

**BOARD OF TRUSTEES
OF CHICAGO STATE UNIVERSITY**

**GOVERNING BOARD
REGULATIONS & PROCEDURES**

Adopted December 2018

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I. BOARD PROCEDURES

A. Board of Trustees

The Board of Trustees of Chicago State University (hereinafter the “Board”) is a body corporate, politic as well as an arm and agency of the State of Illinois created and authorized by the Illinois General Assembly pursuant to the Chicago State University Law, 110 ILCS 660/5-1 et seq, to operate, manage, control, and maintain Chicago State University (hereinafter the “University” or “CSU”) consistent with the laws of the State of Illinois.

The Board of Trustees is charged by law with full responsibility for administering the University. Although the Board may properly delegate authority to its duly designated officers and agencies, it cannot divest itself of the ultimate responsibility, imposed upon it by law, of governance of the University. Accordingly, the Board expressly reserves to itself the power to act on its own initiative in all matters affecting the University, notwithstanding that such action may be in conflict or may not be in conformance with the provisions of these Governing Board Regulations and Procedures.

B. Compensation of Board Members: Expenses, Conflicting Interests, Restrictions on Employment

Members of the Board shall serve without compensation but shall be entitled to reasonable amounts for expenses necessarily incurred in the performance of their duties. No member of the Board shall hold or be employed in or appointed to any office or place under the authority of the Board, nor shall any member of the Board be directly or indirectly interested in any contract made by the Board, nor shall he be an employee of the state or federal government. This section does not prohibit the student member of the Board from maintaining normal and official status as enrolled students or normal student employment at Chicago State University.

C. Board Committees

The standing committees of the Board are set forth below:

1. Academic and Student Affairs
2. Finance and Audit
3. Facilities
4. Legislative and Human Resources
5. Civil Service Merit Board
6. CSU Foundation

D. Governing Board Regulations & Procedures

Governing Board Regulations and Procedures are general statements of policy or procedure adopted by the Board concerning the conduct and operation of the Board or the University. Guidelines or other Board actions directed to specific situations (or are intended to direct or guide the University) are not to be construed as Board Regulations and Procedures.

E. Adoption, Amendment, or Repeal of Governing Board Regulations and Procedures

1. Governing Board Regulations and Procedures may be adopted, amended, or repealed by a majority vote of the voting membership of the Board. Requests for the adoption, amendment, or repeal of Governing Board Regulations and Procedures shall be submitted to the President of Chicago State University (hereinafter referred to as “the President”) or his/her designee, who shall notify the Board’s Chair of such requests. The President shall report such requests with recommendations for action to the Board. Any member of the Board may also request for the adoption, amendment, or repeal of Governing Board Regulations and Procedures. The Board member shall notify the Board Chair of such request with recommendation for action by the Board. An amendment shall become effective when approved by the Board of Trustees or at such later time as the board may specify.
2. Except as specified in paragraphs (4) and (5) below, the adoption, amendment, or repeal of Governing Board Regulations and Procedures shall occur only after a public recital of a proposal for adoption, amendment, or repeal has occurred during open session at a Board meeting.
3. Board action on a proposal for adoption, amendment, or repeal shall not be taken before the President distributes copies of the proposal to appropriate faculty, staff, and student groups. Up to ten days prior to the Board meeting at which action is to be taken, members of the faculty, staff, and student body may submit their views and comments in writing to the President for distribution to the Board together with the President’s recommendation for action on the proposal.
4. The Board and the President are authorized to make proposals for non-substantive amendments to Governing Board Regulations and Procedures, as needed, including but not limited to: Name or title changes; correcting typographical errors; cross-references; and updating citations. When such amendments are proposed, the Board may authorize action taken to make those non-substantive amendments.
5. When justified by timing considerations or the nature of the subject matter, proposals for adoption, amendment, or repeal of Governing Board Regulations

and Procedures may be acted upon by the Board at the time of public recital or at such Special Meeting as the Board may convene.

6. Interpretations of Governing Board Regulations and Procedures shall be issued in writing by the Board's legal counsel upon request of the Board or the President.

F. Compilation of Bylaws, Governing Regulations and Procedures

The Board Secretary or his/her designee shall maintain an official compilation of the Board's Bylaws, and Governing Board Regulations and Procedures and shall provide copies to members of the Board. Copies shall be distributed to appropriate staff and student body officers, to each Dean and Director within the University, and shall be placed in the University Library for use by interested persons. In addition, the Board Secretary or his/her designee shall place copies of the Board's Bylaws and Governing Board Regulations and Procedures on the University's website.

G. Delegation of Authority

1. The President may delegate his/her authority as delegated by Governing Board Regulations and Procedures to appropriate and responsible officials of the University, as needed.
2. The President shall identify by position the persons authorized to act in his/her place in the event of absence from the office for more than a week or other unavailability. The President shall notify the Board in writing of such delegation of authority.

H. Powers of the Board of Trustees as Related to Contracts, Suits, Conveyances, and Expending Funds

The Board shall have power to enter into contracts, to sue and be sued, provided that any suit against the Board based upon a claim sounding in tort must be filed in the Court of Claims, to acquire, hold, and convey real property as it shall deem appropriate and personal property in accordance with the State Property Control Act, and to expend the funds appropriated to the university; provided that the Board in the exercise of the powers conferred by this Act shall not create any liability or indebtedness of funds from the Treasury of the State in excess of the funds appropriated to the university.

I. Drafting and Approval of University Contracts

Contracts shall be drafted in tentative form by the University administrator best acquainted with the subject matter and in whose department rests the responsibility for performance and shall be approved by the President or his/her designee for contracts unless otherwise provided by the Policies of the University or by other action of the Board of Trustees. All contracts that fall under the following conditions shall also require Board approval: Collective bargaining agreements, the

acquisition or sale of real property; Capital projects of \$250,000 or more; Professional service contracts in excess of \$100,000; and any purchases of \$250,000 or more.

Contracts are subject to review and approval as to legal form and validity by University counsel in accordance with University policies and rules. The policies and rules shall reflect best business practices and shall be subject to modification from time to time as warranted.

J. Board Meetings.

1. **Meetings Generally.** All Board meetings shall be conducted in compliance with the Illinois Open Meetings Act, as provided in the Board's By-laws.
2. **Agenda.** The President, in consultation with the Board Chair shall develop an agenda prior to each Board meeting. The agenda shall set forth the items that are up for discussion and final action at the designated Board meeting. The Board shall not take final action on any items that are not included on the meeting agenda. The agenda shall be made available to the public in a manner consistent with the Illinois Open Meetings Act. The President, or his/her designee, shall send meeting materials to Board members and other appropriate parties at least seven days prior to the next scheduled meeting.

The President shall distribute a copy of the meeting materials to the Chair of the Faculty Senate. Distribution of meeting materials may be subject to reasonable limitations in the case of special or emergency meetings. The Agenda shall be posted on the University's website in accordance with the Illinois Open Meetings Act. At a minimum, any agenda of a regular scheduled meeting that are posted on the University's website shall remain posted on the website until the regular meeting is concluded.

3. **Reports.** The President, in consultation with the Vice Presidents and in accordance with Board guidelines, shall develop a format and schedule for reports to the Board. Items presented to the Board shall be submitted either for action or discussion. Each item presented for action shall be accompanied by an appropriate resolution or recommendation to provide a clear record of the action taken by the Board that has been reviewed and approved by the University's General Counsel in a uniform format used by the Board.
4. **Recording of Meetings.** Any person may record by tape, film, or other means the meetings of the Board of Trustees or its committees which are required to be open by Illinois law, provided that such filming and recording is done in compliance with the reasonable constraints set out in the Board's Bylaws and does not cause disruption to the Board meeting. If such filming or recording is not consistent with

the reasonable constraints, or causes a disruption to the meeting, then it shall be discontinued at the request of the Chair or other presiding officer.

5. **Publication of Meeting Minutes.** The meeting minutes of the Board shall be available to interested parties. In accordance with the provisions of the Illinois Open Meetings Act, the Board shall keep written minutes of all of its meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording. The meeting minutes of the Board shall be made available to interested parties. The minutes of Board meetings open to the public shall be available for public inspection within ten (10) days of the approval of such minutes by the Board. It shall be the responsibility of the Board Secretary to post the Board's minutes of its regular meetings that are open to the public on the University's website within ten (10) days of the approval of the minutes by the Board. Any minutes of the Board's meetings that are open to the public and posted on the University's website shall remain posted on the website for at least sixty (60) days after their initial posting.

The minutes of any closed meetings shall be made available only if the Board determines that the minutes no longer require confidential treatment or if the Board determines it is no longer necessary to protect the public interest or the privacy of an individual by keeping the minutes private. The verbatim record of a closed meeting shall be retained and made available in accordance with Section 2.06 of the Illinois Open Meetings Act.

K. Shared Participation

In order to promote shared participation in responsible and wise decision-making and to ensure channels of communication, the university shall provide for elected campus organizations, the structures of which shall be determined by the constituencies they represent and approved by the President. Except as limited by the scope of collective bargaining negotiations between the Board and the academic employees and the requirements of good faith collective bargaining, the appropriate and duly constituted committees of faculty government shall participate in the decision-making process of the university in the following areas:

1. University Curriculum
2. Basic policies with regard to campus planning and facilities construction and utilization.
3. Creation of administrative positions at the level of Dean and Vice President and selection of administrative officers for such positions as well as the President of the University.

4. Policies related to student life and conduct, following consultation with the Student Government Association.
5. Academic planning and the determination of priorities for the conduct and development of the University.

II. EMPLOYEES

Employees of Chicago State University are subject to and held accountable to the applicable provisions of this Section II of the Governing Regulations and Procedures. Where a provision is not addressed herein, it shall be further detailed in a designated University policy or in the University's Employee Handbook.

Personnel practices shall ensure freedom from discrimination on the basis of race, color, religion, national origin, ancestry, age, sex, marital status, disability, sexual orientation, unfavorable discharge from military service, status as a disabled veteran or veteran of the Vietnam era, or (if the applicant or employee is a U.S. citizen or an "intending citizen") citizenship. Current state and federal legal definitions of the above prohibited bases of discrimination shall be followed, when applicable. In addition, the University will maintain an affirmative action plan and report biennially to the Board of Trustees on progress toward achieving the goals stated in the plan. This policy is not intended to waive any constitutional or statutory rights to claim sovereign or other immunities.

A. GENERAL

1. **Coverage.** This Section II applies to all University employees, including academic, administrative and other staff, unless otherwise provided by these Governing Board Regulations and Procedures, the Board's Bylaws, or by the terms of a collective bargaining agreement.
2. **Categories of Employment.**
 - a. Academic employees shall be categorized as follows:
 - (1) Type of Appointment
 - (a) Probationary/ Tenure Track Faculty
 - (b) Tenured Faculty
 - (c) Temporary Faculty
 - (2) Rank
 - (a) Instructor
 - (b) Assistant Professor
 - (c) Associate Professor

- (d) Professor
- b. Administrative employees shall be categorized as follows:
- (1) Level I includes employees who hold the position of Provost, the Vice President Positions, General Counsel and the Chief Officer Positions.
 - (2) Level II includes employees who report directly to Level I employees and who are also directly responsible for the administration or coordination of:
 - (a) multiple organizational units and/or functions;
 - (b) generic and complex instructional activities such as graduate education or continuing education; or
 - (c) substantial, generic, and complex activities or functions which are university wide in scope.

Employees in this category will hold titles such as Associate/Assistant Provost/Vice President, Dean, Executive Director or Chief of Police and will be responsible for such activities as administration of a college, graduate education, continuing education, student services, library, admissions and records, business operations, physical plan, budget planning, development/university relations, legal services, or institutional research.

- (3) Level III includes employees who report directly to the President, or to employees in Level I or II and who are directly responsible for administration or coordination of:
 - (a) major subdivisions of organizational units or functions;
 - (b) major subdivisions of generic and complex instructional activities such as graduate education or continuing education; or
 - (c) major subdivisions of substantial, generic, and complex activities or functions which are university wide in scope.

Employees in this category will hold titles such as Directors, Registrar, Bursar, Director of Admissions or Director of Financial Aid.

- (4) Level IV includes employees who are responsible for specific professional activities or services requiring high level academic preparation and/or conceptual skills or who are directly responsible for administration or coordination of a single organizational unit of limited scope. Employees in this category will hold titles such as Associate/Assistant Director, Associate/Assistant Dean, Internal Auditor, or Academic Department Chairs.
 - (5) Level V includes employees who occupy positions which call for professional preparation and competence but which are essentially entry or intermediate level support positions.
 - (6) Civil Service and other employees, including without limitation, lecturers and adjunct appointments, shall be categorized pursuant to guidelines established by the President.
3. **Criteria for Employment and Promotion.** The basic criteria for employment and promotion of all University employees, whether or not subject to the act creating the University Civil Service System of Illinois, shall be appropriate qualifications for and performance of the specified duties.
 4. **Authority to Employ.** The Board is the employer of all academic, administrative, civil service, and other employees of the University. All civil service employees of Chicago State University are employed in accordance with the provisions of Illinois Statute, 110 ILCS 660/5-1, et. seq., as amended, and the rules and regulations of the State Universities Civil Service Merit Board and are entitled to all the rights and subject to all the requirements contained therein.
 5. **Principles Governing Employment of Academic and Administrative Staff.** The following principles shall govern the employment of the academic and administrative employees of the University:
 - a. The members of the Academic and Administrative staff shall be employed and salaries fixed by the Board of Trustees or the President, as delegated by the Board.
 - b. Minimum salaries for the various ranks shall be determined by the Board of Trustees. President shall review such guidelines with the Board before implementation.

- c. When applicable, the terms of employment for members of the academic and administrative staff shall be stated explicitly in the contract of employment.
 - d. The academic year shall consist of that period of the year so determined by the President and the Board of Trustees.
6. **Terms of Employment.** The terms of employment of the academic and administrative staff shall be explicitly stated by the President, pending Board approval, indicating that services are required for:
- a. The academic year, which shall consist of two semesters.
 - b. Twelve months, including allowable vacation.
 - c. The summer session.
 - d. Other stated periods.

Academic staff shall be appointed with services required for either the academic year or for twelve months. Those who are appointed for the academic year shall be free for other employment, either in the University or elsewhere, during the summer months, except that they shall report for any departmental meetings before registration and render all services requested of them in connection with registration and the preparation of materials and reports for the academic year. Administrative staff generally shall be appointed with services required for twelve months, including allowable vacation.

7. **Severance Pay.** Employment contracts of any employee or officer of the University that contain a provision for severance payment shall comply with the Illinois Severance Pay Act, (5 ILCS 415/1 et. seq.), in the following manner:
- a. Severance pay provided in agreements may not exceed an amount greater than twenty (20) weeks of compensation; and
 - b. Employment agreements must include a provision that prohibits severance payments when an employee is terminated for misconduct.
8. **Delegation of Authority.**
- a. Prior Board approval shall be required for creation, elimination, or significant modification of the positions of Level I Employees. The President shall inform the Board in writing of the appointment, promotion,

resignation, retirement, or other event concerning the employment of Level I Employees.

- b. Board approval shall be required for the award of tenure, the final approval of contracts with any collective bargaining representative and where applicable, creation, elimination, or modification of the categories of employment specified in paragraph 2, above.
- c. The Board may delegate its authority to the President to make all appointments and promotions for the University and shall be made solely on the basis of the special fitness of the individual for the work demanded in the position. The President shall consult with the Board before appointing a Level I Employee.
- d. Acceptance of the resignation of an employee on behalf of the Board may be made by the President.

9. **Appointment Procedures.**

- a. **Adoption of Appointment Procedures.** The University shall develop procedures for the appointment (including acting appointment) of academic, administrative, civil service, and other employees. The procedures shall contain such provisions as are necessary and appropriate and shall be:
 - (1) consistent with the Board's delegation of authority;
 - (2) consistent with the Board's commitment to affirmative action and nondiscrimination in employment practices as outlined in these Governing Board Regulations and Procedures; and
 - (3) consistent with the Board's policy on participation in University governance. The procedures and any changes shall take effect when approved by the President.

10. **Educational Requirements.** The University shall develop a policy concerning the educational requirements necessary for appointment to academic rank, including temporary appointments. All educational requirements shall be fulfilled by study in an accredited institution of higher education. The policy shall include the following provisions and such other provisions as are necessary and appropriate:

- a. requirements relevant to the position and necessary for appointment;
- b. any exceptions to the minimum requirements; and

- c. The policy and any changes shall become effective when approved by the President and shall be reviewed by the President periodically to assure that the requirements remain relevant.
11. **Position Descriptions.** A description shall be prepared for each administrative position, including department Chairpersons except for the position of President, which is described in these Governing Board Regulations and Procedures, and for each civil service and other position. The President shall develop guidelines for the preparation, review, modification, and maintenance of position descriptions. Position descriptions shall be posted on the University's website to assure that they are readily available to interested persons.
12. **Professor Emeritus.** The title Professor Emeritus shall be conferred by the Board of Trustees in the manner set forth as follows: Within six months before or after retirement, the Department Chair, Department Faculty and Dean shall recommend that the title of Professor Emeritus be conferred upon a retiring professor. The criteria for submitting recommendations for this honor shall be established by the President. The Provost shall submit the recommendation to the President and the President shall forward the recommendation to the Board for approval.
13. **Administrative Organization.** An organization chart of the administrative structure shall be prepared for the University before the beginning of each academic year. The Board shall be advised of any significant change in organization.
14. **Outside Employment, Office Hours and Compliance with State laws.**
 - a. No person employed on a full-time basis either an academic or administrative employee of the University shall be assigned any other university work which does not naturally come within the scope of that person's duties and for which additional compensation is to be paid without the prior approval of the President.
 - b. An employee's participation in outside employment must be consistent with and must not conflict or interfere with the employee's obligation to the University as the primary employer and is subject to such conditions as may be imposed by federal or state law or the terms of a collective bargaining agreement. The President shall establish guidelines concerning outside employment, which shall include the procedure for reporting outside employment.

- c. If he or she fails to comply with this policy, such action shall be considered “adequate cause” for termination within the meaning of the Governing Board Regulations and Procedures. “Adequate cause” shall mean one or more acts or omissions which, singly or in the aggregate, in the President or the Board’s sound discretion, have directly and substantially affected or impaired an employee’s performance or fulfillment of his/her duties. Termination determinations are made by the Board and/or the President.

- 15. **Employment of Relatives.** No individual shall initiate or participate in institutional decisions involving a direct benefit (initial employment, retention, promotion, salary, leave of absence, etc.) to a member of the individual’s immediate family. “Immediate family” includes an individual’s spouse, ancestors and descendants, all descendants of the individual’s grandparents, and the spouse of any of the foregoing.

- 16. **Official Residences, Offices, and Automobiles.**
 - a. Each President shall be required as a condition of employment to live in an official residence provided by the University. The official residence shall include a public area to be used for ceremonial and entertainment purposes, as well as conferences and other university business. The official residence shall have the capabilities to enable the President to maintain direct contact with the institution and perform official duties on an on-call basis. The University shall maintain the official residence and its grounds and may provide housekeeping services and furnishings for the public area.

 - b. The President shall submit to the Board for approval an annual budget for repair, remodeling, and furnishing of the official residence. Requests for Board approval of such projects shall be accompanied by a description of the project, a project budget, and a statement of justification. In addition, prior Board approval shall be required for each such project which has not been previously approved by the Board, provided that in emergency situations approval may be granted by the Board Chair, after consultation with the Board Chair, and reported to the Board at its next meeting.

 - c. Prior Board approval shall be required for each project involving the construction, remodeling, furnishing, or refurbishing of the President’s office and conference, if the aggregate expenditures for labor, materials, or furnishings for the project, irrespective of the source of funds, will be \$10,000 or more by the time the project is completed or if all such projects relating to a President’s office or conference area will total \$10,000 or more in a fiscal year. Requests for board approval of such projects shall be

accompanied by a description of the project, a project budget, and a statement of justification.

- d. As outlined in the contract for employment, the President may be provided by the Board with an automobile for official business and personal use.

17. **Employees Licensed to Practice Law.** Unless appearing pro se, employees of the University who are licensed to practice law may not represent any person or entity in any litigation, administrative proceeding, or other matter (other than proceedings conducted pursuant to Board or University regulations or procedures or a collective bargaining agreement to which the Board is a party) in which the Board, its members, in their official capacities, or employees of the University are adverse parties.'

18. **Labor Relations.**

- a. Authority for the negotiation, administration, and coordination of all collective bargaining agreements and overall responsibility for labor relations activities is delegated by the Board of Trustees to the President. There shall be an on-site contract administrator designated by the President to handle the day-to-day implementation of collective bargaining agreements on campus. Interpretation of collective bargaining agreements shall be rendered by the chief negotiator and/or the University General Counsel.
- b. No collective bargaining agreement shall be effective or implemented until first ratified by the certified employee representative and then approved by the Board of Trustees.
- c. All collective bargaining agreements shall be signed by the Chair and Secretary of the Board of Trustees or, where appropriate, by the President who shall sign such instruments in the names of the Chair and Secretary.

19. **Copyright and Patent Policies.**

a. **Copyright.**

- (1) **General.** Copyright is a form of protection provided by the laws of the United States (title 17, U. S. Code) to the authors of "original works of authorship," including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works. Section 106 of the 1976 Copyright Act generally gives the owner

of copyright the exclusive right to do and to authorize others to do the following:

- To reproduce the work in copies or phono records;
- To prepare derivative works based upon the work;
- To distribute copies or phono records of the work to the public by sale or other transfer of ownership, or by rental, lease, or lending;
- To perform the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works;
- To display the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work; and
- In the case of sound recordings, to perform the work publicly by means of a digital audio transmission.

In addition, certain authors of works of visual art have the rights of attribution and integrity as described in section 106A of the 1976 Copyright Act.

- (2) The Board recognizes that the creation of scholarly materials can be of benefit to the author and the University and thus is to be encouraged. Therefore, the University's copyright policy is intended to foster the traditional freedoms of faculty, staff, and students with regard to the creation and publication of copyrightable works. At the same time, this policy is intended to provide a fair and reasonable balance of the interests in such works among authors, sponsors, and the Board and the University.
- (3) Works subject to copyright may include any written, printed, recorded, or created work subject to copyright under applicable federal law.
- (4) Under copyright law the right to copyright any material, or to assign this right to a publisher or producer, normally belongs to the author of the work. In the case of works made for hire, the employer and

not the employee is considered to be the author. Section 101 of the copyright law defines a “work made for hire” as:

- (a) a work prepared by an employee within the scope of his or her employment; or
- (b) a work specially ordered or commissioned for use as:
 - a contribution to a collective work
 - a part of a motion picture or other audiovisual work
 - a translation
 - a supplementary work
 - a compilation
 - an instructional text
 - a test
 - answer material for a test
 - an atlas

If the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire.

To establish guidelines for determining whether or not a “work for hire” relationship exists and to balance the equitable interests involved, the following principles will be followed:

Ownership in copyrightable works produced by authors who are faculty, staff, or students at the University shall remain with the faculty, staff, or student authors except in the following situations, in which ownership of all rights in copyrightable works produced shall belong to the University.

- (c) works prepared under an agreement with an external party (*e.g.*, a grant or contract) where the terms of the agreement require the University to hold or transfer ownership in the copyrightable work,
- (d) works expressly commissioned in writing by the Board of Trustees or the University, or

- (e) works created as part of the employee's assigned duties and activities, excluding (i) works created as part of sabbaticals or employee-initiated research release time or (ii) works submitted to journals for publication. (However, works created as part of an employee's unassigned duties and activities are not considered to be "works for hire," and ownership of copyrights for these works shall remain with the author.) If an author is uncertain about the ownership of a work arising out of a particular assignment, before undertaking the assignment the author shall be entitled to request in writing and to receive a clarifying written statement from the President of the university.
- (5) If more than half the cost of production of a copyrightable work not considered a "work for hire" hereunder was provided through University resources, the faculty, staff, or student author shall grant the University an irrevocable, nonexclusive, royalty-free license to use, copy, and sell such work in connection with its teaching, research, and public service programs.
- (6) With respect to copyrightable works owned or used by the University pursuant to paragraph (4) or (5) above, the author may be required to execute such documents as are necessary to vest ownership or a royalty-free license to copy, use, and sell such works in the Board or its designee and to warrant that such works do not infringe any pre-existing copyright.
- (7) When the Board or the University commissions the preparation of a copyrightable work by an author who is not a Board or University faculty or staff member or student, the contract with such author shall specify that the work shall be considered a "work for hire."
- (8) Works owned by the author may be copyrighted, published, and distributed by the author, or by others to whom the author has assigned such rights, subject only to any license referred to in paragraph (5) above. Authors may request that the work be produced through the University; and, if the request is granted, an agreement will be drawn up specifying the duties of the author and the University, the distribution of any income received between the author and the University (for the benefit of the University), and other mutually agreed upon terms. The agreement shall be approved by the President after considering the recommendations

of the Provost and the appropriate research administrator or committee.

- (9) To avoid the appearance of impropriety, faculty-authors who require their students to purchase their works should:
- (a) Donate the equivalent amount of any royalties received from such purchases to the University for use in an appropriate fund (*e.g.*, department or college scholarship), or
 - (b) Consider other appropriate methods of divesting themselves of the equivalent amount of any such royalties.
- (10) In the event that income is received by the University from any copyrightable works belonging to the University, an appropriate share shall be paid to the author. Unless otherwise stated in a written agreement between the author and the University, the distribution of net royalty income for copyrightable works belonging to the University shall be distributed on an annual basis as follows: 40% to the author; 40% to the University; 20% to the author's department of school. Net income shall mean the gross royalties in the form of case or cash proceeds whether from the sale of equity or obtained in licensing transactions less commercialization costs, including but not limited to costs incurred for protection of intellectual property, marketing, legal fees and other licensing costs. Notwithstanding the foregoing, the President, after considering the recommendations of the Provost and the appropriate research administrator or committee is authorized to enter a written agreement modifying the distribution for copyrightable works owned by the University. The University may postpone the distribution of Net royalty income if a claim, suit, or demand is reasonably anticipated.
- (11) The University's share of copyright income shall be used and controlled in ways to produce the greatest benefit to the University and to the public in a manner to be determined by the President after considering the recommendations of the Provost and the appropriate research administrator or committee.
- (12) All licenses and rights granted to the University will survive any termination of employment or end of enrollment by a student as applicable.

b. Patents.

- (1) The principle is recognized that discoveries, inventions, and patents which are the result of research carried on by, or under the direction of, faculty, staff, or students on university time, with their facilities, or from funds under their control belong to the University and shall be used and controlled in ways to produce the greatest benefit to the University and to the public.
- (2) Patentable inventions or discoveries covered by paragraph (1) above shall be submitted to the appropriate research administrator or committee to be considered for submission to a research corporation which may patent and commercialize the invention or discovery without expense to the inventor or discoverer or to the University. If an invention is not submitted to or accepted by such research corporation, its disposition will be determined by the President after considering the recommendations of the Provost and the appropriate research administrator or committee.
- (3) In the event that income is received by the University from any patent, an appropriate share shall be paid to the inventor or discoverer. This share is to be determined by the President after considering the recommendations of the Provost and the appropriate research administrator or committee.
- (4) Agreements with sponsors, which provide that the sponsor may determine disposition of patentable inventions or discoveries, may be accepted when required by applicable state or federal statutes or when the action of the Board or University in waiving its rights to such inventions or discoveries is determined to be in the public interest. Any such waiver requires the approval of the President.
- (5) The share of any income to the University resulting from the commercial development of inventions or discoveries shall be used primarily for support of further research. Unless otherwise stated in a written agreement between the inventor and the University, the distribution of net royalty income for patented inventions or discoveries belonging to the University shall be distributed on an annual basis as follows: 40% to the inventor; 40% to the University; 20% to the inventor's department of school. Net income shall mean the gross royalties in the form of case or cash proceeds whether from the sale of equity or obtained in licensing transactions less commercialization costs, including but not limited to costs incurred

for protection of intellectual property, marketing, legal fees and other licensing costs. Notwithstanding the foregoing, the President, after considering the recommendations of the Provost and the appropriate research administrator or committee is authorized to enter a written agreement modifying the distribution for patented inventions or discoveries owned by the University. The University may postpone the distribution of Net royalty income if a claim, suit, or demand is reasonably anticipated.

- (6) Approval by the Board of Trustees shall be required for use of the name of the Board of Trustees of Chicago State University, in advertising or promoting commercial development resulting from research, and approval by the President shall be required for use of the name of the University for such purposes.
- (7) All licenses and rights granted to the University in patented inventions and discoveries will survive any termination of employment or end of enrollment by a student as applicable.

- c. The University shall develop policies implementing the provisions of paragraphs a. and b. above. The policies and any changes shall become effective when approved by the President.

B. UNIVERSITY PRESIDENT AND ADMINISTRATIVE EMPLOYEES

1. **Employment of the President.** The President is the chief executive officer of the University and shall be employed by and serve at the pleasure of the Board. The President is responsible for the enforcement of the Governing Board Regulations and Procedures. The President's specific duties shall be outlined in his/her employment agreement.
2. **Evaluation of the President.** The performance of the President shall be reviewed annually at a time designated by the Board's Chairperson. The results of such review shall be shared with the President in a session with the Board. The material used in the annual review of the President's performance shall include a statement of the President's goals and objectives and such other material as specified by the Board. Additional material may be submitted at the discretion of the President.
3. **Reassignment of President.** Unless the contract of employment specifies otherwise, the President may be reassigned by the Board without advance notice. A President who is reassigned shall receive written notice of any reduction in monthly compensation as follows:

- a. In the first or second year of employment as President, not later than three (3) months prior to the reduction in monthly compensation date specified in the notice;
 - b. In the third or subsequent years of employment as President, not later than six (6) months prior to the reduction in monthly compensation date specified in the notice.
 - c. If in the judgment of the Board a reassigned President is unwilling or fails to perform all the duties of the position to which the President is reassigned, then such a President's right to the compensation at the level paid prior to the reduction in monthly compensation as provided above shall cease.
4. **Termination of the President.** The President shall receive written notice of termination, signed by the Chair of the Board in accordance with the provisions of the employment agreement with the Board and consistent with the University Employee Handbook.
5. **Resolution of Disagreements.** Except as specifically provided in any contract for employment of the President, the following procedure shall be used in the event of a disagreement between the President and the Board which they are otherwise unable to resolve.
- a. The President may ask the Board Chair for an opportunity to address the Board concerning the matter. The President shall notify the Chair prior to making any such request.
 - b. The Chair shall notify the Board of any such request by the President and shall consult with the President prior to taking action on the request. The Chair shall notify the Board of any action taken on the request.
6. **President's Authority Regarding Administrative Employees.**
- a. Appointment. Administrative employees shall be employed by the University and serve at the pleasure of the President as at-will employees.
 - b. Reassignment.
 - (1) Employees at the University may be reassigned by the President without advance notice. The President shall advise the Board prior to the reassignment of a Level I Employee. Employees, other than employees with a temporary appointment (including employees serving in an "Acting" or "Interim" role or whose appointment is

supported by grant or contract funds), who are reassigned shall receive written notice of any reduction in monthly compensation no later than thirty (30) days prior to the effective date of reduction in monthly compensation.

- (2) If in the President's judgment a reassigned employee is unwilling or fails to perform all the duties of the position to which the employee is reassigned, then such an employee's right to the compensation at the level paid prior to the reduction in monthly compensation as provided above shall cease.

c. Termination.

- (1) In the exercise of their authority to dismiss or request the resignation of employees from their positions, the President or Board (when applicable) may take such action in respect to such officer prior to the expiration of the term for which the individual was appointed. As at-will employees, employees shall not be entitled to advanced notice of termination. The President shall consult with the Board prior to terminating a Level I employee.
- (2) In designating the effective date of dismissal or requested resignation, the President or Board shall give due consideration to the time reasonably required for the adjustment of the employee's personal affairs.
- (3) Academic and Administrative staff who are hired contingent upon or pursuant to grant funding, shall be terminated upon expiration of the grant (the date of the last funded day). Notice of the terms of employment shall be set forth in the original offer letter. Termination shall be without further notice.

d. Termination for Adequate Cause (Hereinafter "Termination")

- (1) Employees Covered by a Collective Bargaining Agreement. Termination of employees covered by a collective bargaining agreement shall be governed by the applicable provisions included within that collective bargaining agreement.
- (2) Employees Not Covered by a Collective Bargaining Agreement. Termination of employees not covered by a collective bargaining agreement before the end of the specified term of employment may be terminated at any time for adequate cause and in accordance with the University Employee Handbook.

- (3) Severe Sanctions other than Dismissal for Adequate Cause. Severe sanctions other than dismissal for cause may be imposed on any employee, provided that procedures are adopted by the President and in accordance with the University Employee Handbook.

7. **Employee Benefits.**

- a. Implement Policies. The University may develop policies implementing the benefits afforded to University employees and included within the University's Employee Handbook. The policies and changes shall become effective when approved by the President and are reported to the Board.
- b. Eligibility. The following shall be eligible to receive benefits as described in the University's Employee Handbook.
 - (1) Academic and administrative employees who are not covered by a collective bargaining agreement, or whose employment is contingent upon grant funding.
 - (2) An employee with a full-time appointment.
 - (3) An employee who receives an appointment on an "acting," if not prohibited by or inconsistent with a collective bargaining agreement.
 - (4) An employee hired specifically for a part-time, full-time, (less than 10 month contract) or temporary position.

C. **Academic Staff and Administrative Staff with Academic Rank**

1. **Coverage.** This Sub-section applies to all academic staff and administrative staff with academic rank of the University, unless otherwise provided by these Governing Board Regulations and Procedures, by law, or by the terms of a collective bargaining agreement.
2. **Ranks of Academic Staff.**
 - a. The following ranks, and only these ranks of the academic staff are subject to this Sub-section (II)(C): professor, associate professor, assistant professor and instructor.
 - b. Administrative Staff with Academic Rank. An administrative employee may retain academic rank in a department (or equivalent academic unit) in which it has previously been granted by the University. Furthermore, an

administrative employee may be granted academic rank at the time of appointment or subsequent thereto or may be promoted in academic rank if such employee satisfies the educational requirements specified below and academic rank or promotion is recommended by the appropriate department (or equivalent academic unit), the Dean, and Provost/Vice President and approved by the President.

- c. At the time of initial employment by the University, an administrative employee whose preceding employment included academic rank and tenure may be granted tenure if recommended by the department (or equivalent academic unit), the Dean, or the Provost/Vice President to the President and the President recommends tenure and the recommendation is approved by the Board.
- d. Except for a Chair, who shall be eligible for tenure as provided in Sub-Section (II)(C)(5) below, an administrative employee with academic rank but without tenure shall not be eligible for tenure during the period that such employee occupies an administrative position.
- e. Chairs shall be eligible for consideration for tenure during their term of service as Chair if they hold at least the rank of Assistant Professor. Such employees may be considered for promotion to Associate Professor and tenure in the same year.
- f. Special classes of positions. Special classes of positions within the academic staff may be established to meet specialized professional or technical needs as determined by department chairs and authorized by the President.

3. Appointment of Academic Staff.

- a. In determining appointments to, and salaries and promotion to the academic staff, special consideration shall be given to the following:
- b. Teaching ability and performance;
- c. Research ability and achievement; and
- d. Ability and performance in continuing education, public service, committee work, and special assignments designed to promote the quality and effectiveness of academic programs and services.
- e. The terms of employment for all members of the academic staff shall be stated explicitly in the contract of employment.

4. **Reassignment & Termination.** Reassignment and termination of academic staff shall occur in the same manner as prescribed for all other employees as prescribed in Sub-section (II)(B)(4), unless otherwise specified by the terms and conditions of a collective bargaining agreement.

5. **Tenure.**
 - a. Coverage. The following provisions apply to administrative employees with academic rank and shall not apply to employees that are covered by a collective bargaining agreement.

 - b. Educational Requirements. An administrator shall be eligible for consideration for tenure if he/she meets the educational requirements and years of service established by the University for tenure for academic staff covered by a collective bargaining agreement.

 - c. Years of Service.
 - (1) Except as provided in Sub-Section (II) (C)(d) below, a Chair may not apply for tenure before his/her sixth probationary year of employment at the University.

 - (2) A Chair who has no previous full-time teaching or professional service in a baccalaureate degree-granting institution of higher education shall be placed in probationary year one at the time of initial appointment.

 - (3) A Chair who has one year of prior full-time teaching or professional service in a baccalaureate degree-granting institution of higher education shall be placed in probationary year two at the time of initial appointment.

 - (4) A Chair who has two years of prior full-time teaching or professional service in a baccalaureate degree-granting institution of higher education shall be placed in probationary year three at the time of initial appointment.

 - (5) A Chair who has three or more years of prior full-time teaching or professional service in a baccalaureate degree-granting institution of higher education shall be placed in probationary year four at the time of initial appointment.

 - (6) A Chair may elect to be placed in a lower-numbered probationary year by written notification to the appropriate Provost and/or Vice

President by the close of the second academic term following his/her initial appointment.

- (7) A tenure appointment as professor or associate professor shall be for an indefinite term except that first appointments or temporary appointments may be made for shorter periods. An appointment at either of these ranks for fifty percent (50%) or less of full-time service shall be for an indefinite term at the specified percentage except that such first appointments or temporary appointments may be for definite terms.

d. Consideration for Tenure on the Basis of Exception

- (1) An administrator who does not satisfy the educational requirements for tenure established pursuant to paragraph (1) above or the years of service requirement specified in paragraph (2) above may apply for consideration for tenure in his/her fourth, fifth, or sixth year of full-time service at the University on the basis of exceptional teaching/performance of primary duties, research/creative activity, or service.

- (2) An administrator who applies for consideration for tenure as an exception to the educational requirements or years of service requirements shall present evidence in support of his/her claim for an exception in the area of his/her performance.

- e. Tenure for administrators shall not be acquired automatically by length of service. Tenure shall be granted and may be acquired only by specific action of the Board after receipt of a specific recommendation of the President. Tenure shall be in an academic discipline or equivalent unit.

- f. The performance of an administrator during the entire term of employment shall be considered by the Board in determining whether to grant tenure.

- g. An eligible administrator must apply to the Dean of his/her college (or equivalent unit) prior to the commencement of the tenure process in order to be considered for tenure. In the event that an eligible Chair does not submit his/her application for tenure in the sixth probationary year, such employee shall receive a terminal contract for the next subsequent academic year.

- h. Removal from Office. In appropriate circumstances, removal of a Chairperson from office during the term of a Chair's appointment may be

initiated by vote of a 2/3 majority of all probationary and tenured academic staff of the department/division, or by the Dean of the College after consultation with members of the department/division and the Provost/Academic Vice President.

- i. The final decision with respect to removal of a Chairperson shall be made by the President. In the event of removal from office, a Chairperson shall be entitled to assume responsibilities at his/her then current academic rank. The President shall establish guidelines concerning the removal of a Chairperson from office during the term of a Chair's appointment. The guidelines shall ensure that the incumbent has a brief statement from the academic staff of the department, or the Dean or the Provost, of the College outlining the reason(s) for said action, a short summary of the evidence supporting the academic staff's action, and an opportunity to explain the Chair's side of the matter before the President's final decision.

D. Academic Freedom

1. It is the policy of the University to maintain and encourage full freedom within the law of inquiry, discourse, teaching, research, and publication and to protect any member of the academic staff against influences, from within or without the University, which would restrict the member's exercise of these freedoms in the member's area of scholarly interest. The right to the protection of the University shall not, however, include any right to the services of the University Counsel or the Counsel's Assistants in any governmental or judicial proceedings in which the academic freedom of the staff member may be in issue.
2. As a citizen, a faculty member may exercise the same freedoms as other citizens without institutional censorship or discipline. A faculty member should be mindful, however, that accuracy, forthrightness, and dignity befit association with the University and a person of learning and that the public may judge that person's profession and the University by the individual's conduct and utterances.
3. If, in the President's judgment, a faculty member exercises freedom of expression as a citizen and fails to heed the admonitions of discipline imposed by the President or the Board, the President may publicly disassociate the Board of Trustees and the University from and express their disapproval of such objectionable expressions.

E. Academic Responsibility

1. Membership in the academic community imposes on students, faculty members, and administrators an obligation to respect the dignity of others, to acknowledge

their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off campus. The expression of dissent and the attempt to produce change, therefore, may not be carried out in ways which injure individuals or damage institutional facilities or disrupt the classes of one's teachers or colleagues. Speakers on campus must not only be protected from violence, but given an opportunity to be heard. Those who seek to call attention to grievances must not do so in ways that significantly impede the functions of the institution. Students are entitled to an atmosphere conducive to learning and to even-handed treatment in all aspects of the teacher-student relationship. Faculty members may not refuse to enroll or teach students on the grounds of their beliefs or the possible uses to which they may put the knowledge to be gained in a course. Students should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or their own part of society. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, or personal beliefs.

2. It is the faculty members' mastery of their subjects and their own scholarship which entitle them to their classrooms and to freedom in the presentation of their subjects. Thus, it is improper for faculty members to intrude material which has no relation to their subjects, or to fail to present the subject matter of their course as announced to their students and as approved by the faculty in their collective responsibility for the curriculum.
3. Because academic freedom has traditionally included the faculty member's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions, on the other. If such conflicts become acute, and the faculty members' attention to their obligations as citizens and moral agents precludes the fulfillment of substantial academic obligations, they cannot escape the responsibility of that choice, but should either request leaves of absence or resign their academic positions.

III. ACADEMIC AFFAIRS

A. University Calendar

1. The University shall develop a University Calendar containing significant academic dates and events during the twelve-month period commencing with each fall term. The University Calendar shall become effective when approved by the President and shall be published in the official University Catalog and posted on the University's website.
2. The University Calendar shall contain the following dates and such other dates as are necessary and appropriate: opening and closing dates of each term; registration dates, including the date after which a fee for late registration will be charged; last day for withdrawal; final examination periods; recognized holidays; vacations; and commencement.

B. Degrees

1. Earned Degrees.

- a. The university shall develop requirements for earned degrees. The requirements and any changes shall become effective when approved by the President.
- b. Earned degrees shall be conferred by the university pursuant to the authority vested in the Board upon satisfactory completion of all degree requirements and recommendations to the President by the faculty. At the discretion of the President, and upon satisfactory completion of all degree requirements, students may receive their degrees prior to scheduled commencement exercises.

2. Honorary Degrees.

- a. An Honorary Degree may be awarded to an individual who has demonstrated merit in one or more of the following areas:
 - (1) Distinguished contribution to cultural, scientific, academic, social, business, or other significant fields of endeavor;
 - (2) Achieved major distinction in urban leadership in the Chicago, national, or global arena;
 - (3) Outstanding commitment to fostering the appreciation and expression of human diversity.

- b. Honorary Degree Committee (HDC)
- (1) The President of the University will make a general call for nominations of individuals to serve on the Honorary Degree Committee.
 - (2) The President will appoint a standing HDC composed of:
 - (a) six elected faculty (elected by the Faculty Senate)
 - (b) two students (elected by the Student Government)
 - (c) two Civil Service (elected by the Civil Service Council)
 - (d) two administrators (elected by the Executive Council)
 - (e) one alumnus (or alumna, elected by the Alumni Council)
 - (f) three Board chair appointees
 - (3) HDC members will serve for two-year terms except that half of the first appointees will serve only a one-year term so that the HDC maintains a continuing membership.
 - (4) The President will appoint a Chair from the standing HDC.
 - (5) All HDC members agree to hold all nominations and the evaluation process in strict confidence. Individuals under consideration for an Honorary Degree must not be informed of their candidacy until contacted by the University President or his/her designee.
 - (6) After screening nominations, the HDC will make recommendations to the President or candidates to be either The Doctor of Humane Letters (L.H.D.) or The Doctor of Laws (LL.D.).
- c. Nomination Process.
- (1) All nominations and supporting documents are considered strictly confidential and not subject to disclosure. All documents will be housed in the Office of the President.
 - (2) Only CSU faculty, staff, and students may submit Honorary Degree nominations and the HDC will invite nominations from these individuals. Candidates may not self-nominate.

- (3) The nominator is responsible for compiling and submitting the following materials (note that amassing this material in its entirety may be difficult since confidentiality requires a candidate not be informed of his/her nomination. However, as complete a dossier as possible should be submitted):
 - (a) Biographical information on the nominee, including:
 - (i) Full name and date of birth
 - (ii) Degrees received and granting institutions
 - (iii) Experiences and career history as relevant to the nominating criteria
 - (iv) Awards, memberships, and achievements of note
 - (v) Bibliography of major works
 - (vi) Other information as relevant
 - (b) A detailed narrative outlining the significance of the nominee's achievements as they relate to the Honorary Degree criteria, and their particular significance to CSU's mission and values.
- (4) Nominees who are not awarded Honorary Degrees will have their names held in the candidate pool for a period of three years from the time of their first nomination.

d. Restrictions.

- (1) Honorary Degrees may be awarded each year. No more than one Honorary Degree will be conferred at each commencement.
- (2) Persons currently holding elective or appointive positions in State of Illinois governmental agencies and members/employees of the CSU Board of Trustees are ineligible to receive an Honorary Degree. Exceptions to this restriction may be made after the prior affirmative recommendation of the President and upon a two-thirds vote of the members of the Board present at the meeting where the vote is taken.

- (3) Faculty, staff, and students are ineligible for Honorary Degrees while employed or enrolled at CSU.
 - (4) Honorary Degrees may not be awarded in absentia, and candidates must agree to participate in ceremonies/activities associated with the award of the Honorary Degree prior to final candidate approval.
 - (5) Honorary Degrees are awarded by approval of the Board of Trustees upon the recommendation of the University President. Prior to requesting Board approval, the President shall submit to the Board written information concerning the candidate's achievements. Unless the Board approves an exception, approval of candidates must be obtained at least two months prior to the award of the Degree.
- e. Limitations. Elected or appointed public officials in state or local government, members and employees of the University, and members and employees of the Board of Higher Education are ineligible for award of an honorary degree during their term of office or employment.

C. Academic Programs and Plans

1. A request for initiation of a new degree program or a new unit of instruction, or public service, including the establishment of a college, school, department, division, center, or institute, shall be presented to the Board for information and, where applicable, to the Board of Higher Education.
2. A request for initiation of an off-campus program which requires Board of Higher Education approval shall be submitted to the Board for information prior to being submitted to the Board of Higher Education.
3. A request for a reasonable and moderate extension of an existing program shall be submitted to the President for approval and, where applicable, to the Board of Higher Education.
4. A request to add or delete courses shall be submitted to the President for approval. The Provost shall conduct an annual review of each of the academic programs offered at the university and shall submit recommendations on the status of each academic program to the President.
5. The University shall prepare an academic plan for review by the Board which shall describe the scope and mission of the university and its program priorities.

6. The President shall develop guidelines for implementation of this Subsection C.

D. Grants and Contracts

1. The University shall develop policies concerning grants and contracts. The policies and any changes shall become effective when approved by the President. The policies and any changes shall be presented to the Board by the President.

The policies shall contain the following provisions and such other provisions as are necessary and appropriate:

- a. Provisions for the review and administration of grants and contracts which shall insure their consistency with the university's academic mission, instructional commitments, and financial capabilities.
 - b. Provisions to insure that persons engaged in grant or contract funded activities do not have conflicts of interest that could compromise the integrity of the activities and the university.
 - c. Provisions to safeguard human subjects involved in research activities. At a minimum such safeguards must be submitted to, reviewed by and approved by the University's Institutional Review Board (IRB) before any grant or contract is submitted to any external agency or authority.
 - d. Provisions of research activities relating to the use of animals shall be reviewed by the University's Institutional Animal Care and Use Committee (IACUC) to assure that animals are properly housed, that animal protocols are reviewed and approved to confirm that all activities relating to the use of vertebrate animals are conducted in compliance with Animal Welfare Assurance A3579-01 on file with the Office of Laboratory Animal Welfare.
 - e. Provisions of research activities relating to biohazards shall be approved by the University's Institutional Biosafety Committee (IBC), to assure that procedures are in place for the safe handling and disposal of such agents and that the individuals using such biohazards have proper prior training in how to handle the materials consistent with the regulations and guidelines of the appropriate regulatory agencies.
2. Each grant or contract that requires Board of Higher Education approval shall be submitted by the President to the Board of Higher Education.
 3. Grants and contracts that do not require Board of Higher Education approval shall be approved by the President.

4. The President shall submit an annual report to the Board on grants and contracts.

IV. STUDENTS

As members of the community of scholars, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. The responsibility to secure and respect conditions conducive to the freedom to learn is shared by all members of the academic community. Therefore, the University shall provide means by which students participate in university governance. Students shall be guaranteed due process in disciplinary proceedings and freedom from discrimination on the basis of race, color, religion, national origin, ancestry, age, sex, marital status, disability, or sexual orientation. Current state and federal legal definitions of the above prohibited bases of discrimination shall be followed, when applicable. This policy is not intended to waive any constitutional or statutory rights to claim sovereign or other immunities. Appropriate and duly constituted committees of student government may develop and propose to the President, or such other administrative officers as the President may designate from time to time, advisory recommendations with respect to student concerns.

A. Admission Policies

The University shall develop policies for the admission of undergraduate and graduate students. The policies shall become effective when approved by the President and shall be:

1. Consistent with the University's commitment to equal opportunity for qualified students to attend Chicago State University.
2. Consistent with admission standards approved by the Illinois Board of Higher Education.
3. Published in the catalogs. The President shall submit an annual report to the Board on admission policies.
4. No substantive change in the University's admissions policies shall become effective until approved by the Board.

B. Student Financial Aid

1. **Definition.** Student financial aid includes tuition waivers, scholarship, grants, loans, and employment opportunities which are provided for students to assist them in meeting the costs of University attendance whether from University, state, federal, or private resources.
2. **Financial Aid Policies.** The University shall develop policies for the administration of its financial aid program. The policies shall become effective when approved by

the President. The policies and any changes shall be submitted to the Board of Trustees by the President. Financial aid policies shall be consistent provide an equal opportunity to qualified Illinois residents to attend Chicago State University. The policies shall include the following provisions and such other provisions as are necessary and appropriate:

- a. Policies and procedures concerning the award of tuition waivers. The policies and procedures shall describe all tuition waivers issued by the University and the criteria for their award. The policies and procedures shall comply with Board of Higher Education tuition waiver policies and other applicable laws, policies, rules, or requirements.
- b. In compliance with 110 ILCS 660/5 procedures for the award of tuition waivers shall provide that each eligible child of any Chicago State University employee who has been employed for at least 7 years by Chicago State University shall, upon proper application and verification of eligibility, be offered a 50% tuition waiver for undergraduate education at any campus under its governance to the children of employees of Chicago State University, University of Illinois, Southern Illinois University, Eastern Illinois University, Western Illinois University, Northern Illinois University, Illinois State University, Governors State University, and Northeastern Illinois University, who have been employed by any one or by more than one Illinois college or university for an aggregate period of at least 7 years. To be eligible to receive a partial tuition waiver, the natural, adopted, foster or step-child of an employee of one the above-mentioned Illinois colleges or universities:
 - (1) Must be under the age of 25 at the commencement of the academic year during which the partial tuition waiver is to be effective, and
 - (2) Must qualify for admission to Chicago State University under the same admissions requirements, standards and policies which Chicago State University applies to applicants for admission generally to its respective undergraduate colleges and programs.
- c. Subject to the provisions and limitations of subsection “b,” an eligible applicant who has continued to maintain satisfactory academic progress toward graduation may have his or her partial tuition waiver renewed until the time as he or she has expended four years of undergraduate partial tuition waiver benefits under this Section.

- d. No partial tuition waiver offered or allocated to any eligible applicant in accordance with the provisions of this Section shall be charged against any tuition waiver limitation established by the Illinois Board of Higher Education.
- e. Policies and procedures concerning the employment and compensation of student hourly workers shall comply with the rules of the State Universities Civil Service System and with applicable state and federal employment law.
- f. Procedures and policies concerning the appointment, hours of work, and compensation mandate that graduate assistants may not hold faculty rank and must hold at least a baccalaureate degree or its equivalent.
- g. The Board shall prescribe rules and regulations as are necessary to implement and administer the provision of this Section.

C. Residency Status

1. **Definitions.** For purposes of this regulation, the following definitions apply:
 - a. An “adult student” is a student who is eighteen or more years of age.
 - b. A “minor student” is a student who is less than eighteen years of age.
 - c. An “emancipated minor student” is a completely self-supporting student who is less than eighteen years of age. Marriage or active military service shall be regarded as effecting the emancipation of minors, whether male or female, for the purposes of this regulation.
 - d. “Residence” means legal domicile. Voter registration, filing of tax returns, proper license and registration for driving or ownership of a vehicle, and other such transactions may verify intent of residence in a state. Neither length of University attendance nor continued presence in the University community during vacation periods shall be construed to be proof of Illinois residence. Except as otherwise provided in this regulation, no parent or legal or natural guardian will be considered a resident unless the parent or guardian maintains a bona fide and permanent residence in Illinois, except when temporarily absent from Illinois, with no intention of changing his or her legal residence to some other state or country.
2. **Residency Determination.** The University shall determine the residency status of each student enrolled in the University for the purpose of determining whether the student is assessed in state or out of state tuition. Each applicant for

admission to the University shall submit at the time of application evidence for determination of residency. The office responsible for admissions shall make the determination of residency status.

3. **Residency Requirements.**

- a. Adult Students. To be considered a resident, an adult student must have been a bona fide resident of Illinois for a period of at least six 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 Illinois. In the case of an adult student who resides with his or her parents, the student will be considered a resident if the parents have established and are maintaining a residence in Illinois.
- b. Minor Students. The residence of a minor student shall be considered to be the same as and change with the following:
 - (1) That of the minor's parents or guardian if they are living together, or the living parent if one is deceased; or
 - (2) If the parents are separated or divorced, that of the parent to whom custody of the minor has been awarded by court decree or order, or, in the absence of a court decree or order, the residence of the parent where the child resides regularly during the school term.
- c. Emancipated Minors. If emancipated minors actually reside in Illinois, such minors shall be considered residents even though their parents or guardians may not reside in Illinois. Emancipated minors who are completely self-supporting shall be considered residents if they have maintained a dwelling place within Illinois uninterrupted for a period of at least twelve consecutive months immediately preceding the beginning of any term for which they register at the University.
- d. Minor Children of Parents Transferred Outside the United States. The minor children of persons who have resided in Illinois for at least twelve consecutive months immediately prior to a transfer by their employers to some location outside of the United States shall be considered residents. This rule shall apply, however, only when the minor children of such parents enroll in the University within five years of the time their parents are transferred by their employer to a location outside the United States.
- e. Married Students. A non-resident student, whether minor or adult, who is married to a person who meets and complies with all of the applicable

requirements of these regulations to establish residence status, shall be classified as a resident.

- f. Armed Forces Personnel. Non-residents of Illinois who are on active duty with one of the services of the Armed Forces of the United States who are stationed in Illinois and who submit evidence of such service and station, as well as the spouses and dependent children of such persons, shall be considered residents as long as such persons remain stationed in Illinois and the spouses and/or dependent children of such persons also reside in Illinois. If such persons are transferred to a post outside the continental United States but such persons remain registered at the University, residency status shall continue until such time as these persons are stationed within a state other than Illinois within the continental United States.
 - g. Staff Members of the University, Allied Agencies, and Faculty of State-Supported Institutions in Illinois. Staff members of the university and of allied agencies, and faculties of state-supported institutions of higher education in Illinois, holding appointment of at least one-quarter time, and their spouses and dependent children, shall be treated as residents.
 - h. Teachers in Public and Private Illinois Schools. Teachers in the public and private elementary and secondary schools of Illinois shall, if subject to payment of tuition, be assessed at the resident rate during any term in which they hold an appointment of at least one-quarter time, including the summer session immediately following the term in which the appointment was effective.
4. **Special Situations**. Upon recommendation of the President, the Board may, in special situations, grant residency status to categories of persons otherwise classified as nonresidents under this regulation.

D. Student Privacy

1. **The Family Educational Rights and Privacy Act (FERPA)** (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. Chicago State University shall operate in compliance with the procedures of the FERPA, as amended, in the collection and handling of student education records and in making determinations regarding access and/or disclosures to parents, students and third parties accordingly.
2. **The Health Insurance Portability and Accountability Act of 1996 (HIPAA)** and its companion regulations (the Privacy, Security, Breach Notification and

Enforcement Rules) are intended to assure the privacy and security of health information held or transmitted by Covered Entities and their Business Associates. To the extent that Chicago State University collects or otherwise receives Protected Health Information as defined by HIPAA that is not otherwise covered by FERPA, Chicago State University officials shall comply with the provisions of HIPAA, as amended, in transmitting and/or disclosing such information. *(See Section VII of these Governing Board Regulations and Procedures for an overview of the University's implementation of HIPAA).*

E. Student Conduct

The University shall develop policies concerning student rights and conduct. The policies and any changes shall become effective when approved by the President. The policies shall include the following provisions and such other provisions as are necessary and appropriate:

1. Recognition of basic student rights.
2. Clarification of the distinction between University conduct standards and those established by civil and criminal statutes.
3. Specific prohibited conduct, with sanctions which may be imposed for such conduct.
4. Procedures for presenting complaints of prohibited conduct and a due process for determining whether violations have occurred.
5. Grievance procedures.

F. Student Discipline

1. All students and graduate students are subject to the provisions of University's Code of Conduct as well as the Student Code of Conduct, as contained within the Student Handbook.
2. Any student accused of violating a Code of Conduct has the right to a hearing before any final determination or sanctions are issued. The Director of Judicial Affairs or a hearing committee, representing faculty and/or staff and students, is responsible for hearing student judicial matters and levying sanctions (penalties) in matters where a student has been found responsible for violating a Code of Conduct.

3. Violations of the University's Code of Conduct or the Student Code of Conduct that are not sufficiently serious to warrant referral to judicial affairs can be reviewed by the Dean of Students or an assigned designee(s).
4. Students' basic rights as well as the disciplinary process are further detailed within the Chicago State University Student Handbook.

G. Student Activities and Organizations

The University shall develop policies concerning student activities and organizations. The policies and any changes shall become effective when approved by the President.

The policies shall include the following provisions and such other provisions as are necessary and appropriate:

1. Procedures for recognition of approved university activities and organizations.
2. Procedures for the approval of allocations and expenditures of student activity funds.

H. Student Affairs

The Dean of Student Affairs shall be responsible for collaborating across units at the University for the development of appropriate recommendations regarding policies on student affairs. Student Affairs shall ensure the opportunity for substantial student involvement in the development of these recommendations. All policies shall become effective when approved by the President.

I. Student Publications and Broadcasting Policies

The University shall develop policies concerning the operation of all student media which are supported in whole or in part by University funds. The policies and any changes shall become effective when approved by the President.

The policies shall include the following provisions and such other provisions as are necessary and appropriate:

1. Necessary management elements for the conduct of student media organizations, including specifying the line of authority and responsibility from the President to the staff of each organization.
2. Method of funding and procedures for budget approval.
3. Establishment of a staff organization, of fiscal authority responsibility, and of guidelines for the conduct of operations.

4. Provisions for a faculty/staff advisor and for selection of principal student staff and advisors.
5. Establishment of appropriate ethical and professional standards.
6. Complaint procedures.
7. Requirements for assuring compliance with all applicable laws and regulations.

J. Student Legal Services

The University may develop policies concerning the provision of student legal services. The policies and any changes shall become effective when approved by the President.

The policies shall include the following provisions and such other provisions as are necessary and appropriate:

1. That the attorney may be an independent contractor or an employee of the university.
2. That the attorney acts on behalf of students and not as an attorney or agent for the Board or the university.
3. Functions of the attorney, types and limitations of legal service which may be provided.
4. Establishment of an Advisory Board.

K. Student Housing

The University shall develop policies concerning student housing. The policies and any changes shall become effective when approved by the President. The policies shall include the following provisions and such other provisions as are necessary and appropriate:

1. Eligibility for housing.
2. Procedures for assignment of housing.
3. Billing and refund procedures.
4. Sanctions for violations of housing policies.

L. Military Service

The University shall develop policies concerning credit for students who enter active military service. The policies and any changes shall become effective when approved by the President. The policies shall include the following provisions and such other provisions as are necessary and appropriate:

1. Provisions for course credit and residence credit for students who withdraw during the term.
2. Provisions for makeup of course work missed while attending annual training.

M. Intercollegiate Athletics Policy

An intercollegiate athletics program is an important and worthwhile activity. A properly administered program can make a significant contribution to the quality of campus and student life. The primary responsibility for management of an intercollegiate athletics program rests with the President. The President's exercise of that responsibility is subject to applicable law and these Board Regulations and Procedures, including the following:

1. The President shall inform the Board in advance of any action or proposal which significantly affects the intercollegiate athletics program, including proposals to change conferences, athletic associations or divisions, or to add or drop sports.
2. State appropriations may be used to support the intercollegiate athletics program, but not more than 1.5 percent of a University's annual state appropriation may be expended for intercollegiate athletics unless approved by the Board.
3. Student athletic fees may be used to support the intercollegiate athletics program, but increases in such fees should normally not exceed the projected rate of inflation for the year in which the increase is to take effect. Proposals to increase student athletic fees should not be presented for Board approval without prior consultation with appropriate student advisory bodies.
4. Every effort should be made to minimize reliance on state appropriations and student fees as revenue sources for intercollegiate athletics.
5. The President shall prepare an annual report for the Board on intercollegiate athletics which shall include appropriate financial and program information.

V. ADMINISTRATIVE AFFAIRS

No financial obligation shall be entered into except on authority of the Board and after a general or specific appropriation has been made by the Board allocating funds therefore, as evidence by its records, and after having been approved by the Vice President of Administration and Finance. No department or unit shall receive any monies directly unless authorized by the Vice President of Administration and Finance to do so. All monies shall be accounted for and paid over in such manner as the Vice President of Administration and Finance deems appropriate.

A. Budget and Appropriations Process

1. **Budget Committee.** The University shall establish a University-wide budget committee composed of faculty, staff, and students selected so as to provide representation of academic support areas consistent with a practical committee size. The budget committee shall participate in making recommendations with respect to:
 - a. The setting of program priorities in the university budget;
 - b. Periodic review of the university budget; and
 - c. Transfers of significant amounts among internal budget items.
2. **Budget Requests.** The President shall establish guidelines and procedures for preparation of operating and capital budget requests for the University. The President shall review and make recommendations concerning the requests and submit them to the Board for approval. The President, after review of available data and after consultation with the Vice-presidents, shall present recommendations concerning employee salaries as part of the operating budget request. The President shall submit budget requests approved by the Board to the Board of Higher Education and shall take actions on the Board's behalf as are necessary and appropriate during the appropriations process.
3. **Appropriations Requests.** The President shall prepare the University's requests for operating and capital appropriations. The President shall submit the initial requests for operating and capital appropriations to the Board for approval prior to their introduction in the General Assembly. The President shall introduce appropriations requests approved by the Board in the appropriate house of the General Assembly and shall take such actions on the Board's behalf as are necessary and appropriate during the appropriations process.

4. **Financial Plans and Reports.**

- a. The President, shall establish guidelines and procedures for the preparation of an annual financial plan for appropriated as well as non-appropriated funds and make recommendations concerning the financial plans and submit them to the Board of Trustees for approval.
- b. The President shall establish guidelines and procedures for the preparation of financial reports for the Board.

B. Purchases

Purchases consist of contracts, purchase orders, or other agreements (collectively referred to in this Subsection B. as “contracts”) for the receipt of services or the acquisition of real or personal property which obligate financial resources of Chicago State University. The financial resources of the University include all funds received by or belonging to the University, including income received and retained in accordance with Section 6a-2 of the State Finance Act, 30 ILCS 105/6a-2. All purchasing transactions shall be conducted in accordance with applicable state and federal statutes and regulations and applicable University policies.

1. **Approval.** Approval of purchases shall be obtained, prior to the obligation of financial resources of the University as follows:
 - a. All transactions involving the acquisition of real property and purchases of \$250,000 or more; Capital Projects of \$250,000 or more, including architectural and engineering fees, construction cost, Professional Service Contracts that exceed \$100,000 and contingencies (except as specified in paragraph d. below) shall require approval by the Board. In addition, capital projects of \$250,000 or more involving services of an architect or engineer shall require approval by the Board before commencement of design services. Such capital projects shall be submitted to the Board by the President in an annual capital project plan. Any revision that exceeds Board approved authorization or revisions that subsequently qualify a transaction for Board approval must be submitted by the President to the Board of its approval.
 - b. Authority for approval of purchases, other than those referred to in paragraph a. above, is delegated to the President for the university.
 - c. The President may grant an exception to the requirement of Board of Trustees approval of a purchase if, in the opinion of the President, (1) immediate action is required, (2) a reasonable effort has been made by the President to consult individually with members of the Board or the

Executive Committee, and (3) there is insufficient time to obtain approval by the Board or the Executive Committee before action must be taken. The President shall present a report on exceptions granted under this provision at the next regular meeting of the Board.

- d. Approval by the Board under paragraph a. above is not required for the following purchases: natural gas, utility services, fire protection, library books and periodicals, textbooks, food products, entertainment services paid for with student fees and/or ticket sales receipts, resale items, postal charges, and approved items bid through the Illinois Public Higher Education Consortium (IPHEC).
2. **Reports.** At each regular meeting of the Board, the President shall present a report on purchases of at least \$50,000 but less than \$100,000 (other than purchases listed in paragraph 1. d. above) made since the preceding regular Board meeting.
 3. **Contract Preparation and Signature.**
 - a. The Board of Trustees, constituted a body corporate and politic, is the contracting entity for all contracts involving the University. All such contracts shall bear the name of the Board and, as appropriate, shall also include the name of the Trustees for Chicago State University.
 - b. All contracts which an authorized employee believes may raise legal issues shall be submitted to the University Legal Counsel for approval as to legal form before they are signed. Such approval shall not be required for contracts, or extensions or renewals thereof, the form of which has been previously approved.
 - c. Contracts in the name of the Board alone shall be signed by the Chair and Secretary of the Board or, where appropriate, by officials in the University authorized to sign such instruments in the names of the Chair and Secretary.
 - d. The President is authorized to sign all contracts for the University. The President may delegate such authority to an administrative employee under conditions recommended by the President and approved by the Board. Such delegation shall not relieve the administrative employee of responsibility for what is done there under.
 4. **Letters of Intent.** A letter of intent (or similar document) may be signed by the President when in his/her judgment a letter of intent is necessary to insure receipt of an advantageous price or delivery date for goods or services and approval of

the purchase by the President or the Board as required by paragraph 1 above cannot be obtained on a timely basis. Such letters of intent shall provide that the purchase may be terminated without any cost, liability, or obligation if approval of the President or the Board as required by paragraph 1 above is not obtained by a specified date and shall contain such other conditions as may be considered appropriate by the person signing the letter of intent.

5. **Internal Management Guidelines.** The President shall develop internal management guidelines concerning purchases, which shall include the following provisions and such others as are necessary and appropriate.
 - a. Provisions intended to ensure the fair and equitable treatment of all persons who provide goods or services to the Board University.
 - b. Provisions intended to foster competitive bidding and economical procurement to the greatest extent possible.
 - c. Provisions intended to encourage the economical utilization and replacement of vehicles.

C. Income-Producing Contracts

Income-producing contracts include, without limitation, grants or contracts with public or private agencies for instruction, research, or service, as well as concession contracts and contracts for the conveyance, lease, license, encumbrance, or other disposition of real or personal property of them University.

1. **Approval.**
 - a. Income-producing contracts involving academic programs shall require Board approval when so specified in Section V.B. of these Regulations.
 - b. All contracts for the conveyance, lease, or encumbrance of real property shall require Board approval.
 - c. Authority for approval of income-producing contracts, other than those requiring Board approval in accordance with paragraph a. and b. above, is delegated to the President of the University.
2. **Reports.**
 - a. A quarterly report to the Board of Trustees shall be presented by the President on income-producing contracts of \$10,000 or more received by the University.

- b. An annual report to the Board shall be presented by the President on income-producing contracts of \$10,000 or more received during the preceding year by the University.

3. Contract Preparation and Signature.

- a. All income-producing contracts shall contain the name of the Board University and the University as specified in Subsection B.3. above. All income-producing contracts which an authorized employee believes may raise legal issues, shall be submitted to University Legal Counsel for approval as to legal form before they are signed. Such approval shall not be required for income-producing contracts, or extensions or renewals thereof, the form of which has been previously so approved.
- b. All instruments relating to the conveyance, lease, or encumbrance of real property shall be signed by the Chair and Secretary of the Board of Trustees or, where appropriate, by University officials authorized to sign such instruments in the names of the Board Chair and Secretary.
- c. Except as provided in paragraph b. above, the President of the University is authorized to sign grants and contracts for the University.

D. Travel

The University is subject to the travel policies issued by the Illinois Higher Education Travel Control (“IHETCB”) Board and the provisions of the Illinois Administrative Code set out in Title 80, Public Officials and Employees, Chapter IV: Travel Regulation Council, Part 3000, as such polices and provisions may be amended from time to time. These policies and provisions shall provide principal guidance on the reimbursement of travel expenses of employees and members of the Board of Trustees from all fund sources except appropriately restricted funds donated to university foundation.

E. Business Expenses

The University shall develop policies covering the reimbursement from any funds for expenses incurred in connection with the conduct of official business for individuals, organizations, or situations not guided by regulations of the IHETCB Travel. The policy shall be consistent with regulations issued by the IHETCB to the extent possible and shall, except as otherwise provided herein, take effect when approved by the President. The policies shall include the following provisions and such other provisions as are necessary and appropriate.

- 1. Provisions concerning the reimbursement of expenses for transportation, meals, and living expenses.

2. Provisions concerning the reimbursement of expenses for institutional advancement and development efforts.
3. Provisions concerning the reimbursement of expenses for candidates for positions.
4. Provisions concerning the source of funds for reimbursement of business expenses.

Provisions concerning the reimbursement of expenses for institutional advancement and development efforts shall, to the extent permitted by state law, rules, or regulations, take effect upon approval by the President.

F. Moving and Relocation Expenses

1. The term “employee,” as used herein, includes all full-time faculty and selected administrative and civil service employees recruited outside the commuting area of the post of duty of the assignment. The President shall define the administrative and civil service positions in the University that are eligible for reimbursement for moving and relocation expenses.
2. Moving or relocation expenses associated with the appointment of a President shall be limited to reasonable and actual expenses and shall be subject to approval by the Board. Moving or relocation expenses associated with the appointment of other employees shall be limited to reasonable and actual expenses and shall be subject to the maximum specified in Paragraph 3 below unless an exception thereto is granted by the President for an appointment to a University position. The President shall present an annual report to the Board on exceptions to the maximum specified in paragraph 3.
3. Unless otherwise approved by the President as specified in paragraph 2. above, the maximum allowable reimbursement for moving and relocation expenses for full-time faculty and approved administrative and civil service positions defined pursuant to paragraph 1. above, shall be the lesser of sixty percent of actual expenses or \$1,000. Reimbursement policies with maximum amounts which are less than specified herein may be established each fiscal year by the President for the University.
4. If two or more individuals occupying the same household who qualify for reimbursement for moving and relocation expenses are hired with commencement dates not more than 30 calendar days apart, they shall be eligible for a single reimbursement for that household to be divided equally between or among such individuals.

G. Non-Appropriated Funds

Section 6a of the State Finance Act (30 ILCS §105/6a), provides that certain non-appropriated funds may be retained by the University for use in the manner and for the purposes set forth therein. This regulation is issued to establish uniform procedures relating to the use and handling of such funds as receipts from revenue bond operations, auxiliary enterprise operations, and other self-supporting activities; governmental and private gifts, grants, and contracts; a working cash fund; unrestricted institutional funds; tuition; student fees; and such other funds as may from time to time be approved by the Board.

1. **Depositories.** Non-appropriated funds may only be deposited in depositories approved by the Board. The only financial institutions eligible for consideration as depositories are: a) banks located in Illinois and insured by FDIC or b) savings and loan associations located in Illinois and insured by FSLIC. Guidelines for the preparation and submission of requests for approval of depositories shall be issued by the President, who shall be informed as soon as possible of any circumstances which may require modification or maximum competitiveness, the President shall, in consultation with the Board and with the advice of the Board Treasurer, review its relationships with its depositories.
2. **Collateral.** As a general rule, all deposits at a depository in excess of the amount insured by FDIC or FSLIC shall be secured by the pledge of: (a) United States government securities, (b) securities guaranteed by the full faith and credit of the United States government, or (c) any other security permitted by law and approved by the Board. Such collateral shall be secured to the extent of at least 100% of the deposits on average over a three month period.

Guidelines for determining the amount to be pledged as security for such deposits and for imposing other appropriate conditions to protect uninsured deposits shall be issued by the President. The requirement for securing uninsured deposits may be wholly or partially waived by the Board if an economic advantage may be gained thereby or conditions otherwise warrant such waiver.

3. **Investment of Funds.** Non-appropriated funds which are not secured in accordance with Paragraph 2 above shall, unless otherwise provided by terms of a bond resolution or unless needed for operational expenses, be invested through approved depositories or through other means authorized by the Board in (a) United States government securities, (b) securities guaranteed by the full faith and credit of the United States government, or (c) any other investment permitted by law. Several funds of the same general category or classification may be combined in a single account; however the books and records of the university shall reflect the amount in and the charges against each fund.

4. **Reports.** The President shall submit an annual report to the Board on the deposit and investment of non-appropriated funds during the preceding year.
5. **Records and Audits.** The University shall maintain detailed financial records of operations and prepare formal financial reports in accordance with generally accepted principles and standards of accounting as are necessary for sound financial management and adequate disclosure.
6. **Bond Resolutions.** In the event of a conflict between the provisions of these Regulations and the requirements of specific bond resolutions adopted by the Board, the latter shall govern.
7. **Reserves.** Board approval shall be required to establish or change non-instructional facilities reserves or other reserves authorized by the University Guidelines 1982 (as amended or updated from time to time) issued by the Legislative Audit Commission. Such approvals shall be requested in advance of the end of each fiscal year. The President shall issue guidelines for such reserves consistent with said University Guidelines 1982.

H. Contributions

1. **General.** The Board is charged by statute to succeed to and administer all trusts, trust property, and gifts belonging or pertaining to Chicago State University. Contributions may be accepted by the University or on behalf of the University by authorized University officials.
2. **Definition.** For the purpose of these Regulations, contributions are defined to include: cash, gifts, endowments, marketable securities, closely held stock, life insurance, trusts, bequests, devises, and other donations made to the Board or the University.
3. **Authority to Accept.** The President is authorized to accept contributions to the Board and or to the University. Board approval shall be required prior to acceptance in the case of contributions which involve a significant commitment of resources for the operation, maintenance, or administration of the contribution or in cases which raise ethical considerations.
4. **Reports.** An annual report to the Board of Trustees shall be presented by the President of the University on contributions of \$10,000 or more received during the preceding year by the Board of Trustees and the University.

I. **Mandatory Fees**

1. **Definition.** Mandatory fees are defined as tuition and other fees established by the Board which all students are assessed as a prerequisite for registration unless a waiver or other exemption has been authorized by the Board or by statute.
2. **Tuition.** The Board shall, from time to time, but at least annually review and establish tuition rates.
3. **Other Mandatory Fees.** Board approval shall be required to establish or change the amount of any mandatory fee. In addition to tuition, mandatory fees which may be established at the university include the following:
 - a. Activity fee
 - b. Revenue Bond fee
 - c. Health Care fee
 - d. Insurance fee
 - e. Athletic fee
 - f. University Center fee
 - g. Any other fee which is a prerequisite for registration
4. **Waivers.** Board approval is required to waive mandatory fees, except when a waiver is required by statute or authorized by Board regulation.
5. **Advance Deposit.** Subject to Board approval, the University may require an advance deposit from a student who has been accepted for admission or who preregisters for a subsequent term. This deposit will be applied to the registration fees for that term.
6. **Collections.** All registration fees must be collected prior to or during the academic term to which they apply. Subject to Board approval, the University may offer a plan which would permit students to pay their tuition and fees in two or more installments during the academic term. A service charge may be added for students who elect to pay in more than one installment in accordance with an approved university plan. Unless an exception is granted by the President, all persons must meet all financial obligations to the University to maintain their status as enrolled students. Subsequent term registrations, grades and transcripts may be withheld if fees are not paid in full at the end of each term.

7. **Refunds.** Presidential approval shall be required for any refund of mandatory fees other than in accordance with the following provisions. The term “refund” as used in this regulation may mean the cancellation of an unpaid obligation as well as an actual refund of amounts previously paid.
- a. A student who does not register for the period of enrollment for which the student was charged, or who withdraws, drops out, takes an approved leave of absence, is expelled from the university or otherwise fails to complete the program on or after his or her first day of class of the period of enrollment for which he or she was charged shall receive a refund in compliance with the applicable provisions of federal law.
 - b. The University shall develop policies which implement these provisions related to refunds. These policies and any changes shall become effective when approved by the President.
 - c. In compliance with the requirements of the Illinois Servicemen’s Employment Tenure Act, 330 ILCS 60/1 *et seq.* as amended, any person in military service with the state of Illinois or in federal active duty pursuant to the orders of the President of the United States or the Governor shall receive a full monetary credit or refund of funds paid to any Illinois public university if the person is placed into a period of military service with the state of Illinois pursuant to the orders of the Governor and is unable to attend the university for a period of seven (7) or more days. Withdrawals from a course shall not impact upon the final grade average of the person under these circumstances.
- In addition, if any person who has been enrolled in any Illinois public university is unable to process his or her enrollment for the upcoming term, he or she shall have any and all late penalties or charges set aside, including any and all late processing fees for books, lab fees, and all items that were not in place because the person was engaged in military service and was unable to enroll in courses at the appropriate time.
8. **Students Studying Abroad.** Students who are permitted to retain enrolled status at Chicago State University while attending a foreign university or studying under a program abroad, in which they are paying foreign instructional costs, shall be charged a single fee equal to tuition for a two-hour course.

9. **Activity Fees.**

- a. Student activity fees, upon collection by the University, become State funds and are subject to statutes, regulations, and university policies and procedures applicable to State funds generally.
- b. The University shall develop policies concerning the administration of student activity fees. The policies and any changes shall become effective when approved by the President. The policies shall contain the following provisions and such other provisions as are necessary and appropriate:
 - (1) Provisions for collection of all student activity fees at regular intervals.
 - (2) Provisions for allocation by a body which includes representation of appropriate student organizations and of students generally.

VI. PHYSICAL FACILITIES

A. Use of University Facilities

The use of University premises and facilities shall be subject to all applicable State and Federal laws and shall be in accord with the actions of the Board of Trustees. The use of University premises and facilities by individuals other than in connection with University educational or research programs will be permitted only under regulations formulated and approved by the President (or his/her designee). A facilities use agreement, articulating the terms of use, should reflect the conditions deemed most likely to advance the development and acceptance of the intellectual property, where applicable. The President (or his/her designee) is authorized to make such traffic and parking regulations and such changes therein as condition may warrant.

The University shall develop policies concerning the use of University facilities. The policies and any changes shall become effective when approved by the President. The policies shall include the following provisions and such others as are necessary and appropriate:

1. Protection of the right of free speech, subject to reasonable limitations on the time, place, and manner of exercise of that right.
2. Restriction of the use of University facilities to events and meetings sponsored by (a) University groups and organizations, (b) non-university groups and organizations, (c) individuals. University facilities may be used by individuals or non-university groups and organizations only when the event or meeting is of educational, cultural, or social significance or serves the general community welfare. Use of University facilities for official activities or by University groups and organizations shall have priority over use by individuals or non-university groups and organizations.
3. Prohibition of fund raisers, canvassers, solicitors, vendors, and their agents from pursuing their occupations on University property except on official University business or in accordance with approved University regulations.
4. Provisions concerning compliance by individuals, groups, and organizations using University facilities with University requirements regarding insurance to protect the Board, its members, and employees.

B. Custodian of Property

1. Under the State Property Control Act, the President is accountable to state officials for the supervision, control, and inventory of all University property

subject to that act. In discharging these and other responsibilities, the President is authorized to specify or to deputize the other University administrative staff to specify procedures and responsibilities for the supervision, control, and inventory of all University property.

2. Land which has been assigned by the Board of Trustees to a department for particular use or for a definite period may not be used for any other purpose or beyond the period designated without authorization by the Board of Trustees. The assignment of land, equipment, or any other property to a department or division does not give the department a title to the same, but only the right to use as long as necessary for accomplishing the function of the department or division; and the use of land or equipment or other property shall not exclude its use, at the same time, for other purposes by other departments or divisions of the University on approval of the President provided that any such second use shall not interfere with the efficient utilization of said land, equipment, or other property for the purpose for which it was first assigned.

C. Construction

1. **Selection Procedures for Architects and Engineers.** The University shall develop policies and procedures for the selection of architects and engineers for University projects. The policies and procedures shall implement the Architectural, Engineering and Land Surveys Qualifications Based Act 30 ILCS 535/1 et seq. and the current guidelines for fee negotiation used by the Capital Development Board and shall become effective when approved by the President.
2. **Manual for Architects and Engineers.** The President may develop a Manual of General Information for architects and engineers engaged by the Board in connection with University projects.

D. Naming of Board University Property

1. The Board reserves the right to name (and rename) all buildings (or parts thereof), structures, facilities, streets, grounds, and other real property belonging to the University, hereinafter referred to as "University property" subject to such agreements as it may make with third-parties.
2. University property may be named for notable former employees of the University, distinguished former members of the Board, donors of substantial funds, or public persons of the State and Nation or of any country.
3. University property may be named for persons holding elected or appointed office in national, state, or local government, members or employees of the University,

or members or employees of the Illinois Board of Higher Education during the term of their office or employment.

4. The University shall develop policies for the naming of University property. The policies and any changes shall become effective when approved by the President.
5. The President shall make recommendations to the Board for its approval regarding the naming of University property.

E. Alcoholic Beverage Policy

The University shall maintain policies concerning the sale, delivery, possession, use or consumption of alcoholic beverages on University property. The policies shall require compliance with all applicable statutes and shall become effective when approved by the President.

F. Campus Disturbances or Demonstrations

In order that normal educational processes can continue without interruption and in order that individual safety, personal freedom, and property rights can be enjoyed without impairment, the University has established this policy, which the Board endorses.

1. Unauthorized Activities.

- a. Criminal Damage to Government Supported Property. Criminal damage to State property is committed by any of the acts specified in 720 ILCS 5/21-4.
- b. Criminal Trespass to State Supported Land. Criminal trespass to State land is committed by one who enters upon the campus or a building with legal notice that entry is forbidden or who remains in an area after notice to depart. Persons who violate established University regulations for the use of University facilities shall be notified to depart. This notification should be given publicly and orally by an authorized University representative. If such persons remain, a police officer or other authorized University representative should read applicable portions of the criminal trespass statute, 720 ILCS 5/21-5, and advise them that they are in violation of the law and may be arrested. In appropriate circumstances, court action of an injunctive or criminal nature should be sought.
- c. Interference. Interference with a public institution of higher education is committed by one who, without authority from the institution, through force or violence, actual or threatened, willfully acts as prohibited by 720

ILCS 5/21.2-2. In appropriate circumstances court action of an injunctive or criminal nature should be sought.

- d. Institutional Vandalism. A person commits institutional vandalism when, by reason of the actual or perceived race, color, creed, religion or national origin of another individual or group of individuals, he or she knowingly and without consent inflicts damage to a school, educational facility or community center or the grounds adjacent to, and owned or rented thereby all as provided in 720 ILCS 5/21-1.2. In appropriate circumstances court action will be pursued to enforce rights provided thereby.
 - e. Unauthorized Possession or Storage of Weapons, 720 ILCS 5/21-6. Whoever possesses or stores any weapon enumerated in Section 33A-1 of the Illinois Criminal Code in any building or on land supported in whole or in part with public funds or in any building on such land without prior written permission from the chief security officer for such land or building commits a Class A misdemeanor. The chief security officer must grant any reasonable request for permission under paragraph (a).
2. **Penalties.** Persons who willfully damage State property, commit trespass on the campus, interferes with the University's operations, commits vandalism or possesses or stores weapons without authorization shall be penalized in accordance with Article 21 of the Illinois Criminal Code. Members of a campus community who participate in unlawful activities which disrupt educational functions shall be dealt with in accordance with established disciplinary and administrative processes. Such processes may be invoked regardless of either civil or criminal actions arising out of the same event.
 3. **Outside Assistance.** When the President believes that unlawful activities which disrupt educational functions warrant, he/she is authorized by the Board to make prompt application to those agencies provided by the State for the purpose of dealing with those who break the law.

G. **Motor Vehicle and Bicycle Regulatory Policies**

The University shall develop policies concerning the registration and use of motor vehicles on University property and may develop policies concerning the registration and use of bicycles on University property. The policies and any changes shall become effective when approved by the President.

The policies shall include the following provisions and such other provisions as are necessary and appropriate:

1. Regulations which govern the use of vehicles on university property in accordance with applicable federal, state, and local laws, which preserve the safety and protect the property of both individuals and the university, and which provide for enforcement by authorized University personnel.
2. Sanctions to be imposed for violations, with an appropriate appeal process for those sanctions.
3. Registration and parking regulations with fees, which shall stipulate that such fees shall be devoted to defraying costs associated with registration and parking activities.

H. Use of University Personal Property

The University shall develop policies concerning the use of University personal property (*e.g.*, paintings and sculptures) which shall comply with all Illinois statutes, including the State Property Control Act, 30 ILCS 605/1 et seq. The policies and any changes shall become effective when approved by the President.

VII. HIPPA POLICY

A. General

This statement of policy relates to administration and protection of certain protected health information coming into possession of individuals and business affiliates performing official functions on behalf of components of the Board of Trustees of Chicago State University. This policy statement is intended to facilitate and foster the Board of Trustees and institutional compliance with the federal Health Insurance Portability and Accountability Act of 1996 ("HIPPA"), Public Law 104191, including applicable amendments and related implementing regulations of responsible agencies, as may be applicable to a university of the State of Illinois.

B. University Privacy Officer

The President shall designate an appropriately qualified member of the university staff to serve as University Privacy Officer to assist the President with responsibilities associated with interpreting and administering privacy standards for the University, including those for protected health information.

C. Delegation of Authority

As necessary and appropriate consistent with applicable law and regulations, the President, or designee, is delegated authority to develop, adopt, and arrange publication of appropriate internal procedures to maintain continuing compliance with applicable federal and state standards concerning matters related to privacy of information, including protected health information of students, employees and other individuals.

Concerning protected health information, administration of such procedures will require all university units that maintain or transmit such health information to utilize reasonable and appropriate administrative, technical, and physical safeguards:

1. To ensure the integrity and confidentiality of the information;
2. To protect against any reasonably anticipated
 - a. threats or hazards to the security or integrity of the information; and
 - b. unauthorized uses or disclosures of the information; and
3. Otherwise to ensure compliance with applicable privacy law standards by the officers and employees of the Board of Trustees.