I. BOARD PROCEDURES

A. Board of Trustees

The Board of Trustees of Chicago State University (hereinafter the “Board”) is a body corporate and politic and 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.

B. Board Regulations

Board Regulations are general statements of policy or procedure adopted by the Board concerning the conduct and operation of the Board or the University within the framework of the Board’s Governing Policies. Guidelines, policies, or other Board actions directed to specific situations or intended to direct or guide the University are not to be construed as Board Regulations.

C. Adoption, Amendment, or Repeal of Board Regulations

1. Board Regulations may be adopted, amended, or repealed at any regular meeting of the Board by a majority vote of the voting membership of the Board. Requests for the adoption, amendment, or repeal of Board Regulations shall be submitted to the President, who shall notify the Board’s Chair of such requests. The President shall report such requests with recommendations for action to the Board. Except as specified in paragraphs 3. and 4. below, the adoption, amendment, or repeal of Board Regulations shall occur only after a proposal for adoption, amendment, or repeal has been presented to the Board for first reading by the President.

2. Board action on a proposal for adoption, amendment, or repeal shall normally not be taken earlier than the next regular meeting following first reading. During the interim between first reading and Board action, the President shall distribute 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.
3. The President is authorized to make non-substantive amendments to Board
Regulations as may be necessary for such purposes as name or title changes,
correcting typographical errors and cross-references, and updating citations.

4. When justified by timing considerations or the nature of the subject matter,
proposals for adoption, amendment, or repeal of Board Regulations may be acted
upon by the Board at the time of first reading or at such Special Meeting as the
Board may convene.

5. Interpretations of Board Regulations shall be issued in writing by the Board’s legal
counsel upon request of the Board or the President.

D. Compilation of Bylaws, Governing Policies, and Regulations

The President shall maintain an official compilation of the Board's Bylaws, Governing
Policies, and Regulations 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 Office of the President shall place copies of the
Board’s Bylaws, Governing Policies, and Regulations on the University’s website.

E. Delegation of Authority

1. The authority delegated by Board Regulations to the President may be further
delegated by the President to appropriate and responsible officials of the
University.

2. The Presidents 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. Each President shall notify the Board in writing of such delegation of
authority.

F. Board Meetings.

1. **Agenda.** The President, in consultation with the Board Chair shall develop an
agenda prior to each Board meeting. At a minimum, the agenda for each regularly
scheduled Board meeting shall include all items set forth in the Board’s Bylaws and
shall be in a format that complies with the Illinois Open Meetings Act. The
President shall normally mail 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.

2. Reports. The President, in consultation with the Vice Presidents, shall develop a format and schedule for reports to the Board. Items presented to the Board shall be submitted either for action or information. 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.

3. 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. If such filming or recording is not consistent with the reasonable constraints specified then it shall be discontinued at the request of the Chair or other presiding officer.

4. Publication of Proceedings. A report of the proceedings of the Board shall be available to interested parties.

In accordance with the provisions of the Illinois Open Meetings Act the Board keeps 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. A report of the proceedings 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 University’s President 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.
II. EMPLOYEES

A. GENERAL

1. **Coverage.** This Section II. applies to all faculty, administrative, civil service, and other employees of the Board unless otherwise provided by these Regulations, the Board’s Bylaws, or by the terms of a collective bargaining agreement.

2. **Authority to Employ.** The Board is the employer of all faculty, 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.

3. **Delegation of Authority.**
   
   a. Prior Board approval shall be required for creation, elimination, or significant modification of the positions of Provost and/or Vice President. The President shall inform the Board in writing of the appointment, promotion, resignation, retirement, or other event concerning the employment of a Provost and/or Vice President.

   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 appointment specified in paragraph 4, below.

   c. All appointments and promotions shall be made by the President for the University. The President shall consult with the Board before appointing a Provost and/or Vice President.

   d. Acceptance of the resignation of an employee on behalf of the Board may be made by the President.

4. **Categories of Employment.**

   a. Faculty employees shall be categorized as follows:

   (1) Type of Appointment

   (a) Probationary/ Tenure Track
   (b) Tenure
   (c) Temporary
(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, and/or Vice President, General Counsel or Chief Information Officer.

(2) Level II includes employees who report directly to the President, Provost or to a Vice President and who are directly responsible for 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.

5. **Appointment Procedures.**

   a. **Adoption of Appointment Procedures.** The University shall develop procedures for the appointment including acting appointment) of faculty, administrative, civil service, and other employees. The procedures shall contain such provisions as are necessary and appropriate and shall be:

      (A) consistent with the Board’s delegation of authority
      (B) consistent with the Board’s commitment to affirmative action and nondiscrimination in employment practices; and
      (C) consistent with the Board’s policy on participation in University governance. The procedures and any changes shall take effect when approved by the President.

   b. **Policy on the Avoidance of the Appearance of Nepotism by Employees.** All employees who have control or influence over decisions involving the use of public resources or authority have the responsibility to exercise that control or influence in a manner which maintains public confidence in the integrity of institutional decision making processes. This responsibility includes the expectation that, in their exercise of this control or influence, employees will avoid creating the appearance of nepotism as well as other forms of conflict of interest. This expectation is generally best enforced through such normal processes of institutional shared governance and self regulation as the submission of the decision in question to open review by disinterested third parties or the withdrawal from the decision making process of those persons who may directly or indirectly influence the process for the benefit of close relatives.

In those situations where the decision maker is the President, or Vice President, the reality and perception of their influence and power is such that it would not be possible for them to avoid the appearance of a conflict of interest by merely submitting the decision to review or by withdrawing from the decision making process. In the absence of special circumstances which may be considered by the Board on a case by case basis, no person who is a close relative, or who is, regardless of relationship, a member of the same household of the President or Vice President shall be employed in any position which is under the administrative
control of that officer who is their close relative or of whose household they are a member.

This policy shall not apply to employment decisions made before its adoption. The President shall be responsible for ensuring compliance with this policy. The President, shall develop a definition of the term “close relative” and “member of the same household.”

6. **Educational Requirements.** The University shall develop a policy concerning the educational requirements necessary for appointment to faculty 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. the minimum educational requirements relevant to the position and necessary for appointment;

   b. any exceptions to the minimum requirements.

   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.

7. **Position Descriptions.** A description shall be prepared for each administrative position, including department Chairpersons except for the position of President, which is described in the Board’s Governing Policies, 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.

8. **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.

9. **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.
10. Employee Benefits.

a. Eligibility. The following provisions apply to faculty, administrative, civil service, and other employees not covered by a collective bargaining agreement, subject to the eligibility requirements stated in these Regulations.

b. Military Leave. A leave of absence shall be granted to an eligible employee who is a member of any reserve component of the United States Armed Forces or of any reserve component of the Illinois State Militia for any period actively spent in military service, in accordance with State and Federal law.

   (1) Eligibility. Civil Service employees in status, trainee, learner, or apprentice appointments and all faculty and administrative employees who are members of any reserve component of the United States Armed Forces or of any other reserve component of the Illinois State Militia for any period actively spent in military service, in accordance with State and Federal law, are eligible for military leave.

   Military leaves of absence will be granted in accordance with applicable Illinois statutes and executive orders issued by the State of Illinois in response to emergency situations and military operations.

   (2) Approval. Employees should receive approval from their appropriate supervisor or campus executive officer. Such leave will be granted whether or not within the State and whether or not voluntary.

   (3) Length of Leave. There are no restrictions on the length of leave granted for military leave.

   (4) Benefits Continuation. Benefits shall be continued by the University as mandated by State and Federal legislation. Employees should contact the campus benefits office for complete information about continuation of insurance coverage and any premium payments.


   (6) Annual, Special, Advanced, and Basic Training. Compensation is in accordance with the Illinois Military Leave of Absence Act, 5 ILCS 325/0.01 et seq. If the leave is with pay, compensation is at the employee's regular hourly rate for non-overtime scheduled hours.

   (a) Annual Training. Employee receives regular compensation as a University employee.

   (b) Special or Advanced Training. For leaves up to 60 days during a University appointment year, if the employee's compensation for military activities is less than their University compensation, the employee shall
receive regular University compensation minus the amount of base pay for military activities for normally scheduled work days. The 60 days do not have to be consecutive.

(c) **Basic Training.** For all basic training that are up to 60 days, if the employee's compensation for military activities is less than their University compensation, the employee shall receive regular University compensation minus the amount of base pay for military activities.

(7) **Call-Up or Active Duty.** Any full-time employee of the State of Illinois, other than an independent contractor, who is a member of the Illinois National Guard or a reserve component of the United States Armed Forces or the Illinois State Militia and who is mobilized to active duty shall continue during the period of active duty to receive his or her benefits and regular compensation as a State employee, minus an amount equal to his or her military active duty base pay. The Department of Central Management Services and the State Comptroller shall coordinate in the development of procedures for the implementation of this Section.

(8) **Returning from Leave.** Employees shall be entitled to all rights, protections and benefits as set forth in all applicable federal and state law and their implementing regulations, including The Service Men’s Employment Tenure Act, 330 ILCS, 60.1 et seq., The Military Selective Service Act, 50 U.S.C. App. 451 et seq., and the Employment and Reemployment rights of Members of the Uniformed Services Act, 38 U.S.C. 4301 et seq.

c. **Leave for Jury and Witness Service.** An employee who is summoned for jury duty or subpoenaed as a witness before a court of competent jurisdiction or as a witness in a proceeding before any federal or state administrative agency shall be granted leave with pay and any jury or witness fees may be retained by the employee, provided that no employee shall be given leave with pay for:

1. appearing as a party in a non-job related proceeding involving such employee directly or indirectly;

2. appearing as an expert witness when the employee is compensated where such appearance bears no reasonable relationship to the employee’s professional employment by the University for such appearance or;

3. appearing as a plaintiff or complainant in a proceeding in which the Board and/or the University is a defendant or respondent. In granting leave of absence for jury duty, an employee may be required to return to work for the time during which the employee is not required in any jury attendance.
REGULATIONS
SECTION: II. Employees
Subsection A. General
Issued: December, 2000
Revised: March 9, 2012

d. Benefits While on Compensated Leave.

(1) An employee shall earn vacation leave and sick leave while on compensated leave other than educational leave or administrative leave.

(2) An employee on compensated leave may continue to contribute toward and receive the benefits of any State or Board insurance program and may continue to contribute toward and receive retirement credit in the State Universities Retirement System if the law, rules, regulations, policies, and procedures governing the administration of such insurance programs or the State Universities Retirement System permit.

(3) Upon return to the University from a compensated leave, an employee’s salary shall be adjusted to reflect nondiscretionary increases which the employee would have received if not on leave.

e. Emergency Leave.

(1) If an emergency arises (such as a severe snow storm, tornado, riot, etc.) in which the safety, health, or welfare of employees is a matter of concern, the President may order employees to absent themselves from work with pay.

(2) Civil Service employees ordered to absent themselves from work under such circumstances shall not lose seniority because of such absence.

(3) Employees not excused from work under such circumstances who fail to report for work as scheduled may be denied compensation for such absence.

f. Extended Sick Leave. The President of the University may grant an employee sick leave with full pay for a period not to exceed 60 calendar days, if the employee: (1) has completed at least three full years of service at the University, (2) has exhausted all sick leave benefits; (3) is a participant in the State Universities Retirement System; and (4) is entitled to and has applied for disability benefits under the State Universities Retirement System.

g. Federal Family and Medical Leave Act. Employees shall be eligible for leave under the Family Medical Leave Act (“FMLA”) as amended and its related rules and regulations. Eligible employees shall be entitled to take leave under the FMLA provided that they comply with the procedural requirements set forth in the University’s Human Resources Policy Manual.

Regardless of any other provisions of these Regulations, and in addition to any other benefits provided to employees, all employees who have a total cumulative service of at least 1 year with the University and who have worked for 1,250 hours over the last 12 months, may take up to a total of 12 weeks' unpaid leave during any 12-month (fiscal year) period under the federal Family and Medical Leave Act.
(FMLA) of 1993. FMLA leave may be taken for one or more of the following purposes:

1) Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.

2) Because of the placement of a son or daughter with the employee for adoption or foster care.

3) In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition.

4) Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee. FMLA leave for the birth or adoption or foster care placement of a son or daughter may be taken on an intermittent or reduced work schedule and, except where the date of birth or adoption or foster care placement requires leave to begin earlier, will only be given after 30 days' advance notice. If an employee has accrued any paid vacation leave, compensatory time, personal leave, or other family or parental leave under any other University benefit provision, that leave may be substituted for unpaid FMLA leave taken or the birth or adoption or foster care placement of a son or daughter to the extent that such University leave would normally be available for this purpose under the circumstances in question. FMLA leave taken because of the serious health condition of the employee, or to care for the employee's spouse, son, daughter, or parent with a serious health condition, must be supported by certification from a health care provider, and may be taken on an intermittent or reduced work schedule of not less than half hour periods when the medical necessity for such a schedule is supported by such certification. Where the need to take such leave is fore-seeable based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment in an operationally non-disruptive manner, and shall provide 30 days' advance notice, or such notice as is practicable if the treatment must begin earlier.

Under the conditions defined by the FMLA and in a manner consistent with University procedures, second and third medical opinions and re-certifications may be required and an employee on intermittent or reduced leave may be required to transfer temporarily to an available alternative position. If the employee has accrued any paid vacation leave, compensatory time, personal leave, or any other medical or sick or family or pa-rental leave under any other University benefit provision, that leave may be substituted for the unpaid FMLA leave taken for the serious health condition of the employee or to care for the employee's spouse, son, daughter, or parent with a serious health condition to the extent that such University leave would normally be available for this purpose under the circumstances in question. Certification that an employee is able to return to work will be required for return from
FMLA leave taken because of the serious health condition of the employee under the same terms and conditions currently applicable to employees under existing state laws and regulations, Board Regulations, and collective bargaining agreements.

In general, an employee on unpaid FMLA leave will be entitled to be restored to the same or an equivalent position on return from the leave, and will be treated in regards to entitlement to benefits while on leave in the same manner as any other employee on leave without pay, with the exception that health benefits coverage shall be extended to an employee on FMLA leave for the duration of such leave at the level and under the conditions of coverage which would have been provided if the employee had continued in employment continuously for the duration of the leave.

Under circumstances where University provided paid leave is substituted for FMLA un-paid leave, employees will be entitled and will accrue benefits to the extent and in the manner provided for by Board Regulations and collective bargaining agreements governing paid leave. The maintenance of health benefits for employees on FMLA leave will be governed by the rules and procedures adopted by the Department of Central Management Services for this purpose.

h. **Implementing Policies.** The University may develop policies implementing the benefits specified in this Subsection. The policies and changes shall become effective when approved by the President and are reported to the Board.

11. **Outside Employment, Office Hours and Compliance with State laws.**

a. 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 semi-annually.

b. All full-time, non-negotiated administrative employees shall be required to maintain office hours as established by the University and shall be prohibited from maintaining any full-time employment outside of the University. If he or she fails to comply with this policy, such action shall be considered "cause" for termination within the meaning of the Board’s Regulations.

c. In order to avoid conflicts of interest and any impropriety, employees shall comply with the following state laws and policies.

   (1) University Faculty Research and Consulting Act, 110 ILCS 100/0.01 et seq. This statute requires all full-time faculty members of State-supported institutions to obtain prior written approval from the University’s President or
his or her designee before engaging in outside research or consulting for remuneration, and requires an annual statement of the amount of actual time spent on such activities.

(2) Illinois Governmental Ethics Act, 5 ILCS 420/1-101 et seq. Section 4 A-101(f) of this statute requires certain administrative employees and the Board of Trustees to file an annual disclosure of economic interests with the Secretary of State.

(3) State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq. Section 430/5-15 of this statute generally regulates political activity by employees subject to recognized merit principles of public employment, and prohibits such employees’ participation in political activities during any compensated time, excluding vacation, personal, or compensatory time off.

(4) Board of Trustees Regulations on the Avoidance of the Appearance of Nepotism by Employees. Section II, Subsection A 5b. Employees shall comply with the Board Regulations concerning avoiding the appearance of nepotism.

(5) Illinois Procurement Code, 30 ILCS 500/1 et seq. This statute imposes certain requirements governing the purchasing of all goods and services for the University.

12. Retirement.

a. Employees are subject to the statutes and rules governing SURS.

b. In addition to any other early retirement options available under the statutes and rules governing the State Universities Retirement System, early retirement is permitted for employees who have attained age 55 and satisfy all of the eligibility requirements for such early retirement specified by the statutes and rules governing SURS.

c. An employee who is receiving a retirement annuity from SURS and who is employed at the University shall not receive annual salary payments for such employment in excess of that amount which, when added to his/her annual retirement annuity, will equal more than such employee's highest earnings (including summer session) during any fiscal year prior to retirement.

13. Tax Deferred Annuity Plans. In accordance with the applicable provisions of the Internal Revenue Code, University employees may participate in various tax deferred retirement/annuity plans offered by third-party providers under the following terms:

a. Conditions of Approval Affecting Participating Companies:
(1) All tax deferred annuity contracts issued by participating companies must comply with the Internal Revenue Code, as amended, and regulations promulgated pursuant thereto. Participating companies must be authorized by the Director of Insurance of the State of Illinois to issue tax deferred annuity contracts and must indemnify the University from any loss caused by such company’s failure to comply with such laws and regulations.

(2) All monies withheld through agreements between the University and the employee will be used to purchase only qualified tax deferred annuity contracts which exclude waiver of premium provisions, disability income provisions, and life insurance provisions.

(3) Each participating company must provide the President, upon request, all information about its contracts, including but not limited to all charge and commission schedules, and must agree that this information may be made available to employees on a comparative basis with other companies. A principal officer of the company must attest to the accuracy of the information provided.

(4) Each participating company must designate a company representative or agent who will be readily available to employees to discuss or modify their contracts.

b. Administration of Tax Deferred Annuity Plan.

(1) This plan shall be administered by the President, who shall have the authority to prescribe such additional guidelines, not inconsistent herewith, as are deemed appropriate for accomplishing the purposes herein set forth.

(2) The University may suspend or remove a company from the list of approved companies at any time. Such suspension or removal shall not affect the rights of employees who have commenced contributions to the company prior to the effective date thereof but shall preclude the company from issuing additional tax deferred annuity contracts to University employees.


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 installed a separate telephone line to the University and other equipment which may be needed 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 office and conference areas of the President 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. The President shall be provided by the Board with an automobile for official business and personal use.

15. Employees Licensed to Practice Law. Unless appearing pro se, employees of the Board or 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.

16. 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.

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 phonorecords;
- To prepare derivative works based upon the work;
- To distribute copies or phonorecords 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. Faculty and Administrative Employees

1. Coverage. This Subsection B applies to all faculty and administrative employees of the University unless otherwise provided by these Regulations, by law, or by the terms of a collective bargaining agreement.

2. Salaries and Compensation.
   a. The President shall annually develop guidelines for the initial and continuing salaries of administrative employees. The President shall review the guidelines and any changes with the Board before implementation.
   b. The President shall annually develop guidelines for the award of salary increases. The President shall review such guidelines with the Board before implementation.
   c. The University shall develop policies concerning salaries for department chairs. The policies and any changes shall become effective when approved by the President.
   d. The salary of any individual becoming a member of the faculty after relinquishing an administrative position shall be determined at the individual’s regular salary or on a nine month basis on the average salary of faculty members.

3. Administrative Employees With Faculty Rank. The following provisions shall apply to administrative employees with faculty rank and shall not apply to employees covered by a collective bargaining agreement.
   a. An administrative employee may retain faculty 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 faculty rank at the time of appointment or subsequent thereto or may be promoted in faculty rank if such employee satisfies the educational requirements specified in Subsection A.6. above and faculty rank or promotion is recommended by the appropriate department (or equivalent academic unit), the Dean, and Provost/Vice President and approved by the President.
   b. An administrative employee with faculty rank previously granted tenure by the Board shall retain such tenure, which shall not be transferred from one discipline or program (or equivalent academic unit) to another except by approval of the Board upon recommendation by the President after consultation with the departments (or equivalent academic units) involved.
   c. At the time of initial employment by the University, an administrative employee whose preceding employment included faculty 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 paragraph e. below, an administrative employee with faculty 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.

(1) **Educational Requirements.** An Administrator shall be eligible for consideration for tenure if he/she meets the educational requirements established by the University for tenure for faculty employees covered by a collective bargaining agreement.

(2) **Years of Service.**

(a) Except as provided in paragraph (3) below, a Chair may not apply for tenure before his/her sixth probationary year of employment at the University.

(b) 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.

(c) 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.

(d) 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.

(e) 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.

(f) 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.
Consideration for Tenure on the Basis of Exception.

(a) 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.

(b) 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.

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.

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

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.

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 faculty members 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.

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 faculty responsibilities at his/her then current faculty 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 faculty 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 faculty’s action, and an opportunity to explain the Chair’s side of the matter before the President’s final decision.

4. Reassignment and Termination
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a. 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 Provost and/or Vice President. Employees, other than employees with a temporary appointment (including employees whose appointment is supported by grant or contract funds), who are reassigned shall receive written notice of any reduction in monthly compensation as follows:

(a) in the first year of employment at the University, not later than ninety days prior to the effective date of reduction in monthly compensation; and

(b) in the second or subsequent year of employment at the University, not later than ninety days prior to the effective date of reduction in monthly compensation.

(c) 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.

(2) 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 year of employment as President, not later than three months prior to the effective date of reduction in monthly compensation; and

(b) in the second or subsequent year of employment as President, not later than six months prior to the effective date of reduction in monthly compensation.

(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.

Paragraph a of this section does not apply to Chairpersons.
b. Termination With and Without Notice.

(1) The President shall be employed by and serve at the pleasure of the Board unless contract of employment specifies otherwise. The President shall receive written notice of termination, signed by the Chair of the Board, as follows:

(a) in the first or second year of employment as President, not later than six months prior to the termination date specified in the notice;

(b) in the third or subsequent years of employment as President, not later than twelve months prior to the termination date specified in the notice.

(2) All other employees shall be employed by the Board University and serve at the pleasure of the President and shall receive written notice of termination signed by the President (except employees whose appointment is supported by grants or contract funds) as follows:

(a) in the first year of employment at the University, not later than three months prior to the termination date specified in the notice;

(b) in the second through fifth year of employment at the University, not later than six months prior to the termination date specified in the notice; and

(c) in the sixth or subsequent year of employment at the University, not later than twelve months prior to the termination date specified in the notice.

Employees terminated in accordance with paragraph b (2) above shall not be entitled to invoke the procedures for hearing provided in paragraph c. below. Their employment is at-will and subject only to the notice and additional term of employment described above. If such employees have academic rank (but not tenure) they shall not be entitled to return to a teaching position. The provisions for prior notice set forth in this paragraph b. above shall not be applicable in cases involving termination for cause, in which cases the procedures specified in paragraph c. below shall apply. Paragraph b (2) above does not apply to the removal from office of Chairs. The President shall consult with the Board prior to issuing a written notice of termination to a Provost/Vice President.

(3) Employees who receive notice of termination and fail to report to work for five (5) consecutive days without prior approval shall be considered to have voluntarily terminated their employment. Employees terminated as a result of their failure to report to work shall not be entitled to invoke the procedures for hearing provided in paragraph c below.
(4) Employees 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.

c. Termination for Cause (Hereinafter “Termination”).

(1) Employees Covered by a Collective Bargaining Agreement Termination of a tenure appointment at any time or of a probationary, temporary, or other nontenure appointment before the end of the specified term shall be governed by the appropriate collective bargaining agreement. Employees with tenure or probationary, temporary, or other nontenure appointments do not have a right to the procedures provided herein which, in such cases, would duplicate the rights provided by the appropriate 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 after notice and an opportunity to be heard as provided in these Regulations.

“Adequate cause” as used in Section II, Subsection B.4, paragraph c. shall mean one or more acts or omissions which, singly or in the aggregate, in the Board’s sound discretion, have directly and substantially affected or impaired an employee’s performance or fulfillment of his/her duties.

(3) The following provisions shall apply to University employees:

(a) The President shall have the right to a hearing by the Board.

(b) Prior to issuance of a notice of intent to seek termination of an employee, the President or her/his designee shall, when practicable, hold at least one meeting with the employee to discuss possible remedial actions by the employee or to discuss settlement of the matter. If such a meeting is not practicable, the President shall make at least one good faith attempt to communicate with the employee by registered or certified mail, return receipt requested addressed to the employee’s last known address, to offer the employee the opportunity to propose remedial actions by the employee or to discuss settlement.

(c) Prior to such a meeting or attempted communication, the President shall provide the employee with a written statement of the purpose of the meeting, including an identification of the topic(s) to be discussed.

(d) Additional meetings or communications to discuss possible remedial actions by the employee or to discuss settlement of the matter may
continue until either the President or the employee notifies the other in writing of his/her belief that further meetings will not be productive.

(e) Not later than six months from the date of the first meeting or communication (a time limitation which may be extended by agreement of the parties) the President shall provide the employee in writing with one of the following:

(i) a statement that further action on the matter will not be pursued and that all references to it will be removed from the employee’s personnel file; or

(ii) a statement that further action on the matter will not be pursued at that time but that reference to it shall remain in the employee’s personnel file; or

(iii) specification of any remedial actions to be taken by the employee, the date by which the remedial actions are to be taken, the method to be used to evaluate whether the remedial actions have been successful, and a statement that no notice of intent to seek termination will be issued before evaluation of the remedial actions; or

(iv) the terms upon which the matter is to be settled; or

(v) a notice of intent to seek termination.

(f) If the President issues a notice of intent to seek termination, the following procedures shall apply:

(i) A termination proceeding shall be initiated by the President providing a notice of intent to seek termination with a statement of reasons for termination to the employee by registered or certified mail return receipt requested addressed to the employee’s last known address. Such mailing of the notice or other documents under this section shall constitute service.

(ii) The employee shall have the right to request a formal hearing before a committee of five employees selected from the administration. Such a request must be received in writing by the President within fifteen work days after service of the notice of intent to seek termination. If the employee requests a hearing, the committee shall be selected within fifteen work days after the President has received the request. The employee shall select two employees to serve on the committee, and the President shall select two employees to serve on the committee. The four employees so selected shall select a fifth employee to serve on
the committee. If a committee is not selected by the method described above within fifteen work days, the President shall appoint the remaining members of the committee.

(iii) The employee shall be provided with a notice of the hearing and specific written charges at least twenty work days prior to the hearing. During the proceedings the employee may be assisted by a counselor or advisor of his/her choice. When practicable, the employee shall be present but such presence is not required for the proceeding to go forward.

(iv) A verbatim record of the hearing will be taken and a typewritten copy will be provided to the employee. The burden of proof that adequate cause exists rests with the University and shall be satisfied only by clear and convincing evidence in the record considered as a whole. The employee will be afforded an opportunity to present witnesses and to confront and cross-examine all witnesses.

(v) The committee shall make a good faith effort to hold full day hearing sessions, five days per week, on days when the University is in session. A termination hearing shall not exceed in the aggregate a period of three months unless extended by a majority vote of the hearing committee. The findings and recommendations of the committee shall be reduced to writing and furnished to the employee and the President within twenty work days after the conclusion of the hearing. If the hearing committee concludes that adequate cause has not been established by the evidence in the record, it will so report to the President. If the President rejects the report, he/she shall state the reasons for doing so in writing to the hearing committee and the employee and provide an opportunity for a written response. If the hearing committee concludes that adequate cause for termination has been established, it will so recommend, with supporting reasons in writing, to the President. If the hearing committee concludes that adequate cause for a sanction less than termination has been established, it will so recommend, with supporting reasons in writing, to the President.

(vi) The recommendation of the President, along with that of the hearing committee should it not concur with the President, a transcript of the hearing and documentary evidence presented shall all be submitted in writing to the Board for final action. The employee may request, but is not entitled to appear before the Board in person to make a brief statement which may, thereafter, be rebutted by the President.
REGULATIONS
SECTION: II. Employees
Subsection B. Faculty and Administrative Employees
Issued: December, 2000
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(vii) If a hearing committee fails to provide its findings and recommendations in writing within twenty work days after conclusion of the hearing, the President shall submit his/her recommendations in writing to the Board for final action.

(viii) If the employee fails to request a hearing in writing within fifteen work days after service of the notice of intent to seek termination, the President shall reduce to writing and furnished to the employee the final decision and supporting reasons.

(4) The following provisions apply to all employees covered by this Subsection B.:

(a) An employee terminated for adequate cause shall not be entitled to salary, severance pay, or any other compensation beyond that earned up to the last day of employment.

(b) An employee served with notice of intent to seek termination may be suspended or reassigned by the President with compensation if he/she is of the opinion that the employee’s presence in his/her appointed position constitutes a threat of bodily harm or harm to property or might impede operations. If, following the hearing process described above, it is determined that no action against the employee will be taken, the employee will be restored to his/her position.

(c) A record of any disciplinary action taken against an employee shall be placed in the employee’s personnel file.

5. **Compulsory Disability Leave**

a. If the employer believes an employee is unable to perform assigned duties due to illness or injury, the employer shall inform the employee in writing of the basis for the employer’s belief and may require the employee to obtain a medical examination by a doctor chosen and paid for by the University or by a doctor chosen and paid for by the employee who is acceptable to the University. Refusal of an employee to submit to a medical examination may result in suspension of the employee or other disciplinary action. The doctor shall submit an opinion to the employer as to whether the employee

(1) has a physical or mental condition which constitutes a health or other hazard to the employee, fellow employees, or others with whom the employee may come in contact or

(2) has a physical or mental condition which prevents the employee from performing the duties required by the position of employment. A copy of the doctor’s opinion shall be given to the employee. At the employee’s discretion and expense, a second medical opinion may be obtained for consideration by
the employer. If two medical opinions are obtained which are in conflict, the
two doctors or the relevant professional association or society shall be
requested to identify a third doctor to supply an additional medical opinion for
consideration by the employer. The expense of the third doctor's opinion shall
be shared equally by the employee and the University.

b. If, after reviewing the medical opinions and other materials relevant to the
employee's illness or injury, the employer concludes that the employee

(1) presents a health or other hazard to the employee, fellow employees, or
others with whom the employee may come in contact or

(2) is unable to perform, with a reasonable accommodation, the duties required
by the position of employment, the employer shall place the employee on
compulsory leave. The employer shall notify the employee in writing of the
duration of the compulsory leave period; however, the employer may, with the
agreement of the employee, extend the leave period if necessary and if so
shall notify the employee in writing. Any earned leave credits (accumulated
sick or vacation days) may be used during the compulsory leave period. That
portion of the compulsory leave, if any, which is not covered by earned leave
credits shall be without pay.

c. No actions taken under the provisions of the Board's Compulsory Disability Leave
provisions shall be construed to or restrict or deny any rights guaranteed by the
Family and Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA),
The Rehabilitation Act, or state or federal disability benefits. In placing an
employee on compulsory disability leave, the University will adhere to all
requirements of the FMLA, the ADA, the Rehabilitation Act, and all other applicable
federal and state statutes and regulations and the foregoing regulations shall be
construed and applied to conform therewith.

d. After expiration of one-half of the compulsory leave period, or when the employee
believes she or he is able to return to work, the employee may, upon prior notice to
the University, and at the employee’s expense, seek a medical opinion from a
doctor acceptable to the University as to the ability of the employee to return to
work. If, after reviewing the opinion and other materials relevant to the employee’s
illness or injury, the employer concludes the employee is able to return to work, the
employee may return to work immediately. If the employer denies the request to
return to work, she or he shall notify the employee in writing with reasons.

e. If, at the end of a compulsory leave, after reviewing the opinion of the doctor
chosen and paid for by the University or the doctor chosen and paid for by the
employee who is acceptable to the University, and other materials relevant to the
employee’s illness or injury, the employer concludes an employee is unable to
return to work, the employer may extend the period of compulsory leave, or if the
University cannot reasonably accommodate the illness or injury,

a. Application.

(1) The benefits described in Section II, Sub section B, 6, are applicable only to faculty and administrative employees who are not covered by a collective bargaining agreement, or whose employment is contingent upon grant funding. In those cases where benefits described have been granted by state or federal statutes, any amendments to the statute will supersede and control the application of the corresponding Board Regulations.

(2) An employee with a full-time appointment shall be eligible to receive the benefits described in Section II, Subsection B.6.

(3) An employee who receives an appointment on an “acting” basis shall, if not prohibited by or inconsistent with a collective bargaining agreement, be eligible for the benefits described in this Section II, Subsection B.6 during the term of his/her “acting” appointment.

(4) An employee hired specifically for a part-time, full-time, [less than 10 month contract] or temporary position, shall be eligible for holidays, bereavement leave, and leave for court required service, but shall not be eligible for any other benefits provided by Section II, Subsection B.6.

b. Vacation Leave.

(1) Employees with 10 to 12-month appointments shall earn vacation leave at the rate of two days per month during each month, or major fraction thereof. Employees with less than 10-month appointments shall earn no vacation leave. Vacation leave may be accrued up to a maximum of 40 days for 10 month employees and 48 days for 12 month employees. An employee who accrues the maximum will, except as provided below, earn no further vacation leave until the employee’s use of vacation leave reduces the accrual below the maximum. An employee who is required to work on a special assignment may, at the discretion of the President be permitted to earn up to 12 days of vacation leave beyond the maximum of 40 to 48 days. Such additional vacation leave must be used within 12 months after the employee completes work on the special assignment.

(2) Vacation leave shall ordinarily be earned before being taken. In exceptional circumstances, an employee may, at the discretion of the President be
permitted to take up to six-days of vacation leave before it is earned. In such case, the employee shall accrue no further vacation leave until the amount taken in advance has been earned. If the employee terminates his/her employment prior to earning the amount of vacation leave taken in advance, the unearned amount shall be deducted from his/her salary upon termination.

(3) All requests for vacation leave shall be submitted in advance to the employee’s immediate supervisor. The immediate supervisor shall assure that the appropriate leave forms are executed and signed and that they are forwarded to an appropriate office, which shall maintain a record of time accrued and leave taken. For vacation leave in excess of three days, such requests shall ordinarily be submitted at least 30 days in advance of the date on which the employee wishes to begin leave.

(4) Approval of the dates on which an employee wishes to take vacation leave shall be at the discretion of the employee’s immediate supervisor, and shall be subject to the consideration of maintaining efficiency of operations.

(5) (a) Upon termination of employment, and provided that the employee is not reemployed at the same place of employment within 30 calendar days, an employee, or such employee’s estate, shall be entitled to a lump sum payment for accrued vacation leave.

(b) Employees who are hired pursuant to grant funding, shall not be entitled to a lump sum payment for accrued vacation leave.

(c) Vacation leave days eligible for lump sum payment shall be computed by determining the number of days, or fractions thereof, accrued by the employee in accordance with paragraph (1) above and subtracting any days, or fractions thereof, used by the employee.

c. Sick Days.

(1) An employee, while on pay status, shall earn non-cumulative sick days at the rate of ten days per year of employment, which shall be credited to the employee at the beginning of the employment year, starting with the first year of employment.

(2) An employee, while on pay status other than educational leave administrative leave, or on a terminal contract, shall earn cumulative sick leave at the rate of 1.5 days per month. An employee may accrue cumulative sick leave up to a maximum of 0 work days. An employee who accrues the maximum, and whose sick day balance includes cumulative sick days earned before January 1, 1984, shall continue to earn cumulative sick days at the rate of not more than 1.5 days per month, provided that the sick day balance of such employee remains at the maximum by the deduction therefrom of not more than 1.5 days per month of cumulative sick days earned before January 1,
1984. An employee who accrues the maximum, and whose sick day balance does not include any cumulative sick days earned before January 1, 1984, will earn no further sick days until the employee’s use of sick days reduces the accrual below the maximum.

(3) Deductions of sick days shall not be made during any Board approved holiday. One sick day shall be deducted for each day an employee is absent because of injury or illness. No more than five days of sick days shall be deducted in any one calendar week. Sick days used by an employee shall be charged against his or her accumulated sick days in the following order: first, sick days accumulated before January 1, 1984; then sick days accumulated on or after January 1, 1998, and finally sick days accumulated on or after January 1, 1984 but before January 1, 1998.

(4) (a) Upon termination of employment, and provided the employee is not re-employed at the same place of employment within 30 calendar days, an employee, or such employee’s estate, shall be entitled to a lump sum payment for accrued sick days earned after December 31, 1983 and prior to January 1, 1998. The lump sum payment for accrued sick days shall be computed as the product of the employee’s daily rate of compensation and one-half of the lesser of the following: (i) the number of days, or fractions thereof, of cumulative sick days earned by the employee, in accordance with paragraph (2) above, minus any days, or fractions thereof, of cumulative sick days used by the employee; or (ii) the number of days, or fractions thereof, of cumulative sick days earned by the employee in accordance with paragraph (2) above after December 31, 1983 and prior to January 1, 1998. Non-cumulative sick days shall be used first, and cumulative sick days shall be used in the order in which they have been accrued. No lump sum payment shall be made for non-cumulative sick days.

(b) An employee may waive payment for all or part of his/her eligible accrued sick days (one-half of the employee’s accumulated and unused sick days earned after December 31, 1983 and prior to January 1, 1998) by executing an appropriate waiver form prior to termination of employment.

(c) An employee who has received a lump sum payment for accrued sick days and who, within two years, is re-employed by the Board may, if separated in good standing, have his or her accrued sick leave restored if, within 30 days after commencement of such reemployment, the employee repays said lump sum payment to the Board for the benefit of the location at which accrued sick day is restored. For each sick day to be restored, the employee shall repay the gross amount he or she was paid for one day of accrued sick days. An employee may have part or all of his or her accrued sick days restored in this manner; however, if the employee does not make any such repayment to the Board, he or she shall not be entitled to have any such sick day restored.
(6) The Board, through its authorized representatives, reserves the right to require acceptable evidence of illness or disability with respect to the use of sick days.

d. Holidays.

(1) Holidays recognized by the Board shall be New Year’s Day, day before or day after New Year’s Day, Martin Luther King, Jr.’s Birthday, Presidents’ Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving Day, Christmas Day, and day before or day after Christmas Day.

(2) The University will be closed, except for necessary operations, on the foregoing holiday. Employees will be excused with regular pay on said holidays unless otherwise determined by the President.

(3) Employees who are required to work on an observed holiday shall be granted, by mutual agreement between the employee and the employer, paid time away from work equivalent to the number of hours worked on the holiday.

e. Bereavement Leave.

(1) Except as provided for bereavement leave granted under laws applicable to those in military service, an employee shall be granted up to three regularly scheduled workday off, surrounding the date of death and/or the funeral of an immediate family member, not to exceed three (3) days beyond the funeral. Immediate family is defined as spouse, son, son daughter, mother (step or in-law), father (step or in-law), sister, brother, grandmother, grandfather, grandchild or domestic partner. Documentation must be shown to identify date of funeral and relationship.

(2) Bereavement leave of longer duration than set forth above may be approved under special circumstances by the President and will be deducted either from vacation leave or sick leave at the employee’s option, provided an accrual balance is available.

f. Educational Leave. Employees shall have the right to apply for an educational leave after having completed a period of five years of service at the University. Requests for leave shall be submitted in writing by the employee to the person who supervises the employee’s work. If such supervisor approves the request, it shall be forwarded to the President for approval together with the written recommendation of the supervisor and a statement indicating whether the work of the administrative or academic unit in which the applicant serves can be so arranged as to be carried forth effectively during the period of leave. The supervisor shall further set forth in detail a report summarizing the work the
employee intends to perform during the leave and shall further indicate how such work is consistent with the goals of the University or the professional development of the applicant. The President shall consult with the Board prior to the award of an educational leave to a Provost/Vice President.

1) Applications for educational leave may be approved for the following purposes:

a) study and research, including related travel;

b) creative work in the employee’s field of endeavor.

2) The employee shall, prior to the granting of educational leave, enter into a written agreement with the University that, upon the termination of such leave, the employee will return to service for a full year and that, in default of completing such service, will refund, unless excused therefrom by the President for reasons satisfactory to him or her, an amount equal to such proportion of salary received while on leave as the amount of service not actually rendered as agreed bears to the whole amount of service agreed to be rendered. No such refund shall be necessary should the employee be terminated prior to the completion of the service agreed upon.

3) Ordinarily, educational leaves may not result in an increase in net salary cost.

4) An educational leave shall not be awarded more than once in every seven years, and educational leave time shall not be cumulative.

5) Salary payments during educational leave shall be: one-half pay if leave is granted for a full-year; full pay if leave is granted for one-half year.

6) The maximum number of educational leave units that may be used during each fiscal year shall be one unit for each twenty-five full-time faculty and administrative employees who are not covered by a collective bargaining agreement or major fraction thereof. One unit shall equal 12 half-pay months or six full-pay months of educational leave or the equivalent of the above.

g. Leave Without Salary

1) An employee may apply for a leave without salary. Ordinarily, such leave may be granted only after the employee has completed at least two consecutive years of full-time service at the University.

2) A leave without salary may be granted at the discretion of the President following a determination that the employee intends to return to service at the end of such leave. The initial grant of a leave without salary may be for a period of up to one calendar year. The leave may be extended upon the agreement of the President for a period of up to two successive calendar
years. However, any initial request for extension of a leave without salary beyond the first calendar year may not be granted for more than one additional calendar year per request.

(3) An application for leave without salary shall ordinarily be submitted to the President at least three months prior to the starting date of the requested leave. The application must state the purposes of the leave and the time period for which the leave is requested. The reasons for which a leave without salary may be requested are: (a) personal, (b) research, (c) advanced study, or (d) professional development.

(4) Upon return to the University from a leave without salary, an employee’s salary shall be adjusted to reflect nondiscretionary increases which the employee would have received if not on leave.

(5) While on leave without salary, an employee shall retain accrued sick leave and vacation leave earned prior to the commencement of the leave without salary, but shall not earn additional sick leave or vacation leave.

(6) An employee on leave without salary may continue to contribute toward and receive the benefits of any State or Board insurance program and may continue to contribute toward and receive retirement credit in the State Universities Retirement System if the laws, rules, regulations, policies and procedures governing the administration of such insurance programs or the (SURS) and the applicable collective bargaining agreement so permits.

(7) Time spent by an employee on a leave without salary shall not be creditable for the purpose of determining eligibility for educational leave.

h. Educational Benefits

(1) An employee may enroll in the University for a maximum of two courses, or six credit hours, whichever is greater, in any one academic term with exemption from the payment of tuition and fees. The fees waived by the University are as follows: registration fees, application fees, credit evaluation fees, admission fees, activity fees, graduation fees, and other service fees, such as those imposed to secure revenue for bond retirement. These maxima are employee benefit limitations and do not apply to enrollment in approved work-related training programs, the purpose of which is to improve service. Employees shall not be permitted to take more than twenty-four (24) credit hours of baccalaureate level courses unless formally committed and enrolled in a bachelor level’s program. Employees shall not take more than nine (9) credit hours of graduate level courses unless formally committed and enrolled in a graduate level program. An employee will be allowed to register only during the late registration period and the late registration fee shall be waived by the University.
(2) The natural, adopted, foster, and step-children under the age of twenty-five (25) at the beginning of the academic year and the spouse of employees who dies while in service shall be entitled to a waiver of tuition and fees up to and including the baccalaureate degree at the University. Should both parents be employees, the death of one parent makes the child eligible for the waiver. Children of a deceased employee who is divorced shall be eligible for a waiver of tuition and fees if such employee had been contributing to their support at the time of death.

(3) An employee who has retired from the University may enroll in the University for a maximum of one course, or three credit hours, whichever is greater, in any one academic term with exemption from the payment of tuition and such fees as may be waived in accordance with paragraph (1) above.

(4) See Board Regulations Section IV.B.2.b. for provisions governing the award of 50% tuition waivers to the children of employees who have 7 years or more with the University.

i. Alternative Benefits for Coaches. The following provisions shall apply only to coaches, who for purposes of this subsection are defined as temporary administrative employees appointed for terms of not longer than twelve months, and more than half of whose assignment is coaching intercollegiate athletics.

(1) Notwithstanding any of the other benefits provisions of these Regulations, coaches may be given an appointment which entitles them to the employee benefits described in Section II.A.9. and Section II.B.6. above, (subject to the requirements thereof concerning application and eligibility), but with the following exceptions:

(a) In lieu of the vacation leave described in Section II.B.6.a. and b., coaches appointed hereunder shall be entitled to non-cumulative vacation leave which shall be earned at the rate of two days per month for each month in the term of appointment. This vacation leave shall be used during the term of appointment, and there shall be no lump sum payment or other benefit provided to such coaches for unused vacation leave at the end of the their term of appointment.

(b) In lieu of the sick days described in Section II.B.6.a. and c., coaches appointed hereunder shall be entitled to non-cumulative sick days of one day per month of appointment (credited at the beginning of the appointment). However coaches shall reimburse the University for any sick days used but not earned during the term of appointment. There shall be no lump sum payment or other benefit provided to such coaches for unused sick leave at the end of their term of appointment.
(2) The appointment of coaches with the above alternative benefits is an option which may be exercised by the President with the exception that this option shall not be exercised to change the benefit entitlement of any employee where such a change would reduce his or her current benefits.
C. Civil Service Employees

1. **Coverage.** This Subsection C. applies to all civil service employees of the University unless otherwise provided by these Regulations, by law, or by the terms of a collective bargaining agreement.

2. **Work Week.**
   a. The standard work week (exclusive of unpaid meal periods) for all full-time employees shall consist of 37 ½ hours per week.
   b. Any change in the standard work week for full-time employees shall require approval of the appropriate employer representative and the President.

3. **Work Schedules and Shift Assignments.** A schedule of work days and shift assignments shall be maintained for each civil service employee. Work day schedules and shift assignments may be changed to meet operating conditions and needs of the University upon reasonable notice to the civil service employees affected.

4. **Performance Evaluation.** The University shall develop a performance evaluation process for employees consistent with these Regulations and the statutes and rules governing SURS. The programs and any changes shall become effective when approved by the President. Each performance evaluation program shall include the following elements and such other elements as are necessary and appropriate: (a) a description of the evaluation structure; (b) an identification of the roles and responsibilities of employees and supervisors; (c) a statement of job related criteria for performance evaluation; and (d) a description of the employee appeal procedure with respect to recommendations or decisions made pursuant to a performance evaluation.

5. **Grievance Procedure.**
   a. The President shall establish a grievance procedure for the resolution of employee grievances. An employee may file a grievance when a dispute arises concerning the interpretation or application of these Regulations and/or policies established by the University. Grievances alleging discrimination shall be filed in accordance with the University Affirmative Action Guidelines and shall not be subject to this procedure. Each grievance procedure shall contain the following elements and such other elements as are necessary and appropriate:

   (1) provisions for informal resolution;

   (2) formal procedures for filing a grievance; and

   (3) provisions for a formal employer representative decision and an appeal by the employee of that decision.
b. The decision made at the conclusion of the appeal shall be final and binding and shall be consistent with these Regulations.

c. An employee grievance committee may be established for the purpose of advising the employer on employee grievances.

d. The grievance procedures described above and any changes therein shall become effective when approved by the President.


a. Limitations and Eligibility. Except as otherwise indicated for prevailing wage rate groups, employee benefits shall be made available to employees in status positions, including, for the purposes of this paragraph 6, employees in appointments designed to qualify employees for status in the class, i.e., learner, trainee, apprentice, and, where appropriate, provisional. Civil Service employees in other types of non-status appointments will not be extended employee benefits under this paragraph 6 except that employees with temporary appointments shall be eligible for holiday pay in accordance with paragraph c. below. An employee with a full-time appointment shall be eligible to receive the benefits specified in this paragraph 6. An employee whose appointment is at least half-time but less than full-time shall be eligible to receive such benefits on a pro-rated basis. An employee whose appointment is for less than half-time shall not be eligible for benefits under this paragraph 6, except that such an employee shall be eligible for holiday pay in accordance with paragraph c. below on a pro-rated basis.

b. Vacation Leave.

(1) Unless otherwise stated in the University Human Resources Policy Manual, non-exempt employees, as defined by Fair Labor Standards Act criteria, shall earn vacation leave in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Years of Service Completed</th>
<th>Rate of Pay</th>
<th>Earned/Hr</th>
<th>Status Equivalent Days per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>At Least Not More Than 0</td>
<td>3</td>
<td>.0462</td>
<td>12</td>
</tr>
<tr>
<td>3</td>
<td>6</td>
<td>.0577</td>
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</tr>
<tr>
<td>14</td>
<td></td>
<td>.0962</td>
<td>25</td>
</tr>
</tbody>
</table>

(2) Unless otherwise stated in the University Human Resources Policy Manual, exempt employees, as defined by Fair Labor Standards Act criteria, shall earn vacation leave in accordance with the following schedule:
Years of Service | Leave Days Earned Per Year
---|---
Complete At Least 0 | Not More Than 3 | 25
3 | 6 | 26
6 | 9 | 27
9 | | 28

(3) Beginning October 1, 1972, where there has been a break in service, the service year shall be determined by the addition of all previous periods of State service which qualified for earning of vacation leave.

(4) An employee who leaves the service of the University for any reason, provided that the employee is not re-employed within 30 calendar days at the same place of employment, shall receive pay for vacation leave to the extent of any accrued balance as of the date of separation from service. No vacation leave will be available or payable for employees whose service is terminated prior to the completion of the probationary period.

(5) Except as provided below, an employee may not accumulate more than two times the appropriate annual level of vacation leave. Upon reaching this maximum, vacation leave will cease to be earned except as the accumulation is reduced. An employee who is required to work on a special assignment that prevents the employee from taking vacation during the term of the special assignment may, at the discretion of the President, be permitted to earn up to 12 days of vacation leave beyond the maximum provided above. Such additional vacation leave must be used within 12 months after the employee completes work on the special assignment.

Extra pay in lieu of vacation leave will not be allowed. An employee’s preference as to time of leave shall be considered, but the employer representative shall have the right to assign leave periods. Observed holidays that occur during the approved vacation leave shall not be charged against vacation leave.

(6) Vacation leave shall not be taken during the probationary period, except for good cause and upon approval of the employer representative.

c. Holidays.

(1) All board facilities will be closed except for necessary operations on the following principal holidays: New Year’s Day, Martin Luther King, Jr.’s Birthday, Presidents’ Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving Day, Christmas Day, and two
supplemental holidays designated as the day before or after New Year's Day and the day before or after Christmas Day.

(a) Principal holidays which fall on a Saturday shall be observed on the preceding Friday; principal holidays which fall on a Sunday shall be observed on the following Monday.

(b) Supplemental holidays will be observed on days designated by the University employer representative but shall be limited to work days, except Saturday and Sunday, immediately preceding or following the observance day of the respective principal holiday.

(2)

(a) Employees with full-time status, provisional apprenticeship, trainee, or temporary appointments, except prevailing rate craft employees and those employees covered by collective bargaining agreements, will be excused on the observed day of each of the aforementioned principal and supplemental holidays. Such employees with less than full-time appointments shall be eligible for holiday pay on a pro-rated basis. All other employees, except for prevailing rate craft employees and employees covered by collective bargaining agreements, will be excused without pay.

(b) For employees who work other than a Monday through Friday work schedule, the calendar date on which a principal holiday falls shall be considered the holiday for purposes of receiving premium pay if work is performed on that date, in which case premium pay will not apply to work performed on the date the principal holiday is observed by the employer representative. If departmental needs permit, employees may be granted the calendar holiday off with full pay instead of the observed holiday in which case premium pay will not apply to work performed on the observed holiday.

(3)

(a) Prevailing rate craft employees will be excused for all holidays designated in their area agreements and shall be compensated as stipulated and in accordance with provisions contained in said area agreements for said holidays.

(b) Five additional holidays shall be granted with pay to prevailing rate craft employees and shall be observed on days designated by the employer representative. These additional holidays are: Day before or after New Year’s Day, Martin Luther King, Jr.’s Birthday, Presidents’ Day, day after Thanksgiving, and day before or after Christmas Day.
(c) Prevailing rate craft employees shall have the option of charging any unpaid area agreement holiday to vacation leave which they have available on holidays on which they are excused.

(4) Employees covered by a collective bargaining agreement shall be granted paid holidays in accordance with the express terms of that agreement.

(5) In the event that work is required on any observed holiday as specified in paragraph (1) above, compensation shall be determined as follows:

(a) (i) Employees who are eligible for holiday pay shall receive straight time pay for the holiday, plus compensation at the rate of time and one half for hours worked or, by mutual agreement between the employee and employer representative, shall be credited with compensatory time equal to one and one half times the number of hours worked.

(ii) Employees who are not eligible for holiday pay shall be compensated at the rate of time and one-half for hours worked, or, by mutual agreement between the employee and employer representative, shall be credited with compensatory time equal to one and one half times the number of hours worked.

(iii) Exempt employees, as defined by Fair Labor Standards Act criteria, who are required to work on an observed holiday shall be granted, by mutual agreement between the employee and the employer representative, paid time away from work equivalent to the number of hours worked on the holiday.

(b) Prevailing rate craft employees shall be compensated in accordance with the terms of their area agreement for holidays designated in the area agreement. For the five additional holidays referred to in paragraph (3)(b) above, these employees shall be compensated in accordance with paragraph (a) (i) or (ii) above.

(6) To be eligible for holiday compensation, employee must be on the active payroll on their last scheduled work day preceding the observed holiday and their first scheduled work day following the observed holiday, unless they are absent on such day(s) for good cause and such absence is approved by the employer representative.

d. Sick Days.

(1) (a) An employee in a status position shall earn credit for sick days with full pay at the rate of one regular work day for each completed calendar month of service or twelve regular work days per year.
(b) A status employee who completes at least ½ month of service, but less than one full month of service shall be credited with ½ of a sick day.

(2) There shall be no limit to the amount of sick days which may be accumulated.

(3) An employee whose employment or re-employment by the University commences within two years after termination of his or her employment by an employer covered by the State Universities Civil Service System shall, if separated in good standing, be allowed to transfer his or her accrued sick days to the University provided that such employee has not received a lump sum payment for accrued sick days. If such employee has received a lump sum payment for accrued sick days, only accrued sick days which was earned before January 1, 1984 may be transferred; credit for accrued sick days which was earned after December 31, 1983 and prior to January 1, 1998 shall be governed by paragraph (4) below.

THE PROVISIONS OF PARAGRAPH 4 ARE GOVERNED AND CONTROLLED BY ILLINOIS STATUTE 30 ILCS 105/14a. THIS REGULATION WILL AUTOMATICALLY AMEND OR REPEAL CONSISTENT WITH ANY LEGISLATIVE ACTION AMENDING, ALTERING OR ABOLISHING THE AFOREMENTIONED STATUTE.

(4) (a) Upon termination of employment at the University, provided the employee is not re-employed at the University within 30 calendar days, an employee, or such employee’s estate, shall be entitled to a lump sum payment for accrued sick days earned on or after January 1, 1984 and prior to January 1, 1998.

(b) The lump sum payment for accrued sick days shall be computed as the product of the employee’s daily rate of compensation and one-half of the lesser of the following:

(i) the number of days, or fractions thereof, of sick days earned by the employee, in accordance with paragraph (d)(1) above, minus any days, or fractions thereof, of sick days used by the employee; or

(ii) the number of days, or fractions thereof, of sick days earned by the employee in accordance with paragraph (1) above after December 31, 1983.

Sick days shall be used in the order in which they have been accrued.

(c) An employee may waive payment for all or part of his/her eligible accrued sick days (one-half of the employee’s accumulated and unused sick leave earned after December 31, 1983) by executing an appropriate waiver form prior to termination of employment.
(d) An employee who has received a lump sum payment for accrued sick days from an employer covered by the State Universities Civil Service System and who, within two years, is employed or re-employed by the University may, if separated in good standing, have his or her accrued sick days restored if, within 30 days after commencement of such employment or reemployment, the employee pays said lump sum payment to the University for the benefit of the location at which accrued sick days is restored. For each day of sick day to be restored, the employee shall repay the gross amount he or she was paid for one day of accrued leave. An employee may have part or all of his or her accrued sick days restored in this manner; however, if the employee does not make any such payment to the University, he or she shall not be entitled to have any such sick day so restored.

(5) An employee may used accumulated sick days only when the employee is prevented from performing assigned duties because of illness, injury, or temporary disability caused or contributed to by pregnancy, or is obtaining medical or dental consultation or treatment, or for special circumstances stipulated under the Bereavement Leave provision of these Regulations. An employee, not eligible for FMLA leave may use up to twelve (12) days of earned sick leave per calendar year for absences resulting from the illness or injury of a parent, spouse, or child. The use of sick days for familial purposes in excess of the twelve day limit may be granted by the employer representative upon evidence of need and recommendation of the supervisor.

(6) The University, through its employer representative, reserves the right to require acceptable evidence of disability, illness, or injury before allowing use of any sick day benefits.

(7) Unless approved in writing by the employer representative, sick day requested during a work stoppage may be denied and the absence from work treated as unexcused.

e. Bereavement Leave.

(1) Except as provided for bereavement leave granted under laws applicable to those in military service, an employee shall be granted up to three regularly scheduled workday off, surrounding the date of death and/or the funeral of an immediate family member, not to exceed three (3) days beyond the funeral. Immediate family is defined as spouse, son, son daughter, mother (step or in-law), father (step or in-law), sister, brother, grandmother, grandfather, grandchild or domestic partner. Documentation must be shown to identify date of funeral and relationship.

(2) Bereavement leave beyond this amount may be approved by the employer representative under special circumstances and will be deducted from either
vacation leave or sick leave at the employee’s option, provided an accrual balance is available.

f. **Leaves of Absence.** Requests for leave of absence without pay for reasons other than disability (including but not limited to leaves of absence without pay for advanced study), upon recommendation of a supervisor, may be granted by the employer representative after vacation leave is reduced to not more than five days. Each request will be considered on the basis of its individual merits and the operational needs of the employer representative. The employer representative may waive the above vacation reduction requirements when it is determined to be in the best interest of the employer to do so.

g. **Educational Benefits.**

(1) Tuition and fee waivers shall be granted by Chicago State University to status civil service employees who are appointed pursuant to the requirements contained within the Rules of the State Universities Merit Board. The following credit hour maxima shall apply to employees who enroll in courses at University:

<table>
<thead>
<tr>
<th>ACADEMIC</th>
<th>Term</th>
<th>Annual</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Full-time employee 6 c.h. 18 c.h.</td>
<td>3/4 time employee 4 c.h. 12 c.h.</td>
</tr>
<tr>
<td></td>
<td>1/2 time employee 3 c.h. 9 c.h.</td>
<td></td>
</tr>
</tbody>
</table>

These maxima are employee benefit limitations and do not apply to enrollment in approved work-related training programs, the purpose of which is to improve service. The fees which will be waived by the University include all tuition and mandatory fees, application fees, credit evaluation fees, admission fees, rental fees and graduation fees. For employees who enroll in courses at state universities in Illinois outside Chicago State University, the credit hour maxima and fees which will be waived, if any, will be determined by the institution in which such employees enroll.

(2) Employees are encouraged to enroll in courses having scheduled class hours outside their scheduled work hours. For courses held during the employee’s work schedule, the employee may be excused to attend classes subject to a maximum of 4 clock hours per week or the number of clock hours required to attend one course, whichever is greater. Requests for excused absences to attend classes must be submitted to the supervisor for approval prior to enrollment and request for waiver of tuition. When such approval is granted, employee shall “make-up” time at the discretion and approval of the supervisor by (i) working outside of regularly scheduled hours during the work week in which the excused absence occurs, or (ii) deducting the time spent in class from the employee’s accumulated vacation leave. Daily overtime compensation shall not be earned for make-up time worked under (i) above.
(3) The natural, adopted, foster, or step-children and the spouse of any status employee under full-time employment (including employees on sick leave or compulsory disability leave) who dies while in service at the University shall be entitled to a waiver of tuition and fees (as defined in paragraph (1) above) up to and including the baccalaureate degree. Should both parents be full-time employees, the death of one parent shall make the child eligible for the waiver of tuition and fees. Children of a divorced employee are eligible for waiver of tuition and fees if such employee was contributing to their support at the time of death.

(4) An employee who has retired from the University shall be eligible for a waiver of tuition and fees at the University as specified in paragraph (1) above as one-half time employee.

i. Overtime Compensation.

(1) Except as provided herein, employees in non-negotiated classification that are covered by the overtime provisions of the Fair Labor Standards Act will be compensated at time and one-half either in cash or by allowing compensatory time off, for all time in a work week in excess of the number of hours of work comprising an established full-time daily or weekly work schedule. Employees shall not receive overtime compensation on both a daily and weekly basis for the same work time.

(2) For the purpose of computing overtime, paid benefit time for which work is not performed shall count as time worked in any work week.

(a) For employees paid on a prevailing rate basis, the number of hours before daily and/or weekly overtime is payable, and the rate of overtime pay will depend on the number of hours and the rate being paid locally pursuant to the appropriate multi-employee area agreement.

(b) For employees in a negotiated classification, overtime payment shall be in accordance with the provisions of the applicable collective bargaining agreement.

(c) Employees in positions that are exempt from the overtime provisions of the Fair Labor Standards Act shall work as required by their position.

ii. Compulsory Disability Leave.

(1) If the employer believes an employee is unable to perform assigned duties due to illness or injury, the employer shall inform the employee in writing of the basis for the employer's belief and may require the employee to obtain a
medical examination by a doctor chosen and paid for by the University or by
a doctor chosen and paid for by the employee who is acceptable to the
University. Refusal of an employee to submit to a medical examination may
result in suspension of the employee or other disciplinary action. The doctor
shall submit an opinion to the employer as to whether the employee

(a) has a physical or mental condition which constitutes a health or other
hazard to the employee, fellow employees, or others with whom the
employee may come in contact or

(b) has a physical or mental condition which prevents the employee from
performing the duties required by the position of employment. A copy of
the doctor's opinion shall be given to the employee. At the employee's
discretion and expense, a second medical opinion may be obtained for
consideration by the employer. If two medical opinions are obtained
which are in conflict, the two doctors or the relevant professional
association or society shall be requested to identify a third doctor to
supply an additional medical opinion for consideration by the employer.
The expense of the third doctor's opinion shall be shared equally by the
employee and the University.

(2) If, after reviewing the medical opinions and other materials relevant to the
employee's illness or injury, the employer concludes that the employee

(a) presents a health or other hazard to the employee, fellow employees, or
others with whom the employee may come in contact or

(b) is unable to perform, with a reasonable accommodation, the duties
required by the position of employment, the employer shall place the
employee on compulsory leave. The employer shall notify the employee
in writing of the duration of the compulsory leave period; however, the
employer may, with the agreement of the employee, extend the leave
period if necessary and if so shall notify the employee in writing. Any
earned leave credits (accumulated sick or vacation days) may be used
during the compulsory leave period. That portion of the compulsory
leave, if any, which is not covered by earned leave credits shall be
without pay.

(3) No actions taken under the provisions of the Board's Compulsory Disability
Leave provisions shall be construed to or restrict or deny any rights
guaranteed by the Family and Medical Leave Act (FMLA), the Americans with
Disabilities Act (ADA), The Rehabilitation Act, or state or federal disability
benefits. In placing an employee on compulsory disability leave, the
University will adhere to all requirements of the FMLA, the ADA, the
Rehabilitation Act, and all other applicable federal and state statutes and
regulations and the foregoing regulations shall be construed and applied to
conform therewith.
(4) After expiration of one-half of the compulsory leave period, or when the employee believes she or he is able to return to work, the employee may, upon prior notice to the University, and at the employee’s expense, seek a medical opinion from a doctor acceptable to the University as to the ability of the employee to return to work. If, after reviewing the opinion and other materials relevant to the employee’s illness or injury, the employer concludes the employee is able to return to work, the employee may return to work immediately. If the employer denies the request to return to work, she or he shall notify the employee in writing with reasons.

(5) If, at the end of a compulsory leave, after reviewing the opinion of the doctor chosen and paid for by the University or the doctor chosen and paid for by the employee who is acceptable to the University, and other materials relevant to the employee’s illness or injury, the employer concludes an employee is unable to return to work, the employer may extend the period of compulsory leave, or if the University cannot reasonably accommodate the illness or injury,

(a) request the employee’s resignation or

(b) recommend termination in accordance with the procedures provided in these Regulations or any applicable collective bargaining agreement. Termination under these circumstances shall not be considered to be a disciplinary action.
D. Other Employees

For employees of the University other than faculty, administrative, and civil service employees, the President shall develop guidelines concerning appointment, benefits, and other conditions of employment.
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) 6 elected faculty (elected by the Faculty Senate)
   (b) 2 students (elected by the Student Government)
   (c) 2 Civil Service (elected by the Civil Service Council)
   (d) 2 administrators (elected by the Executive Council)
   (e) 1 alumnus (or alumna, elected by the Alumni Council)
   (f) 3 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

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 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 with the Board’s commitment to 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 660/5-90 the university’s policies and 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 4 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 a determination of residency status.

   a. If a non-resident is classified by error as a resident, a change in tuition charges shall be applicable beginning with the term following reclassification. If the erroneous resident classification is caused by false information submitted by the student, a change in tuition charges shall be applicable for each term in which tuition charges were based on such false information. In addition, the student who has submitted false information may be subject to appropriate disciplinary action.

   b. If a resident is classified by error as a non-resident, a change in tuition charges shall be applicable during the term in which the reclassification occurs, provided that the student has filed a written request for review in accordance with this regulation.

3. Residency Requirements.

   a. Adult Students. To be considered a resident, an adult student must have been a bona fide resident of Illinois as defined above in IV.C.1.d. In the case of adult students who reside with their parents(s), the student will be considered a resident
if one of the parents has established and is maintaining a bona fide residence in Illinois. To be considered a resident for the first year of attendance (excluding individual who would be in the first year of a graduate, graduate degree or professional programs), an adult student not residing in Illinois must be a bona fide resident of one of the approved counties or states outside of the State of Illinois. The Board of Trustees will approve the appropriate counties or states outside the State of Illinois which will be listed in the cost section of the official Chicago State University catalog.

and:

The Board of Trustees of Chicago State University directs that the following contiguous states shall be designated in the cost section of the Chicago State University catalogue:

- Wisconsin
- Missouri
- Iowa
- Indiana
- Kentucky

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 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, that of the father unless the minor has continuously resided with the mother for a period of at least six consecutive months immediately preceding the minor's registration at the University, in which latter case the minor's residence shall be considered to be that of the mother; or

   (3) If the minor has been legally adopted, that of the adoptive parents, and, in the event the adoptive parents become divorced or separated, that of the adoptive parent whose residence would govern under the foregoing rules if the parent had been a natural parent; or

   (4) That of the legally appointed guardian of the person; or

   (5) That of a "natural" guardian such as a grandparent, adult brother or adult sister, adult uncle or aunt, or other adult with whom the minor has resided and by whom the minor has been supported for a period of at least six consecutive months immediately preceding the minor's registration at the University for
any term if the minor’s parents are deceased or have abandoned the minor
and if no legal guardian of the minor has been appointed and qualified.

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
uninterruptedly for a period of at least six consecutive months immediately
preceding the beginning of any term for which they register at the University.
Emancipated minors who reside with their parents and whose parents (or one of
them if one parent is living or the parents are separated or divorced) have
established and are maintaining a bona fide Illinois residence shall be regarded as
residents.

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. **Residency Status Appeal Procedure.** Students who take exception to their residency status classification shall pay the tuition assessed but may file a claim in writing to the University office responsible for reconsideration of residency status. The written claim must be filed within thirty (30) calendar days from the date of the tuition bill or the student loses all rights to a change of residency status for the term in question. If the student is dissatisfied with the ruling in response to the written claim made within said period, the student may file a written appeal within ten (10) calendar days of receipt of the decision to the responsible university office. Such written appeals shall be forwarded to the appropriate University Vice President, who shall consider all evidence submitted in connection with the case and render a decision which shall be final.

5. **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 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.

E. 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.
REGULATIONS
SECTION: IV. Students
Subsection F. Student Publications/Broadcasting
Subsection G. Legal Services
Issued: December, 2000
Revised: March 9, 2012

F. 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.

G. 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.
H. 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.
4. Sanctions for violations of housing policies.

I. 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.
J. 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 Board policies, 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

A. Budget and Appropriations Process

1. **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.

2. **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.

3. **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 University as follows: "Board of 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.

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 the 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.


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 policies 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.


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 revocation of a depository’s approval. To assure 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 outs, 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 as well as policies concerning the refund of mandatory fees because of a student’s death or disability, extreme hardship, institutional error, or when otherwise in the best interest of the university. 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 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. 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.

C. 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 Board, 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 elective or appointive office in national, state, or local government, members or employees of the University, or members or employees of the 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, regarding the naming of University property.

D. 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.
E. 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.

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.
F. 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.

G. 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

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 Board of Trustees and institutional compliance with the federal Health Insurance Portability and Accountability Act of 1996 (“HIPPA”), Public Law 104-191, 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 of Chicago State University (the University”) 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 of Chicago State University, 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