duties in the public interest and shall not act in his/her official capacity in any manner wherein he/she has a direct or indirect personal, financial or political interest that might reasonably be expected to impair the Trustee's objectivity or independence of judgment. A Trustee or member of his or her family who resides in the home of the Trustee is prohibited from entering into any contract for the purchase of goods or services by the University. Student members shall not be deemed to have a conflict of interest under this policy because of their student status.

d. Use and Disclosure of Information

A Trustee shall not willfully disclose any information not generally available to members of the public that he/she receives or acquires in

connection with his/her official duties, nor shall he/she use such information for the purpose of securing personal, financial, or political gain for him/herself or others with whom he/she is associated.

e. Conduct in the Public Interest

Trustees should strive to conduct themselves in a manner that serves the best interests of the public and the university. A Trustee shall not knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public that he/she is engaged in conduct violative of his/her trust as a Trustee.

3. Conflict of Interest Procedures

Upon completion of the annual disclosure form, or any update thereto throughout the year, any member shall disclose that a potential conflict of interest exists and advise the Chair and the General Counsel of such disclosure. In such an event, the Trustee shall be deemed an Interested Trustee and shall be governed by the Conflict of Interest procedures. A majority of disinterested Trustees may determine that a potential conflict of interest exists. Upon such disclosure, and if a majority of the then present disinterested Trustees at the meeting determine that a conflict of interest exists and is material to the particular matter being considered, all Board proceedings regarding such matters shall be governed by the Conflict of Interest procedures.

Procedures

- a. Upon completion of the annual disclosure form, or any update thereto throughout the year, in the event a conflict of interest or potential conflict of interest is identified, the Interested Trustee shall refrain from exerting in any manner, his or her personal influence over the decision of such matter; and
- b. Thereafter, if requested by the Chairperson or the Vice Chair, in the event the Chair is the subject matter of the conflict, the Interested Trustee shall not participate in any discussions, recommendations, determinations, and decisions concerning the particular matter; and
- c. The Board and/or committee shall take no action on the matter unless and until a quorum of disinterested Trustees is present; and
- d. The Interested Trustee shall not vote on the particular matter. The Interested Trustee must recuse him or herself from Board deliberations or actions if the Trustee believes that a duality or conflict of interest exists with respect to any such deliberations or actions. Any such recusal

shall not release the Trustee from making full disclosure upon request of the Board as set forth hereinabove.

- e. Any disputed issues relating to the existence of a conflict of interest requiring recusal shall be decided by the Board. The majority of disinterested Trustees shall determine whether there is a conflict of interest. In all cases the Board is the final authority on conflict questions.
- f. Upon identification of a conflict of interest or potential conflict of interest, if the conflict involves a matter that relates to university procurement, the General Counsel shall notify the procurement offices at Southern Illinois University Carbondale, Southern Illinois University Edwardsville, and the Southern Illinois University School of Medicine.

The Chair of the Board, or his or her designee shall annually disclose to the Board, Governor, the Senate President, and the Senate Minority Leader all conflicts of interest as determined by the member or the Board.

4. Recusal

Members of the Board shall recuse themselves from any discussion, vote, decision or activity related to a matter which either they determine or the Board determines is a conflict of interest. The Board's determination shall be final and shall be based on the majority of disinterested Board members, i.e., those members not having a conflict of interest in the matter or activity.

Recusal shall mean the removal by the member or the Board of a member or members from acting as policymaker, judge, advocate or decision maker related to a particular matter of material substance to the University or Board.

5. Gifts and Expenses

a. Acceptance of Gifts

A Trustee shall not accept any gift, favor, service, accommodation or other thing of value under circumstances from which it might reasonably be inferred that such gift, service or other thing of value was given or offered for the purpose of influencing him/her in the discharge of his/her official duties. A Trustee shall comply with the relevant gift ban provisions of the State Officials and Employees Ethics Act. A Trustee may, however, accept from University officials complimentary tickets to University-sponsored events.

b. Reimbursement for Expenses

A Trustee serves without compensation. However, he/she is entitled to receive payment for expenses incurred while representing the University in his/her official capacity.

* Attribution

Conflict of interest policies are governed by state and federal laws and statutes. As such, policies at many institutions can look very similar to that proposed by Southern Illinois University. This policy was developed in accordance with the Southern Illinois University Management Act (110 ILCS 520/0.01 et al.), the State Officials and Employees Ethics Act (5 ILCS 430/1-1 et al.), the Illinois Governmental Ethics Act (5 ILCS 420/1.101 et al.) as well as various Illinois Attorney General opinions, and state and federal appellate decisions. Additionally, policies from several other universities were reviewed including, but not limited to: University of Illinois, Northern Illinois University, Western Illinois University, American University, Boston University, Catholic University, University of Michigan, University of Minnesota, University of Tennessee, Vanderbilt University, Montclair State University, and University of Northern Colorado.

(5/7/09, 12/12/13)

C. Student Loan Code of Conduct Policy

1. Revenue Sharing Prohibition

Southern Illinois University ("SIU" or "University") and any of its affiliates or University related organizations shall not accept or receive anything of value from any entity (other than an institution of higher education or a governmental entity such as the U.S. Department of Education) involved in the making, holding, consolidating or processing of any student loans ("Lending Institution") in exchange for favorable consideration by the University, including, but not limited to, designation of the institution on its preferred or approved lender list. Designation on the University's lender list, preferred or otherwise, shall be the result of compliance with the University's established and published guidelines.

2. Gift and Trip Prohibition

University employees with responsibilities involving student financial aid, including administrative/executive officials with decision-making authority over financial aid operations, are prohibited from receiving gifts and/or trips of more than nominal value from any Lending Institution. This prohibition includes, but is not limited to, members of the Board of Trustees, the President and members of the President's staff, each Chancellor and members of the Chancellors' staff, the Financial Aid Directors, their supervisors and employees of the Office of Financial Aid.

3. Advisory Board Membership

University employees with responsibilities involving student financial aid,

including administrative/executive officials with decision-making authority or ultimate authority over financial aid operations, are prohibited from serving on an advisory board or a corporate board of any Lending Institution. This prohibition includes members of the Board of Trustees, the President and members of the President's staff, each Chancellor and members of the Chancellor's staff, the Financial Aid Directors, their supervisors and employees of the Office of Financial Aid.

4. Lender Guidelines

The University shall develop, publish and enforce lender guidelines which shall establish the criteria for inclusion or designation as a preferred or approved lender and the process by which financial institutions will be selected for student loan program participation. Nothing in the guidelines shall impair the right of the student to select the lender of their choice.

5. Lender Guidelines - Review and Publication

The University shall periodically review, and if deemed necessary, revise the guidelines and shall publish any changes made to the guidelines. The University shall also publish the material provisions of each lender program including what the lender's rates are, whether said lender sells its loans and other relevant information.

6. Call - Center Prohibition

The University prohibits employees of Lending Institutions from serving as the representatives of the University. The University will train and monitor its employees in financial aid services in an effort to enhance the service provided to the students and their families, to ensure that the distribution of information is accurate and timely, and provided in an objective, independent manner.

7. State Officials and Employees Ethics Act

Nothing in these policies shall limit or otherwise alter the obligation of University officials and employees to comply with the relevant provisions of the State Officials and Employees Ethics Act (5 ILCS 430/1 et seq.) ("Ethics Act").

8. Sanctions

Any University employee who violates this Code of Conduct may be subject to discipline, up to and including discharge, by the appropriate authority within the University system.

The Board of Trustees may take action limiting the responsibility of any Member found to be in violation of this Code of Conduct or the Ethics Act.

(11/08/07, 5/7/09)

D. Policy on Sexual Harassment

1. Sexual Harassment Policy Statement

Southern Illinois University is committed to a policy of providing equal employment and educational opportunities. In particular, Southern Illinois University is committed to maintaining a community in which students, faculty, and staff can work and learn together in an atmosphere free of all forms of discrimination, including sexual harassment. Sexual harassment violates the dignity of the individual and the integrity of the University as an institution of higher learning, and thus, sexual harassment in any form will not be tolerated at Southern Illinois University. This policy applies to all employees, students, contractors, and visitors of Southern Illinois University.

This policy prohibits sexual harassment, retaliation related to sexual harassment claims, knowingly reporting false sexual harassment complaints and knowingly providing false information during the investigation of a sexual harassment complaint. All University employees are responsible for taking reasonable and necessary action to prevent sexual harassment, and all members of the University community are expected to contribute to an environment free of sexual harassment, and are encouraged to report promptly (pursuant to campus procedures) any conduct that could be in violation of this policy. Each SIU campus shall adopt specific procedures for reporting, investigating and resolving harassment claims.

This policy shall not abridge any individual's speech and due process rights under the First and Fourteenth Amendments; nor shall it abridge principles or rights of academic freedom or the University's educational mission. Prohibited sexual harassment and discrimination are not expression protected as a matter of academic freedom.

2. Definition of Sexual Harassment

Sexual Harassment in employment means any unwelcome sexual advances, requests for sexual favors, or any conduct of a sexual nature, when:

- a. Submissions to or toleration of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment (this is a type of quid pro quo - meaning "this for that" - sexual harassment); or
- b. Submission to or rejection of such conduct by an individual is used as a basis (or threatened to be used as a basis) for employment decisions or assessments affecting such individual (this is a type of quid pro quo - meaning "this for that" - sexual harassment); or
- c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or

offensive working environment (this is a type of hostile environment sexual harassment).

Sexual Harassment in higher education means any unwelcome sexual advances, requests for sexual favors, or any conduct of a sexual nature, when:

- a. Submission to or toleration of such conduct is made, either explicitly or implicitly, a term or condition affecting the student's participation in or benefit from any of the academic, educational, extra-curricular, athletic, or other programs of the University (this is a type of quid pro quo - meaning "this for that" - sexual harassment); or
- b. Such conduct has the purpose or effect of substantially interfering with a student's academic performance or creating an intimidating, hostile, or offensive academic environment (this is a type of hostile environment sexual harassment).

Hostile environment sexual harassment occurs when unwelcome conduct of a sexual nature is so severe, persistent, or pervasive that it affects an employee's work performance, limits a student's ability to participate in or benefit from a University program or activity, or creates an intimidating, threatening or abusive working or academic environment. Sexual harassment generally includes something beyond the mere expression or display of views, words, symbols, images, or thoughts that some person finds offensive.

Totality of the Circumstances: In determining whether alleged conduct constitutes sexual harassment, the record as a whole and the totality of the circumstances will be considered. Circumstances may include the frequency of the conduct; its severity; whether it was physically threatening or humiliating, or a mere offensive utterance; and whether it unreasonably interfered with the alleged victim's work performance or ability to participate in or benefit from the University's programs. The objective severity of the conduct will be judged from the perspective of a reasonable person in the position of the alleged victim and not on the intent of the person engaging in the conduct.

Examples of behavior that may be considered sexual harassment include, but are not limited to:

- a. Physical sexual assault or coerced sexual intercourse;
- b. Unwelcome physical contact, such as touching of a person's body, hair or clothing, or hugging, patting or pinching;
- c. Direct or implied threats that submission to sexual advances will or could be a condition of employment, work status, promotion, performance

evaluation, grades, letters of recommendation, or other work or educational benefit (quid pro quo);

- d. Severe or persistent unwelcome verbal, physical or other expressive conduct that is offensive or humiliating in a sexual way. Such conduct may include comments of a sexual nature and/or sexually explicit statements, questions, jokes, anecdotes, gestures, or facial expressions that would offend or humiliate a reasonable person in the circumstances of the individual experiencing this conduct. Conduct need not be in person but can be any form of communication including but not limited to written, telephonic, or electronic communication such as electronic mail and/or comments sent via the internet.
- e. Exhibition or use of sexually explicit materials in the workplace or learning environment that have no relationship to the curriculum or research or the mission of the University and substantially interfere with an employee's work performance or a student's ability to benefit from University programs. Such materials may be in the form of music, documents, objects, photographs, film or electronically generated materials.
- f. Any unwanted, inappropriate behavior that is targeted to a person or person(s) because of their gender or sexual orientation, for example repeatedly telling women (or men) that they are not capable of doing a certain kind of work.
- g. Amorous or sexual relationships between a faculty member and a student under his or her academic supervision or between a supervisor and an employee under his or her supervision, where the direct power differential compromises the subordinate's free choice. (Even consenting relationships may lead to an actual or perceived conflict of interest or other unethical conduct. See policies on consenting relationships.)

Retaliation is defined as any act of reprisal, including negative or otherwise unwarranted treatment, related to the reporting of, or participation in a complaint of sexual harassment. Retaliation may include, but is not limited to:

- E. Taking negative tangible employment actions against a person;
- F. Taking actions that substantially interfere with or have a chilling effect on the employee's or student's ability to participate fully in and benefit from the work or educational environment;
- G. Failing to provide assistance or instruction that would otherwise be provided;

- H. Failing to fairly and/or objectively evaluate an employee's or student's performance;
- I. Failing to record an appropriately earned grade for a student; or
- J. Otherwise sabotaging an employee's or student's performance or evaluation.

It is a violation of this policy to engage in any retaliatory acts against an employee or student who reports an alleged incident of sexual harassment, or any employee or student who testifies, assists, or participates in a proceeding, investigation, or hearing relating to an allegation or complaint of sexual harassment.

5. Duty to File in Good Faith/ False Reports

Any person who reports alleged sexual harassment or provides information during the investigation of a complaint is presumed to have participated in the investigatory process in good faith. It is a violation of this policy for persons to knowingly make a false sexual harassment complaint or knowingly provide false information during the investigation of a complaint.

6. Implementing Procedures

This Sexual Harassment Policy is to be implemented throughout the University, and procedures consistent with this policy for such implementation are to be established on each campus. The President is authorized to delegate to each Chancellor, the authority to develop procedures for the implementation of this Sexual Harassment Policy.

Attribution

Sexual harassment policies are governed by state and federal laws and statutes. As such, policies at many institutions can look very similar to that proposed by SIUC. This policy was developed in accordance with the Illinois Human Rights Act (775 ILCS 5/2 and 775 ILCS 5/5 and 775 ILCS 5/5a), the Equal Employment Opportunity Commission Regulations (29 C.F.R § 1604.11); and guidance issued by the United States Department of Education Office of Civil Rights. Additionally, policies from several other universities were reviewed including: University of Massachusetts Amherst, University of Michigan, University of North Carolina at Chapel Hill, Michigan State University, University of North Carolina At Greensboro, University of Maine, Indiana University, Indiana University – Purdue University at Indianapolis, Purdue University, University of Southern Indiana – Evansville, New York University, University of Illinois, University of Massachusetts – Boston, City University of New York, Northwestern University, Illinois State University, University of Colorado System, Youngstown State University, Princeton

University, Michigan State University, and University of Florida – Gainesville.

(5/7/09)

E. Policy on Non-Discrimination and Non-Harassment

It is the policy of Southern Illinois University that all students, faculty, staff, and guests should be able to enjoy and work in an educational environment free from discrimination, and harassment. Discrimination against any person or group of persons based on race, color, national origin, ancestry, religion, sex, sexual orientation including gender identity, marital status, age, physical or mental disability, military status, unfavorable discharge from military service, or veteran's status is specifically prohibited in the Southern Illinois University community. This policy on non-discrimination and non-harassment reaffirms Southern Illinois University's commitment to maintain an environment in which ideas are pursued free of intimidation or fear, and the Policy applies to admissions, employment, access to and treatment in all University programs and activities.

Discriminatory harassment includes, but is not limited to, conduct (oral, written, graphics or physical) directed against any person or group of persons because of race, color, national origin, ancestry, religion, sex, sexual orientation including gender identity, marital status, age, physical or mental disability, military status, unfavorable discharge from military service, or veteran's status that has the purpose of or reasonably foreseeable effect of creating an offensive, demeaning, intimidating or hostile environment for that person or group of persons. Such conduct includes but is not limited to objectionable epithets demeaning depictions or treatment and threatened or actual abuse or harm.

Harassment of any kind is strictly prohibited and may also be a violation of federal and or state laws. Each Chancellor is authorized to develop or use existing procedures for his or her respective campuses to address discrimination and harassment.

(3/13/03, 5/7/09, 04/14/11, 3/24/16, 3/28/19)

F. Plagiarism Policy

Definition

Plagiarism is presenting another existing work, original ideas, or creative expressions as one's own without proper attribution. Any ideas or materials taken from another source, including one's own work, must be fully acknowledged unless the information is common knowledge. What is considered "common knowledge" may differ from subject to subject. To avoid plagiarizing, one must not adopt or reproduce material from existing work without acknowledging the original source. Existing work includes but is not limited to ideas, opinions, theories, formulas, graphics, and pictures. Examples of

plagiarism, subject to interpretation, include but are not limited to directly quoting another's actual words, whether oral or written; using another's ideas, opinions, or theories; paraphrasing the words, ideas, opinions, or theories of others, whether oral or written; borrowing facts, statistics, or illustrative material; and offering materials assembled or collected by others in the form of projects or collections without acknowledgment.

Glossary

The following are terms and their definitions derived from scholarship on plagiarism and used in this working guide.

- Adapt: "To make suitable (for a new or different use or situation) by means of changes or modifications."⁴
- Adopt: "To take over . . . esp. with little or no change in form . . . ADOPT may stress the fact that the belief or practice is not of one's own invention but is voluntarily taken from another's example"⁵
- Common Knowledge: Knowledge presumed to be ubiquitous among members of the specific community being addressed⁶. Such communities may be broadly conceived, such as the entire citizenry, or much more narrowly conceived, such as only those who have studied geological evidence of the Late Cretaceous Period.
- Competitive Context: A context where attribution for a work provides justification for status and advancement of status within a particular community. For example, within the academic community, attribution for published books and articles is used to justify promotion and tenure.
- Developmental Plagiarism (in written communication, called patchwriting⁷): An unintended plagiarism that is caused by the plagiarist's effort to produce work that mimics that of a particular community while she or he is not adequately familiar with the ways of expression of that community. This kind of plagiarism can be seen as the product of an intermediate stage in the plagiarist's development from being an outsider to being an insider.

⁴ Source: Webster's Third New International Dictionary of the English Language Unabridged, Springfield, Mass.: Merriam-Webster Inc., 1981.

⁵ Source: Webster's Third New International Dictionary of the English Language Unabridged, Springfield, Mass.: Merriam-Webster Inc., 1981.

⁶ University of Tampere, School of Modern Languages and Translation Studies, Foundations in Area Studies for Translators. Retrieved November 14, 2005, from <http://www.uta.fi/FAST/PK6/REF/commknow.html>.

⁷ Source: Webster's Third New International Dictionary of the English Language Unabridged, Springfield, Mass.: Merriam-Webster Inc., 1981.

- Existing Work: For this definition of plagiarism existing work is defined as all work of others and one's own previously created work misrepresented as newly created work. This definition is not intended to restrict the author from reusing his or her own ideas or materials in any way but does require that the author cite their previous work in appropriate circumstances.
- Institutionalized Context: A context where official credit for a work does not represent a means of achieving status and advancement and where plagiarism is accepted and even expected and encouraged. For example, when writing reports and memos within many business settings, writers are expected to employ the organization, language, and even the content of previous reports and memos.
- Intentional Plagiarism: Conscious and deliberate plagiarizing of a source or sources.
- Publication Format: Citation requirements differ with different publication formats. This policy recognizes that the author often does not have control over the format of the publication and therefore should not be held responsible for editorial policies of the publisher.
- Unintentional Plagiarism: Plagiarism that is due to carelessness, a misremembering (believing some language or even a substantial portion of a text is one's own creation when it is not), memory bias (false memory recollection of creating or generating an original work when in fact it was created or generated by another), a misreading of context (believing one is producing a text within an institutionalized context when the context is actually competitive), or an inadequate understanding of the citation requirements of authorship within a particular community.

Guidelines

An act of plagiarism can be either intentional or unintentional. As an institution, our first recourse to fight plagiarism must be to try to eliminate unintentional plagiarism by educating all members of the University community as to what plagiarism is and how to avoid it.

Some instances of plagiarism are minor, involving small quantities of copied textual material, and these minor cases do not warrant extensive investigation. We do not endorse policies and procedures that might stifle the routine use of source material in all legitimate research and, thus, the dissemination of knowledge. The academy in general and this institution in particular, however, cannot abide the intentional misrepresentation of source material as one's own in order to fraudulently advance one's status within the academy or outside the academy.

That said, there may be extenuating circumstances involved even in cases of substantial intentional plagiarism. While such circumstances might mitigate punishment for such offenses, they cannot altogether absolve the intentional plagiarist from punishment. The SIU Board of Trustees then seeks to emphasize the responsible investigation of and just resolution to every case of intentional plagiarism. The distinction between institutionalized and competitive contexts within all academic disciplines should be recognized. Each campus and its academic units are encouraged to adopt policies and procedures to address plagiarism that recognize institutionalized and competitive contexts within all academic disciplines in each respective unit.

Finally, the context of student plagiarism is different from that of others in the academy and beyond academia. Although students may perceive the context of their work, at least at times, as being institutionalized, in fact, schoolwork is produced always within a competitive context. School assignments are intended to facilitate learning or to assess learning or both. Plagiarism undermines those purposes. The distinction between institutionalized and competitive contexts within all academic disciplines should be recognized; students should assume they always produce their schoolwork within a competitive context that does not allow plagiarism. Faculty members are encouraged to watch for developmental plagiarism in student work, and students should be given opportunities to learn from such cases.

In providing an appropriate response to any accusation of plagiarism, then, the following factors should be taken into account.

- Context: That is, whether the context was institutionalized or competitive. Determination of context should be based on the discipline or community's typical attitude toward the citation of source material for that particular genre and situation, as well as past experience of those producing similar texts within the particular discipline or community, and in cases involving student plagiarism, whether the instructor indicated that the assignment was meant to be completed as if within an institutionalized context.
- Intent: That is, whether the plagiarist intended to plagiarize in order to fraudulently advance his or her status within the academy.
- Seriousness of the offense: That is, how substantial and significant the plagiarism was.
- Engagement with the source material: That is, whether the plagiarist adapted the source material with a recognizable intent to integrate the content honestly within his or her own work or mindlessly adopted the source material without a recognizable intent to integrate it.
- Extenuating circumstances: That is, whether there exist circumstances that mitigate punishment for the offense.

Equally important as having an informed plagiarism policy is its implementation. Research indicates that many university and college faculties nationwide are, like their students, uncertain about what constitutes plagiarism. We also strongly suspect that faculty members, staff, and students alike will not be sufficiently motivated without encouragement to seek out, read, and study our institution's plagiarism policies. Even then, institutional policy alone cannot fully educate a person in the subject of plagiarism. Given these limitations, we feel it is imperative that Southern Illinois University aggressively offer faculty members, staff, and students opportunities to learn how to correctly quote, paraphrase, summarize, cite, and document ideas and expression from sources and thus how to avoid unintentional and intentional plagiarism. To that end, committee members from SIU Carbondale have appended further recommendations that they believe would facilitate an adequate implementation on its campus of the University's plagiarism policy.

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(5/7/09)

F. Legal Hold Policy and Procedures

Purpose

The University has a legal obligation to preserve evidence and records, including electronic documents, relevant to a pending or potential claim or action. The purpose of this policy is to inform University employees and members of the Board of Trustees of the requirements and responsibilities for retaining paper and electronic records upon notice of pending or anticipated litigation.

Scope

This policy and procedures applies to all University personnel and covers all records, regardless of form, made or received in the transaction of University business. Examples of electronic records include but are not limited to electronic messages created using email and other new or emerging communication technologies, word processing documents, spreadsheets and databases.

Definitions

As utilized throughout this policy, these terms are defined as follows:

“University personnel” includes all university employees, regardless of whether the employee is full-time, part-time, temporary, permanent, or student employee. For purposes of this policy, “university personnel” includes members of the Board of Trustees. It also includes subcontractors responsible for any activities related to storage of records or evidence, including but not limited to email storage, electronic data storage, or document storage.

“Evidence” includes all records and tangible items relating to a legal action or reasonably foreseeable legal action.

“Records” includes all records, whether in electronic, paper, or any other form, created, received, or maintained in the transaction of University business, whether or not such business was conducted at the physical location of the University or some other location, including home, and whether or not such records are stored at the University, in University computers, in a personal computer of University personnel, or any other location. Such records may include, but are not limited to, paper records and electronic records stored on servers, desktop or laptop hard drives, tapes, flash drives, memory sticks, external hard drives, DVDs, or CD-ROMs. “Records” includes all forms of electronic communications, including, but not limited to, e-mail, word processing documents, spreadsheets, databases, instant messages, calendars, voice messages, videotapes, audio recordings, photographs, SharePoint files, Wiki materials, telephone or meeting logs, contact manager information, Internet usage files, and information stored in PDAs, Blackberry devices, I-phones, other like devices, or removable media, including CDs, DVDs, thumb drives, etc.

“Legal action” includes a lawsuit or threatened lawsuit and investigation or threat of investigation by any administrative, civil or criminal authority.

“Legal hold” is an order to cease destruction and preserve all evidence including records, regardless of form, related to the subject of the legal hold.

Procedures:

1. Any University personnel who become aware of any legal action shall immediately notify the Office of the General Counsel for the University. Such notification should be made, at the latest, by the end of the business day that notice was received. Upon becoming aware of any legal action, the University personnel shall preserve any evidence related to such legal action while waiting for further instruction from the Office of the General Counsel.
2. Upon notification from University personnel of legal action, the Office of the General Counsel shall determine whether or not a legal hold should be

initiated. In the event that the General Counsel determines that a legal hold is necessary, the following shall occur.

1. The Office of the General Counsel shall send written notice to affected University personnel of the legal hold.
2. All notified University personnel shall immediately suspend deletion, overriding, or any other destruction of any evidence.
3. The Office of the General Counsel shall also notify the supervisor, chair, dean, or individual holding a supervisory position over the affected personnel.
4. Because it will not always be possible for counsel to be aware of every employee who may possess or have access to evidence, notified individuals in supervisory positions shall be cognizant of any University personnel within the scope of their supervision who may possess or have access to evidence related to the legal hold, shall provide notification of the legal hold to those individuals, and shall ensure that those employees also comply with the legal hold. Those supervisors shall contact the Office of the General Counsel immediately to make them aware of additional affected employees. Such notification shall in no case be made later than the end of the business day on which notice of the legal hold is received.
5. In the event that the Office of the General Counsel determines that a legal hold is necessary, it shall notify Information Technology personnel in writing. The Office of the General Counsel shall direct Information Technology personnel to take appropriate action to ensure compliance with the legal hold. Information Technology personnel should also notify any subcontractors or companies who provide email storage, data storage, or another related service if they possess evidence related to the legal hold. They should also notify the Office of the General Counsel immediately, but in no case later than the end of the business day, if such subcontractors or companies do possess evidence related to the legal hold.
6. Employees and supervisors notified of a legal hold shall consult Information Technology personnel regarding the effective preservation of electronic data, information, or records.
7. Electronic Data, Information, and Records:
 1. It is not sufficient to make a hard copy of electronically stored data, information, and records.

2. All electronically stored data, information, and records should be maintained in its original form unless otherwise notified by the Office of the General Counsel.
8. Any University personnel, supervisory personnel, and Information Technology personnel who are notified of a legal hold shall respond by email to the Office of the General Counsel, acknowledging receipt, understanding, and compliance with the legal hold within a reasonable time. Such acknowledgment should in no case be later than the end of the business day on which such personnel received notification from the Office of the General Counsel.
9. If any affected University personnel separates from their employment or affiliation with the University during a legal hold, the supervisor of such employee, or in the case of a member of the Board, the Chair of the Board, shall take possession of any evidence in the possession of the employee and shall notify the Office of the General Counsel within a reasonable time, but in no case should such notification be made later than the end of the business day on which the employee separates from the University.
10. Release of a Legal Hold:
 1. Regardless of the duration of the legal hold, a legal hold does not terminate until affected University personnel are notified by the Office of the General Counsel that the legal hold has been released.
 2. In order to release a legal hold, written notification must come from the Office of the General Counsel.

Violations

Violations of the legal hold policy and procedures may result in disciplinary action up to and including termination of employment.(04/14/11)

H. Identity-Protection Policy

The Board of Trustees of Southern Illinois University (University) adopts this Identity-Protection Policy pursuant to the Identity Protection Act (5 ILCS 179/1 *et seq.*). The Identity Protection Act requires each local and State government agency to draft, approve, and implement an Identity-Protection Policy to ensure the confidentiality and integrity of Social Security numbers the agencies collect, maintain, and use. It is important to safeguard Social Security numbers (SSNs) against unauthorized access and to limit the widespread dissemination of SSNs in order to reduce the potential for

identity theft. The Identity Protection Act was passed in part to require local and State government agencies to assess their personal information collection practices and make necessary changes to those practices to ensure confidentiality.

Applicability

- 1) Pursuant to the Act, this Policy does not apply to the collection, use, or disclosure of a social security number as required by State or federal law, rule or regulation.
- 2) Pursuant to the Act, this Policy does not apply to documents that are recorded with the county recorder or documents that are required to be open to the public.

Patient Health Identifier Program

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, and if Southern Illinois University complies with such patient health identifier program, then the University shall be deemed to be in compliance with the Identity Protection Act.

Embedded Social Security Numbers

Social security numbers shall not be encoded or embedded in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology.

Social Security Number Protections Pursuant to Law

Whenever an individual is asked to provide a SSN, the University shall provide that individual with a statement of the purpose or purposes for which the University is collecting and using the SSN. The University shall also provide the statement of purpose upon request.

The University shall not:

1. Publicly post or publicly display in any manner an individual's SSN. "Publicly post" or "publicly display" means to intentionally communicate or otherwise intentionally make available to the general public.
2. Print an individual's SSN on any card required for the individual to access products or services provided by the University.
3. Require an individual to transmit a SSN over the Internet, unless the connection is secure or the SSN is encrypted.
4. Print an individual's SSN on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the SSN to be on

the document to be mailed. SSNs may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the SSN. A SSN that is permissibly mailed will not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.

In addition, the University shall not¹:

5. Collect, use, or disclose a SSN from an individual, unless:
 - i. required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the SSN is otherwise necessary for the performance of the University's duties and responsibilities;
 - ii. the need and purpose for the SSN is documented before collection of the SSN; and
 - iii. the SSN collected is relevant to the documented need and purpose.
6. Require an individual to use his or her SSN to access an Internet website.
7. Use the SSN for any purpose other than the purpose for which it was collected.

Requirement to Redact Social Security Numbers

The University shall comply with the provisions of Illinois state law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's SSN. The University shall redact SSNs from the information or documents before allowing the public inspection or copying of the information or documents.

When collecting SSNs, the University shall request each SSN in a manner that makes the SSN easily redacted if required to be released as part of a public records request. "Redact" means to alter or truncate data so that no more than five sequential digits of a SSN are accessible as part of personal information.

Employee Access to Social Security Numbers

Only employees who are required to use or handle information or documents that contain SSNs will have access. All employees who have access to SSNs shall be trained to protect the confidentiality of SSNs.

Attribution

This policy was developed using a template provided by the State of Illinois Attorney General's Office.

(5/12/11)

- I. These prohibitions do not apply in the following circumstances:
 1. The disclosure of SSNs to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under this Act on a governmental entity to protect an individual's SSN will be achieved.
 2. The disclosure of SSNs pursuant to a court order, warrant, or subpoena.
 3. The collection, use, or disclosure of SSNs in order to ensure the safety of: State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency facility.
 4. The collection, use, or disclosure of SSNs for internal verification or administrative purposes.
 5. The disclosure of SSNs by a State agency to any entity for the collection of delinquent child support or of any State debt or to a governmental agency to assist with an investigation or the prevention of fraud.
 6. The collection or use of SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

I. Code of Ethics Policy

This Code of Ethics applies to all Community members which includes: a) the members of the Board of Trustees; and b) all employees, including faculty, staff and student employees.

In carrying out Southern Illinois University's teaching, research, public service, and patient care missions, members of the University community are committed to maintaining high ethical standards, striving for excellence, and complying with relevant laws and regulations. The Code of Ethics forms the ethical principles that will guide all members of the University community in all decisions and activities.

These principles are:

Respect. Community members will nurture a climate of care, concern, fairness, and civility towards others while recognizing and embracing each individual's dignity, freedom and diversity.

Honesty and Integrity. Community members will act and communicate truthfully. They will make decisions based on the greater good, conducting themselves free of personal conflicts of interest or appearances of impropriety and self-dealing.

Cooperation and Communication. Community members will work together to support the institutional missions. Respecting confidentiality requirements, they will share information with stakeholders regarding the process used in developing policies and making decisions for the University.

Stewardship. Community members will use University resources in a wise and prudent manner in order to achieve the teaching, research, public service and patient care missions. They will not use University resources for personal benefit or gain. They will protect the integrity and security of confidential, proprietary and private information such as student and patient records.

Continuous Improvement. Community members will conduct University affairs diligently, exercising professional care and striving to meet the high expectations they have set for themselves as well as the expectations of those they serve.

Responsibility. Community members will be trustworthy and responsible for their conduct, decisions and obligations and will comply with all applicable laws, regulations, policies and procedures.

Accountability and Transparency. Community members will maintain accurate financial records and distribute them in a timely and transparent fashion.

Reporting Violations. Community members will report conduct in violation of these principles to appropriate authorities. Retaliatory action may not be taken against a

Community member for reporting violations.

The Southern Illinois University Code of Conduct is based on these guiding principles. All members of the University community should integrate the Code of Ethics' principles and the Code of Conduct's standards into their daily University activities.

Nothing in this Code of Ethics nor related policies limits or alters the obligations of officials and employees to comply with the relevant provisions of the State Officials and Employees Ethics Act (5 ILCS 430/1 et seq.) ("Ethics Act").

Attribution

Many major universities have adopted excellent Codes of Ethics. This document was adapted from codes developed by Radford University and Washington University in St. Louis. (11/08/12)

J. Code of Conduct Policy

1. INTRODUCTION AND PURPOSE

- a. Introduction - The University values respect, integrity, honesty, cooperation, communication, stewardship, continuous improvement, responsibility, accountability and transparency and strives for excellence in carrying out its teaching, research, public service, and patient care mission. The standards of conduct in this Code, supported through policies, procedures, and workplace rules, provide guidance for making decisions and memorialize the University's commitment to responsible behavior.
- b. Applicability - This Code applies to the following members of the Southern Illinois University community: a) the members of the Board of Trustees; and b) all employees, including faculty, staff and student employees. The Code refers to all these persons as "members of the University community" or "community members."
- c. Purpose – This Code is a shared statement of commitment to uphold ethical, professional and legal standards. All community members must comply with the relevant policies, standards, laws and regulations that guide their work. Each community member is accountable for his/her own actions and, as members of the University community, are collectively accountable for upholding these standards of behavior and for compliance with applicable laws and policies.
- d. Violations – This Code requires that suspected violations of applicable standards, policies, laws or regulations be brought to the attention of the

appropriate office. Confirmed violations will result in appropriate disciplinary action, up to and including termination from employment or other relationships with the University. In some circumstances, civil and criminal charges and penalties may apply.

- e. Questions – Questions regarding the intent or applicability of this Code should be directed to the Senior Vice President for Financial and Administrative Affairs and Board Treasurer.

2. RESPONSIBILITY

The Board of Trustees is responsible for promoting adherence to this Code of Conduct by its members. The President and each Chancellor is responsible for disseminating and promoting adherence to this Code of Conduct by all SIU employees. Each administrator, department head, and department chair is responsible for promoting compliance with this Code and applicable standards, laws, policies, regulations and procedures; for informing employees of appropriate training opportunities; for ensuring that employees receive ongoing training; and for demonstrating compliance within their unit. Each employee is responsible for participating in training and education programs, referring to and complying with standards, laws, policies, regulations and procedures applicable to his or her work.

3. INTEGRITY AND ETHICAL CONDUCT

Ethical conduct is a fundamental expectation for every community member. Community members are expected to work together to maintain the highest standards of quality and integrity in fulfilling the University mission. Community members are expected to conduct University business transactions with respect, honesty, accuracy and fairness. Each member is personally responsible for his/her own actions and should strive to communicate ethical standards of conduct through instruction and leading by example.

4. RESPECT AND FAIRNESS

The University is committed to the principles of tolerance, diversity, and respect for differences. When dealing with others, community members are expected to be respectful, fair, civil, and truthful. The University prohibits discrimination and harassment and provides equal opportunities for community members and applicants.

5. CONFLICT OF INTEREST / CONFLICT OF COMMITMENT

Community members are expected to conduct University business free of personal conflict of interest or appearances of impropriety and self-

dealing. Community members with other professional or financial interests are expected to disclose them in compliance with applicable conflict of interest and conflict of commitment policies.

6. ACADEMIC FREEDOM AND RESPONSIBILITIES

Creating an atmosphere conducive to providing a quality education is essential to achieving the University's mission. Community members are expected to promote academic freedom and meet academic responsibilities. This includes encouraging discussions of relevant matters and creative expression, seeking and stating the truth, respecting those with differing views, submitting knowledge and claims to peer review, and working together to foster the education of students.

7. TEACHING AND RESEARCH

University faculty and researchers have an ethical obligation to the University and to the larger global community as they seek knowledge and understanding. Community members are expected to propose, conduct, and report research and teaching with integrity and honesty. They should protect human subjects involved in research, the rights of individuals and University intellectual property, and they should treat animals humanely. Community members should ensure the originality of their work and provide credit for the ideas of others upon which their work is built, be responsible for the accuracy and fairness of information published, and fully assign authorship credit

8. FINANCIAL REPORTING

University accounts, financial reports, tax returns, expense reimbursements, time sheets and other documents, including those submitted to government agencies, should be accurate, clear, complete and transparent. Community members should follow University policies and procedures and sound financial practices. Community members are expected to exercise responsible fiscal management and use strong internal controls.

9. PROTECT AND PRESERVE UNIVERSITY RESOURCES

The University is dedicated to responsible stewardship. Community members are to promote efficient operations and engage in appropriate accounting and monitoring of University resources. Community members are expected to prevent waste and abuse of University resources. University resources include, but are not limited to, property, equipment, vehicles, finances, materials, systems, data communication and networking services, procurement tools, and the time and effort of faculty, staff and students. University resources may not

be used for personal gain and may not be used for personal use except in a manner that is consistent with University policies and procedures.

10. COMPLIANCE WITH LAWS

Members of the University community should conduct University business in compliance with applicable laws, regulations, and University policies and procedures. When questions arise pertaining to the interpretation or applicability of a policy, community members should contact the individual who has oversight of the policy.

11. CONFIDENTIALITY AND PRIVACY

Community members receive and generate on behalf of the University various types of confidential, proprietary and private information. Community members should understand and comply with federal laws, state laws, agreements with third parties, and University policies and procedures pertaining to the use, protection, disclosure, retention, and disposal of such information.

12. REPORTING OF SUSPECTED VIOLATIONS

- a) Reporting to Management – Members of the University community should report suspected violations of applicable laws, regulations, government contract and grant requirements and this Code to the Senior Vice President for Financial and Administrative Affairs and Board Treasurer, Ethics Officer, Compliance Officer, or other University official as designated within existing policies and procedures. The University complies with the Whistle Blower Protection Act (5 ILCS 430/15) and assures community members that possible violations can be reported without fear of retaliation.
- b) Other Reporting – Nothing in this Code of Conduct or related policies limits or alters the obligations of officials and employees to comply with the relevant provisions of the State Officials and Employees Ethics Act (5 ILCS 430/1 et seq.) (“Ethics Act”).
- c) Cooperation – Employees are expected to cooperate fully in the investigation of any misconduct.

Attribution

Many major universities have adopted excellent Codes of Conduct. This document was adapted from codes developed by Washington University in St. Louis, Stanford University, Virginia Commonwealth University, and University of Minnesota. (11/08/12)

K. Weapons Policy

1. Intent

It is the intent of Southern Illinois University to regulate, subject to applicable law, the carrying (concealed or otherwise), possession, and storage of weapons, including without limitation firearms, on property under the control of the University.

2. Implementation

The Board of Trustees hereby authorizes the Chancellor of Southern Illinois University Carbondale, the Chancellor of Southern Illinois University Edwardsville, and the Dean and Provost of the Southern Illinois University School of Medicine to each promulgate and/or amend policies, regulations and/or protocols ("Policies"), for their respective campus or locations, regulating the carrying, possession, and storage of firearms and other weapons. Such Policies shall adhere to all applicable law and shall provide due authority to enforce such Policies.

L. Clear and Present Danger Reporting Policy

Pursuant to relevant portions of Illinois' Firearm Concealed Carry Act, it is the duty of the chief administrative officer of a university, or his or her designee, to report to the Illinois State Police any determination that a student poses a clear and present danger to himself/herself or to others. (430 ILCS 66/105) The Board of Trustees hereby authorizes the Chancellor of Southern Illinois University Carbondale, the Chancellor of Southern Illinois University Edwardsville, and the Dean and Provost of the Southern Illinois University School of Medicine to each promulgate and/or amend policies, regulations and/or protocols ("Policies"), for their respective campus or locations, setting forth procedures for making such determinations and reports, including, without limitation, permitting the Chancellor of Southern Illinois University Carbondale, the Chancellor of Southern Illinois University Edwardsville, and Dean and Provost of the School of Medicine to name a designee to make such respective determinations and reports as required by law.

(02/13/2014)

M. Smoke-Free Campus Policy

1. Intent

As of July 1, 2015, in compliance with the Smoke-Free Campus Act, 110 ILCS 64/1 et seq., smoking is prohibited on all Southern Illinois University campus property as defined below. This prohibition does not apply to any instance in which an

individual is traveling through or parked on a campus in a vehicle that is not owned by a State-supported institution of higher education.

2. **Definitions**

Campus: all property, including buildings, grounds, parking lots, and vehicles that are owned or operated by Southern Illinois University. Campus does not include enclosed laboratories, not open to the public, where the activity of smoking is exclusively conducted for the purpose of medical or scientific, health-related research. Smoke or Smoking: the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or other lighted smoking equipment. Smoke or smoking also includes products containing or delivering nicotine intended or expected for human consumption, or any part of such a product, that is not a tobacco product as defined by Section 321(rr) of Title 21 of the United States Code, unless it has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation or other medical purposes and is being marketed and sold solely for that approved purpose. Smoke or smoking does not include smoking that is associated with a native recognized religious ceremony, ritual, or activity by American Indians that is in accordance with the federal American Indian Religious Freedom Act.

3. **Implementation**

The Board of Trustees hereby authorizes the Chancellor of Southern Illinois University Carbondale, the Chancellor of Southern Illinois University Edwardsville, and the Dean and Provost of the Southern Illinois University School of Medicine to each promulgate and/or amend policies for their respective campuses or locations, regulating smoking on campus consistent with applicable law. Such policies shall include a plan for enforcement of the Smoke-Free Campus Policy for their respective campuses, including but not limited to, disciplinary action, fines, and an appeals process. Each campus shall also post on its website a smoke-free campus map indicating the locations where smoking is prohibited under this policy. An individual or campus subject to the smoking prohibitions of this policy may not discriminate or retaliate in any manner against a person for making a complaint of a violation of this policy or furnishing information concerning a violation to a person, campus, or governing authority. (4/16/15)

N. Export Control Policy

1. **Purpose**

To address the Southern Illinois University – System (SIU-S) obligations to comply with federal export controls. This policy applies to the SIU-S and each of its

campuses-- Southern Illinois University Carbondale (SIUC), Southern Illinois University Edwardsville (SIUE), and the Southern Illinois University School of Medicine (SIUSOM). The policy codifies SIU's commitment to compliance with U.S. export controls, identifies the corresponding responsibilities of SIU-S personnel, and establishes the administrative foundation for the SIU-S export controls compliance program. These steps are required to ensure SIU-S compliance with U.S. export controls.

2. Scope

This policy applies to all members of the SIU-S community, including but not limited to employees, tenure-and non-tenure-track faculty, lecturers, students, postdoctoral fellows, postdoctoral scholars, and other postdoctoral personnel, independent researchers, visiting scholars, visiting scientists, contractors, subcontractors, and volunteers.

3. Policy

SIU-S is committed to complying with U.S. export controls including without limitation the Arms Export Control Act ("AECA"), 22 U.S.C. 2751 et seq.; the International Traffic in Arms Regulations ("ITAR"), 22 C.F.R. 120 et seq.; the Export Administration Regulations ("EAR"), 15 C.F.R. 730 et seq.; the Foreign Assets Control Regulations ("FACR"), 31 C.F.R. 500 et seq.; and all campus policies and procedures related to export controls.

SIU-S recognizes the importance of these laws and regulations and expects compliance from all of its personnel. No members of the SIU-S community may engage in any activity or commit the University to engage in any activity that violates U.S. export control laws and regulations. Individuals involved in research and academic projects that are subject to export controls must follow the requirements that are appropriate for the roles they serve. These individuals are responsible for reviewing the materials on the SIU-S Export Control Website and consulting with the Director of Export Controls when export controls apply.

SIU-S export control compliance efforts, screening, and training are coordinated through the Director of Export Controls. Export Control procedures will be drafted by the Director of Export Controls in conjunction with each campus. It is the responsibility of the Principal Investigator/Project Director (PI/PD) on any project or contract to be aware of this policy and to notify the Director of Export Controls of potential export control issues.

Violations can result not only in significant civil or criminal liabilities for SIU-S, and potentially the individuals involved, up to and including termination of employment, but also in damage to national security and to the University's standing as an institution of research and learning.

4. Definitions

Deemed Export:

Any release of controlled technology or source code subject to the Export Administration Regulations ("EAR") to a foreign person in the U.S. is "deemed" an export to the person's country or countries of nationality. This deemed export rule does not apply to persons lawfully admitted for permanent residence in the U.S. and does not apply to persons who are protected individuals under the Immigration and Naturalization Act. Refer to section 734.2(b) of the EAR. A "deemed" export situation can occur by access/use in research or training, visual inspection, or an oral exchange of information.

Export Administration Regulations ("EAR"):

Regulations implemented by the U.S. Department of Commerce, which control the export of dual-use technologies (i.e., items used or having the potential to be used for both military and commercial purposes that could adversely affect national security if exported).

International Traffic in Arms Regulations (ITAR):

Regulations implemented by the U.S. Department of State to regulate military or defense-related articles, technologies, and services.

Office of Foreign Asset Control (OFAC) Sanctions:

A department of the U.S. Treasury that enforces economic and trade sanctions against countries and groups of individuals involved in terrorism, narcotics, and other disreputable activities enforced by the Office of Foreign Asset Control of the U.S. Department of Treasury.

Public Domain as defined by EAR: Covers published information and software.

Information is "published" when it becomes generally accessible to the interested public in any form, including but not limited to: a publication in periodicals, books, print, electronic, or other media available for general distribution, either free or at a price that does not exceed the cost of reproduction and distribution

- available at libraries open to the public or university libraries
- issued patents or open patent applications published and available at any governmental patent office
- released or publicly discussed at an open conference, meeting, seminar, trade show, or other open gathering

Public Domain as defined by ITAR:

Covers published information generally accessible or available to the public through:

- sales at newsstands and bookstores
- subscriptions available without restriction
- second class mailing privileges granted by the U.S. government
- libraries open to the public or from which the public can obtain documents or patents available at any patent office
- through unlimited distribution at a conference, meeting, seminar, trade show or exhibition, generally accessible to the public, in the U.S.
- public release (i.e., unlimited distribution) in any form
- fundamental research in science and engineering at accredited institutions of higher learning in the U.S., where the resulting information is ordinarily published and shared broadly in the scientific community

5. Export Controls Record Retention

SIU-S must comply with regulatory requirements regarding export control-related recordkeeping. These records must be organized to be available when requested by U.S. governmental authorities or for internal audit purposes. Records include printed and hard copy documents, as well as electronic records (including e-mail, e-mail attachments and other electronic files). All records will be retained for a minimum period of five (5) years from the date of export or from the date of license expiration, as per the requirements of ITAR Section 123.22 and EAR Section 762.6. Departments, researchers and all SIU-S offices must keep soft or hard copies of all their export documentation, including Restricted Party Screens, financial records such as purchase orders, and shipping documentation (commercial/pro forma invoices, packing lists, FedEx and other international freight forwarder/courier documents), in their research project files for a period of five years from the date of the export, re-export, or controlled deemed export.

(8-15-18)