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1.1 UH SYSTEM BOARD OF REGENTS

Chairman, Board of Regents ........................................................... Tilman J. Fertitta
Vice Chairman, Board of Regents .................................................... Peter K. Taaffe
Secretary, Board of Regents ............................................................ Paula M. Mendoza

Members with Terms set to expire August 31, 2019
Durga D. Agrawal
Paula M. Mendoza
Peter K. Taaffe

Member(s) with terms set to expire August 31, 2021
Tilman J. Fertitta
Beth Madison
Gerald McElvy

Member(s) with terms set to expire August 31, 2023
Doug Brooks
Jack B. Moore
Steven Chazen

Member(S) with terms set to expire May 31, 2020
John D. Fields

1.2. UH SYSTEM PRESIDENTS

Renu Khator, Chancellor, UH System and President of the University of Houston
Ira K. Blake, President, University of Houston-Clear Lake
Juan Munoz, President, University of Houston-Downtown
Robert K. Glenn, President, University of Houston-Victoria

1.2.1 COMMUNITY COLLEGE ADVISORY COUNCIL TO THE UHCL

President, Alvin Community College .................................................. Christal M. Albrecht
President, Brazosport College............................................................. Millicent M. Valek
President, College of the Mainland ..................................................... Warren Nichols
President, Galveston College ............................................................... W. Myles Shelton
Chancellor, Houston Community College System .................................. Cesar Maldonado
President, Lee College......................................................................... Lynda Villanueva
Chancellor, Lone Star College System .................................................. Stephen C. Head
Chancellor, San Jacinto College District. ............................................... Brenda Hellyer
President, Wharton County Junior College ......................................... Betty A. McCrohan
1.3 UNIVERSITY OF HOUSTON-CLEAR LAKE ADMINISTRATION

President ............................................................................................................................... Ira K. Blake
Executive Assistant to the President .................................................................................. Berenice Webster
University Compliance and Chief Diversity Officer ......................................................... Scott Richardson
Vice President for University Advancement ....................................................................... Joseph Staley
Associate Vice President, Marketing and Communications .............................................. De’Awn Bunch
Executive Director, Strategic Partnerships ....................................................................... Dwayne Busby
Senior Vice President for Academic Affairs and Provost ................................................. Steven Berberich
Executive Director of Sponsored Programs ....................................................................... Nancy Devino
Chief Academic Affairs Business Administrator ............................................................... Caron Park
Associate Vice President, Academic Affairs ...................................................................... Kathryn Matthew
Executive Director, Assistant Vice President, Global Learning/Senior International Officer ......................................................... Gigi Do
Executive Director of Planning and Assessment .................................................................. Pat Cuchens
Acting Associate Vice President, Enrollment Management .............................................. Charlotte Tullos
Executive Director of Student Financial Aid ...................................................................... Holy Nolan
Registrar .............................................................................................................................. Bryan Heard
Executive Director of Admissions ...................................................................................... Kara Hadley-Shakya
Executive Director, Continuing Education, Distance and Off-Campus Education .......... Lisa Gabriel
Director of University Academic Advising ......................................................................... Maria Ramos
Director of Veterans Services ............................................................................................. Vacant
Director of Admissions, Processing and Transfer Credit .................................................. Linda Hamilton
Executive Director of Environmental Institute of Houston ................................................. George Guillen
Associate Vice President, Information Technology/Chief Information Officer .................. Leebrain Gaskins
Information Security Officer ............................................................................................. Anthony Scaturro
Director, Applications and Systems Infrastructure, Computing ........................................ Mike Livingston
Director, Support Center ................................................................................................. John Rodriguez
Director, Web and Multimedia Services ............................................................................ Ed Puckett
Director, Academic Computing .......................................................................................... Sana Zeidan
Executive Director, Campus Operations, Pearland Campus ............................................. Kathy Dupree
Executive Director, Neumann Library .............................................................................. Vivienne McClendon
Vice President for Student Affairs ................................................................................... Aaron Hart
Dean of Students .............................................................................................................. David Rachita
Interim Associate Vice President, Student Success & Initiatives ....................................... Timothy Richardson
Director, Career Services .................................................................................................. Chuck Crocker
Executive Director of Counseling, Health & Career ......................................................... Cindy Cook
Director of Health Services .............................................................................................. Regina Pickett
Director of Disability Services ........................................................................................... Vacant
Interim Director of Student Involvement and Leadership .................................................. Patrick Cardenas
Director, Student Diversity, Equity and Inclusion ............................................................. Aliya Beavers
Director of Writing Center ............................................................................................... Scott Sands
Director of Student Publications ......................................................................................... Taleen Washington
Director of Orientation and New Student Programs ........................................................ Angie Montelongo
Director of the Math Center .............................................................................................. Allen Cox
Dean, College of Business ................................................................................................. Edward Waller
Interim Associate Dean, College of Business ..................................................................... Dorothy Kirkman
Interim Dean, College of Education ................................................................................... Joan Pedro
Interim Associate Dean, College of Education ................................................................. Felix Simieou
Dean, College of Human Sciences and Humanities ........................................................... Rick Short
Associate Dean, College of Human Sciences and Humanities ......................................... Samuel Gladden
Dean, College of Science and Engineering ........................................................................ Miguel Gonzalez
Interim Associate Dean, College of Science and Engineering ........................................... David Garrison
Vice President for Administration and Finance ................................................................. Mark Denney
Executive Director of Human Resources ................................................................. Brad McGonagle
Director of Human Capital Advancement and Institutional Design ................................ Rickey Frierson
Director of Budget ........................................................................................................... Deja Sero
Director of Environmental Health and Safety and Emergency Management ................. Albert Black
Chief of Police ............................................................................................................ Russell Miller
Associate Vice President for Finance ............................................................................. Usha Mathew
Director of General Accounting ..................................................................................... Bobby Kegresse
Assistant Director of Student Business Services ............................................................. Melissa Hernandez
Director of Procurement & Payables ................................................................................ Debbie Carpenter
Director of Accounts Payable ........................................................................................ Rosie Pineda
Associate Vice President, Facilities Management and Construction ............................. Eric Herrera
Director of Building Maintenance/Utilities and Fleet Management ............................... Vacant
Director of Grounds and Custodial Services ................................................................... Mike Wetzel
1.4 AN OVERVIEW: THE UNIVERSITY OF HOUSTON-CLEAR LAKE
The University of Houston-Clear Lake (UHCL) is student centered, community-minded, partnership-oriented university that offers bachelor’s, master’s and select doctoral degree programs to enhance the educational, economic and cultural environment of the region. The university serves a diverse student population from the state, the nation and abroad, particularly from the Houston-Galveston metropolitan area, by offering programs on and off campus. UHCL offers a variety of programs in human sciences and humanities, education, business and science and engineering. Academic programs are designed to develop the critical thinking, creative, quantitative, leadership and communication skills of students.

The university is committed to community engagement through partnerships with educational institutions, businesses, government agencies and nonprofit organizations.

A Metropolitan University
Adjacent to the National Aeronautics and Space Administration’s Johnson Space Center, UHCL is situated in the heart of Clear Lake's high-technology community. The campus is located between downtown Houston and Galveston Island. Its neighbors to the east are Armand Bayou Nature Center and Bayport Industrial Complex. As one of the leading higher education institutions serving the Texas upper Gulf Coast, UHCL is a vital component of the surrounding region. The university conducts applied and basic research. It engages in community and professional service that support both the economic development and the quality of life of the area. Because a strong university is essential to the success of the area’s industries, UHCL is dedicated to developing and strengthening programs that support the region’s various commercial, engineering, human services and trade sectors, especially in the computing, medical, petrochemical and space industries.

Students and faculty apply academic theories are applied and conduct research through UHCL’s centers, institutes, clinics and laboratories. These entities include:

- Art School for Children and Young Adults
- Center for Executive Education
- Center for Professional Development of Teachers
- Center for Autism and Developmental Disabilities
- Counseling Clinic
- Cyber Security Institute
- Diagnostic Reading Clinic
- Environmental Institute of Houston
- Exercise and Nutritional Health Institute
- Research Center for Language and Culture
- Learning Resources Review Center
- Mathematics Center
- Psychological Services Clinic
- Research Center for Language and Culture

Establishment of UHCL
The establishment of the university was authorized by the 62nd Texas Legislature in 1971. The measure was the result of a 1968 report by the Coordinating Board, Texas College and University System (now the Texas Higher Education Coordinating Board) calling for a second University of Houston campus to provide upper-level and graduate programs. In 1973, the Texas Senate authorized construction of a permanent campus at Clear Lake.

Construction began early in 1974 with the first phase of the Bayou Building, the largest of the university’s five principal buildings. September 1974 marked the beginning of regularly scheduled classes on the UHCL campus under the leadership of UHCL’s founding chancellor, Alfred R. Neumann. Opening day enrollment totaled 1,069 students and 60 professors comprised the charter faculty. Today, the university has approximately 8,900 students and over 600 full-time and adjunct faculty.
In fall 2014, UHCL welcomed its first-ever freshman class. The university received approval from the state in 2011 for downward expansion, which allowed the university to add freshman and sophomore-level courses to its roster.

**Accreditations**

UHCL is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award baccalaureate, masters’ degrees and doctorate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033 or call 404-679-4500 for questions about the accreditation of the University of Houston-Clear Lake.

The College of Business (COB) maintains accreditation by the Association to Advance Collegiate Colleges of Business (AACSB) International. College of Business accounting programs also maintain separate AACSB accounting accreditation.

The College of Education (COE) Educational Management with principal certification program is accredited by the Educational Leadership Constituent Council (ELCC). The EC-6 English as a second language certification program is accredited by Teachers of English to Speakers of Other Languages (TESOL). The early childhood education advanced program is accredited by the National Association for the Education of Young Children (NAEYC). The EC-6 Elementary certification program is accredited by CAEP. The 4-8 generalist program is accredited by the Association for Middle Level Education (AMLE). The special education program is accredited by the Council for Exceptional Children (CEC). The reading specialist program is accredited by the International Reading Association (IRA). The 4-8 mathematics and the 8-12 mathematics certification programs are accredited by the National Council of Teachers of Mathematics (NCTM). The BA Biological Science Teacher Certification, life Science 7-12 is accredited by National Science Teachers Association (NSTA). The EC-6 generalist program is accredited by the Association for Childhood Education International (ACEI). The School Library and Information Science is accredited by the American Library Association/American Association of School Librarians (ALA/AASL). The College of Education is also accredited by the Texas State Board for Educator Certification (SBEC).

The College of Human Sciences and Humanities has several accredited programs. The Behavioral Analysis program is accredited by the Association for Behavioral Analysis International. The Family Therapy program is accredited by the Commission on Accreditation for Marriage and Family Therapy Education. The Human Factors Certificate and the Human Factors concentration in the M.S. Psychology program are both accredited by the Human Factors and Ergonomics Society. The Registered Nurse to Bachelor of Science in Nursing program is accredited by the Accreditation Commission for Education in Nursing. The College Psychology program is accredited by the National Association of School Psychologists. The Bachelor of Social Work is accredited by the Council on Social Work Education. In addition, the National Strength and Conditioning Association has recognized the Fitness and Human Performance curriculum as preparing students for successful entrance into the career field.

The College of Science and Engineering’s undergraduate degree plan in Computer Engineering is accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology (ABET) Inc. The undergraduate degree plans in Computer Science and Computer Information Systems are accredited by the Computing Accreditation Commission of ABET. The program in Chemistry is accredited by the American Chemical Society (ACS). The undergraduate programs in Occupational Safety and Health and Industrial Hygiene and Safety are accredited by the Applied and Natural Science Commission of ABET. The Office of Counseling Services is accredited by the International Association of Counseling Services (IACS). The Doctoral Internship Program in the Office of Counseling Services is additionally accredited by the American Psychological Association (APA).
The University Campus

UHCL’s buildings are surrounded by a 524-acre natural environment. The campus features picturesque, park-like settings with Horsepen Bayou winding through heavily wooded areas abundant with wildlife.

The Arbor Building houses painting, ceramics, weaving and photography studios, as well as educational centers, teaching methods labs and psychology facilities, notably UHCL’s Center for Autism & Development Disabilities.

The Bayou Building houses the majority of classrooms, administrative and faculty offices, the library, alumni relations, cafeteria, computing services and laboratories, copy services, mailroom and Bayou Theater. It is also home to the Center for Executive Education, Center for Professional Development of Teachers and other research activities.

The Central Services Building is headquarters for building maintenance, grounds and custodial services, scheduling and space planning, and vehicle maintenance. The UHCL Police Department is located next to Central Services.

The Delta Building houses student computer laboratories, classrooms and computing faculty offices. It is home to UHCL’s Cyber Security Institute and Center for Robotics Software.

The Student Services and Classroom Building accommodates five categories of functions including enrollment management, health, Counseling, academic support and Veteran Services. The one-stop Student Assistance Center provides enrollment, registration, fee payment, financial aid, and scholarship services.

UHCL’s Environmental Institute of Houston is located in North Office Annex 1, just off Entrance 3 adjacent Parking Lot D.

In 2007, the Texas Higher Education Coordinating Board approved creation of UH-Clear Lake at Pearland. Located at 1200 Pearland Parkway, the new campus was developed as a partnership between UHCL and the city of Pearland to improve access to higher education for Pearland-area residents. In 2009, construction began on a facility that featured eight media-equipped classrooms, two teaching labs, library and other student resources. Classes began in fall 2010, with more than 600 students enrolling in degree programs such as accounting, business, criminology, education, nursing and psychology.

The STEM and Classroom Building houses classroom and lab space for science, technology and mechanical engineering. A three-story section is home to offices, computer labs and 100-seat tiered lecture hall.

The Recreation and Wellness Center includes academic and recreational wings, open study spaces, casual seating, food service and private study rooms. An indoor, elevated three-lane running track provides runners a campus view while overlooking two regulation-sized basketball courts and a multi-activity court for indoor soccer, hockey and other sports. It also features weight and cardio rooms, two multipurpose rooms for yoga and other exercises as well as three teaching labs and two classrooms. Also, it is home to UHCL’s Exercise and Nutritional Health Institute.

The Health Sciences and Classroom Building on the UHCL Pearland Campus opened in May 2019. The Health Sciences and Classroom Building will provide several mid-to-large sized classrooms, including a 100-seat tiered lecture hall, two science teaching labs, a suite specifically design for the RN-to-BSN program, faculty offices, suite for a satellite operation of the UHCL Center for Autism & Development Disabilities program, and a suite for the Licensed Professional Counselors program. This is the second building on the UHCL Pearland Campus, and will provide much needed student study/ social/lounge space and a small food services area.
University Forest Apartments is a privately owned and managed apartment complex built in 1995 on the campus of the university. This 136-unit student housing facility is a two-story complex that includes a central courtyard with clubhouse, laundry facility, swimming pool, jacuzzi, sand volleyball court, barbecue grills, and picnic and lounge areas.

Construction began in summer 2018 on a 297-bed on-campus student housing building that will be immediately adjacent to the new Recreation and Wellness Center. The student housing project will be completed and ready for occupancy in fall 2019.

University Police
The University of Houston-Clear Lake Police Department is responsible for law enforcement, security and emergency response at UHCL, UHCL Pearland, and UHCL Texas Medical Center. The UHCL police serve the university community and visitors alike through law enforcement, crime prevention, traffic control and public assistance programs. The department enforces all university regulations as well as local and state laws.

The department is located at 700 Bayou Rd., across from Parking Lot D, behind the Bayou Building. Security services are available 24 hours a day, seven days a week by calling 281-283-2222. Trained, professional police and communications officers staff the department. The university police provide the following services: lock-shop services including card access and keys, vehicle unlocks, vehicle jumpstarts, airing deflated tires and safety escorts to your vehicle and safety classes. To report an on-campus crime or any emergency, call the University Police Department at 281-283-2222 from off-campus telephones or 2222 from on-campus telephones. For special announcements, emergency closings and other information, call the UHCL Hotline at 281-283-2221 or visit www.uhcl.edu/emergency. For a complete overview of the University Police Department and its services, visit www.uhcl.edu/police.

Emergency Management & Fire Safety and Environmental Health and Safety are also Part of the UHCL Police Department. Emergency Management and Fire Safety coordinates university and community resources to protect lives, property and the environment through mitigation, preparedness, response and recovery from all natural and man-made hazards that may impact the campus. Environmental Health & Safety focusses on environmental protection, general safety, lab safety, and safety training.

Parking
Parking is handled by the UHCL Parking Department. To purchase a student, faculty or staff permit, visit http://uhclparking.t2hosted.com. Guest passes may be purchased at kiosks located throughout campus. For more information, contact the Parking Department at 281-283-2277, email parking@uhcl.edu or visit www.uhcl.edu/parking.

1.5 UHCL MISSION STATEMENT
The University of Houston-Clear Lake places its highest priority on serving a diverse body of students in every aspect of their university experience. UHCL’s teacher scholars provide high quality, student-centered undergraduate and graduate programs that prepare students to thrive in a competitive workplace and to make meaningful contributions to their communities. UHCL fosters critical thinking and lifelong learning through a strong legacy of vibrant community partnerships complementing its historical focus on teaching, research, creative activity, and service.

Approved by University Council 12-10-09
Approved by UH System Board of Regents 2-16-10
Approved by Texas Higher Education Coordinating Board 4-29-10
Revised and approved by UH System Board of Regents May 16, 2019
1.6 FORMATTING, TRACKING, MAINTAINING, AND DISSEMINATING UHCL POLICY DOCUMENTS

Approved by University Council, November 13, 1997

(1) Purpose
This document describes the procedures for formatting, tracking, disseminating, and maintaining university policy documents.

(2) Formatting
The usual format for a policy document is as follows:

(2.1) Title - Name of the policy

(2.2) Purpose - a brief statement describing the reason for the policy.

(2.3) Definition(s) (Optional) - list of terms or words contained in the policy that are specific to this policy or have special meaning with regard to this policy, plus their definitions.

(2.4) Policy - A statement of the official UHCL position on a particular subject.

(2.5) Policy Provision(s) or Procedure(s) - Section describing specific requirements that apply to the policy or outlining how the policy will be implemented at UHCL, including responsibilities of various administrators or departments.

(2.6) Exhibit(s) - display of any forms required to implement the policy.

(2.7) Approval, publication destination, and date block(s) - block for the President to sign if approving the policy, a block to indicate the publication destination, and a block to indicate the date the policy is approved and the sunset date.

(3.0) Tracking

(3.1) The policy development process can be found in the faculty senate constitution.

(3.2) The cover sheet shown as Exhibit A will be attached to and accompany all policy proposals throughout the review process in order to maintain a record of action regarding the proposal.

(3.3) When the policy is approved at University Council, those responsible for handbook publication will fill out the publication destination checklist and provide insert locations for the document in the appropriate Table of Contents. The list of officers responsible for handbook publication is as follows:
   - Student Life Handbook - Associate VP of Student Services
   - Employee Handbook - Director of Personnel
   - Faculty Handbook - Associate VP of Academic Affairs
   - UHCL Catalog - Associate VP Enrollment Management

(3.4) Following approval by University Council, the policy will be submitted, on computer disk with cover sheet attached, to the President for signature and dissemination. The heading and signature sections shown as Exhibit B will be added to official policy documents when they are approved by University Council and before they are sent to the Computing Center.
(4.0) Maintaining

(4.1) The Office of the President will maintain an archive of all policy documents approved by University Council. A hard copy will be maintained in the UHCL Library.

(4.2) The Office of the President will be responsible for maintenance of official policy documents. These will be maintained both on computer disk and in hard copy in a notebook(s). The computer and hard copy files will contain an index, cross-referencing all policies by

(4.2.1) Number
(4.2.2) Alpha by title
(4.2.3) Alpha by subject
(4.2.4) Date approved
(4.2.5) Sunset review date

(4.3) The President's Office will assign a number to a policy document after it has been signed by the President. The number will be placed both in the upper right corner of the policy and the cover sheet. The numbering system will include a letter code representing the governance committee from which the policy originates, followed by a number indicating the year, followed by a number indicating the sequence of its development:

Example: Policy No. XXXX.YYYY.ZZZ XXXX =
Governance Committee Letter Code YYYY = Year
ZZZ = Numeric Sequence
(For this example, a policy developed through the Educational Policy and Courses Committee, approved in 1995, which happened to be the 25th EPCC policy developed, would be numbered as:
Policy No. EPCC.1995.025.)
Letter codes representing the governance committees are as follows: EPCC - Educational Policy and Courses Committee
FRC - Facilities and Resources Committee
LRC - Library, Research and Computing Committee
ULC - University Life Committee
UPC - University Planning Committee
FSEC - Faculty Senate Executive Committee

(5.0) Disseminating
Newly approved policies or policy revisions will be disseminated as follows:

(5.1) Archive copy retained in the Office of the President and a hard copy in the UHCL Library.

(5.2) Copies of student life policies published in whole in Student Life Handbook accessible on the UHCL Internet home page

(5.3) Copies of faculty policies published in whole in Faculty Handbook are accessible on the UHCL Internet home page

(5.4) Copies of staff policies published in whole in UHCL Employee Handbook accessible on the UHCL Internet home page

(5.5) Online Policy Publication

(5.5.1) After the President has signed the policy document and an archive number has been assigned to it, the President’s Office will send a disk bearing the policy with the President’s signature block and archive number and
a hard copy of the cover sheet to the Associate Director of Academic Computing for publication on the Internet home page

(5.5.2) Once the policy is accessible online, the Associate Director of Academic Computing will notify all subscribers to the electronic mail system at the university.

(5.5.3) Unit supervisors should provide access to the document for their employees on a Web-enabled machine or by providing hard copies of the online document.

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<th>EXHIBIT A</th>
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<tr>
<td>THIS COVER SHEET MUST ACCOMPANY EVERY ITEM OF BUSINESS SENT OUT FROM ANY GOVERNANCE COMMITTEE</td>
</tr>
<tr>
<td>COMMITTEE CHAIRS MUST PROVIDE COPY OF ANY CHANGES RECOMMENDED TO DRAFT DOCUMENT TO CHAIR AND SECRETARY OF ORIGINATING COMMITTEE.</td>
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</table>

The secretary of the originating committee must retain the original document draft on disk and be responsible for recording any changes made at any point during the approval process. The secretary is also responsible to provide a disk copy and a hard copy of the approved document to the Office of the President for signature and distribution.

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2.1 OVERVIEW OF GOVERNANCE

UHCL is one of four institutions with distinct identities and missions that make up the University of Houston System. The universities are governed by the UHS Board of Regents and Chancellor, Renu Khator. Administrative responsibility for UHCL is vested in its president. UHCL's shared governance process includes the Faculty Senate, University Staff Association and Student Government Association, working with the university's administration through various committees and councils including University Council, which is chaired by the university's president. Other councils/committees include Academic council, University Life Committee, Planning and Budgeting Committee, and Facilities and Support Services Committee.
2.2 CONSTITUTION OF THE FACULTY SENATE
Please go to the UHCL Faculty Senate Website for details https://www.uhcl.edu/faculty-staff/faculty-senate/

3.0 APPOINTMENT AND RETIREMENT
Approved by University Council May 10, 2012.

(3.1) Tenure Track Academic Ranks

(3.2) Purpose
The purpose of this policy is to define those faculty ranks at UHCL which are tenured or which lead to a tenure decision. All appointments to tenure track rank shall be effective only upon approval by the Board of Regents.

(3.3) Definitions

(3.4) Proof of completion of a terminal degree
This shall be either an official transcript showing the conferral of the degree or a proof of completion from the university which confers the degree.

(3.5) Probationary Appointment
This shall be an appointment in a tenure track position prior to the award of tenure. The maximum term for the probationary appointment must be stated explicitly in the letter of appointment. However, in exceptional circumstances, the term of any probationary period can be extended at the request of the appointee with the approval of the provost.

(3.6) Policy

(3.7) Ranks
The following ranks are considered part of the tenure track at UHCL: instructor, assistant professor, associate professor, and professor.

(3.8) Mandatory Review
For probationary appointments, the final and mandatory review for tenure shall take place in the year prior to the final probationary year (e.g., year six where there is a seven-year probationary period.)

(3.9) Any faculty member appointed for a probationary period should understand that the number of years designated is a probationary period and not a minimum commitment of employment. A decision to terminate the services of a faculty member on a probationary appointment may be made at any time during the probationary period subject to appropriate date of notification and does not require or imply charges or demonstrated professional unfitness.

(3.10) Limitations & Conditions by Rank

(3.11) Instructor
Instructor is a tenure track rank. Upon completion of a terminal degree the instructor will be promoted to assistant professor. Such completion is required for the promotion. Instructors cannot be tenured at that rank. The maximum probationary appointment at the rank of instructor will be three years starting with the first fall semester of the appointment. The proof of completion of a terminal degree must be presented by December of the last academic year of the probationary appointment. Time spent as an instructor at UHCL will count toward the probationary period as an assistant professor.
(3.12) Assistant Professor
Appointment as an assistant professor will be a tenure track appointment. Completion of a terminal degree is required for the appointment.

(3.13) Probationary Period
Appointment will normally contain a probationary period not to exceed seven years. This period may be reduced by any time spent at UHCL as an Instructor. As many as three years of prior experience as an assistant professor or above at another institution may be credited toward the probationary period. Prior years credited toward the probationary period must be approved by the Provost and must be specified in the letter of appointment.

(3.14) Normally, a decision to tenure will coincide with a promotion to associate professor. However, in exceptional circumstances the president may request that tenure be granted to an assistant professor.

(3.15) Associate Professor
Appointment as an associate professor will be a tenure track appointment. Completion of a terminal degree is required for the appointment.
Appointment will normally contain a probationary period of three years but may be made with tenure or for a lesser period.

(3.16) Professor
Appointment as a professor will be a tenure track appointment. Completion of a terminal degree is required for the appointment. Appointment will normally be tenured but may contain a probationary period of up to three years. A candidate for an appointment or promotion to professor should have a record of accomplishment and evidence of a continuing commitment to professional growth and development of the highest quality.

(3.17) Extension of Probationary Period

(3.18) Extension of Probationary Period for Childbirth and Adoption.
An untenured tenure-track faculty member who becomes a parent due to the birth or adoption of a child and who is responsible for the primary care of that child will be given upon request a one-year extension of the probationary period, with or without a leave of absence. The faculty member is responsible for notifying his/her dean in writing of a request for extension within six months of the birth or adoption of the child. The dean will acknowledge the request for the extension of the probationary period and will send the request to the provost. The provost will then notify the faculty member in writing of the new mandatory tenure review date. The extension of the probationary period may occur at most twice (for a total of two years extension), with each extension occasioned by the birth or adoption of a child, and by timely notice as defined above. For purposes of this policy, a child is defined as a newborn or, in the case of adoption, a child under the age of six. Also, a tenure-track faculty member who is responsible for the primary care of the child is one who is responsible for significant and continuous care of his or her newborn or adopted child. If both parents are tenure-track faculty members, only one may qualify as the primary caregiver. If a faculty member takes a leave of absence, this policy shall be applied in conjunction with relevant leave statutes and policies.

An untenured tenure-track faculty member has the right to request an extension of the probationary period because of serious illness, family emergencies or other serious personal circumstances. Circumstances that may justify an extension include, but are not limited to, serious illness and injury, or other serious disruptions or unexpected reasons beyond the faculty member’s control. Requests must be made in writing and submitted within six months after the emergency circumstances or personal circumstances occur. The request must be forwarded through the dean to the Provost. The Provost will inform the dean of his or her decision and the year of tenure review. These decisions should be made as soon as practicable.
(3.20) A request for extension of the probationary period normally will not be considered after March 1 of the academic year prior to the tenure review period.

(3.21) This policy does not address faculty development leave, nor does it affect any existing policy or policies relating to faculty leave.

3.2 FACULTY APPOINTMENTS, UH SYSTEM GENERAL GUIDELINES

University Of Houston System Administrative Memorandum
SECTION: Academic Affairs NUMBER: 06.A.09 AREA: General
SUBJECT: Academic Personnel Policies June 16, 1994; Revised February 14, 2012
http://www.uh.edu/af/universityservices/policies/sam/6AcademicAffairs/6A9.pdf
http://www.uhsystem.edu/compliance-ethics/docs/sam/06/6a9.pdf

(1.0) Purpose

(1.1) This administrative memorandum specifies policies and procedures governing various academic personnel actions utilized by the University of Houston System and its component universities. It delineates policies and procedures common to all component universities. Board of Regents policies 21.06 and 21.07 and campus specific policies and procedures should also be consulted in connection with this topic.

(2) Definitions and Conditions

(2.1) Appointment - Appointment is defined as the employment of an individual in a given capacity for a specified time period at a stated salary. Faculty appointments are made at the respective universities following procedures developed at the university and which have been approved by the Chancellor. Appointment letters must be approved by Academic Affairs (AA) and Human Resources (HR), and must follow standard forms as adopted by AA and HR at respective universities. Prior approval of the Chief Academic Officer (Provost) is required before any faculty appointment with tenure can be made. In addition, no person shall be appointed to the position of Dean, or equivalent, or Vice President, or equivalent, without prior consultation with the Chancellor and in accordance with Board of Regents Policy 57.10. No administrator may be given faculty status or tenure without a review and positive recommendation from the academic unit involved.

(2.2) Separation - Separation is defined as the process by which an individual terminates employment with the university. Three distinct modes of separation are recognized.
(a) Resignation is voluntary termination of employment by an employee.
(b) Non-reappointment refers to a situation in which a non-tenured faculty member is not offered the next successive employment appointment at the end of a stated employment period. Non- reappointment notification must conform to the following schedule of dates: (1) Not later than March 1 of the first academic year of service if the appointment expires at the end of that year; or if a one-year appointment terminates during an academic year, at least three months in advance of termination. (2) Not later than December 15 of the second academic year of service if the appointment expires at the end of that academic year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination. (3) Not later than May 31 of the academic year preceding the academic year in which the appointment is to expire, when the individual is in the third or later year of appointment.

(2.3) Dismissal is severance from employment due to either adequate cause, financial exigency, medical reasons, or the discontinuance of academic programs. Dismissal shall not be used to restrain faculty members in their exercise of academic freedom. When dismissal involves a tenured faculty member, consultation with the Chancellor and University Legal Counsel shall be made prior to any official action. Subject to final approval by the Board of Regents, the Chancellor has the authority to dismiss faculty upon recommendation of the President after full and appropriate due process. (See Board of Regents Policy 21.07.)
(2.4) Tenure is defined as the right to continuous employment. It is awarded by the Chancellor based upon the authority delegated by the Board of Regents and upon the recommendation of the President of the respective university after the appropriate university review processes have been followed. Tenure is awarded on the basis of teaching, research, and service excellence to date, consistent with the mission of the university, and a high degree of confidence in the continuation and enhancement of this performance for the benefit of the university. Recommendations for tenure shall be made once each year to be effective at the beginning of the succeeding academic year. Tenure can only be revoked due to dismissal for cause, financial exigency, the elimination of programs, medical reasons, retirement or resignation. Tenured faculty members shall be afforded every opportunity to be placed in other related faculty assignments when the existence of a financial exigency or the elimination of a program may necessitate the dismissal of tenured faculty members. Tenure shall be specific to the University of Houston System component recommending tenure and never applies to administrative appointments.

(2.5) Promotion - Promotion is defined as advancement to a higher rank or title based on merit or evidence of excellence in the performance of job responsibilities. Promotions are subject to the approval of the Chancellor and Board of Regents upon recommendation of the President. Recommendations for promotion shall be made once each year to be effective at the beginning of the succeeding academic year.

(2.6) Tenure-track positions - The following ranks are considered part of the tenure track: instructor, assistant professor, associate professor, and professor.

(2.7) Non-tenure track positions - A university may choose to utilize other faculty titles to convey certain meanings specific to that university. These include lecturer and prefixes attached to titles in Section 2.5 such as visiting and adjunct. The use of these terms implies non-tenure track status.

(2.8) Probationary period - The probationary period is defined as the time a faculty member spends under appointment in a tenure-track position prior to being awarded tenure. It shall not exceed seven years, and the conditions of the period shall be specified in the appointment letter. Up to three years of prior full-time collegiate level teaching at the rank of assistant professor or above may be credited to the probationary period.

(2.9) Faculty leaves of absence - Faculty leaves of absence without pay are granted by the President. Normally, the period of time of a leave of absence shall not be counted as time in the tenure track or promotion sequence except in those circumstances approved by the President or designee.

(3.0) Time in Rank

(3.1) The rank of instructor at a University of Houston System university shall normally be in the tenure track for that university with time spent as an instructor counted in the probationary period. No instructor, however, may be awarded tenure. Under special circumstances, the President may waive the inclusion of an instructor in the tenure track by written mutual agreement.

(3.2) Assistant professors shall serve a probationary period not to exceed seven years, at least four of which must be at the specific University of Houston System University. Promotion to associate professor is concurrent with the award of tenure unless otherwise stipulated by the President due to special circumstances.

(3.3) Associate professors may be appointed with tenure, or alternatively shall serve a probationary period not to exceed four years before tenure is awarded. In cases of exceptional merit, the probationary period specified in the appointment letter may be shortened by the President at the request of the Dean or appropriate Division Head.
(3.4) Promotion from associate to full professor requires strong evidence of teaching, scholarship, and service as appropriate to the mission of the university. No specified time in rank is required for promotion from associate to full professor.

(3.5) Full professors are usually appointed with tenure but may be required to serve a probationary period which shall be stated in the appointment letter.

(3.6) Full-time University of Houston System employees, such as professional and administrative staff, who have at least 50% teaching assignments as part of their full time positions shall accrue time toward tenure and promotion at the same rate as full-time faculty. Full-time employees not compensated who do not have at least 50% teaching assignments shall not accrue time toward tenure and promotion.

(3.7) Recommendations for tenure and promotion shall be transmitted annually by April 1, along with all supporting documentation, from the university Presidents to the Chancellor.

(3.8) Other Considerations

(3.9) Each university shall determine its specific criteria and procedures for tenure and promotion through appropriate shared governance procedures. Criteria shall reflect the mission, tradition, and complexity of the university.

(3.10) The following provisions must be a part of tenure and promotion procedures: The process by which faculty members are appointed or evaluated for tenure and promotion at each university must include peer review in at least one level of evaluation. It must also include the recommendation of the appropriate Dean or equivalent mid-level administrator. Each university must establish a promotion and tenure grievance mechanism and procedure.

(3.11) Tenure and promotion criteria and procedures of each university are subject to final approval of the Chancellor.

(3.12) No faculty member shall be appointed or promoted at any university without a complete review consistent with the criteria and procedures of that university.

(3.13) Nothing in these policies and procedures shall in any way impair the fundamental policy of equal employment opportunity of the University of Houston System.

(4) Review and Responsibilities

Responsible Party: Senior Vice Chancellor for Academic Affairs Review: Even numbered years before March 1

(5) Approval

Approved: Renu Khator, Chancellor
Date: February 14, 2012

3.3 UHCL GUIDELINES FOR ACADEMIC APPOINTMENTS

From Faculty Handbook Approved June 1988

(1.1) UHCL Appointments and Promotion

(1.2) At the University of Houston-Clear Lake, the president, senior vice president and provost, and deans of the colleges hold responsibility for decisions concerning appointments, promotions, tenure, and termination of services. Faculty committees at the College level shall advise the deans on all faculty appointments, promotions
and tenure actions. Appointments and promotions at any institution in the University of Houston System are awarded by the Board of Regents upon the recommendations of the chancellor and the president.

(1.3) No non-tenured member of the faculty should expect continuing appointment beyond the term of his or her current appointment. Any commitment to employ a non-tenured member of the faculty beyond the term of his or her current appointment will depend upon an evaluation of the evidence of a continuing commitment to professional growth and development of the highest quality.

(1.4) Associate professors may be appointed with tenure, subject to approval by the president. However, the president shall confer with a faculty committee and the dean in the appropriate discipline before making such an appointment. Alternatively, the candidate may be required to serve a probationary period not to exceed four years before tenure is awarded. The appointment letter shall state the maximum number of years to be served before the associate professor may be considered for tenure. The probationary period specified in the appointment letter may be shortened by the president at the request of the dean or appropriate authority. (UHCL & UH system)

(1.5) A candidate for an appointment or promotion to professor should have a record of accomplishment and evidence of a continuing commitment to professional growth and development of the highest quality.

(1.6) No time in rank is specified for promotion from associate to professor. Professors may be appointed with tenure, subject to approval by the president. However, the president shall confer with a faculty committee and the dean in the appropriate discipline before making such an appointment. Alternatively, the candidate may be required to serve a probationary period which shall be explicitly stated in the appointment letter. (UHCL & UH system).

3.4 NON-TENURE TRACK ACADEMIC APPOINTMENTS
Approved 1998
Revised and approved 2010
Revised and Approved by University Council April 12, 2018
Revised and Approved by University Council March 14, 2019

(1) Purpose
The purpose of this policy is to define those faculty ranks at UHCL which are not tenured and which do not lead to a tenure decision. All appointments to non-tenure track rank shall be effective upon the approval of the president.

(2) Definitions
(2.1) Proof of completion of a terminal degree: this shall be either an official transcript showing the conferral of the degree or a letter of completion from the university which conferred the degree.

(2.2) Courtesy Appointment: Courtesy Appointments are non-tenure track faculty unpaid appointments and may be used for the position of Visiting Faculty, Clinical Faculty, and Visiting Scholar. If any position is to be considered a courtesy appointment, it will be designated as such in the offer letter.

(3) Policy
(3.1) The following ranks are considered part of the non-tenure track at UHCL: lecturer, senior lecturer, post-doctoral fellow, visiting scholar, visiting lecturer, visiting assistant professor, visiting associate professor, visiting professor, clinical assistant professor, clinical associate professor, clinical professor, research assistant professor, research associate professor, and research professor.
(3.2) All of these ranks have appointments for up to 1 year unless described below. Unless specified in the letter of appointment the university at its discretion may or may not continue the appointment for subsequent years. Such reappointments will normally involve the needs of the university and non-reappointment has no negative implications concerning the quality of work by the individual.

(4) Instructional Level Requirements

(4.1) Undergraduate
To teach undergraduate courses a person must have at least a master’s degree with 18 graduate hours in the teaching discipline.

(4.2) Graduate
To teach graduate courses a person must have either 1) a terminal degree or 2) special expertise or credentials and be approved by the Provost.

(5) Limitations & Conditions by Rank

(5.1) Lecturer
a. Appointment as a Lecturer will be a non-tenure track appointment. Completion of a terminal degree is not required for the appointment.

b. This rank has two distinct normal uses. First, it can be used for a full-time teaching position. Second, it can be used to appoint a full time employee in a non-instructional role who will also teach with full responsibility for one or more courses.

c. Lecturer appointments may be for a term of one semester or for a full academic year. Section 3.2 addresses appointment terms and can also be consulted in connection with this topic.

d. Role
i. Full-Time Lecturer
The normal teaching load for a full-time lecturer is twelve (12) semester credit hours, but deans may make exceptions for good and sufficient reasons. Other responsibilities for lecturers will be assigned by the dean as appropriate. Performance evaluation will reflect instructional performance and performance in any other assigned duties according to a weighting determined by the dean. College by-laws should specify if lecturers are accorded voting rights for college level issues.

ii. Part-Time Lecturer
A full-time employee may also be designated a Lecturer if that employee has part-time instructional duties as a normal part of his or her workload.

For this instructional portion of the lecturer’s appointment, the criteria for regular faculty appointments will apply. Performance evaluation will reflect instructional performance and performance in any other assigned duties according to a weighting determined by the dean.

(5.2) Senior Lecturer
a. Appointment as senior lecturer is intended to recognize individuals with a continuing and significant contribution to teaching at UHCL. It has the same basic conditions as that of lecturer. In addition, the appointee must have taught full time at UHCL for 6 years or more.
b. College by-laws must define process and criteria for promotion to senior lecturer. The process must include a review by a committee that consists of tenured and tenure track faculty as well as senior lecturers from within the academic program(s) the lecturer serves. Promotions must be approved by the appropriate Dean.

c. Senior lecturers shall have a term of appointment for three years. Dismissal of a senior lecturer during the term of appointment will be in accordance with Policy 5.6 ‘Dismissal of Faculty Members’. Section 3.2 addresses appointment terms and can also be consulted in connection with this topic.

d. Those individuals already employed with the Senior Lecturer title by UHCL at the time of passage of the policy, may retain the title. All new appointments as senior lecturer are subject to the processes outlined above.

(5.3) Visiting Faculty

a. Appointment as a visiting lecturer, visiting assistant professor, visiting associate professor, or visiting professor will be a non-tenure track appointment. If any visiting faculty position is to be considered a courtesy appointment, it will be designated as such in the offer letter.

b. All visiting faculty positions are temporary and established for a specified period e.g., usually for a semester or an academic year. Any appointments over one year are subject to annual review. Section 3.2 addresses appointment terms and can also be consulted in connection with this topic.

c. Completion of a terminal degree is required for the appointment above the rank of visiting lecturer with appropriate experience & background for each of the ranks and may carry whatever rank is appropriate (e.g., visiting associate professor).

d. The workload associated with all visiting faculty positions is articulated in the offer letter.

(5.4) Auxiliary Faculty

(5.4.1) Clinical Faculty

a. Appointment as a clinical assistant professor, clinical associate professor, or clinical professor will be a non-tenure track appointment. If any clinical faculty position is to be considered a courtesy appointment, it will be designated as such in the offer letter.

b. Clinical professorships are intended for a continuing relationship over an extended period of time. They do not represent a commitment for a particular teaching load and, in fact, may include periods during which the individual is not teaching or performing any remunerated work. Pay, if any, will depend on the responsibilities at the time. Section 3.2 addresses appointment terms and can also be consulted in connection with this topic.

c. Appointments are subject to annual review.

d. College by-laws must define process and criteria for promotion. The process must include a review by a committee of tenured and/or tenure track faculty from within the academic program(s) the faculty serves. Promotions must be approved by the appropriate Dean.

e. Completion of a terminal degree is required for the appointment with appropriate experience & background for each of those ranks and may carry whatever rank is appropriate (e.g., clinical associate professor).
5.4.2 Research Faculty
a. Appointment as research assistant professor, research associate professor, or research professor will be a non-tenure track appointment. If any research faculty position is to be considered a courtesy appointment, it will be designated as such in the offer letter.

b. Research professorships are intended for a continuing relationship over an extended period of time, usually involving research at or in collaboration with UHCL. They do not represent a commitment for a particular teaching load and, in fact, may include periods during which the individual is not performing any remunerated work. Pay, if any, will typically depend on availability of external funding and will not be paid from the state teaching budget. Section 3.2 addresses appointment terms and can also be consulted in connection with this topic.

c. Appointments are subject to annual review.

d. Research faculty may submit proposals for funding as principal investigators. Research faculty may teach courses and are subject to the same stipulations as adjunct faculty and may be paid from the same budget as adjunct faculty for teaching duties. Research faculty may serve on thesis and dissertation committees at the option of individual college by-laws.

e. Completion of a terminal degree is required for the appointment with appropriate experience and background for each of those ranks and may carry whatever rank is appropriate (e.g., research associate professor).

5.5 Post-Doctoral Fellow
5.5.1 The designation of post-doctoral fellow can be conferred upon an individual whose duties normally consist of conducting research with a faculty member or within an academic program at UHCL.

5.5.2 A post-doctoral fellow is normally appointed for one year or more after completion of a doctoral degree and is typically hired by the university in case external funding is available. Any appointments over one year are subject to annual review. Section 3.2 addresses appointment terms and can also be consulted in connection with this topic.

5.6 Visiting Scholar
The designation of visiting scholar can be conferred upon an individual who conducts scholarly activity with a faculty member or with an academic program at UHCL. Typically, the visiting scholar comes to the University with external funding and with another university or research center affiliation. If any visiting scholar position is to be considered a courtesy appointment, it will be designated as such in the offer letter.

3.5 POLICIES ON GRADUATE AND UNDERGRADUATE TEACHING/RESEARCH ASSISTANTS
Approved by University Council March 12, 1998
Revised and approved 2010
Approved by University Council April 18, 2018

(1) Purpose
The University of Houston-Clear Lake provides several categories of student employment which provide assistance to faculty and students. To be considered for student employment, the student must be currently enrolled and be making satisfactory progress toward a degree.
(2) Categories of Employment Categories of employment include:

(2.1) Graduate Teaching Fellows
Graduate Teaching Fellows are graduate students who have primary responsibility for instruction and work under the direct supervision of a faculty member. Graduate teaching fellows must submit the same documentation for employment as adjunct faculty and may be listed as instructor of record. Graduate Teaching Fellows will not be assigned as instructors of record in an undergraduate course (i.e. having full responsibility for a course) until they have earned a master’s degree or its equivalent or have completed 18 graduate semester credit hours in the teaching field. Students so employed qualify for out-of-state tuition waivers for each semester they are employed at 0.50 FTE. Funding for this category of student employment should come from faculty salary budgets.

(2.2) Graduate Teaching Assistants
Graduate teaching assistants are graduate students who spend at least 50 percent of the time of their appointment in direct instructional contact with students. Graduate teaching assistants work under the direct supervision of a faculty member. Students employed as graduate teaching assistants qualify for out-of-state tuition waivers for each semester they are employed at 0.50 FTE. Funding for this category of student employment may come from faculty salary budgets.

(2.3) Core Course Teaching Assistant
Core Course Teaching Assistants are graduate or undergraduate students who assist Core Curriculum faculty in providing instruction for large lecture classes of 60 or more students. These students perform under a faculty member’s direct supervision those duties related to the course to be defined by the instructor. The purpose of a Core Course Teaching Assistant opportunity is to provide faculty with supplemental support and allow students to gain introductory insight into the process of preparing class content for a college-level course. Funding for this category of student employment may come from faculty salary budgets.

(2.4) Instructional Assistants
Students in this category may be graduate or undergraduate. These students perform under a faculty member's direct supervision those duties directly related to the development of course materials, grading and related duties of the course. Instructional assistants are not eligible for out-of-state tuition waivers. Funding for this category of student employment should come from departmental operating expenses budgets. Faculty salary budgets must not be used to support this category of student assistant.

(2.5) Research Assistants
Students in this category are graduate or undergraduate students who are engaged in research activities under the direction and supervision of a principal investigator. Students in this employment category are eligible for out-of-state tuition waivers for each semester they are employed at 0.50 FTE. Research assistant students are paid from research budgets.

(3) Qualifications for Appointment and Selection Process

(3.1) To be eligible for an assistantship, graduate students must be degree seeking and be enrolled in a minimum of three hours coursework or three hours in a degree completion option each long semester during the period of appointment. Undergraduate students must also be degree seeking. They must be enrolled in a minimum of nine hours of coursework each long semester during the period of appointment. Students employed during the summer must be enrolled for a minimum of three hours during the summer session.

International applicants for the Graduate Teaching Fellow or Graduate Teaching Assistant positions who hold F-I or J-I visas and/or are non-native speakers of English must demonstrate competent communications skills in English for successful instruction in the classroom to the appropriate college personnel.
(3.2) Selection of student assistants must follow a process of application and screening by appropriate college personnel. Additional related procedures may be established by the college.

3.6 ADJUNCT FACULTY APPOINTMENTS
Revised and Approved 2010

(1.0) Appointment

(1.1) Part-time instructional staff at UHCL are normally employed as adjunct faculty. All appointments will be made by the Dean or designee of the college responsible for the course offering but will be subject to approval by the Senior Vice President and Provost. To be appointed to teach undergraduate courses, adjuncts must have at least a master’s degree and 18 graduate hours in the teaching discipline. To be appointed to teach graduate courses, adjuncts must be terminally degree or possess special expertise or credentials sufficient to justify the exception to SACS standards. Appointment as an adjunct is made on a per course basis for one semester only, although a shorter appointment is possible under unusual circumstances. Adjuncts may teach a maximum of two courses per semester. Adjunct appointments do not carry tenure track status. Salary is negotiable with each new and renewed appointment.

(1.2) Adjuncts are responsible for timely completion of all initial employment paperwork by the beginning date of employment and for the completion of any paperwork, course grade rosters, and return of keys and any University-related materials no later than one week after the close of the semester.

(1.3) Additional information on duties and responsibilities of adjunct faculty can be found in the Adjunct Faculty Handbook.

(2) Evaluation
Each college is responsible for the supervision and evaluation of each adjunct faculty member. The evaluation process includes student assessment of the course and instructor. If necessary a conference between the adjunct faculty member and the Dean or the Dean’s designee is held. Adjunct faculty may be terminated during the semester for cause.

3.7 GRADUATE FACULTY DEFINITION
Revised and approved by EPCC on 3/1/04 and the Academic Council on 3/11/04
Revised and approved by Faculty Senate on 4/7/04
Approved by University Council, April 15, 2004

All faculty teaching graduate courses must demonstrate competence in teaching and meet the SACS minimum requirement for a terminal degree in their teaching discipline or related field. Faculty designated as graduate faculty must also be engaged in an ongoing program of research, scholarly, creative or professional activity as defined by each college’s bylaws. Only members designated as graduate faculty are permitted to chair master’s projects or theses or teach capstone courses.

3.8 RETIREMENT BENEFITS
Revised and Approved 2010

All benefits eligible employees are required, as condition of employment, to be a member of the Teacher Retirement System (TRS) or Optional Retirement Program (ORP). All benefits eligible employees are eligible to participate in TRS, but only employees holding certain positions are eligible to participate in the ORP. A State contribution is made through the University toward the employee’s chosen retirement plan (TRS or ORP), based on a percentage of the employee’s gross salary. The employee is also required to contribute a specific percentage of his or her gross salary toward the retirement plan. The percentage rate for the State contribution and the rate
for the employee contribution are set by the State Legislature. The employee’s contribution is tax-deferred. All new benefits eligible employees whose positions are not eligible, or who elect not to participate in ORP must enroll in the TRS program unless the employee is vested in ORP from another Texas State institution or another position. In that case, the employee is prohibited by State law from enrolling in TRS and must enroll in ORP. A benefits eligible employee who begins employment at UHCL, and who at one time was eligible and participated in ORP at another Texas State institution, but subsequently became employed in the Texas Public School System and was required to return to TRS must enroll in TRS at the University, and is prohibited by State law from enrolling in ORP. Employees may also participate in supplemental retirement plans, with no contribution from the State or University, through the State’s Deferred Compensation Program and/or the University’s Tax Deferred Annuity (TDA) Program.

3.9 UNIVERSITY OF HOUSTON SYSTEM VOLUNTARY MODIFICATION OF FACULTY EMPLOYMENT PROGRAM
Approved June 1988
Revised and Approved April 2010

(1) Purpose
Each university of the University of Houston System may develop policies and procedures governing voluntary modification of employment for faculty. Such policies must be consistent with those specified herein, and must be approved by the Chancellor of the University of Houston System. Applications by individual faculty to participate in this program are reviewed by the university academic administration and must be approved by the appropriate president.

(2) System Policy

(2.1) Eligibility:
Full-time faculty who have reached 55 and have been enrolled in the Texas Teacher Retirement System for at least 10 years, or in an approved Optional Retirement Program for at least 10 years, may be considered for participation.

(2.2) Qualifications:
The following qualifications of employment must apply for those faculty approved for participation in the program.

(2.2.1) Status as a full-time faculty member is relinquished, including tenure rights upon signature of the agreement in 2.2.2.

(2.2.2) Teaching and other work assignments may be negotiated on an individual basis, but may not exceed that corresponding to 50 percent full-time employment for the academic year. Such negotiated agreement must be in writing and signed by the faculty member and the President.

(2.2.3) Compensation to the faculty member during the period of voluntary modification of employment shall reflect the negotiated full-time equivalent status.

(2.2.4) The eligibility of a participant to receive retirement benefits will be governed by state laws and regulations pertaining to such eligibility and, in the case of individuals enrolled in the Optional Retirement Program, the terms and conditions specified by contractual agreement of the individual with the particular provider.
(2.3) Benefits:
The participant shall be entitled to amenities normally afforded full-time faculty to include, but not be limited to, office space, library and parking privileges, and clerical support. In addition, the individual shall have the option to participate in health and life insurance programs to the extent provided by the state or by the university for retirees. Information concerning such insurance benefits is available from the campus benefits office. Participation in the Teacher Retirement or Optional Retirement programs is not available to the participant.

(2.4) Duration:
A negotiated agreement for voluntary modification of employment shall be for one year at a time and may be renewed annually by mutual agreement not to exceed five years.

3.10 FACULTY EMERITUS/EMERITA STATUS GUIDELINES
Approved by University Council, December 12, 2013
Revised by University Council, April 9, 2020

(1) Purpose

(1.1) In accordance with the UH System guidelines, the following policies and procedures have been established for determining emeritus/emerita eligibility, privileges, and responsibilities at UHCL.

(1.2) The purpose of this policy is to maintain a continuing relationship between UHCL and retired faculty members who have provided long-term support to the university.

(2) Definitions

(2.1) The titles "emeritus" and "emerita" will be conferred only upon those retired, tenured professors and tenured associate professors, who have made a significant contribution to UHCL. By significant contribution, it is meant that the faculty member must have a sustained and distinguished record at UHCL of teaching, scholarship, or service.

(3) Privileges

(3.1) Emeritus/Emerita faculty members will have library, computing, e-mail and parking privileges. In addition, emeriti faculty should receive invitations to and announcements of appropriate campus and university functions and should be listed in appropriate catalogs and directories. Each college will determine any additional courtesies or privileges accorded emeriti faculty, including office space for collective use.

(4) Procedure

(4.1) The Emeritus/Emerita Nominating Committee (The Committee) shall be made up of one tenured professor from each college elected/appointed by the Council of Professors. Members shall serve for three years with staggered appointments so that there will be at least two members each year with experience on The Committee. The Committee will elect a chair and determine his/her length of service.

(4.2) Each fall semester, each Dean will inform the chair of The Committee of any faculty member who has announced retirement as soon as possible after the announcement. In addition, each dean will request nominations from the colleagues of the candidate’s college.

(4.3) The nomination will include at least the following information and supporting documentation:
   a) A letter of nomination from one or more faculty members enumerating the significant contributions that they believe the nominee has made to UHCL.
b) A recent copy of the nominee’s curriculum vitae.
c) Additional supporting materials that would aid The Committee in their deliberations.

(4.4) Nominations shall go directly to the chair of The Committee along with a copy of the nominee’s vita. The deadline for nominations will be February 15. Nominations not meeting this deadline will be carried over to the next round of evaluations. No nominations for emeritus/emerita status shall be made to anyone except the chair of The Committee.

(4.5) The Committee will meet to review nominations the first week of March and will send their recommendations to the appropriate dean, provost and president by March 10 for review and final recommendation to the Board of Regents.

(4.6) All emeritus/emerita appointments are subject to approval by the Board of Regents upon recommendation by the president. Approval by the Regents will normally occur in the spring of the year.

(4.7) The Council of Professors, in concert with the President’s office, will maintain a committee to review emeriti benefits and development.

Approval Date: December 12, 2013
Revised Date: April 9, 2020

3.11 NEPOTISM POLICY
Approved by University Council May 8, 1997
Reviewed and approved by University Council on December 10, 2009

(1.0) Purpose and Application

(1.1) Nepotism in employment is a violation of state law, UHS Board of Regents Policy, and UHS Policy. This policy describes the employment conditions that are covered by these regulations and the sanctions for violation of regulations.

(1.2) This policy applies to all positions, full- and part-time, regular and temporary, including students in positions that require student status, and in all university programs, regardless of funding source.

(2.0) Definitions

(2.1) Nepotism is defined as favoritism shown to a relative by employment on the basis of relationship.

(2.2) Relative. For the purposes of this policy, a relative includes the following relations:
    a. the employee’s spouse;
    b. the employee or the spouse’s natural and adopted children, parents, grandparents, great grandparents, brothers, sisters, half brothers and sisters, grandchildren, great-grandchildren, aunts, uncles, nieces, nephews, first cousins, second cousins, and persons married to them.

(3.0) Policy

(3.1) Relatives of members of the Board of Regents and the Chancellor of the UH System shall not be employed by UHCL unless the employment preceded the appointment of the Board member or Chancellor by at least one year.
(3.2) Relatives of other University of Houston System and UHCL employees shall not be employed by UHCL in positions where the employee has the official authority to hire or recommend or approve the hiring, salary, or promotion of the relative.

(3.3) Relatives shall not be employed in the supervisory-subordinate relationship even if it results from marriage after the employment relation was formed. The supervisor-subordinate relationship shall be interpreted to include all levels of line administrative supervisors, from the lowest to the highest, not just the immediate supervisor.

(3.4) Violation of these regulations is a misdemeanor involving official misconduct. An employee who violates this law is subject to a fine and removal from office. An employee who violates this policy, whether by knowingly permitting or knowingly accepting employment in violation of these regulations, is subject to disciplinary action up to and including dismissal from employment.

(4.0) Procedures

(4.1) All employees are required to complete a Personal Data Sheet upon initial employment at UHCL. This form contains a block in which the employee will list the name(s) of any relative(s) employed within the UH System or at UHCL.

(4.2) The Office of Human Resources is responsible for entering information from the Personal Data Sheet into the automated payroll system database. If a prohibited relationship is discovered during data entry of Personal Data Sheet, the Office of Human Resources will notify the affected employee, the employing supervisor or department head, and the appropriate dean or vice president.

(4.3) The employing department and the affected employee will take such steps as necessary to correct the prohibited employment situation.

William A. Staples Title: President
University of Houston-Clear Lake
Approval Date: May 8, 1997
Sunset Date: December 10, 2019

3.12 EMPLOYMENT FOR NON-U.S. CITIZEN

UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATIVE MEMORANDUM SECTION:
Human Resources NUMBER: 02.A.33 AREA: General SUBJECT: Employment of Foreign Nationals
February 23, 1996; Revised February 27, 2003

(1.0) Purpose

(1.1) This document establishes a framework for consistent decisions and practices that ensure compliance with federal regulations governing the employment of foreign nationals. It serves as a guide to protect the organization and individual employees from substantial penalties that may be incurred in the employment of unauthorized aliens.

(1.2) This document applies to the employment of foreign nationals in any faculty or staff position within the University of Houston System, regardless of full-time equivalency (FTE), appointment period or funding source.

(2.0) Definitions
(2.1) Foreign National: An individual who is not a U.S. citizen, permanent resident or resident alien of the U.S.

(2.2) Employee: An employee of the System is an individual who performs services that are subject to the will and control of the component university in terms of the job description and requirements. An employee is paid through the payroll system, with accompanying tax withholding as provided by law.

(2.3) Volunteer: No foreign national can perform any activity that benefits the organization and cannot receive, nor expect to receive, payment or remuneration of any kind for such labor or service at any time.

(2.4) Permanent Resident or Resident Alien: An alien who has been lawfully admitted to the U.S. to live; an immigrant; holder of a green card.

(2.5) Nonimmigrant: A citizen of another country who has been admitted to the U.S. for a temporary period and for a specific purpose.

(2.6) H-1B Status: A temporary, nonimmigrant visa issued to a foreign national who has specialized educational credentials and who has been offered a position requiring the application of a theoretical and specialized body of knowledge acquired in his/her degree program.

(2.7) Firm Employment Offer: An oral or written communication in which a hiring authority makes an offer to employ a specific person in a specific position at a specified rate of pay to start within a certain time frame.

(3.0) Policy

(3.1) It is the policy of the System that a component university may employ, or make employment offers to foreign nationals only when U.S. citizens or permanent residents of equal training, experience and competence for the position are unavailable. Such a determination can only be made following a completely documented search and evaluation process. Employment of foreign nationals will be authorized only under the provisions of this policy and only when conditions and visa requirements established by federal law are assured and documented. Under no circumstances may any System employee knowingly employ, or contract employment with, an unauthorized alien.

(3.2) Any offer of employment to a foreign national under a nonimmigrant program is considered temporary and is subject to the terms and conditions of the specific program's work authorization. Although a nonimmigrant may be appointed to a tenure-track position, tenure will not be granted to a nonimmigrant employee until the employee is granted permanent residence.

(3.3) Petitions by the System for H-1B status will normally be reserved for individuals who have been offered faculty positions or positions requiring similar credentials. Holders of H-1B status may only be appointed for the time period permitted under the individual's status.

(3.4) Applications or petitions for permanent residency supported by the System are normally reserved for individuals who have been offered, or are employed in tenure-track faculty positions or regular staff positions of similar status that require credentials similar to faculty positions and are expected to continue for an indefinite period of time.

(3.5) Faculty and staff of the System are prohibited from authorizing any private attorney to represent the System in any nonimmigrant or immigrant petition or application. A foreign national may choose to retain an attorney to represent his/her interests. The System will not pay for or offer reimbursement for this private
representation. A private attorney retained by a foreign national in support of an H1-B status must submit the
H1-B petition and labor condition application through the appropriate authority of the System.

(3.6) Nothing in this policy shall be used as the basis for discrimination against any individual or group
because of race, gender, age, color, religion, national origin, disability, sexual orientation or veteran status; nor
may it be construed to be a basis for circumventing equal employment opportunity laws, policies and standard
employment procedures.

(1) Responsibility
The Chief Executive Officer of each component university will assign the authority and responsibility to assure
that the provisions of this policy is properly administered to an appropriate department or departments. Each
individual hiring authority is responsible for ensuring that employment offers to foreign national applicants or
candidates for positions within the System are contingent upon receipt of necessary work authorization
documents.

(2) Review And Responsibility
Responsible Party: Assistant Vice Chancellor for Human Resources Review:
Every three years, on or before May 31

(3) Approval

4.1 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION PLAN
Approved June 1988 Last Review May, 2012

(1.0) Purpose

The purpose of the UH-Clear Lake Affirmative Action Plan is to develop, maintain, and evaluate specific active
measures to provide true equal employment opportunity for all personnel, both academic and support staff.
These measures, together with the University’s good faith efforts, will insure equal employment opportunity.

(2.0) Equal Employment Opportunity Policy

It is the policy of the University of Houston-Clear Lake to hire the best-qualified people to perform the numerous
and varied tasks associated with providing quality educational services. As an essential part of this policy, the
University is dedicated to equal employment opportunity for all employees and does not discriminate because of
race, color, sex (including pregnancy), religion, national origin, disability, age, veteran status, genetic information
or sexual orientation. Additionally, the System prohibits discrimination in all aspects of employment on the basis
of sexual orientation, gender identity or gender expression. This policy applies to advertising, recruiting, and
hiring, and to compensation, promotion and transfer, selection for training, eligibility to participate in fringe
benefits programs, and termination of employment, including layoffs and recalls from layoff. All personnel actions
include a review for EEO compliance.

(30) Objectives

The basic objectives of the UH-Clear Lake Affirmative Action Program are as follows:

3.1 To insure employment practices which do not discriminate against applicants and employees because
of race, color, sex (including pregnancy), religion, national origin, disability, age, veteran status, genetic
information or sexual orientation. Additionally, the System prohibits discrimination in all aspects of employment
on the basis of sexual orientation, gender identity or gender expression.
3.2 To provide education and training opportunities, when possible and practicable, which enable personnel to qualify for promotion and advancement.

3.3 All new employees will receive EEO training, including sexual harassment, within 30 days after their date of hire. In addition all employees will receive EEO training, including sexual harassment, every two years.

3.4 To establish an internal education program which will increase and maintain the awareness of all administrators and supervisors regarding the requirements of this program and the necessity for their active cooperation.

3.5 To inform concerned individuals about this program through contact with persons and organizations representing racial and ethnic minority groups, females, the disabled, disabled veterans, and Vietnam-era veterans.

3.6 To provide reasonable accommodations to the physical and mental limitations of handicapped individuals and disabled veterans.

3.7 To provide for continuing review and evaluation of policies, procedures, and practices related to equal employment opportunity and affirmative action.

3.8 To insure compliance with applicable state and federal laws and regulations concerning equal employment opportunity.

3.9 To insure availability and awareness of formal grievance procedures and to provide for thorough investigation of complaints. For more information, contact the Executive Director of Human Resources and Affirmative Action

4.2 SEARCH AND SELECTION PROCEDURES FOR ACADEMIC ADMINISTRATION, FACULTY MEMBERS, AND ACADEMIC PROFESSIONAL STAFF
Approved at University Council March 8, 2012

1.0 Purpose

2.0 The purpose of this document is to define search and selection procedures for Academic Administration, Faculty Members and Academic Professional Staff.

3.0 Definition

3.1 Convening Authority
The individual responsible for recommending the appointment for a particular position to the UHCL administration. For example, for faculty appointments the academic Dean or for units like the library or UCT the Executive Director. For positions that report to the Provost (i.e. deans, associate vice presidents, etc.) the Provost.

3.2 Academic Administration - position within the academic division that is at the level of director or above. Includes, but not limited to, provost, associate vice president, dean, associate dean, executive director and director.

3.3 Academic Professional - position within academic division that is an exempt professional position as defined by the Professional and Administrative Pay Plan and is below the level of director. Includes, but not limited to, associate director, assistant director, coordinator, and librarians.
(4.0) Policy

(4.1) Positions Covered by Policy:

(4.1.1) Faculty:

(4.1.1.1) All faculty positions, tenured or tenure track, non-tenured, half-time or more, for which there is a continuing appointment.

(4.1.2) Academic Administration:

(4.1.2.1) All administrative positions in academic areas which are half-time or more for an appointment period of at least one year.

(4.1.3) Administrative/Professional:

(4.1.3.1) All professional positions in academic areas which are half-time or more for an appointment period of at least one year.

(4.2) Positions Not Covered by Policy

(4.2.1) Faculty Positions

(4.2.1.1) All adjunct faculty positions which are less than half-time and/or only appointed on a semester basis.

(4.2.1.2) Visiting faculty positions which are nonrecurring positions filled by the individual on a one year or less appointment.

(4.2.2) Academic Administrative positions:

(4.2.2.1) Appointment of an interim person to fill a vacancy until search and selection of a new appointment is made.

(4.2.3) Academic Professional positions:

(4.2.3.1) Appointment of an interim person to fill a vacancy until search and selection of a new appointment is made.

(4.3) Committee Selection Procedures for Faculty Positions and Academic Administrative/Professional Staff positions

(4.3.1) Faculty Positions Search Committees

(4.3.1.1) All faculty searches must be directed by a search committee, to be composed of members named by the Convening Authority and approved by the Provost.

(4.3.1.2) The search committee should consist of a minimum of five members, unless a written exception is granted by the Provost. The Chair will be designated by the Convening Authority.

(4.3.1.3) Professors, associate professors, assistant professors and other faculty who hold half- time positions or greater in the college are eligible for membership on the search committee. When appropriate, the Convening
Authority may name one or two committee members (a) from outside the college, (b) from the professional community, or (c) students. Minorities and women should be part of the search committee membership, unless no minorities or women are available in the academic area of the search or a related area to the search.

(4.3.2)  Academic Administration Position Committees

(4.3.2.1)  All searches must be directed by a search committee to be composed of members named by the Convening Authority.

(4.3.2.2)  The search committee should consist of a minimum of five members, unless exception is granted by the Provost. The Chair will be designated by the Convening Authority.

(4.3.2.3)  Full-time faculty, and administrative/ professional staff are eligible for membership on the committee. In addition, the Convening Authority may also select as appropriate, students and members of the professional community. Minority groups and women should be part of the search committee membership, unless no women and minorities are available in the area or a related area.

(4.3.2.4)  Positions which include a tenured or tenure track academic appointment should be approved at the time of the on campus interview by the appropriate faculty body responsible for the academic area in which tenure is desired.

(4.3.3)  Academic Professional Position Committees

(4.3.3.1)  All searches must be directed by a search committee to be composed of members named by the Convening Authority.

(4.3.3.2)  The search committee should consist of a minimum of five members, unless exception is granted by the Provost. The Chair will be designated by the Convening Authority.

(4.3.3.3)  Full-time faculty, and administrative/professional staff are eligible for membership on the committee. In addition, the Convening Authority may also select as appropriate, support staff, students and members of the professional community. Minority groups and women should be part of the search committee membership, unless no women and minorities are available in the area or a related area.

(4.3.3.4)  Positions which include a tenured or tenure track academic appointment should be approved at the time of the on campus interview by the appropriate faculty body responsible for the academic area in which tenure is desired.

(4.4)  Developing a Search Plan

(4.4.1)  Operation of the Search Committee

(4.4.1.1)  The scope of responsibility and the procedures and timetables for each search committee shall be either specified by Convening Authority or delegated to the search committee chair.

(4.4.1.2)  In developing a recruitment plan, the chair of the search committee and the Convening Authority, should contact the Office of Human Resources for the most recent utilization analysis of women/minority employment. If the college has an under-representation of minorities and women, there must be specific recruitment activities to solicit applicants in these groups.
(4.4.1.3) The search committee cannot act beyond developing a Search Plan until the Exempt Search Plan and the job description have been approved by the Convoking Authority, the Provost and the Affirmative Action Office.

(4.4.1.4) Before formal initiation of the search or announcement of the position, an Exempt Search Plan must be completed. In developing the recruitment plan, the following concerns should be taken into account.

(4.4.1.4.1) The chair and the search committee must identify and use sufficient contact sources and communication outlets to solicit a diverse pool of qualified applicants. A search may be disqualified solely on the basis of a very limited advertising list at the time of plan approval.
(4.4.1.4.2) All searches must be national in scope and should make every effort to target minority, ethnic and women candidates. (Search committees who do not desire to conduct a national search will require special authorization from the Provost or President.)

(4.4.1.4.3) Recruitment efforts should consider use of professional associations, professional contacts at universities with quality academic programs in the area of the search, and professional contacts in the area of interest.

(4.4.2) Plan Contents

(4.4.2.1) Job Description
The job description should be succinct, yet give sufficient detail of specific job responsibilities and key qualification for selection of candidates. Mandatory credentials, expertise and background experiences should be clearly stated.

(4.4.2.2) Advertising Plan

(4.4.2.2.1) All job announcements must include an equal opportunity statement which has been approved by the Office of Human Resources (Refer to Faculty Search Manual: Office of HR).

(4.4.2.2.2) If a deadline date is stated, applications received after the deadline must not be considered. It is preferable to provide a date when formal screening will begin or include this wording: "Applications or nominations will be accepted until the position is filled." A minimum of one month should be given for advertising before consideration of the candidate pool.

(4.4.2.2.3) All job announcements which will be placed as advertisements in professional journals or national newspapers as well as sample letters to be sent to professional organizations, registries and universities must be given prior approval from the Office of Human Resources. There should also be focused advertising to minority institutions or groups. Funding for advertisement of positions is the responsibility of the respective unit and should be identified in the search plan. No advertising should be finalized without approval from the Provost's Office regarding costs in relation to funding.

(4.4.2.3) Interview Plan
The search committee is responsible for designating appropriate procedures to equitably review and screen all candidates. These procedures should allow for impartial consideration, given the stated criteria of the job description, and should involve a majority of the committee in all decisions. When assessing the candidates, there should be opinions included from colleagues at the nominee's institution and other qualified individuals as reference sources. If possible the use of in person interviews at professional meetings is encouraged to increase
the range of applicants. The files should have documentation of either oral or written comments by references. Interviews of the candidate by phone should be documented either in a written statement of the substance of the conversation or written interview notes, with such documentation placed in the candidate's folder.

(4.4.2.4) Budget
The plan should include a clear and appropriate budget for both advertising and interviewing that will allow a successful completion and that has been agreed to by the Convening Authority.

(4.4.3) Approval of Search and Recruitment Plan
Development of a Plan (See Resource Available: Office of Human Resources: Faculty Search Manual)

(4.4.3.1) Submission of the Exempt Search Plan.
In submitting this form the chair of the search committee should attach copies of the position description. All signatures should be affixed to the approval form prior to submission.

(4.4.3.2) Job Description and Advertisements
The Convening Authority is responsible for the authorization of the search, the selection of the search committee, development of the job description and the recruitment plan. When the Exempt Search Plan, job descriptions, advertisements, and position announcements are approved by the Office of Human Resources, the search process can begin with the submission of job announcements to respective journals and organizations.

(4.5) Implementing the Search Plan.

(4.5.1) The chair will be responsible for establishing and processing applicant files. The chair will also be responsible for maintaining the confidentiality of the files and to maintain records of the key activities and pools of applicants throughout the process of the search.

(4.5.2) The search committee should identify and recommend to the Convening Authority, based on the pool of applicants, as many as three qualified finalists for appointment consideration. A larger pool of finalists may be considered for positions of Dean, Senior Vice President for Academic Affairs and Provost and related positions. Where only one qualified candidate is identified, the Convening Authority has the prerogative of reopening the recruitment and search process.

(4.5.3) All search committee recommendations should be made by majority vote of committee. A quorum shall consist of 60 percent of the committee membership.

(4.5.4) The recommendations for finalists for the position should be submitted to the Convening Authority. The Convening Authority may require additional documentation, such as the search committee's assessment of each finalist or any related input from faculty/staff groupings. This assessment by the committee should present all key evidence, major support and any dissenting opinions.

(4.5.5) The search committee is responsible for conducting the initial search, screening of applicants and presenting recommended candidates for further consideration to the Convening Authority.

(4.6) Completing the Hiring process.

(4.6.1) Once the Convening Authority has received the appropriate documentation, he/she will normally conduct an on-campus invitational interview. This final stage of the process should be conducted by the Convening Authority and the chair of the search committee. During this on-campus interview, there should be appropriate opportunities for the university unit to interact with the candidate. Additional documentation of
feedback from university personnel/students regarding the candidate should be collected and submitted to the Convening Authority. Each Convening Authority is responsible for developing procedures for on-campus interviews at this stage.

(4.6.2) In considering the search committee's recommendations, the Convening Authority may, at his/her discretion, request the committee- to (a) study further any individual candidate or (b) to make recommendations of other candidates from the pool either before or after the campus interviews. If the committee determines that there are no other qualified candidates worthy of recommendation, the Convening Authority may decide to declare the search failed. In instances where the Convening Authority judges the committee's recommendations to be unacceptable, and the committee determines that there are no other qualified candidates in the pool, Convening Authority may decide to declare the search failed.

(4.6.3) If an acceptable candidate is identified, the Convening Authority shall be responsible for conducting informal discussions with the candidate regarding his/her availability, salary requirements and other related employment matters. On the basis of these informal discussions, the Convening Authority may contact the Provost (or President in select situations) to discuss the candidate and his or her requirement for employment. During this discussion, a determination could be made regarding the ability to recommend this candidate for employment. If the discussions support an unofficial recommendation of the candidate, the Convening Authority will be charged with the responsibility to re-contact the candidate and discuss mutual agreement of the recommendation for employment.

(4.6.5) With the agreement of the candidate and the Convening Authority regarding conditions of employment, the Convening Authority will submit the recommendation and candidate file to the Provost (or the President in select situations). The Provost will submit the recommendation and a possible offer letter with the candidate file to the President. Upon approval of the President, an appointment letter will be sent to the candidate noting that the appointment is subject to review approval by the Board of Regents for the University of Houston System. Upon acceptance of the position, the chair of the search committee should send the remaining active candidates a dignified letter regarding the completion of the search. The chair will be responsible for bringing closure to the search by completing all necessary documentation as required by the Office of Human Resources (refer to Faculty Search Manual).

5.1 ANNUAL FACULTY REVIEW POLICY

(1.0) Purpose

The University of Houston-Clear Lake has established an annual faculty report and professional developmental review to present a complete record of major activities in teaching, research and service during the academic year (UHCL, May, 1987). The annual review will report all academic related activities for a 12 month period. The Dean of the college will be responsible for establishing the time period for the report, and the date it will be due, and for notifying faculty regarding these timelines.

The faculty annual review report will be the only documentation required for the annual review. Additional supporting documentation may be required by the Dean. The submission of the annual review is a required activity of each faculty member, and this document will be placed in the college faculty file. Because certain activities can be potentially reported in more than one category (e.g. editorship, textbook, certain grants/), faculty should report the activity in only one category and be prepared to justify the inclusion in the category in which it was placed. Faculty are encouraged to note both the quality of their efforts as well as the quantitative reporting of activities. All joint activities and co-authorships should be noted. The quality of efforts should also be conveyed because of its value and impact upon the institution. Feedback regarding faculty accomplishments will be conducted in several ways. Each college is charged with the responsibility for providing personal conferences regarding faculty activities. Non-tenured faculty will be required to have a face-to-face conference each year to
discuss their activities. For tenured faculty, either the college or the faculty member has the option to request a personal conference. The personal conference will involve a review of faculty activities, as well as providing an opportunity for faculty to discuss their projected activities and potential needs for college support for the coming year. This conference will be a meeting between the faculty member and academic administrator(s) designated by the Dean of the college to conduct the conference. At the completion of the meeting, signature by the faculty member and the designated college academic administrator will be required. (These signatures do not reflect agreement between the two parties regarding the feedback; rather these signatures signify that the conference was held.) The faculty annual review has been designed to conform to the university promotion and tenure policy. The three major categories reflect this policy; however, it is not expected that the faculty would typically conduct activities in all of the subcategories of each category; rather these categories and subcategories suggest a systematic way of presenting activities. The second element of the annual review is the area of developmental activities to be reported for each of the three categories. This section has been established to provide faculty the opportunity to discuss specific activities which they have accomplished to improve their performance in particular areas.

(2.1) Teaching and Educational Activities
Teaching is a direct educational involvement with students inside or outside the classroom and includes such usual activities as classroom instruction, seminars, independent study project supervision, and supervision of graduate research. Verification of educational activities may include citation of new curricula or courses, educational publications, textbooks, and development of new degree and training programs. Documentation may include the following:

(2.2) Classroom Instruction

(2.2.1) List courses and numbers of students taught

(2.2.2) Student and colleague evaluations of instructional performance

(3.1) Individual Instruction and Advisement (other than organized classes)

(3.2) Number of students advised

(3.3) Number of supervised theses, projects, internships, independent studies, research projects, and other individual instruction activities

(4.1) Course and Program Development

(4.2) Development of courses or curriculum

(4.3) Development of new degree and training programs

(4.4) Training grants

(5.1) Development of Educational Materials

(5.2) Textbooks and educational publications

(5.3) Instructional Materials (simulations, case studies, audiovisuals, practice sets, computer programs, laboratory experiments, instructional games)
(6.0) Honors

(6.1) Developmental Activities
For example, participation in teaching improvement activities, post-graduate studies which are applied to current teaching efforts, or continuing professional education activities.

(6.2) Research, Scholarly and Artistic Activities
Research, scholarly or artistic activities are those which lead to the production and dissemination of new knowledge; to increased problem-solving capabilities, including such activities as design and analysis; to original critical or historical theory and interpretation; or to the production of artistic performance. (Co-authorship must be acknowledged.)

(6.3) Publications

(6.3.1) Books (in print or in press)

(6.3.2) Journal articles published or accepted for publication

(6.3.3) Reports and Monographs

(6.3.4) Book Reviews

(6.3.5) Chapters and Selections in Books

(6.3.6) Other Published Materials

(6.4) Paper Presentations, Abstracts and Poster Sessions

(6.5) Artistic Activities and Inventions (Exhibits, Choreography, Performances)

(6.6) Other Scholarly Activities

(6.6.1) Research Grants
(6.6.2) Editorships and Translations
(6.6.3) Editorial Review Boards

(7.0) Honors Developmental Activities
For example, activities which make a fundamental contribution to research, scholarly, or artistic skills, works in progress, workshops which develop research capabilities.

(8.0) Professional Activities and Service

(8.1) Professional activities include:

(8.2.1) Service to professional organizations and journals

(8.2.2) Service to the university

(8.2.3) Professional service to the public

(8.2.4) Documentation may include: 
(8.2.5) Service to Profession: Officer Conference Coordinator Committee Membership
Other Organizational Activities

(8.2.6) Service to the University Advisor to student Organizations

(8.2.7) Program--Designated roles, committees, activities College--Designated roles, committees, activities
University--Designated roles, committees, activities University System

(8.2.8) Professional Service to the Public
Service to community, state or national organizations
(9.0) Honors

(9.1) Developmental Activities
(For example, those activities which develop skills to better provide public service activities such as special
seminars for leadership development provided by a professional organization.)

5.2 UH-CLEAR LAKE POLICY ON PROGRAM REVIEWS
EPCC.1998.005
Approved by University Council December 12, 1998

(1.0) Purpose
The University of Houston-Clear Lake has committed itself to an ongoing, cyclical, comprehensive, shared
governance planning system. It is an integrated system in that each of its various components plays a special,
unique role. Each is vital to the optimal operation of the whole. Program review is one of those components. As
an integral part of the shared governance planning system, a program review derives particularly from the years
of annual planning, data reports, and assessments since the last program review.

The purposes of the program review are:
- To improve program quality in the context of university and college missions, criteria for program
  approval by the state, national accreditation standards, guidelines put forth by academic organizations,
  and institutional resource needs and demands.
- To help a program examine itself in its entirety (its focus, its faculty, its curriculum, its students, and its
  resources and facilities) within a framework that includes its past development and its plans for its
  future.
- To provide the program with an impartial study of and response to the work presented in the Program
  Report by informed colleagues outside the program.

(2.0) Definitions

(2.1) Curriculum
A course of study which, for program reviews, is any degree, support area, concentration, teaching field, or
certification offered by UHCL.

(2.2) Program
A program is any academic unit offering one or more curricula. It has initial responsibility for the quality of each
curriculum involved, the faculty who offer the curriculum, the students in the curriculum, the resources and
facilities supporting the curriculum, and the focus of the program in all dimensions of its operation.

(3.0) Policy Provisions
(3.1)  Review Cycle
All programs will undergo review on a cycle defined by the Program Review Schedule (PRS) jointly agreed upon between the Deans and EPCC. Each curriculum in a college must be reviewed in a specific program in the PRS.

(3.2)  Review Process
Each review will be developed by the program faculty, reviewed by EPCC, and submitted to the Provost with written comments.

(3.3)  Completion
Each program review should normally be completed in 26 months. The process starts with the appointment of the program report committee by the Dean and ends with the follow-up report a year after the interview with the Provost.

(4.0)  Implementation

(4.1)  Review Schedule
EPCC will utilize the current Program Review Schedule (PRS) to schedule reviews for each academic year.

(4.2)  Guide
EPCC will provide a Guide for Program Reviews to assist the process. This guide will contain a standard time schedule, description of responsibilities for the various participants, and guidelines for content to be used by participants.

(4.3)  Progress Reports
At the end of each academic year EPCC will provide the Senate and the Provost with a list of reviews completed in the preceding year, a list of reviews delinquent at that point, and a list of reviews starting at that point.

5.3  UHCL PROMOTION AND TENURE POLICY
Approved by University Council January 20, 1994
Amendment & Approved by University Council April 11, 1996
Amendment & Approved by University Council May 10, 2018
Amended & Approved by University Council December 12, 2019

3.1  Policy Overview
4.0  Reviews During the Probationary Period
5.0  Professorial Responsibilities and Activities
6.0  Criteria and Standards for Promotion and Tenure
7.0  Promotion and Tenure Review Process
8.0  Promotion and Tenure Schedule
9.0  Reapplication for Professor
10.0  Promotion and Tenure Appeals
11.0  Policy Review

3.1  Policy Overview
A tenured appointment is an indefinite appointment that can be terminated only for cause or under extraordinary circumstances such as financial exigency and program discontinuation. Tenure is awarded by the Chancellor of the University of Houston System, in the normal course of promotion and tenure review, upon recommendation of the President, under the authority delegated by the Board of Regents and upon the basis of recommendations within the colleges by the peer review committee, the Department Chair, the Dean, and at the university level by a university promotion and tenure committee including the Provost. Tenure is
awarded on the basis of Teaching, Research, and Service excellence, consistent with the mission of the university. The promotion and tenure policy provides procedures that relate to renewal or non-renewal of appointments, tenure, and promotion.

3.2 Definitions

3.2.1 Appointment
Appointment is defined as the employment of an individual in a given capacity for a specified time period. Faculty appointments are made following procedures developed at the university and which have been approved by the Chancellor. Appointment letters must be approved by Academic Affairs (AA) and Human Resources (HR), and must follow standard forms as adopted by AA and HR. Prior approval of the President or Senior Vice President for Academic Affairs and Provost as designee is required before any faculty appointment with tenure can be recommended to the Chancellor. In addition, no person shall be appointed to the position of Dean, or equivalent, or Vice President, or equivalent, without prior consultation with the Chancellor and in accordance with Board of Regents Policy 57.10. No administrator may be given faculty status or tenure without a review and recommendation by the program unit involved.

3.2.2 Substitutions for Department Chair
For a candidate who seeks a review to a rank higher than that of their Department Chair, the Associate Dean of the college will serve in that capacity in consultation with the Department Chair. For a candidate who seeks a review to a rank higher than that of both their Associate Dean and Department Chair, the Dean of the college will appoint a designee to serve in consultation with the Department Chair.

3.2.3 The Promotion and Tenure Document
3.2.4 The Promotion and Tenure Document is the information that the candidate seeking promotion and/or tenure submits summarizing her/his case for promotion and/or tenure. It consists of the following items:
1. A formal request for promotion and/or tenure in the university. (For Associate Professors reapplying for Professor see section 9.0)
2. Applicable department/college promotion and/or tenure criteria.
3. Written notifications from the Dean of any approved extensions of the probationary period.
4. Annual evaluations from the Department Chair for each year during the evaluative period (e.g. the probationary for Assistant Professor promotion to Associate Professor).
5. Letters from the Third-Year Review peer committee and Department Chair (only for promotion to Associate Professor).
6. A current curriculum vita.
7. A narrative of the candidate's case for promotion and/or tenure. This material should be organized under the three categories of professorial responsibility: (1) Teaching and Educational Activities, (2) Research, Scholarly, or Artistic Activities, and (3) Service.
8. Item 7 may total no more than the lesser of 7,500 words or fifteen pages. Many Promotion and Tenure Documents by successful candidates are frequently much shorter than fifteen pages.
9. Additional material required by the college or department.
10. Appendix material: supporting materials may include but are not limited to: teaching evaluations, course summaries, published research, research summaries, artistic products, etc.

3.2.5 The Promotion and Tenure File
The Promotion and Tenure File consists of the Promotion and Tenure Document and the following items that are added during the review process:
1. The UHCL Promotion and Tenure form showing the recorded votes and recommendations.
2. Letters of evaluation by external reviewers, copies of letters soliciting the reviews and brief statements of the reviewers' qualifications.
3. The votes and recommendations of both the Peer Review Committee (PRC) and Department Chair.
4. A candidate rebuttal or letter of information (optional).
5. The recommendation of the Dean.
6. A candidate rebuttal or letter of information (optional).
7. The recommendation of the Senior Vice President and Provost on behalf of the University Promotion and Tenure Committee (UPTC).
8. The recommendation of the President.

3.2.6 Candidate Rebuttal Letter
A rebuttal or letter of information is an opportunity for the candidate to (a) challenge assertions or conclusions in the file or (b) report the acceptance or publication of a work of printed scholarship or the awarding of a grant. The letter and supporting evidence will be added to the candidate’s Promotion and Tenure File and will be given full consideration at all subsequent stages of the promotion and tenure process. The letter and supporting evidence may not exceed fifteen pages, although it may reference additional items with instructions as to where and how they may be inspected. Rebuttal or letters of information may be submitted after the review of the Department Chair and after the review by the Dean.

3.3 Probationary Period
The probationary period is defined as the time an untenured faculty member is eligible to work towards tenure. The maximum duration of this period, as set forth in the letter of appointment of each faculty member, shall be no more than four years for persons hired at the rank Professors or Associate Professors, and six years for Assistant Professors.

3.3.1 Initiation of Probationary Period.
The standard probationary period begins at the start of the fall semester of the appointment. If a faculty member begins employment between January 1 through August 31, the partial academic year shall not count as part of the probationary period.

3.3.2 Length of Probationary Period for Assistant Professors
The maximum probationary period for a faculty member appointed as an Assistant Professor is the equivalent of six (6) years of full-time service. The length of the probationary period may be adjusted due to credit for prior full-time collegiate level teaching. The minimum duration of the probationary period shall be three years for persons hired at the rank of Assistant Professor. If the probationary period is shortened as a condition of the appointment, it shall be approved by the Senior Vice President and Provost and accepted by the President as articulated in the letter of appointment for the faculty member. In the spring semester of the fifth year of the probationary period, the faculty member will be notified in writing by the Dean’s office that the final and mandatory review for tenure will take place in the sixth year of the probationary period. The faculty member has the responsibility to request or decline review by the end of the spring semester of the fifth year of the probationary period as outlined in the published schedule found on the website of the Senior Vice President and Provost. The faculty member’s decision to become a candidate for promotion and tenure should be submitted in writing to the Dean. If a faculty member declines review in the sixth year, such declination will be deemed to be a resignation effective at the end of the probationary period. Should the candidate fail to obtain tenure by the end of the probationary period the faculty member will be terminated after one additional year of service, during which the faculty member will not be considered for tenure.

All Assistant Professors who are retained through their probationary period and who apply for tenure and promotion from assistant to Associate Professor will be reviewed in the sixth year of the probationary period. In exceptional cases, however, candidates who believe that they have achieved a truly outstanding record
earlier in their career may request to the Senior Vice President and Provost the opportunity to apply for promotion and tenure in the fourth or fifth year at UH-Clear Lake. If the early review is unsuccessful, the candidate may be reviewed again during subsequent probationary years up to and including the sixth year.

3.3.3 Length of Probationary Period for Associate Professors or Professors without Tenure
A faculty member appointed without tenure at the rank of Associate Professor or professor shall normally serve a probationary period no less than two years and not to exceed four years. In the spring semester of the third year of the probationary period, the faculty member will be notified in writing by the Dean’s office that the final and mandatory review for tenure will take place in the fourth year of the probationary period. In cases of perceived exceptional merit, an Associate Professor or Professor may choose to apply for consideration for tenure at the end of their second year. It is the faculty member’s responsibility to request or decline review in the fourth year of the probationary period. If a faculty member declines review in the fourth year, such declination in writing will be deemed to be a resignation effective at the end the probationary period. Should the candidate fail to obtain tenure by the end of the probationary period, the faculty member will be terminated at the end the probationary period.

3.3.4 Length of time for Promotion to Professor
A minimum of two years in rank prior to the initiation of the promotion process is required for promotion from Associate Professor with tenure to Professor. An Associate Professor with tenure seeking Professorial rank must notify the Dean of his/her intentions by the time specified in the published schedule found on the website of the Senior Vice President and Provost. A candidate can make a request to the Senior Vice President and Provost to be reviewed with fewer than two years in rank as an Associate Professor with tenure in exceptional circumstances.

3.4 Extending the probationary period
Extensions to the probationary period may be granted upon formal written request by the faculty member with written recommendation of the Dean and Provost, and final written approval by the President. Documented extensions to the probationary period are also referred to as ‘stopping the clock’.

3.4.1 Timing. Extensions are usually for one year, but a longer period may be requested in compelling circumstances. Any extension greater than one year must be recommended by the Dean and Provost and approved in writing by the President. The stop-the-clock period will be excluded from the probationary period and the probationary period will be extended accordingly.

Faculty members who intend to request an extension of the probationary period are encouraged to do so as early as the situation arises.

3.4.2 Qualifying Circumstances. Circumstances for which a faculty member may request an extension to the probationary period include, but are not limited to: the birth or adoption of a child; responsibility for managing the illness or disability of an immediate family member, parent or partner; serious persistent personal health issues; death of a parent, spouse, child, or domestic partner; military service; and significant delays in fulfillment of UHCL resources committed in the appointment letter.

Not having met Teaching, Scholarship, and Service expectations during a previous review period does not qualify as an extenuating circumstance for extension of the probationary period.

3.4.3 This policy is separate and distinct from any terms and conditions outlined in the Faculty Development Leave policy. Nor does it affect any existing policy or policies relating to faculty leave.
4.0 Reviews during Probationary Period

4.1 Annual Performance Review
Every tenure-track faculty member will undergo an annual performance review conducted by the Department Chair according to College procedures. Included in the Department Chair’s annual evaluation of all untenured faculty shall be a statement from the chair summarizing the individual’s cumulative progress towards obtaining tenure.

The annual performance review and the included feedback do not imply a specific commitment to future university action in promotion and tenure.

4.2 Third-Year Review of Assistant Professors
All candidates for tenure shall receive a third-year review of their progress towards tenure and promotion in the spring of their third year of the probationary period. The third-year review of Assistant Professors will be coordinated by the Dean.

Reviews will be conducted during the third year of the probationary period unless the candidate and Dean negotiate a different timeline for review. Written documentation of such an agreement shall be placed in the candidate’s personnel file with a copy provided to the Senior Vice President and Provost and the candidate.

4.2.1 The third-year review of Assistant Professors will include written review of:
- Current strengths and opportunities for improvement of the tenure-track faculty member in the areas of Teaching and Educational Activities; Research, Scholarly, or Artistic Activities; and Service. Only the areas used to judge a candidate for promotion and tenure as described in section 5.0 Professional Responsibilities and Activities and the appropriate department or college criteria listed in the relevant bylaws shall be used in the third-year review of the tenure-track faculty member.
- Progress toward tenure and promotion. In cases where progress is not occurring in one or more of the areas noted above, the Third-Year Review Committee (TYRC) is expected to provide suggestions for strengthening the faculty member’s candidacy in the identified area(s).

The third-year review process is similar to a promotion and tenure review. Its purpose is to provide guidance to the tenure-track faculty member regarding future directions and activities. To provide the most effective and clear feedback, the Dean and the chair of the TYRC are responsible for communicating to the individual the review's assessments and recommendations for future directions. The faculty member will receive copies of all assessments and recommendations at least one week prior to the meeting with the Dean and chair of the peer review committee.

The third-year review's recommendations and findings do not imply a specific commitment to future university action in promotion and tenure.

4.3 Third-Year Review Procedure
4.3.1 All designated third year faculty will be informed by the Dean of the guidelines of this process, the dates for submission and the composition of their vita and documentation. Participating third year faculty will be asked to submit a current curriculum vita and documentation of all activities and publications (including those in press) relating to teaching, scholarship and service during the period of review or as indicated in the offer letter. The faculty member may also discuss projects and papers in progress. The documentation should be organized under the three areas of professorial responsibility: Teaching and Educational Activities; Research, Scholarship or Artistic Activities; and Service. No external letters shall be solicited for this review.
4.3.2 Timing for election of the TYRC. The TYRC will be formed in the fall semester preceding the spring semester review period.

4.3.3 Qualifications. Candidates for third-year review must be reviewed by a committee of their peers. The TYRC will consist of those tenured faculty in the same academic program as the candidate; their rank must be equal or higher than the rank requested by the candidate. The committee must include a minimum of five faculty members.

4.3.4 Selection Process. If more than five faculty are eligible for the committee, they will decide: (1) to act as a committee of the whole or (2) to elect from among themselves a review committee.

If fewer than five faculty from within the academic program are eligible for the TYRC, faculty from the department, appropriate related disciplines, or academic programs from across the university will be added to form a five-person committee. These additional members will be identified by the candidate and shared with the TYRC. The candidate must include the name, rank, discipline, and a justification for each of the nominees. The initial TYRC members will forward the candidate’s information to the Dean with their recommendations. At that point, the Dean will make the selection however, prior to finalizing the members on the committee, the Dean will consult with the candidate and with the eligible individuals. The final membership of the TYRC will be communicated in writing to all parties in the review process.

4.3.5 The review committee members are charged with the responsibility of assessing whether the candidate has demonstrated adequate progress toward promotion and tenure in each of the three areas of professorial responsibility outlined in 5.0 and the appropriate department or college criteria listed in the relevant bylaws. In cases where adequate progress is not seen, recommendations on steps to address performance should be included.

4.3.6 The vita and documentation will be reviewed by the TYRC. The committee will submit its written report and recommendations with the candidate’s documentation to the Department Chair. The Department Chair will complete her/his review of the candidate and forward both written reports to the Dean.

4.3.7 The Dean will examine the faculty member’s documentation and vita, review the reports from the TYRC and Department Chair and develop recommendations. The Dean will be responsible for communicating in written and verbal form, the results of the review process and the assessment of the faculty member. This assessment will include discussion of the strengths and weaknesses of the faculty member’s current activities, suggested actions for strengthening the faculty member’s candidacy and general comments on the format and documentation. This communication should provide feedback to guide the future directions of the tenure-track faculty member, with the understanding that the purpose of the review is to help the faculty member in his/her professional development. The Dean and the chair of the peer review committee will meet together with the candidate under review by May 31 of the third year and provide feedback and copies of all assessments.

5.0 Professorial Responsibilities and Activities

Faculty members will be expected to meet the highest standards of their discipline within the three traditional areas of professorial responsibility: Teaching and Educational Activities; Research, Scholarly, or Artistic Activities; and Service. While examples of activities assessed are listed in sections 5.1-5.3, the standards of acceptable performance and criteria to earn promotion and tenure are established in either department or college bylaws.

Candidates seeking tenure or promotion and tenure to Associate Professor may choose to be considered according to criteria specified in any version of their department or college bylaws that were in effect during their probationary period or specified in the letter of appointment.
Candidates seeking promotion to Professor may choose to be considered according to criteria specified in any version of their department or college bylaws that were in effect during the six years before the date on which the requested promotion would be effective.

5.1 Teaching and Educational Activities
5.1.1 Teaching consists of direct involvement with students inside or outside the classroom. Examples may include classroom instruction and seminars, supervision of independent study and graduate research, student advising, student internship and direction of graduate theses and dissertations. All university faculty are expected to incorporate new knowledge into their courses on a continuing basis. Documented evidence of teaching expertise may include, but is not limited to: student and peer evaluations, course syllabi, or teaching awards.

5.1.2 Educational activities may include, but are not limited to: the development of new curricula, new courses, new degree programs and new training programs; the writing of textbooks and educational publications; and presentations about teaching at professional meetings.

5.2 Research, Scholarly, or Artistic Activities
5.2.1 Research, scholarly or artistic activities are those which lead to the creation and dissemination of new knowledge; to increased problem-solving capabilities, including such activities as design and analysis; to original critical or historical theory and interpretation; or to the production of art or artistic performance.

5.2.2 Evaluation of competency in scholarly and artistic activities must include records of accomplishments. These may include but are not limited to: publications (including those in press), commissions, exhibitions, inventions, patents, awards, grants, and external letters of evaluation from those knowledgeable in the candidate’s area of scholarship.

5.3 Service
5.3.1 Service may include: 1) service to professional organizations and journals; 2) service to the university (program, department, college) and 3) service to the community.

5.3.2 Service is the application and dissemination of knowledge or skill for the solution of problems and the improvement of the university, the profession, or the community.

6.0 Criteria and Standards for Promotion and Tenure
The basic criteria and standards for promotion and tenure reflect the University’s commitment to academic excellence. Candidates for promotion and/or tenure at any level shall be judged solely in the three traditional areas of professorial responsibility: Teaching and Educational Activities; Research, Scholarly, or Artistic Activities; and Service. The overall evaluation shall make a determination of “Recommended for Promotion and/or Tenure” or “Not Recommended for Promotion and/or Tenure” in each of the three traditional areas of professorial responsibility. The criteria and standards necessary for promotion and tenure are provided in the relevant college bylaws. In order to earn promotion and/or tenure, a candidate must be “Recommended for Promotion and/or Tenure” in each of the three areas of professorial responsibility.

6.1 Standards for Associate Professor with Tenure
Candidates for promotion to Associate Professor with tenure are expected to be excellent teachers providing high-quality and effective instruction to students; scholars who have made quality contributions to knowledge as a result of their scholarly or creative achievements; and members of the university community that have demonstrated an appropriate level of service. The evaluation focuses on contributions during the probationary period.
6.2 Standards for Professor
Promotion to the rank of Professor requires significant contributions to the candidate’s field that have had a scholarly or creative impact beyond the university. Candidates for promotion to Professor are expected to be excellent teachers providing high-quality and effective instruction to students. There should be evidence of state, regional, or national recognition of the candidate’s reputation. The evaluation focuses on contributions since promotion to Associate Professor.

7.0 Promotion and Tenure Review Process
This section describes the process for the reviewing, processing and handling of tenure and promotion cases. A candidate’s case will be reviewed by: (1) the peer review committee (PRC), (2) the Department Chair (normally this is the Department Chair unless the chair does not hold a rank above the candidate in which case the Associate Dean will serve), (3) the Dean, (4) the University Promotion and Tenure Committee, chaired by the Provost and (5) the President.

The Dean or the Dean’s designee will notify in writing each Assistant Professor who is starting their fifth year of a six-year probationary period that he or she must prepare a Promotion and Tenure Document and be evaluated in their sixth year. Individuals who have a probationary period that differs from the standard outlined herein, shall be notified in writing by the Dean or Dean’s designee that it is time to prepare a Promotion and Tenure Document in the year that corresponds with what is outlined in the letter of appointment. The candidate begins the review process by submitting a written request for review to the Dean or Dean’s designee in accordance with the published timeline. The candidate must submit all materials within the timeframe according to schedule published by the Office of the Provost.

7.1 Promotion and Tenure Document
Candidates are expected to present evidence in support of their cases for promotion and tenure. The record to be reviewed will consist of documents the candidate provides and supplemental materials related only to teaching, research, and service from the candidate's personnel file. Specific requirements for what constitutes documentation may be detailed in the college bylaws. The candidate must provide a promotion and tenure document for consideration of promotion and/or tenure that includes the materials outlined in 3.2.4.

7.2 External Reviewers
External Reviewers provide an independent assessment of the candidate’s work and professional standing. This section includes the requirements, timing sequence, selection process and qualifications for external reviewers.

7.2.1 Requirements. For all tenure and promotion reviews, at least three letters from external reviewers must be solicited.

7.2.2 Qualifications. The external evaluators should be experts in the field of the candidate, and, if they are faculty members at academic institutions, they should hold at least the rank to which the candidate aspires or its equivalent. External reviewers must have demonstrated expertise or knowledge in the area(s) of the candidate’s scholarship. External reviewers must be scholars who are not current or former thesis/dissertation advisors, co-authors, students, relatives, co-investigators, mentors, or close personal friends of the candidate.

7.2.3 Timing. The external review process begins during the spring semester prior to the submission of the external evaluation file for review. The candidate provides the external evaluation file, as defined in Section 7.2.5, to be sent for outside review to the Department Chair by June 1. The Department Chair sends letters and the external evaluation file no later than June 15 and requests outside reviewers to return them by September 15.
7.2.4 Selection Process. The candidate forwards a list of prospective external reviewers that includes the name, rank, discipline, and a justification for each of the nominees. The candidate and the PRC shall agree on a list of individuals from whom letters of evaluation will be solicited.

7.2.5 The External Review. The external reviewer is asked to make judgments about the candidate's scholarly activities. They should not relate to promotion and tenure at the writers' institution.

At least three letters of evaluation from peers external to the University who can review the case in an unbiased manner (see section 7.2.2) must be solicited for all promotion and/or tenure decisions. All letters received from external reviewers shall be included in the Promotion and Tenure File.

7.2.6 The External Review File

The candidate will be responsible for developing an external evaluation file which shall include a curriculum vita, a narrative focused solely on research or artistic activity stating the candidate’s case for promotion and/or tenure, plus products showing evidence of proficiency in scholarship, the current scholarship criteria and a document outlining the candidate's teaching and service duties. The responses from external evaluators are at that time considered part of the candidate’s Promotion and Tenure File.

7.3 The Peer Review Committee (PRC)

7.3.1 Timing. The Peer Review Committee will be formed in the spring semester preceding the review year.

7.3.2 Qualifications. Candidates for promotion and/or tenure must be reviewed by a committee of their peers. The committee will consist of those tenured faculty in the same academic program as the candidate; their rank must be equal or be higher than the rank requested by the candidate. The committee must include a minimum of five faculty members.

7.3.3 Selection Process. If more than five faculty are eligible for the committee, they will decide: (1) to act as a committee of the whole or (2) to elect from among themselves a review committee.

In addition, a candidate may request that a faculty member from an appropriate related discipline or academic program from across the university be added to the PRC. This written request is to be provided to the Dean for approval. The Dean’s decision and justification regarding PRC membership must be provided in writing to the candidate within 15 working days of receipt of the written request.

If fewer than five faculty from within the academic program are eligible for the PRC, faculty from the department, appropriate related disciplines, or academic programs from across the university will be added to form a five-person committee. These additional members will be identified by the candidate and shared with the PRC. The candidate must include the name, rank, discipline, and a justification for each of the nominees. The initial PRC members will forward these names to the Dean with their recommendations. At that point, the Dean will make the selection; however, prior to finalizing the members on the committee, the Dean will consult with the candidate and with the eligible individuals. The final membership of the PRC will be communicated in writing to all parties in the review process.

7.3.4 The Peer Review Committee Assessment of the Candidate’s Promotion and Tenure File.

The PRC elects its own chair who then calls and conducts its meetings. The committee must decide, through a thorough, judicious, and confidential review of the candidate's Promotion and Tenure File, whether the candidate has met the college criteria of acceptable performance in teaching, scholarship and service for the rank requested. If the PRC reviews materials that are not part of the candidate’s Promotion and Tenure File the chair of that committee shall promptly make such materials available to the candidate and will add the materials, with a cover sheet identifying the source, to the end of the Promotion and Tenure File.
7.4 The Peer Review Committee Report

7.4.1 The PRC’s vote and recommendation shall be communicated in a statement written by the chair of the PRC, in consultation with the other members of the committee. The report shall reflect the committee’s vote and explain the reasoning for its conclusions. It shall include an assessment of the candidate’s performance in each of the traditional areas of professorial responsibility: Teaching and Educational Activities; Research, Scholarly, or Artistic Activities; and Service.

7.4.2 The PRC’s report must address whether or not the candidate’s performance has met the standards of performance in each of the three traditional areas of professorial responsibility listed in 7.4.1.

7.4.3 If the committee cannot reach a unanimous decision, its division and the reasons for it shall be expressed in the peer review committee report. These must be submitted within the main report, and all committee members must be aware of all concurring or dissenting statements submitted.

7.4.4 The PRC Chair adds the report to the candidate’s Promotion and Tenure File and forwards the file to the Department Chair. The PRC chair notifies the candidate that the report has been added to the file and forwarded. At this time, the candidate has access to the PRC report.

7.5 The Department Chair Review

7.5.1 The candidate’s Department Chair reviews the candidate’s materials and the report from the PRC and makes her/his recommendation. The Department Chair reviews the candidate’s Promotion and Tenure File and makes his/her recommendation in a written statement that explains either support or opposition for promotion and tenure based solely on the college criteria of acceptable performance in Teaching and Educational Activities; Research, Scholarly, or Artistic Activities; and Service.

7.5.2 The Department Chair adds her/his recommendation to the Promotion and Tenure File and forwards the file to the Dean. The Department Chair shall promptly notify the candidate that the report from the Department Chair has been added to the file.

7.5.3 Upon receiving notification by the Department Chair, the candidate will have access to the Promotion and Tenure File and has at least five working days to submit a letter of rebuttal and supporting evidence to the file. In a rebuttal or letter of information, the candidate may (a) challenge assertions or conclusions in the file or (b) include additional supporting evidence such as the acceptance or publication of a work of printed scholarship. The letter and supporting evidence will be added to the candidate’s Promotion and Tenure File and will be given full consideration at all subsequent stages of the promotion and tenure process. The rebuttal or letter of information and supporting evidence may not exceed fifteen pages, although it may reference additional items with instructions as to where and how they may be inspected.

7.6 The Dean Review

7.6.1 The Dean reviews the candidate’s Promotion and Tenure File and makes his/her recommendation in a written statement that explains either support or opposition for promotion and tenure based solely on the college criteria of acceptable performance in Teaching and Educational Activities; Research, Scholarly, or Artistic Activities; and Service. That recommendation is added to the candidate’s Promotion and Tenure File.

7.6.2 The Dean shall notify the candidate when her/his recommendation has been added to the Promotion and Tenure File and shall make the file available to the candidate.

7.6.3 Upon receiving the Dean’s notification, the candidate has at least five working days to submit a letter of rebuttal and supporting evidence to the file as described in Section 7.5.3.
7.7 The University Promotion and Tenure Committee (UPTC)

7.7.1 This Committee shall be chaired and facilitated by the Senior Vice President for Academic Affairs and Provost. It shall include the Deans of the College of Education, College of Business, College of Human Sciences and Humanities, and College of Science and Engineering; and one Full Professor elected by each of the four Colleges; and one Full Professor-at-large, who is to be elected by the Faculty Senate. In addition, the Committee will be staffed by one non-voting representative of Faculty Senate Executive Council and one non-voting administrative representative from Academic Affairs who will observe the meeting and tabulate all votes. All Professors must be tenured faculty. Faculty who hold administrative positions are not eligible for election to faculty positions on the University Promotion and Tenure Committee (e.g., Department Chair). A college that does not have a Professor eligible for election may elect a Professor from another college. Only individuals listed above may attend University Promotion and Tenure Committee Meetings except as noted below. For cases discussed at the meeting, members must be present to vote, and no substitutes or alternates for Committee members are permitted.

7.7.2 The UPTC faculty membership will serve a term of one year and cannot serve more than two consecutive terms.

7.7.3 The UPTC membership will review all Promotion and Tenure Files from all candidates under review at UHCL in any given academic year. The committee will have access to each candidate’s Promotion and Tenure File and will do a review of the documents prior to meeting.

At least one week before the Committee meets, the Office of the Provost sends each UPTC member a confidential preliminary ballot containing the names of all of the candidates up for review for whom that member has a vote.

- A “yes” response on this ballot is a vote to approve the requested promotion and/or tenure without any discussion of the case.

- A “no” response on this ballot may be a vote to deny the promotion and/or tenure, or it may be a vote to delay the decision until after the committee has discussed the case.

7.7.4 The preliminary ballot is returned to the Office of the Provost by the day prior to the meeting of the Committee so that the results of the preliminary balloting may be tabulated and presented to the Committee when it meets.

7.7.5 At the UPTC meeting all members are required to vote. Those candidates that receive a simple majority of votes from the preliminary balloting will be presented as a group to the Committee for a collective approving vote. If the motion passes by a majority vote, then all will be approved by the vote in the preliminary ballot. If the motion fails to receive a simple majority vote, then each candidate who did not receive a unanimous preliminary vote (100% “yes” vote) will be discussed and voted on individually. Each candidate who receives a unanimous preliminary “yes” vote, moves forward without further discussion.

During discussions the Provost will initially present the candidate’s case. After discussion concludes the Provost will call for a vote (secret ballot). The Dean and faculty member from the candidate’s college, while present for discussion, will not be permitted to vote. All votes for approval of promotion and/or tenure are by secret ballot. A simple majority is required of all eligible Committee members who are present and voting on all tenure or promotion cases. In the case of a tie, a second round of discussions will occur followed by a second, secret ballot vote. The outcome of the second vote will be final. If the UPTC cannot reach a unanimous decision, its division and the reasons for it shall be expressed in the UPTC Report. Deliberations of the Committee and all statements made by individual Committee members are confidential. The written statements explaining the basis for the Committee’s recommendations, however, are not confidential.
7.7.6 The normal sequence for consideration of candidates for promotion and tenure is reflected in the preliminary ballot. The ballot is arranged in descending order by rank with promotion only nominations for each rank listed first followed by nominations for promotion with tenure. Within each category, nominees appear in alphabetical order by college and by name of the candidate. The normal order is summarized below:

1. Associate to Full Professor
2. Assistant to Associate
3. special considerations for tenure only

7.7.7 The Provost writes the reports for each of the candidate’s cases after the review of the UPTC. These reports are placed in the Promotion and Tenure File of each candidate. The Provost shall promptly notify the candidate when his/her report has been added to the file and shall make the file available to the candidate.

7.8 The President
After reviewing the candidate’s Promotion and Tenure File, the President makes a determination of supporting or opposing the candidate’s request for tenure and/or promotion. The President forwards her/his report to the chancellor and inserts a copy in the Promotion and Tenure File. The President shall promptly notify the candidate when her/his report has been added to the file and shall make the file available to the candidate.

8.0 Promotion and Tenure Schedule

In the spring of each academic year, the Office of the Provost will publish and distribute to all full-time tenure-track and tenured faculty, a schedule containing specific dates which shall govern the completion of the stages of the tenure and promotion evaluation process. The schedule must allow sufficient time at each step of the process for review of the documentation and formulation of recommendations. The schedule will be posted on the website of the Office of the Provost.

9.0 Reapplication for Professor
If a candidate is denied the rank of Full Professor after review for promotion, he or she may reapply for consideration in subsequent years. It is advised that the candidate review his/her letters of recommendation, from internal and external evaluators, provided throughout the promotion review process in order that he or she may address the areas of concern.

Reapplication cannot constitute resubmission of the previous promotion file. There must be a substantive update to the materials (e.g., narratives, publications, service record, supporting evidence, etc.). The candidate must provide a cover letter in their Promotion and Tenure Document indicating the changes, including new or additional accomplishments or materials, that are in the document at the time of submission and which justify the candidate’s reapplication. This letter becomes part of the candidate’s file and should be reviewed with all other submitted materials.

10.0 Promotion and Tenure Appeals
A candidate may appeal a University Promotion and Tenure Committee’s recommendation on the grounds that (a) an error in the described procedures materially affected the outcome, (b) the decision was not based upon the applicable criteria included in the Promotion and Tenure File, or (c) the outcome was arbitrary, discriminatory or capricious. The Candidate will have no less than five working days after receiving written notification of the decision and vote of the University Promotion and Tenure Committee to notify in writing the Provost of her/his intent to file an appeal. The deadline will be established in the schedule posted on the website of the Office of the Provost. The actual deadline in a given year is set forth in the schedule published on the website of the Office of the Provost. Currently, promotion and tenure appeals are handled through the
Faculty Grievance Policy (Section 15)

11.0 Policy Review
This policy will be reviewed three years following approval (2022).

5.4 UNIVERSITY OF HOUSTON-CLEAR LAKE-POST TENURE PERFORMANCE REVIEW
Approved by University Council April 9, 1998 Policy No. FSEC. 1998.001
Approved by UHS Board of Regents April 16, 1998

(1.0) Purpose
This policy details the University of Houston-Clear Lake's compliance with Section 51.942 of the Texas Education Code and with the University of Houston System Board of Regents Policy on Post-Tenure Performance Review.

(1.1) Policy
Under the existing University of Houston-Clear Lake (UHCL) Comprehensive Annual Faculty Review Policy (Section 5.0 of the UHCL Faculty Handbook), both tenured and untenured faculty are reviewed each year in the areas of teaching, research, service, and/or administration based upon the faculty member's job description and workload commitment. The Dean (or the Dean's designee) may choose to meet with a faculty member to review the faculty member's activities, as well as to provide the opportunity for the faculty member to discuss projected activities. This post-tenure performance review policy extends the existing policies by isolating and further defining those provisions specifically related to post-tenure performance review. The provisions of this policy are directed toward the professional development of the faculty member as indicated in Section 51.942 of the Texas Education Code.

(1.2) Performance Standards
Each college shall develop, maintain, and publish a statement of standards by which the performance of all faculty is evaluated. The following guidance is provided for the development of college standards:

1. College standards for post-tenure performance review should embrace the entire scope of faculty contributions. Differences in faculty commitments and assignments within the college and university should be recognized. College standards should typically address:
   • the individual's effort and effectiveness in contributing to the university's instructional mission;
   • the individual's activity in and contributions to the academic discipline; and
   • the individual's contributions to the collective life of the program, college, and university.

2. College statements must affirm support for the basic principles of academic freedom and should express tolerance for minority opinions, dissent from professional orthodoxies, and honest and civil disagreement with administrative policy, protocol, and actions. According to the University of Houston System Board of Regents Policy on Post-Tenure Performance Review, the implementation of a post-tenure performance review policy will not result in compromising academic freedom. Academic freedom is defined in Section 8.1 of the Faculty Handbook.

(1.2.1) Performance Notification
All tenured faculty members will receive written notification by September 30 of the academic year preceding the post-tenure performance review.

(1.2.2) Dismissal Policy
The Dismissal of Faculty Members with Tenure and Special or Probationary Appointment before the End of the Specified Term of Appointment Policy (Section 5.4 of the Faculty Handbook) and University of Houston System Faculty Dismissal Policy (Section 5.6 of the Faculty Handbook) describe causes for dismissal of a faculty member.
Nothing in this policy shall be construed to prevent the university from invoking any of the provisions of the Dismissal of Faculty Member with Tenure and Special or Probationary Appointment before the End of the Specified Term of Appointment Policy (Section 5.6 of the Faculty Handbook).

(1.3) Procedures
Comprehensive post-tenure performance reviews will be conducted according to the performance standards established by each college. The post-tenure performance review must be conducted every six years by a post-tenure performance review committee. A faculty member may choose to undergo the post-tenure performance review process earlier than every six years. If the Dean perceives that the faculty member's performance according to college standards is "unsatisfactory", then the Dean shall initiate the post-tenure performance review process.

(1.3.1) Unsatisfactory Performance
A finding of "unsatisfactory" performance on the post-tenure performance review in the area of teaching or "unsatisfactory" performance in the areas of both research and service will result in a tenured faculty member's being rated "unsatisfactory." "Unsatisfactory" performance is the equivalent of "incompetency" or "continuing or repeated substantial neglect of professional responsibilities" as contained in Section 51.942 of the Texas Education Code.

(1.3.2) Peer Review of Post-Tenure Performance for Faculty
An elected college first stage post-tenure performance review committee(s) of tenured faculty must review 1) all faculty with due dates in any particular year; 2) all faculty choosing to undergo post-tenure performance review; and 3) those faculty members required by the Dean to have post-tenure performance review. Such committee will review the last six years of annual evaluations and any other materials deemed appropriate by college policy. If this first stage committee considers the faculty member not to be at risk, then the faculty member's review is complete and the faculty member is not required to undergo post-tenure performance review for another six years. Those faculty deemed to be potentially at risk by such committee will then have a second stage post-tenure performance review committee which can be determined in one of two ways by the faculty member:
1. the post-tenure performance review committee can be set up in the same manner as a tenure committee in the college; or
2. a seven-member committee can be established. Four of the members are chosen based upon the procedures for selecting faculty members for the tenure committee in the college and one faculty member elected from each of the other three colleges. The committee will weigh the faculty member's contributions to the discipline, the program, the college, and the university through teaching, research, and service as compared to the standard adopted and applied by the college. The committee will prepare a summary of its determination of "satisfactory" or "unsatisfactory" performance. The post-tenure performance review process may result in one of the following recommendations/findings:
   1. Certification of satisfactory performance;
      The second stage post-tenure performance review committee may conclude that the faculty member's competence and/or professional contributions meet the college's standards for satisfactory performance. The review is then complete. The faculty member is not required to undergo post-tenure performance review for another six years.
   2. Certification of unsatisfactory performance;
      The second stage post-tenure performance review committee may concur that the faculty member's competence and/or professional contributions are unsatisfactory to meet the college's standards. If after careful review the Senior Vice President and Provost does not agree with the recommendation of unsatisfactory performance by the committee, then the review is complete by the committee and the faculty member is not required to undergo another post-tenure performance review for another six years. The final decision regarding the faculty member's performance is the responsibility of the Senior Vice President and Provost.
(1.3.3) Faculty Development Plan
If the Senior Vice President and Provost sustains the recommendation of unsatisfactory performance, the second stage post-tenure performance review committee alone will create a professional development plan after consultation with the faculty member and the Dean. The committee shall specify, in writing, the deficiencies it has noted, specific goals and measurable outcomes the faculty member must achieve, resources recommended, and a timeline for meeting the goals. The length of the faculty development plan is from one to three years to be determined by the second stage post-tenure performance review committee. The plan will be forwarded to the Dean for review and submission to the Senior Vice President and Provost, whose signature signifies approval. Upon approval, the plan goes into effect. The Dean (or Dean’s designee) will meet with the faculty member at least twice annually to review the individual’s progress. The Dean will prepare a summary report following each meeting.

Additionally, at the end of each year, the second stage post-tenure performance review committee has to review the faculty member’s progress and make one of the following three findings:
   a. Satisfactory completion of the plan. This finding will be accompanied by a recommendation that the faculty member is performing at least at a "satisfactory" level. The faculty member is not required to undergo another post-tenure performance review for another six years.
   b. Satisfactory progress in meeting the goals of the professional development plan. This finding will be accompanied by a recommendation to continue the professional development plan.
   c. Unsatisfactory progress in meeting the goals of the professional development plan. This finding will be accompanied by a recommendation of revocation of tenure or other appropriate disciplinary actions.

(1.3.4) Due Process and Grievance Procedures
Before a faculty member may be subject to any disciplinary action on the basis of performance evaluations, notice of specific charges and an opportunity for a hearing on those charges must be provided in accordance with the Faculty Grievance Policy and Procedure (Section 9.0 of the Faculty Handbook). A faculty member subject to revocation of academic tenure on the basis of performance evaluations also has the opportunity for referral of the matter to a nonbinding alternative dispute resolution process as described in Chapter 154, Civil Practice and Remedies Code. If both parties agree, another type of alternative dispute resolution method may be elected. This policy does not supersede the rights of the faculty member articulated in the University of Houston- Clear Lake Faculty Handbook.

5.5 UNIVERSITY OF HOUSTON SYSTEM FACULTY DISMISSAL POLICY
Approved 1984

(1.0) Purpose
Each university of the University of Houston System, through faculty governance processes of the particular university shall develop policies and procedures pertaining to dismissal of faculty members. Such policies must be consistent with those specified herein and must be approved by the Chancellor of the University of Houston System.

(2.0) Policy

(2.1) Dismissal recommendations are initiated by the presidents of the component universities. The final decision concerning the dismissal of a faculty member is made by the Chancellor of the University of Houston System upon concurrence by the Board of Regents. Campus policies and procedures for faculty dismissals must ensure that:

(2.2) The rights of due process are protected.
(2.3) Dismissal shall not infringe the constitutionally protected rights of an individual and shall not be used to restrain faculty members in their exercise of academic freedom. 5.3. Dismissal procedures provide for timely written notice of impending dismissal, which specifies the grounds under which dismissal is sought.

(2.4) The burden of proof in dismissal proceedings rests with the institution.

(3.0) Definition

(3.1) Dismissal is the termination of employment of a tenured faculty member, or of a probationary or special faculty member prior to the end of the term of appointment. Dismissal may be justified by one or more of the following:

(3.2) Adequate Cause

(3.2.1) Grounds related to demonstrated professional incompetence, or to dishonesty in teaching or research

(3.2.2) Grounds related to substantial and manifest neglect of professional or academic responsibilities

(3.2.3) Grounds related to actions that would result in a general condemnation of the faculty member by the American academic community.

(3.3) Financial Exigency

Termination of employment is justified by demonstrated and bona fide imminent financial crisis that threatens the continuation of the academic programs in their present form and that cannot be alleviated by other means. Each university will develop procedural standards to determine whether a state of financial exigency exists. Standards so developed will include provisions for faculty involvement in the determination and for a minimum 12-month notice of termination of appointment to tenured faculty. Non-tenured faculty will be given notice consistent with university non reappointment guidelines.

(3.4) Medical Reasons

Termination is justified by clear and convincing medical evidence that the faculty member cannot fulfill professional and academic obligations, or the terms and conditions of appointment.

5.6 DISMISAL OF FACULTY MEMBERS WITH TENURE AND SPECIAL OR PROBATIONARY APPOINTMENT BEFORE THE END OF THE SPECIFIED TERM OF APPOINTMENT

Approved 1984

(1.0) Purpose

The following procedures for due process must be applied not only to faculty members with tenure and probationary faculty members but to any faculty member terminated during an unexpired term of appointment.

(2.0) Cause

Adequate cause for the dismissal of a faculty member includes, but is not limited to, the following:

(2.2) Serious professional or personal misconduct, examples of which are:
(2.2.1) Moral turpitude - conduct generally accepted as immoral that would cause general condemnation of the person involved. Examples include, but are not limited to: dishonesty, conviction of a major illegal act, and sexual harassment.

(2.2.2) Misuse or misappropriation of University property, University funds, or funds held by a faculty member as part of his/her official duties.

(2.2) Demonstrated neglect of professional duties.

(2.3) Demonstrated professional incompetence or dishonesty in teaching or research.

(2.4) Mental or physical disablement of a continuing nature adversely affecting to a material and substantial degree the performance of duties, or the meeting of responsibilities to the institution or to students and associates.

(2.5) Bona fide financial exigency as defined below.

(2.6) Bona fide phasing out of University programs requiring reduction of faculty.

(3.0) Dismissal of a Faculty Member with Tenure

Dismissal of a faculty member with tenure or a probationary faculty member whose specified term of employment has not expired will follow the grievance policy and procedures outlined in Section 9.1.

5.7 Financial Exigency

Approved 1984
Revised and approved 2011

(1.0) Definition of Financial Exigency

For the purposes of this policy, a financial exigency is a bona fide imminent financial crisis that threatens the continuation of the academic programs in their present form, and that cannot be alleviated by other means. Words like "crisis" and "survival" are used to make it clear that an exigency must involve extremely serious financial problems, and not merely minor or temporary budget difficulties. These financial problems may be due to a budget shortfall, a lack of enrollment or an increase in overhead expenses. The definition of financial exigency also embodies its primary consequence, the authority to dismiss tenured and tenure-track faculty which may be due to the cancellation of a program. This is a drastic step that should be taken only after all reasonable alternatives (See section E) have been exhausted. The declaration of an exigency requires that the dismissal of tenured and tenure-track faculty is likely, even if such dismissals are not imminent.

(2.0) Consultation Prior to Declaration of Exigency.

When the University of Houston–Clear Lake (UHCL) President believes a bona fide financial exigency exists, he/she shall convene with the Faculty Senate in one meeting at least 30 days prior to a Board of Regents meeting. One intention of this meeting is to investigate the root causes of the financial exigency. The request for a meeting shall be accompanied by written supporting documentation, including detailed financial data. The Faculty Senate, in accordance with its bylaws, will in turn, provide advice and consultation to the UHCL President about the declaration of an exigency. Disagreements should be noted by the Faculty Senate, and the Faculty Senate President will present the position of the Faculty Senate to the UHCL President.
(3.0) Declaration of Financial Exigency.

The decision to declare a financial exigency may be made only by the Board of Regents. Before declaring a financial exigency, the Board must meet in open session to consider the positions of the UHCL President and the Faculty Senate President. The declaration of an exigency requires the affirmative vote of the Board according to procedures established in its bylaws.

(4) Consultation during Exigency.

After the declaration of an exigency, major steps for dealing with the financial crisis will be reviewed jointly by the UHCL President and the Faculty Senate. Proposals to terminate or significantly alter academic programs shall be submitted for consideration to the Faculty Senate by the UHCL President.

(5.0) Consideration of Less Drastic Alternatives Prior to Termination of Faculty.

Prior to issuing notices of dismissal to tenured and tenure track faculty or canceling academic programs, the UHCL President shall thoroughly explore all reasonable alternatives including, but not limited to, the following:

a. Reducing Budgets
b. An early retirement program
c. Voluntary leaves of absence, voluntary reduction in salary or reassignment to part-time employment.
d. Temporary adjustment in workload including the reduction of summer course offerings.
e. Transfer of faculty to other positions for which they are qualified at the University of Houston-Clear Lake. This may include, but is not limited to, faculty teaching courses in other programs.
f. Reduction or postponement of nonacademic expenses.
g. Sale of assets and other means to increase revenue.
h. Increased charges, e.g. facilities rental fees, to at least cover expenses.
i. Elimination of administration and/or staff positions.
j. Reduction in Administrative, Faculty, and/or Staff salaries.

(6.0) Plan for Retrenchment.

A retrenchment plan must be approved by the Board of Regents before actions are taken pursuant to a declaration of financial exigency. Prior to the approval of a plan, or the amendment of an existing plan, the Board must meet in open session to consider the positions of the UHCL President and the Faculty Senate. Termination of faculty appointments or major changes in academic programs must conform to the principles established in the exigency plan, as well as the provisions of this document. Only in extraordinary circumstances may the plan provide for the termination of tenured faculty in one program and the retention of untenured faculty in another program in which tenured faculty are qualified to teach. Academic considerations, to be determined in consultation with the Faculty Senate, will be primary in making program and personnel decisions. No administrative, staff, or academic areas of the University will be considered exempt from the effects of an impending financial crisis. During the formation of a retrenchment plan, issues regarding recovery will be considered and included.

(7.0) Order of Termination.

Except in extraordinary circumstances where a distortion of an academic program would otherwise result, non-tenure track faculty within a program shall be terminated before any tenure-track faculty are terminated, and any untenured faculty within a program shall be terminated before any tenured faculty are terminated. Where consistent with the academic needs of the university, preference shall be given to tenured faculty of higher rank, and to more senior faculty within the same rank. All applicable federal and state laws, including non-discrimination laws, shall be observed when making termination decisions under this policy.
(8.0) Termination Notice and Procedure. Termination of tenured faculty and tenure-track faculty with at least eighteen months probationary service requires notice of at least twelve months. Tenure-track faculty in the first year of probationary service will be given notice of termination at least three months before the end of the academic year. Tenure-track faculty in the second year of probationary service must be given notice of termination at least six months before the end of the academic year. Recommendations for the dismissal of tenured and tenure-track faculty are initiated by the President in consultation with the Faculty Senate. The final decision is made by the Chancellor of the University of Houston System, with the concurrence of the Board of Regents. In all cases the administration shall exercise due diligence to ensure that actions taken to give notice of termination conform to all applicable state and federal laws. After receiving notice of termination and prior to the actual termination of employment, a faculty member may choose retirement, if eligible.

(9.0) Procedures for Review of Personnel Actions Based on Financial Exigency. Any faculty member who is given notice of termination or is subject to a personnel action that would be prohibited in the absence of an exigency is entitled to a hearing before a designated faculty body. The designated faculty body will consist of at least five faculty members, all from the Council of Professors. One member will be named by the faculty member; a second faculty member will be named by the UHCL President. Within ten working days, these two representatives shall select, in any manner they agree upon, the other three committee members from the Council of Professors. If the representatives cannot agree on the choice of the other members of the committee within the time allotted after their selection as representatives, the President of the Faculty Senate will select the remaining members of the committee, within an additional ten working days. Among the issues to be considered by the review committee are:
   a. Disagreements concerning the existence and extent of a *bona fide* financial exigency.
   b. Adherence to the plan for retrenchment.
   c. Compliance with procedural requirements.
   d. Improper motives related to academic freedom, race, national origin, religion, age, handicap, veteran’s status, gender, or sexual orientation in the dismissal of a faculty member.

The burden of proof in dismissal proceedings rests with the university. The findings of the Faculty Senate regarding the existence of a financial exigency may be introduced in review proceedings. The review committee shall forward a recommendation to both the UHCL President and the affected faculty member.

(10.0) Policies Related to Financial Exigency. The following policies will be followed with regard to tenured and tenure-track faculty dismissed due to financial exigency.
   a. Job placement services will be provided free of charge.
   b. Eligibility to participate in state premium sharing and group insurance programs sponsored by the university will continue at least until the end of the notice period. Eligibility for 18 months of additional coverage is available through Consolidated Omnibus Budget Reconciliation Act (COBRA) without premium sharing. The individual will pay the full cost for the COBRA coverage
   c. From the time notice is given until the termination of assigned duties, terminated faculty members are entitled to enroll in courses for credit without payment of tuition or fees, provided that the faculty can (1) meet fundamental job obligations and (2) meet the requirements for admission to the course or UHCL program.
   d. If faculty positions terminated in a *bona fide* financial exigency become available again, irrespective of rank, within two years of such termination or two years after the termination of the exigency, whichever is longer, the university shall first offer those positions to qualified tenured faculty members terminated under the financial exigency. The offer will be a tenured position at the same rank as previously held. The university is obligated to make an offer only one time to that faculty member. New academic, staff and administrative appointments will not be made while a financial exigency is in effect, unless a disruption in the academic program would otherwise result.
5.8 PROGRAM DISCONTINUANCE POLICY AND PROCEDURES

(1.0) Purpose

This document defines policy and procedures for discontinuance of programs.

(1.1) The policy is based on four guiding principles. The decision to discontinue a program should: be closely connected to program, college, and university mission and planning, occur only following careful and thorough discussion, be negotiated between program faculty and the academic college administrators immediately responsible to it, and be made using a clearly understood process with at least one place for each of the constituencies concerned to participate in the decisions necessary.

(2.0) Definition

For the purposes of this document, a "program" is defined as:
- any academic unit offering a degree.
- any support area, concentration, or certification program the discontinuance of which might require the termination of a tenure-track faculty member.

(3.0) Program Standards, Measures and Performance

(3.1) As part of the planning process and focused by their mission, all colleges should have ascertainable and measurable minimum performance standards for every program, graduate and undergraduate. These measurable minimum performance standards must meet, but may exceed, the minimum performance standards set by the Southern Association of Colleges and Schools and the Coordinating Board. These ascertainable and measurable minimum performance standards are negotiated between and agreed upon by faculty involved in the program and the appropriate academic administrators. They must be reviewed by the college's curriculum committee during the normal course of periodic program reviews.

(3.2) If agreement between program faculty and college administration on minimum performance standards proves impossible, the college faculty shall decide the appropriate method for establishing minimum performance standards.

(3.3) Whenever a program fails to meet its minimum performance standards and the program faculty or college administration note this failure in writing, within three months of this notification the program faculty and the appropriate academic administration must agree on specific performance targets which define what the program must accomplish to respond to the condition and an appropriate time frame. These targets could be previously established minimum levels of performance adopted by colleges, or they could be new levels of performance. The agreement could be to discontinue the program, to redefine it, or to merge it with another program. Whatever the decision, it must be put in writing.

(3.4) This agreement must specify the minimum level of support which the program can expect from the college faculty and administration. The provost must receive a copy of this agreement.

(3.5) If agreement between program faculty and college administration on specific performance targets proves impossible, the college faculty shall decide the appropriate method for establishing specific performance targets.
(4.0) Discontinuance of a Program Not Mandated by Financial Exigency

(4.1) Programs which may become candidates for discontinuance are:

(4.2.1) Any program whose full-time faculty agree that it should be discontinued or merged into another program; or

(4.2.2) Those programs which have failed to meet the agreed upon performance targets in the stated time frame; or

(4.2.3) Those programs which meet the agreed upon specific performance targets when exceptional circumstances are present.

(4.2.4) Exceptional circumstances must be documented by the college administration following discussion with the program faculty, the college faculty, and the provost. Thorough documentation of the exceptional circumstances and specific explanations of why alternatives to program discontinuance were either unavailable or inadequate must be included in the recommendation to discontinue which the college makes to the provost.

(5.0) Procedures for Program Discontinuance

Once a candidate for discontinuance has been identified:

(5.1) The appropriate college curriculum committee must recommend the discontinuance.

(5.2) A majority of the faculty of the college, as defined by the college's bylaws, must recommend discontinuance using procedures in the college's bylaws.

(5.3) The Dean of the college must recommend discontinuance of the program to the Provost.

(5.4) The Provost must forward a recommendation for discontinuance of the program to the Educational Policy and Courses Committee (EPCC). EPCC members will only determine if procedures have been properly followed.

Accompanying this recommendation shall be the following:

(5.4.1) The rationale for discontinuance.

(5.4.2) An explanation of the impact the discontinuance would have on other programs and evidence of consultation with any affected programs.

(5.4.3) A description of the procedures followed in making the decision to discontinue and copies of all recommendations.

(5.4.4) Recommended future date for denying new students to the program.

(5.4.5) The plan, including a specific timeline, for phasing out the program, terminating degree authority, and allowing currently enrolled students to complete the program.

(5.4.6) Specific and explicit procedures, including specific timelines, for dealing with each tenured and non-tenured faculty, and staff member, involved in the program. Careful consideration must be given to early retirement, voluntary leaves of absence, part-time employment, transfer to other positions within UHCL for which the individuals are qualified, and/or retraining for other positions.
(5.4.7) The EPCC will send the proposal for discontinuance back to the college for failure to satisfy any of the above items 5.4.1 through 5.4.6.

(5.4.8) The EPCC shall decide only whether the appropriate procedures, including those provided for in college written policies, have been correctly followed. If the appropriate procedures have been correctly followed EPCC must concur with the provost's recommendation and the recommendation shall proceed through the shared governance process outlined in the Constitution of the Faculty Senate.

(5.4.8) The Faculty Senate shall decide only whether the appropriate procedures, including those provided for in college written policies, have been correctly followed.

(5.4.9) If the discontinuance is approved by the President, the administration of the college shall begin phasing out the program. This operation shall proceed according to the plans and timelines already developed and approved by the College, and submitted by the Provost, with his recommendation, to EPCC.

(5.4.10) Except in circumstances where a serious distortion of an academic program would otherwise result, non-tenure track faculty within a program shall be terminated before any tenure track faculty are terminated. Where consistent with the academic needs of the institution, preference will be given to tenured faculty of higher rank, and to more senior faculty within the same rank. Where consistent with the academic needs of the institution, preference will be given to seniority within any staff classification. Circumstances where a serious distortion of an academic program would result must be documented by college administration following discussion with the program faculty, the college faculty, and the provost. Thorough documentation of the circumstances and specific explanations of why alternatives were either unavailable or inadequate must be included in the recommendation to discontinue which the college makes to the provost.

When the decision to discontinue a program has been made by the President, tenure track faculty separation shall follow the guidelines in section 3.4 of the Faculty Handbook. Tenured faculty must be given notice of termination at least 12 months prior to the termination of that appointment (but not less than two long semesters following notice of termination). From the time notice is given until the termination of assigned duties, the university will provide full payment for tenured faculty to enroll in courses for credit at any university in the UH system provided they can: 1. Meet fundamental job obligations and, 2. meet the requirements for admission to the course or program.

(6.0) Provision for Tenured Faculty and Program Specific Staff Dismissed as a Result of this Policy

(6.1) For tenured faculty members and program specific staff who are dismissed as a result of the discontinuance, the university must provide the following services:

(6.2) The university is committed to provide limited support for job placement services.

(6.3) Continuation of participation in group insurance programs offered by the institution at least until the end of the appropriate notice period or eighteen months after performance of assigned duties, whichever comes later. The individual will pay full costs.

(6.4) For tenured faculty if, within three years of the individual's separation from the university under this policy, the position eliminated is again opened, the individual who held that job will be offered the position before anyone else is. Rehired individuals will assume the same seniority, including tenure, and job status as was previously held. For staff members terminated as a result of program discontinuance, the rehiring provision of the University Reduction in Force policy will apply.
(7.0) Discontinuance of a Program Because of Financial Exigency See:
Faculty Handbook section 5.7 - Financial Exigency

6.1 WORKLOAD POLICY FOR FACULTY
FSEC.1997.001
Approved by University Council May 8, 1997

(1.0) Purpose and Scope

The purpose of this policy is to provide guidelines for the assignment of workload for full time non-tenure and tenure track faculty. A separate policy applies to part time faculty and is given in the faculty handbook.

(2.0) Policy Statement

The faculty and administration of the University of Houston-Clear Lake adhere to the following guidelines to ensure the delivery of the highest quality instructional program possible to students and to promote scholarship and professional service.

(3.0) Responsibility for Administration of Policy

The deans of the colleges, in collaboration with their respective associate deans, are responsible for implementing procedures to ensure adherence to the university workload policy for faculty. The deans are responsible to the senior vice president and provost who has overall responsibility for UHCL's workload policy, including academic assignments. The office of the Senior Vice President and Provost is responsible for preparing the faculty workload reports, based on the information provided by the colleges. Within their areas of responsibility, the deans certify that faculty have been assigned professional duties that are appropriate to the individual faculty member and which ensure effective management of the academic component.

(3.1) Faculty: Non-Tenure Track

Normal Workload. The normal teaching load for a full-time, non-tenure track faculty member is twelve (12) semester credit hours, but deans may make exceptions for good and sufficient reasons. Visiting faculty members should have the same classroom teaching load as tenure track faculty. Other responsibilities for non-tenure track faculty will be assigned by the dean as appropriate.

(3.2) Faculty: Tenure Track

Normal Workload. The normal teaching load for a full-time tenure-track faculty member is nine (9) semester credit hours per long semester. In addition to carrying the normal teaching load, faculty members are responsible for student advising and mentoring; college, university and system curriculum development; and maintaining an active involvement in research, scholarship, or creative activity. Faculty members are also responsible for service activities, such as academic program reviews; accreditation studies; shared governance; and faculty service to their profession and the local community. Those activities beyond the normal nine hour teaching load shall be counted as the equivalent of three (3) semester credit hours.

(4.0) Course-Load Equivalencies

Definition. A course is equated to three semester credit hours.

(4.1) Laboratory teaching where the faculty member is present in the laboratory with or without an assistant. Two laboratory class hours are normally equated to one semester credit hour. Supervision of student teachers/teaching interns. Supervision of six student teachers is normally equated to one three semester credit hour course.
(4.2) Supervision of student interns. Supervision of six student interns is normally equated to one three semester credit hour course with the approval of the appropriate dean. Program requirements agreed upon by the program faculty and dean will determine the specific number of interns equivalent to one course.

(4.3) Independent Studies. Course-load equivalencies for faculty supervising Independent Studies will be handled by the individual colleges.

(4.4) Thesis direction. A faculty member will receive one course release for every 24 credit hours of thesis research completed. A faculty member cannot count one student for more than six (6) credit hours of thesis credit for purpose of this policy.

(4.5) Master's Projects. Course-load equivalencies for faculty chairing Master’s Projects will be handled by the individual colleges.

(5.0) Flexible Teaching Assignments

Faculty may request, and deans may assign, with the approval of the faculty member involved, an additional course in one long-semester in return for a reduction of one course in a long semester to be decided in negotiation between the faculty member and the dean.

Tenured faculty members may request to teach an additional three hour class in order to be evaluated primarily in teaching. The weights (Research, Teaching, Service) would be negotiated with the appropriate dean’s office. This agreement must be renewed each academic year. The faculty member is advised to consider the effect the choice of weights may have on promotion. The weighting structure (Research, Teaching, and Service) plays an important role in the granting of tenure. Untenured faculty should not be assigned duties outside this structure that diminish the likelihood of being granted tenure. Additionally, untenured faculty should not be given the option to teach more courses than required by the normal workload.

(6.0) Course Releases

(6.1) New tenure-track faculty.

Course releases for newly appointed, terminally-degreed, tenure-track faculty will be determined at the college level.

(6.2) University Funded Course Releases.

The dean may approve an internally funded reduction in a faculty member’s teaching load to allow the faculty member additional time for special research, administrative assignments, professional service, or other legitimate activity of value to the university. These assignments will be reviewed by the provost. If the provost requests a dean to release a faculty member from a course for a special assignment, then the provost will be expected to reimburse the college at a negotiated rate. Faculty are still responsible for their non-instructional duties. However, in special cases some or all non-instructional duties may be reassigned with the approval of the dean of the college involved.

(6.3) Cost of Releases Not Funded by the University.

Normally, each course release must provide for funding at a rate of 1/8 of the faculty member’s 9 month salary plus cost of benefits. The university may set a different funding rate for individual releases at the discretion of the appropriate dean. Faculty are still responsible for their non-instructional duties. However, in special cases some or all non-instructional duties may be reassigned with the approval of the dean of the college involved.
(6.4) Deans and Associate Deans
In consideration of their administrative duties, deans and associate deans normally teach one course per semester.

(6.5) Documentation
Course release approvals/disapprovals of both the appropriate dean and academic area administrator are required to be in writing. Annual reports on administrative and other course releases, approved by the provost’s office, will be available in the provost’s office.

6.2 FACULTY OFFICE HOURS
Approved 1984
Revised and approved 2011

(1.0) Purpose
This policy is to implement the UHCL requirement for faculty office hours.

(2.0) Definitions

(2.1) Office hours – this represents time set aside for interactions with students during the semester in which the faculty member teaches. They may include a variety of modalities for the convenience of students and faculty. Office hours begin the week before classes start.

(2.2) Faculty member – all faculty positions, tenured or tenure track, non-tenured and part-time.

(3.0) Policy

(3.1) Faculty members shall maintain office hours when students may contact them.

(3.2) Every class shall normally require two office hours, although the actual number of office hours will vary depending on the nature of the faculty member’s assignment.

(3.2.1) At least one third of the total hours per week is to be face to face in faculty’s assigned office, except part-time faculty who are teaching only on-line courses.

(3.2.2) Up to two-thirds of the total hours per week should reflect the faculty member’s teaching assignment.

(4.0) The schedule of faculty office hours is to be posted in a visible place in the faculty suite and in all course syllabi.

6.3 INTERCOLLEGE TEACHING POLICY
From Faculty Handbook Approved June 1988

(1.0) Policy

A request for a faculty member in one college to teach a course in another college may be initiated by either the faculty member to his/her own Dean or by the Dean of the receiving college to the Dean of the faculty member’s college. If the faculty member initiates the request, then that request is subject to the approval of the receiving Dean. If both the receiving and granting Deans approve the faculty member’s assignment, then the receiving college shall provide the granting Dean with funds sufficient to obtain an adjunct faculty to teach one course that the faculty member would otherwise have taught in the granting college. In the event the Deans cannot agree on releasing the faculty member to the receiving college, the matter will be referred to the Provost. If the Provost
approves the assignment, then the receiving college will pay the money for an adjunct replacement. If the issue is whether the faculty member is qualified to teach the course in question, the Provost will overrule a Dean only under the most unusual circumstances, e.g., demonstrable bad faith exercised in refusing the request. Interdisciplinary studies are to be encouraged. For example, the Futures Program must be protected under this procedure. Patterns of interdisciplinary teaching already in place at the time this procedure is adopted will be given preferential treatment in terms of requests and permissions granted.

6.4 POLICY ON DIRECTION OF THESSES AND MASTER'S PROJECTS
EPCC.1998.004
Approved by University Council March 12, 1998

(1.0) Policy

Each college shall adopt, as part of the college's bylaws, a statement concerning faculty service on theses and master's project committees.

(1.1) The statement should specify the credentials for director and readers and the conditions for exemption from these regulations.

(1.2) The credentials statement should specify the status required of faculty serving in each position, e.g. full-time, tenure-track or tenured, terminally degreed, or college faculty member.

6.5 DUAL EMPLOYMENT, OUTSIDE EMPLOYMENT, & CONSULTING CONTRACTS
Policy passed by University Council on 11-12-98
Updated and passed by University Council on 12-11-2008

(1.1) Purpose

(1.2) Board of Regents’ policy enables dual employment (57.04), outside employment (57.05), and consulting and paid professional services (57.02), by qualified faculty and professional staff when such activities are beneficial to the employee and the university. This policy applies to faculty and exempt staff of the University of Houston-Clear Lake (UHCL).

(1.3) This policy and its related procedures state the regulations to be followed to ensure compliance with BOR policy.

(1.4) For purposes of this policy, consulting and other outside employment is defined as activities undertaken by UHCL faculty or exempt staff for remuneration from a third party, where the activity is within the scope of activities, functions, or expertise for which the individual is compensated by the University of Houston-Clear Lake.

(2.0) Definitions

(2.1) BOR: the Board of Regents of the University of Houston System.

(2.2) Dual Employment: work performed for a state agency that is not a component university of the University of Houston System is considered dual employment.

(2.3) Multiple Employment: work performed for another component university of the University of Houston System within the scope of activities, functions or expertise for which the University of Houston-Clear Lake compensates the individual is considered consulting or outside employment.
(2.4) Consulting and Outside Employment: employment outside UHCL with a private sector entity that is concurrent with UHCL employment and is similar in range and scope to the employee’s UHCL employment.

(2.5) UHS: the University of Houston System

(2.6) Exempt Staff: Staff employees in positions that are not subject to the overtime provisions of the Fair Labor Standards Act. Exempt staff includes professionals, administrators and executives who are paid on a monthly basis.

(2.7) State Agency: an agency of the State of Texas, including state-assisted institutions of higher education.

(3.0) Coverage

(3.1) This policy applies to faculty and exempt staff at the University of Houston-Clear Lake.

(3.2) Any faculty member or exempt staff employee of UHCL who is concurrently employed at another state agency will be subject to the overall benefits limitations for state employees. Coordination of benefits between the state agency employers is required to ensure that overall benefits limitations are observed.

(3.3) Non-exempt employees of UHCL and student workers employed in positions for which student status is a prerequisite for employment are not subject to the provisions of this policy.

(3.4) Unpaid public service is not covered in this policy nor are lectures that include fees, unless these activities require significant amount of time, more than one day or otherwise adversely affect the employee’s performance of assigned duties.

(4.0) General Provisions

(4.1) The first priority of regular, benefits-eligible employees, as far as their vocation is concerned, is the accomplishment of the duties and responsibilities assigned to their position of employment with UHCL. Consulting or other outside employment of employees is considered a secondary activity that may be engaged in only after duties and responsibilities to UHCL are fulfilled.

(4.2) Each faculty member who engages in consulting or other outside employment, including teaching on a temporary basis at other institutions, during a semester in which the faculty member is assigned teaching duties must ensure that such activities do not require commitments of time averaging more than one day per calendar week (i.e. one day in seven). Such activities must be arranged so as not to interfere with regularly scheduled classes.

(4.3) Faculty who wish to arrange consulting or other outside employment must provide prior written notification to the appropriate dean. Review by the dean, or designee, of such activities shall include consideration of any real or apparent conflict of interest, time, or commitment to UHCL and to the UH System. The dean may disapprove such activities if they conflict with primary UHCL duties.

(4.4) Exempt staff employee must obtain prior written approval to engage in consulting and outside employment. The employee must submit a written request through his/her immediate supervisor to the appropriate administrator. Requests must include the employing entity, the nature of the proposed work, time commitment, duration and justification of benefit to the university.

(4.5) No employee shall accept consulting or outside employment, which could result in any conflict of interest that would impair his/her independence of judgment in performance of university duties or induce the employee to disclose confidential information acquired through his/her position. (System Administrative
Memorandum 02.A.29-Ethical Conduct of Employees) An employee who violates these standards is subject to discipline and dismissal from employment with the University of Houston-Clear Lake, regardless of whether the request to engage in such activities was approved.

(4.6) Use of University of Houston-Clear Lake facilities, space, equipment or support staff for consulting and outside employment is not permitted unless financial arrangements have been made between the university and the employee, which adequately covers the university's costs, before the employee engages in such activities.

(4.7) Employees may not represent themselves as acting in an official capacity on behalf of the University of Houston-Clear Lake when conducting consulting or outside employment. The University of Houston-Clear Lake is not responsible for any actual or implied obligations or liabilities incurred by the employee resulting from the consulting or other outside employment.

(4.8) An employee may not accept an honorarium or any fees or gifts in consideration for any services performed in his or her official capacity on behalf of UHCL (excluding travel expense reimbursements).

(4.9) Consulting and outside employment must be performed on the employee's own time. Authorizations for absences from an employee's official place of duty because of consulting or outside employment shall be requested and approved in accordance with university policy governing leave entitlements.

(5.0) Annual Reporting

(5.1) Employees who engage in consulting and/or outside employment must report this activity during annual mandatory training. In addition, employees must complete the Consulting and Outside Employment Form, obtain appropriate signatures and forward it to the Office of Human Resources for placement into the personnel file.

(5.1) The Office of the Executive Vice President and Vice Chancellor for Administration and Finance (UHS) will prepare an annual report of all consulting and outside employment for the Chancellor's/President's annual report to the Board of Regents.

William A. Staples
Title: President
University of Houston-Clear Lake
Approval Date: November 12, 1998
Sunset Date: December 11, 2018

6.6A GUIDELINES FOR OFF-CAMPUS TEACHING COMPENSATION
Approved by University Council May 8, 1997
Revised and approved by University Council April 2010

(1.0) Purpose and Scope
The purpose of this policy is to describe guidelines for compensation for full-time faculty teaching off-campus.

(2.0) Definitions

Off-campus Course - an off-campus course is one taught in a location not on the UHCL campus and where the Instructor does not have a personal assigned office.

(3.0) Policy Statement
The faculty and administration of the University of Houston-Clear Lake adhere to the following guidelines to ensure delivery of the highest quality instruction.

Off-Campus Instruction Stipend - the semester stipend for off-campus instruction is applicable to off campus courses taught in a given semester and is based on the distance of the instructional site from the location of the person’s assigned office. The stipend is based on the number of trips per semester and the trip rate will be revised each fiscal year to reflect the change in the IRS employment travel rate.

6.6B GUIDELINES FOR FULL-TIME OVERLOAD
Approved by University Council May 8, 1997
Revised and approved by University Council April 2010

(1.0) Purpose and Scope
The purpose of this policy is to describe guidelines for full-time faculty teaching an overload.

(2.0) Definitions
Overload - An overload is defined as teaching more courses than required under the workload policy for faculty.

(3.0) Policy Statement
The faculty and administration of the University of Houston-Clear Lake adhere to the following guidelines to ensure delivery of the highest quality instruction.

(4.0) Responsibility for Administration of Policy
The deans of the colleges, in collaboration with their respective associate deans, are responsible for implementing procedures to ensure adherence to these guidelines. The deans may deviate from the recommended compensation guidelines when agreed to by the faculty involved.

(5.0) Overload Compensation
The recommended compensation for teaching overloads on either a contractual or non-contractual basis is 1/8 of the full-time faculty member's 9-month salary per three credit hour plus any stipend for off-campus instruction.

6.7 POLICY ON ADMINISTRATIVE SALARIES IN THE ACADEMIC AFFAIRS DIVISION

(A) This policy covers any administrative position in Academic Affairs, other than those of Senior Vice President for Academic Affairs and Provost, Dean, and Associate Vice President, held by anyone having faculty rank. The dean in whose college the position resides and the Senior Vice President for Academic Affairs and Provost, or the Senior Vice President for Academic Affairs and Provost and for those positions that report directly to the Senior Vice President and Provost, shall designate whether a particular position is for the academic year, or for 10 months, 11 months, or fiscal year as well as the teaching load for that position. The determination of the pay period for the position should be based on a realistic assessment of the workload of that position.

(B) A stipend, approved by the dean in whose college the position resides and the Senior Vice President for Academic Affairs and Provost, or by the Senior Vice President for Academic Affairs and Provost and the President for those positions that report directly to the Senior Vice President for Academic Affairs and Provost, will attach to any administrative position in Academic Affairs, other than those of Senior Vice President for Academic Affairs and Provost, Dean and Associate Vice President held by anyone having faculty rank. Stipends will be provided to Associate Deans, and Division Chairs. They may, with the approval of the Senior Vice President for Academic Affairs and Provost, and the Deans if the administrative position reports to a Dean, be provided to others, such as Center Directors, to recognize the market or unusual responsibilities that are not recompensed through released
time, summer salary, or means other than a stipend. This stipend is in addition to any regular salary the administrator draws during the summer; however, the summer salary may be held to be adequate compensation in itself for the administrative services rendered.

(C) The stipend will attach to the position and will remain with the position should the faculty member who holds the position relinquish it. Generally, the stipend should reflect the market for positions of the type with which it is associated and the scope of responsibility of the position. The stipend, however, is intended only to recognize the additional responsibilities the faculty will carry as an administrator and is not intended as a means of remedying perceived inequities in faculty salaries.

(D) For unusual and well-documented reasons, those who must initially approve a stipend may authorize an adjustment, either up or down, in an individual stipend. Should the person receiving the unusual adjustment relinquish his/her post, then the stipend will revert to its former level.

(E) All administrative stipends will be reviewed every three years, or at the discretion of the President or Senior Vice President for Academic Affairs and Provost.

(F) An administrator returning to a faculty position will be reviewed for a faculty increment according to then current procedures, said increment to become effective the following academic year.

(G) Any additional increment beyond the normal faculty increment for an administrator returning to the faculty must be approved by the Senior Vice President for Academic Affairs and Provost and the President, and may be granted only under unusual and well-documented circumstances to prevent injustice or to prevent the faculty member from leaving UHCL. An example of such an injustice that requires a remedy is when the administrator’s salary on return to the faculty is lower than if he or she had never served in the administrative position.

(H) Notwithstanding the above, any administrative officer in Academic Affairs at any level in an acting or interim position, including that of Senior Vice President for Academic Affairs and Provost, will be recompensed for his or her additional duties with a stipend, rather than an increase to base salary, so long as the assignment remains acting or interim.

(I) All members of the faculty who serve on 12-month administrative appointments in positions at or above the level of Dean or its equivalent for a period of at least one year shall return at the conclusion of the administrative assignment to their respective faculty ranks on a nine-month academic appointment with the salary base prorated as 75 percent on the 12-month salary last held as an administrative officer. This does not include persons serving in acting positions.

6.8 FACULTY MERIT RAISE INCREMENTS
From Faculty Handbook Approved June 1988

(1.0) Faculty are eligible for salary increments on an annual basis subject to the availability of funds as appropriated by the Texas Legislature. Increments are awarded on the basis of merit as determined in the annual performance evaluation of each faculty member. Faculty are evaluated in all three primary areas of faculty activity: teaching and educational activities; research, scholarly and artistic activities; and professional activities and service. The policy and criteria applied in the evaluation process are noted under Section 5.1 Annual Faculty Review Policy.
6.9 PERQUISITES
Reviewed and approved by University Council on December 10, 2009

(1.0) Purpose

(1.1) This policy states the regulations applicable to the payment or reimbursement for specific types of expenses and the tax treatment of such payments. This policy does not address business expense reimbursements which are covered in System Administrative Memorandum 03.A.02, Business Expenses.

(2.0) Definitions

(2.1) Perquisites - any tangible privilege or gain beyond other salary and entitlements provided to administrators, faculty or other employees, including but not limited to housing allowance, car allowance, spousal travel, insurance, and club memberships.

(3.0) Policy

(3.1) Perquisites are not entitlements to any class of employee. They may be made available to employees only after thorough and careful consideration of the benefit to the university, and must be specifically approved by the President (or designee) or, in the case of the President, by the Chancellor of the University of Houston System (or designee), as applicable.

(3.2) The UHCL Office of Human Resources is the repository for records of perquisites paid to UHCL employees. Authorization for all perquisites must be documented in the official personnel file of the receiving individual.

(3.3) All perquisites are treated as part of the compensation package of an individual. In accordance with United States income tax laws and regulations, items that are subject to Federal Income Tax should be treated by the employee as taxable income. The value of the taxable benefits will be recorded in the employee's W-2 or 1099. The employee is responsible for maintaining appropriate documentation to support the deductibility of any employment-related expenses for income tax purposes.

(3.4) Disbursements for perquisites will not be made without the prior approval of the President (or designee) or, in the case of the President, the Chancellor of the University of Houston System (or designee) whichever is appropriate.

(3.5) Disbursements for perquisites will not be made from petty cash.

(4.0) Annual Reporting

(4.1) Annual reporting. The President is responsible for the submission of an annual report summarizing the nature and dollar amount of perquisites provided to UHCL employees. This report will be submitted to the UHS Executive Vice Chancellor for Administration and Finance on or before January 30th of each year.

Signature: William A. Staples Title: President
University of Houston-Clear Lake
Approval Date: September 9, 1999
Sunset Date: December 10, 2019
**6.10 SUMMER PAY POLICY**

Policy No. FSEC.2001.007
Approved by University Council May 4, 2001
Approved by University Council May 9, 2019

(1.0) Purpose

University of Houston-Clear Lake ("UHCL") faculty members on 9-month appointments may be offered the opportunity to perform additional work during the summer months. The purpose of this policy is to outline the university guidelines regarding pay for summer assignments.

(2.0) Definitions

(2.2) State Longevity Pay - Additional pay of $4 per month for each year of state service up to and including 40 years of service. Regular, full time (1.0 FTE), nonacademic employees are eligible to receive longevity pay after five years of state service and will receive longevity pay increases after each additional five years of state service.

(2.3) Personnel Action Request (PAR) Form - The University of Houston System ("UHS") payroll/personnel form used to place new employees in the HRS payroll/personnel system and/or make certain changes to existing employees assignment.

(2.4) Turn-a-round PAR - Computer generated personnel action request form. All fields are populated by data in the HRS 2.4 payroll/personnel system.

(2.5) Personnel/Position Request (PPR) Form - A UHCL form used to create new positions, reclassify existing positions, and identify vacant positions that require posting and search procedures.

(2.6) Full Time Equivalent (FTE) - For purposes of this policy, FTE means the number of course equivalents to be considered a full load in the summer.

(2.7) Summer Session - The academic time period between the end of the spring semester and the start of the fall semester.

(3.0) Policy

(3.1) Faculty and research personnel on 9-month appointments may be offered the opportunity to perform teaching and/or research during the summer semesters, depending on student enrollment, course requirements, and funding for teaching and research activities. Teaching includes advising of students during the summer session.

(3.2) A faculty member who performs non-academic work during the summer on a full time (1.0 FTE) basis and is paid from non-teaching funds will receive longevity pay for each month worked during the summer.

(3.2.1) The amount of longevity pay is based on total state service.

(3.2.2) Each employee is responsible for notifying the Office of Human Resources of prior state service at the time of employment.

(3.2.3) Credit for prior state service requires written verification from the previous employing state institutions or agencies.
(3.3) Faculty on nine-month appointments who teach during the summer semesters receive additional compensation. The amount of additional compensation a faculty member may receive typically is related to how many courses are taught and the previous 9-month salary.

(3.4) The salary equivalents and percent effort used to calculate summer teaching salaries is listed below. Summer pay is subject to student enrollment as stated in 3.4.1 and 3.4.2.
   a. One 3 credit-hour course equals 1/11 of the 9-month salary.
   b. Two 3 credit-hour courses equal 2/11 of the 9-month salary.
   c. Three 3 credit-hour courses equal 3/11 of the 9-month salary.

(3.4.1) Required enrollments for summer courses are to be 10 undergraduate or 5 graduate students. Under circumstances directly related to student success, discretion is given to the Dean of the college or the Provost to allow for the offering of low enrollment courses. However, these special circumstances should not have a significant effect on the financial stability of the college’s summer semester and must be paid at the 1/11th level.

(3.4.2) In courses cross-listed at the undergraduate and graduate level and treated as a single course in terms of pay, minimum enrollment numbers will be created using an equation where each graduate student will be calculated as two undergraduate students.

(3.5) New faculty members who are asked to teach in the summer semesters just prior to their regular academic appointment on September 1st are normally considered as part-time, temporary employees without benefits during the summer semesters.

(3.6) The Office of Human Resources is responsible for providing timely instructions for the accurate processing of summer payrolls.

(3.6.1) Summer Pay Procedures

(3.6.2) Purpose

(3.6.3) To provide 9-month faculty members with information regarding pay for additional summer teaching and research assignments.

(3.6.4) To provide support staff with the proper procedures for processing additional pay for summer teaching and research assignments.

(3.6.5) Summer Teaching and/or Research Positions

(3.6.6) Summer teaching and research positions roll from one fiscal year to the next.

(3.6.7) A Personnel/Position Request (PPR) form is not required unless you need to create a new summer teaching or research position.

(3.6.8) Positions must exist before a Personnel Action Request (PAR) form can be processed.

(3.6.9) Only four (4) job class codes/titles are used for summer teaching and research assignments.
   a. 1930/Benefits Eligible Summer Teaching Faculty
   b. 1931/Non-Benefits Eligible Summer Teaching Faculty
   c. 3057/Benefits Eligible Summer Research Faculty
   d. 3058/Non-Benefits Eligible Summer Research Faculty
(3.7)  Summer Teaching and/or Research Assignments
(3.8)  A PAR must be prepared to place each employee on payroll for summer teaching and research assignments.

(3.9)  All assignments may be indicated on the same PAR.

(3.10) Separate assignments should be created for each individual summer session except in the case of duplicate assignments.

(4.0)  If a duplicate assignment would exist, create one assignment and adjust the FTE to cover all classes.

(4.1)  A turn-a-round PAR should be used for all existing employees and a blank PAR form should be used for "new hires".

(4.2)  A combination of the two forms should be used when the turn-a-round PAR does not have sufficient blank assignment lines to cover all summer assignments.

(4.3)  The PAR routing sequence for summer assignments is the same as for any regular session.

(4.4)  PAR forms reflecting summer research assignments (paid from Ledger 5 accounts) must be forwarded to the Office of Research Administration for approval prior to obtaining approval from the Office of the Senior Vice President/Provost, and routing to the Office of Human Resources for processing.

(4.5)  PAR forms reflecting summer teaching and/or research assignments must be approved in the Office of the Senior Vice President/Provost before routing to the Office of Human Resources for processing in the automated payroll system.

(4.6)  The PAR due dates for summer teaching and/or research assignments are published in April of each fiscal year.

(4.7)  PARs with a June 1st or June 16th assignment begin date are due in late May.

(4.8)  PARs with a July 1st assignment begin date are due in late June.

(4.9)  PARs with an August 1st assignment begin date are due in late July.

Approval Date: 5-4-01
Sunset Date: 5-4-11

6.11  UHCL POLICY FOR EXTRA COMPENSATION IN EXCESS OF BASE SALARY
Policy No.FSEC.2004.001

(1.0)  Purpose

(1.1)  This Policy establishes guidelines for the total allowable compensation paid to faculty and staff from University-controlled funds to ensure compliance with state and federal regulations, with particular consideration given to OMB Circular A21, University of Houston Regents, UHS System and UHCL policies.
(2.0) Existing Policies and Regulations

(2.1) Existing External Policies and Regulations - The first priority of employees of the University of Houston - Clear Lake is the accomplishment of the duties and responsibilities assigned to their position of employment within the University of Houston System (SAM 02.A08). UH Board of Regents Policy, Paragraph 21.05, “Faculty Workload”, reads as follows: “Each component university, in compliance with state law, shall adopt and maintain faculty academic workload rules and regulations directed toward attaining the greatest educational benefit from the expenditure of public funds. All such rules and regulations must be approved by the chancellor or his or her designee and adopted by the board.” “The faculty academic workload rules and regulations shall be reported to the Texas Higher Education Coordinating Board and included in the operating budgets and faculty handbooks of each component university. (04/15/99)” Federal OMB Circular A21 specifies that “charges for work performed on sponsored agreements by faculty members during the academic year will be based on the individual faculty member’s regular compensation for the continuous period which, under the policy of the institution concerned, constitutes ... salary basis” (OMB Circular A-21, J.10.d.(1)). Charges for work performed on sponsored agreements during the summer months or other period not included in the base salary period (academic year) will be determined at a rate not in excess of the base salary, divided by the period of nine months (OMB Circular A-21, J.10.d.(1)).

(2.2) Existing Internal Policies and Regulations - UHCL Policy 6.1, “Workload Policy for Faculty”, specifies that normal workload for full-time tenure track faculty members equals nine (9) semester credit hours per long semester in the academic year. Mentoring, advising, curriculum development, service and research/scholarly/creative activities that are beyond the normal nine hour teaching load shall be counted as the equivalent of three semester credit hours. The deans of each College have authority to assign duties.

(3.0) Additional Compensation Policy for Faculty

It is the policy of the University of Houston – Clear Lake not to provide additional compensation over and above 100% FTE to faculty except in unusual circumstances. However, there are sometimes special and extenuating circumstances outside normal duties for which additional compensation may be justified. This document describes the parameters within which additional compensation may be provided to these faculty members. Additional compensation may be granted only with advance approval.

(3.1) Additional Compensation:
Faculty who work on special projects outside their normal duties may receive additional compensation as follows:

(A) Teaching regularly scheduled academic classes, including off-campus and web-based distance education courses, as an overload assignment during the academic year or during the summer.

(B) Teaching and/or coordinating contract or continuing education (non-credit) courses (including short courses, seminars, workshops, and conferences) scheduled at departmental, college or university level. Additional compensation includes compensation from any university account. Research grants funded by external agencies are thus included in the term additional compensation. Additional compensation to be paid from contract or grant accounts must have prior approval from the sponsoring agency before institutional approval can be given.

(3.2) Amount of Additional Compensation:

With prior approval of the appropriate dean and the Provost, faculty on nine-month contracts may receive additional compensation beyond their contract level. An equivalent of three months for those on nine-month contracts may be received in additional compensation if properly approved prior to the activity or activities. Please note that this amount will be reduced by any teaching or regular summer assignment pay. Regular
summer assignments do not require approval. With prior approval of the appropriate dean and the Provost, faculty who have received the equivalent of their twelve-month salary in total university compensation, and faculty and staff on twelve-month contracts, may receive additional compensation beyond the level specified in the paragraph above. Any additional compensation so received in both instances cannot exceed $15,000 or 20% of the twelve-month salary, whichever is greater, in a fiscal year.

(4.0) Process

Process for Approval of Additional Compensation - Approval for additional compensation will be documented on the Personnel Action Request (PAR) and routed through the appropriate approval channels to the Office of Human Resources.

Approval Date: 9-15-04
Sunset Date: 9-15-14

7.1 BENEFITS
For UH System policy please go to https://www.uh.edu/human-resources/benefits/. For UHCL Benefits information, please go to http://prtl.uhcl.edu/human-resources/benefits

7.2 FAMILY AND MEDICAL LEAVE OF ABSENCE POLICY

(1.0) Purpose

(1.2) Eligible University of Houston-Clear Lake (“UHCL”) employees are entitled to request and be considered for various types of leave, with and without pay, based on certain qualifying conditions. This policy describes the various types of leave available, the conditions that apply to each type of leave, and the methods for requesting, obtaining approval of, and documenting such leave. For purposes of this policy, a leave of absence includes those times when an employee is requesting time away from the performance of work duties.

(1.3) Certain types of leave, including sick leave, vacation, sick leave pool, Family and Medical Leave (FML), and Faculty Development Leave are described in separate UHCL policies.

(2.0) Definitions

(2.1) Regular employee – one employed to work at least 20 hours per week for a period of at least four and one-half months, excluding students employed in positions which require student status as a condition of employment.

(2.2) Fiscal year – the 12-month period beginning September 1 and extending through the following August 31.

(2.3) Federal fiscal year – the 12-month period beginning July 1 and extending through the following June 30.

(2.5) DPRS – The Texas Department of Protective and Regulatory Services.

(2.6) Leave Request Form – the form used to request and document leave; required by UHS Internal Auditors to be attached to appropriate Time and Effort Report.
(2.7) Time and Effort Report – the forms for exempt and non-exempt employees to document time for payment of wages and salary. Also referred to as TAE reports or timesheets. TAE reports for non-exempt employees are submitted on a bi-weekly basis prior to payroll calculation; TAE reports for exempt employees are submitted immediately following monthly paydays. Both types of TAE reports must be signed by the immediate supervisor to certify the accuracy of the report. These reports are subject to audit by UHS, state and federal officials.

(2.8) WCI – workers’ compensation insurance. The “WCI Division” is the workers' compensation division of the Texas Attorney General’s Office, charged with administration of WCI claims and benefits for most state employees.

(3.0) Policy

(3.1) UHCL allows its regular employees who qualify to apply for, and be considered for, specific leaves of absence.

(3.2) Except for disciplinary suspension, active military duty and workers’ compensation situations, all accumulated paid leave entitlements must be exhausted before any unpaid leave of absence covered by this policy is granted.

(3.3) Leaves of absence described in this policy shall be for no longer than twelve (12) months.

(3.4) An approved leave of absence, whether paid or unpaid, is considered to be a guarantee of employment for the approved leave period.

(3.5) Failure to return to work as scheduled from an approved leave of absence, and to inform the employing department of an acceptable reason for not returning as scheduled, will be considered voluntary resignation of employment.

(3.6) All requests for leave of absence shall be submitted in writing to the appropriate approving authority. Each request shall provide sufficient detail such as the reason for the leave, the expected duration of the leave, and the relationship of affected family members, if applicable. A copy of the approved or disapproved leave request will be placed in the employee’s personnel file in the Office of Human Resources.

(3.7) The UHCL Office of Human Resources will maintain a record for each employee including time and attendance records, a record of the vacation and sick leave accrual and absences of each employee, and the reasons for absences, i.e., from sickness, vacation, other paid leave, or leave of absence without pay. Employing departments are advised to maintain similar records for each employee, so leave availability may be verified before leave requests are approved.

(3.8) It is not necessary for a full-time, exempt employee to record an absence of less than a day due to illness or for personal reasons if the employee works at least 40 hours in that workweek. If the employee does not work 40 hours in that workweek, absences must be recorded as vacation, sick leave, or other appropriate leave, to comply with State law.

(3.9) Nothing in this policy shall be used as the basis for discrimination or retaliation against any individual or group on the basis of race, color, sex, religion, national origin, disability, age, veteran status, genetic information or sexual orientation.

(4.0) Leaves of Absence With Pay

4.1 Bereavement Leave. The President, or designee, will grant bereavement leave with pay to a regular, benefits-eligible employee because of a death in the employee’s family. The death of the employee’s spouse, or
the employee’s or spouse’s parents, step-parents, brothers, step-brothers, sisters, step-sisters, children, step-children, grandparents, and grandchildren constitute adequate need for emergency leave. The head of the employing department may approve up to five (5) days of leave for the death as described above. Requests for more than five (5) days must be approved by the President or designee. The President may consider other reasons for emergency leave and may grant such leave when, in the President’s determination, the employee shows good cause.

Benefits eligible employees may be allowed time off with pay (bereavement leave) to attend the funeral or off campus memorial service of another UHCL employee/retiree. Employees must receive approval of the department head, or designee, in writing prior to absence.

The department head, or designee, may approve time off with pay for any benefits eligible employee to attend the funeral or memorial service of a family member of a UHCL employee/retiree. Family member is limited to employee’s spouse, parent, brother, sister, grandparent, grandchild or child.

(4.2) National Guard duty. A leave of absence with full pay shall be provided to any employee who is called to active duty with the National Guard by the Governor of Texas because of an emergency in accordance with Section 431.085, Government Code. When National Guard training or duty, not exceeding 15 days in any one federal fiscal year, is authorized for an employee by a proper authority, neither the employee’s salary nor accrued leave balances will be reduced and the employee's performance ratings will not be adversely affected because of leave for National Guard duty.

(4.3) Military leave of absence for Reservists (training duty). An employee called to active reservist duty or engaged in duly authorized military training will be entitled to paid leave of absence not to exceed fifteen (15) days in a calendar year. During this paid leave of absence, the employee will not lose time, efficiency rating, vacation time or other benefits which normally accrue to active employees. Unpaid leave of absence for Armed Forces reservists called to active duty is covered in Section 5.1.

(4.4) Volunteer firefighter leave. An employee who is a volunteer firefighter shall be granted a leave of absence with full pay to attend training colleges conducted by state agencies, provided such leave does not exceed five working days in any one fiscal year. UHCL will grant leave with full pay to any employee who is a volunteer firefighter and who responds to an emergency situation summons during regular working hours of 8 a.m. to 5 p.m., Monday through Friday. If such a summons is issued and an employee uses volunteer firefighter leave to respond to the summons, the employee must provide upon returning to work acceptable documentation of the emergency situation and the summons issued. A copy of this documentation will be attached to the TAE report for the pay period during which volunteer firefighter leave was taken.

(4.5) Foster parent leave. An employee who is a foster parent to a child under the conservatorship of the Department of Protective and Regulatory Services (“DPRS”) is entitled to a leave of absence with full pay to attend staffing meetings regarding the child held by the DPRS, or to attend the Admission, Review and Dismissal (“ARD”) meeting held by a college district regarding the child.

(4.6) Red Cross volunteer leave. An employee who is a certified disaster service volunteer, with the authorization of the employee's supervisor, may be granted a leave not to exceed ten days each fiscal year to participate in specialized disaster relief services for the American Red Cross, upon the request of the American Red Cross and with approval of the Governor’s office. Such leave will be without loss of pay, vacation time, sick leave, or earned overtime and/or compensatory time. Proper documentation must be provided to support Red Cross volunteer leave, including documentation from the Governor’s office that the employee is a certified disaster volunteer.
(4.7) Blind employee training leave. An employee who is blind is entitled to a leave of absence with full pay for the purpose of attending a training program to acquaint the employee with a seeing-eye dog to be used by the employee. This leave of absence will be limited to ten (10) working days per fiscal year and is in addition to other leave to which the employee is entitled. The employee continues to accrue vacation and sick leave while on this type of leave.

(4.8) Jury Duty Leave. The time an employee must be absent from work because of jury duty is paid leave. The employee is required to present a copy of the jury duty summons in advance of the absence. Time spent on jury duty should be documented by submission of a jury duty voucher or other official statement showing the time spent in the jury duty assignment, along with a leave request completed to show the dates of absence. A copy of the jury duty documentation and leave request must be attached to the employee’s TAE report for the affected pay period.

(4.9) Witness leave. If an employee is called to appear in an official capacity in any judicial action or legislative investigation, the employee may neither accept nor receive any witness fees for such governmental appearance. However the time used for such purpose is paid leave and does not affect any other paid leave entitlement such as vacation or compensatory time.

(5.0) Leave Of Absence Without Pay

(5.1) Active duty in the United States Armed Forces reserves. Any employee called to active reservist duty who has exhausted fifteen (15) days paid leave of absence will be placed on leave of absence without pay. Such an individual will accrue state service credit while on active duty, but will not accrue vacation or sick leave. An employee on leave of absence without pay will retain any accrued vacation or sick leave and will be credited with such balances upon return to active work status at UHCL.

   a. An employee having accrued vacation or compensatory time may opt to exhaust any or all vacation time before being placed on leave of absence without pay. During the time the employee is on vacation or compensatory leave, all benefits and salary remain intact.

   b. An employee called to active military duty and placed on leave of absence without pay is not eligible to receive state group insurance or state retirement fund contributions. Such an employee may continue group insurance plan participation by making direct monthly payments to the University of Houston System in the full amount of the premiums due. The affected employee may receive retirement plan tenure credit for the eligible time spent in active military duty as defined by the retirement plan’s rules and regulations.

   c. If an employee on military leave of absence without pay chooses not to continue group insurance participation during the leave, that employee may be subject to evidence of insurability requirements upon return to active work status and re-entry to the group insurance program. Insurance plan exclusions and limitations based on “war” or “acts of war” may apply to Reservists called to active duty. An employee called to active duty is entitled to reemployment upon discharge from active duty under the following conditions:

      a. If the individual received an honorable discharge; and

      b. If application for reemployment is made to UHCL within ninety (90) days of discharge from active duty; and

      c. If the length of active duty does not exceed five (5) years.

A Reservist who is re-employed will not receive back pay for the period of military service. A re-employed Reservist will receive salary or wages at a rate that reflects state mandated increases that would have been granted had the Reservist not been called to active duty. A Reservist returning to work following active duty will be restored to the position held before called to active duty, or to a position of like seniority, status, and pay if the individual is still qualified for that position. If a Reservist is not qualified for the previous position because of
a disability sustained during active duty, but is qualified for a different existing and vacant position, the Reservist will be offered the different and vacant position.

(5.2) Workers’ Compensation leave. If an employee is injured on the job or experiences a work-related illness, state law imposes certain requirements in connection with the Texas Workers’ Compensation program. (See also the UHCL policy on Reporting Workers’ Compensation Claims.) If the employee is unable to return to work following the injury or the onset of illness the following provisions apply:

a. The initial 7-day period following the date of a work-related injury or the onset of a work-related illness may be unpaid leave or leave with pay, if the employee has sufficient paid leave to cover the absence and elects to take paid leave.

b. To elect to take paid leave during the initial 7-day period, the employee must sign, or have a representative sign, a notice documenting this election. The UHCL Office of Human Resources will forward a copy of this election form to the WCI Division of the Texas Attorney General’s Office.

c. If the employee is unable to return to work for an extended time following the initial 7-day period and the employee’s claim is accepted for WCI weekly benefits, the employee will be placed on workers’ compensation leave, unless the employee elects to continue using available sick time. Generally, an employee on workers’ compensation leave who recovers sufficiently to perform the full duties of the job is guaranteed reemployment in the same position, or in a position of similar rank, pay, and responsibility.

(5.3) Other leaves of absence without pay. The supervisor, in accordance with departmental/division procedures, may approve a leave without pay that is for a duration of thirty calendar days or less. When a leave of absence is in excess of thirty days an employee will apply to the President for leave of absence without pay, routing the request through the immediate supervisor, department head or dean, and the appropriate Vice President. Any reviewing authority below the level of President may deny the request for good business related reasons. Any authority who denies such leave should inform the employee of the reason for denying the request along with a report to the President. Such leave, if approved, will be limited in duration to 12 months and is subject to the provisions of Section 3 of this policy. The President may grant exceptions to these limitations for such reasons as interagency agreements or educational purposes.

(5.4) Release time for educational purposes. Full-time, benefits-eligible employees are eligible to request up to 3 hours per week paid time off from work for the purpose of attending college classes judged to be of benefit to the state and the employee. A department head or supervisor may deny such a request for good business reasons, such as staffing or workload requirements. A request for release time must be made on the required form which may be received from the Office of Human Resources. Before registration, the request must be approved by the immediate supervisor, and the dean or department head. Upon registration, an official of the enrolling college must certify the employee’s enrollment in the class and verify dates and times the class will be held. Upon completion of the college course, the enrolling college must certify that the course was completed by the UHCL employee. A copy of the final record of release time taken to attend a college course will be sent to the UHCL Office of Human Resources for inclusion in the employee’s personnel file. Throughout the semester enrolled, the employee must report such release time on all affected TAE reports, using the special earning code “075” for monthly paid employees and "076" for bi-weekly employees.

Signature: William A. Staples Title: President
University of Houston-Clear Lake
Approval Date: 11-9-00
Sunset Date: 11-9-10
7.3 PARENTAL LEAVE POLICY AND PROCEDURE
Reviewed and approved by University Council on October 8, 2009

(1.0) Purpose

(1.1) An employee who does not meet the eligibility requirements for FMLA leave may be eligible for parental leave for the birth of a natural child or the adoption or foster care placement of a child under 3 years of age.

(1.3) This policy describes the parental leave benefits the UHCL provides to eligible employees in accordance with the provisions of the Texas Government Code, Section 661.913.

(1.4) There may be differences in the Parental Leave Policy and FMLA. Employees are encouraged to contact the Office of Human Resources for clarification.

(2.0) Definitions

(2.1) Child - for the purpose of parental leave, a biological, adopted, or foster child under 3 years of age.

(2.3) Eligible Employees - for the purpose of parental leave, an employee who:
• has worked for the State of Texas for a period of time less than 12 month; or
• has fewer than 1,250 hours actually worked in the 12-month period immediately preceding the leave.

(2.4) Year - twelve months measured forward from the first date parental leave begins.

(2.5) FMLA leave - employee leave from work covered by the Family and Medical Leave Act of 1993. Other applicable definitions may be found in the UHCL policy on FMLA leave.

(3.0) Policy

(3.1) UHCL employees who are not eligible for FMLA leave are entitled to parental leave for the following qualifying conditions:
   a. The birth of a child to the employee and the care of the newborn;
   b. The placement of a child under 3 years of age with the employee in connection with the adoption or state-approved foster care of the child.

(3.2) Parental leave may not begin until the date of the birth of a natural child, placement of a child for adoption or foster care, or the recommendation of a health care provider.

(3.3) An eligible employee is entitled to a maximum of 12 weeks of approved parental leave in a year, as defined in this policy. The employee may take a shorter leave. Employees who meet the eligibility requirements for FMLA leave are only entitled to FMLA leave.

(3.4) An eligible employee must use all applicable accrued paid leave (including sick leave and vacation) while taking parental leave. The use of accrued sick leave is, however, restricted to those circumstances that would otherwise qualify the employee for sick leave usage under state law and UHS or UHCL policy governing the use of sick leave. The employee may choose to use accrued compensatory time, instead of unpaid parental leave, but may not be required to do so. Any FLSA compensatory time (1.5) taken may not be counted against the employee’s 12-week parental leave entitlement.
(3.5) Parental leave is available to both men and women.

(4.0) Policy Provisions

(4.1) Employees with less than six months of continuous employment with the State of Texas are not eligible to take vacation under this policy.

(4.2) A leave of absence by a probationary employee extends the probationary period of employment by the amount of leave taken.

(4.4) Subject to fiscal constraints, an employee returning from approved parental leave within the provisions of this policy shall be restored to the original position or an equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

   a. An employee offered an equivalent position who chooses to decline the position waives any right to reinstatement.

   b. An employee who believes that a position offered that is not an equivalent position is entitled to file a grievance under the UHCL faculty or staff grievance policy and procedure located in the Office of Human Resources.

(5.0) Procedural Requirements

(5.1) Applying for Parental Leave

   a. A request for parental leave must be submitted on the same application form used to apply for FMLA leave. The request must be accompanied by either:

      b. For birth of a natural child, the FMLA certification of a health care provider (UHCL FMLA Form 1) including the date of birth; or

      c. For placement of a child for adoption or foster care, a copy of the orders of adoption or placement, and certification of the age of the child to be adopted or placed for foster care.

   d. The employee is responsible for submitting both required forms to the Office of Human Resources. Unless extraordinary conditions prevail, at least 30-calendar days’ notice is expected before the leave begins.

(5.2) General procedural requirements

   a. Birth of a natural child or placement of a child for adoption or foster care is a qualifying event that may affect employee insurance benefits. To include the child for coverage under employee health insurance, the UHCL Office of Human Resources must be notified within 30 days after the birth/adoption/placement.

   b. The insurance coverage requirements, employee reporting requirements, and documentation requirements that pertain to employees on FMLA leave also apply in cases of parental leave. See UHCL FMLA policy and procedures available in the Office of Human Resources.

Signature: William A. Staples Title: President
University of Houston-Clear Lake
Approval Date: March 11, 1999
Sunset Date: March 11, 2019

7.4 LEAVE OF ABSENCE

(1.0) Purpose

(1.1) Eligible University of Houston-Clear Lake (“UHCL”) employees are entitled to request and be considered for various types of leave, with and without pay, based on certain qualifying conditions. This policy describes the
various types of leave available, the conditions that apply to each type of leave, and the methods for requesting, obtaining approval of, and documenting such leave. For purposes of this policy, a leave of absence includes those times when an employee is requesting time away from the performance of work duties.

(1.2) Certain types of leave, including sick leave, vacation, sick leave pool, Family and Medical Leave (FML), and Faculty Development Leave are described in separate UHCL policies.

(2.0) Definitions

(2.1) Regular employee – one employed to work at least 20 hours per week for a period of at least four and one-half months, excluding students employed in positions which require student status as a condition of employment.

(2.2) Fiscal year – the 12-month period beginning September 1 and extending through the following August 31st.

(2.3) Federal fiscal year – the 12-month period beginning July 1 and extending through the following June 30.

(2.4) DPRS – The Texas Department of Protective and Regulatory Services.

(2.5) Leave Request Form – the form used to request and document leave; required by UHS Internal Auditors to be attached to appropriate Time and Effort Report.

(2.6) Time and Effort Report – the forms for exempt and non-exempt employees to document time for payment of wages and salary. Also referred to as TAE reports or timesheets. TAE reports for non-exempt employees are submitted on a bi-weekly basis prior to payroll calculation; TAE reports for exempt employees are submitted immediately following monthly paydays. Both types of TAE reports must be signed by the immediate supervisor to certify the accuracy of the report. These reports are subject to audit by UHS, state and federal officials.

(2.7) WCI – workers’ compensation insurance. The “WCI Division” is the workers' compensation division of the Texas Attorney General’s Office, charged with administration of WCI claims and benefits for most state employees.

(3.0) Policy

(3.1) UHCL allows its regular employees who qualify to apply for, and be considered for, specific leaves of absence.

(3.2) Except for disciplinary suspension, active military duty and workers’ compensation situations, all accumulated paid leave entitlements must be exhausted before any unpaid leave of absence covered by this policy is granted.

(3.3) Leaves of absence described in this policy shall be for no longer than twelve (12) months.

(3.4) An approved leave of absence, whether paid or unpaid, is considered to be a guarantee of employment for the approved leave period.

(3.5) Failure to return to work as scheduled from an approved leave of absence, and to inform the employing department of an acceptable reason for not returning as scheduled, will be considered voluntary resignation of employment.
(3.6) All requests for leave of absence shall be submitted in writing to the appropriate approving authority. Each request shall provide sufficient detail such as the reason for the leave, the expected duration of the leave, and the relationship of affected family members, if applicable. A copy of the approved or disapproved leave request will be placed in the employee’s personnel file in the Office of Human Resources.

(3.7) The UHCL Office of Human Resources will maintain a record for each employee including time and attendance records, a record of the vacation and sick leave accrual and absences of each employee, and the reasons for absences, i.e., from sickness, vacation, other paid leave, or leave of absence without pay. Employing departments are advised to maintain similar records for each employee, so leave availability may be verified before leave requests are approved.

(3.8) It is not necessary for a full-time, exempt employee to record an absence of less than a day due to illness or for personal reasons if the employee works at least 40 hours in that workweek. If the employee does not work 40 hours in that workweek, absences must be recorded as vacation, sick leave, or other appropriate leave, to comply with State law.

(3.9) Nothing in this policy shall be used as the basis for discrimination or retaliation against any individual or group on the basis of race, color, sex, religion, national origin, disability, age, veteran status, genetic information or sexual orientation.

(4.0) Leaves of Absence with Pay

(4.1) Bereavement Leave. The President, or designee, will grant bereavement leave with pay to a regular, benefits-eligible employee because of a death in the employee’s family. The death of the employee’s spouse, or the employee’s or spouse’s parents, step-parents, brothers, step-brothers, sisters, step-sisters, children, step-children, grandparents, and grandchildren constitute adequate need for emergency leave. The head of the employing department may approve up to five (5) days of leave for the death as described above. Requests for more than five (5) days must be approved by the President or designee. The President may consider other reasons for emergency leave and may grant such leave when, in the President’s determination, the employee shows good cause.

Benefits eligible employees may be allowed time off with pay (bereavement leave) to attend the funeral or off campus memorial service of another UHCL employee/retiree. Employees must receive approval of the department head, or designee, in writing prior to absence. The department head, or designee, may approve time off with pay for any benefits eligible employee to attend the funeral or memorial service of a family member of a UHCL employee/retiree. Family member is limited to employee’s spouse, parent, brother, sister, grandparent, grandchild or child.

(4.2) National Guard duty. A leave of absence with full pay shall be provided to any employee who is called to active duty with the National Guard by the Governor of Texas because of an emergency in accordance with Section 431.085, Government Code. When National Guard training or duty, not exceeding 15 days in any one federal fiscal year, is authorized for an employee by a proper authority, neither the employee’s salary nor accrued leave balances will be reduced and the employee’s performance ratings will not be adversely affected because of leave for National Guard duty.

(4.3) Military leave of absence for Reservists (training duty). An employee called to active reservist duty or engaged in duly authorized military training will be entitled to paid leave of absence not to exceed fifteen (15) days in a calendar year. During this paid leave of absence, the employee will not lose time, efficiency rating, vacation time or other benefits which normally accrue to active employees. Unpaid leave of absence for Armed Forces reservists called to active duty is covered in Section 5.1. Volunteer firefighter leave. An employee who is a volunteer firefighter shall be granted a leave of absence with full pay to attend training schools conducted by
state agencies, provided such leave does not exceed five working days in any one fiscal year. UHCL will grant leave with full pay to any employee who is a volunteer firefighter and who responds to an emergency situation summons during regular working hours of 8 a.m. to 5 p.m., Monday through Friday. If such a summons is issued and an employee uses volunteer firefighter leave to respond to the summons, the employee must provide upon returning to work acceptable documentation of the emergency situation and the summons issued. A copy of this documentation will be attached to the TAE report for the pay period during which volunteer firefighter leave was taken.

(4.4) Foster parent leave. An employee who is a foster parent to a child under the conservatorship of the Department of Protective and Regulatory Services (“DPRS”) is entitled to a leave of absence with full pay to attend staffing meetings regarding the child held by the DPRS, or to attend the Admission, Review and Dismissal (“ARD”) meeting held by a school district regarding the child.

(4.5) Red Cross volunteer leave. An employee who is a certified disaster service volunteer, with the authorization of the employee’s supervisor, may be granted a leave not to exceed ten days each fiscal year to participate in specialized disaster relief services for the American Red Cross, upon the request of the American Red Cross and with approval of the Governor’s office. Such leave will be without loss of pay, vacation time, sick leave, or earned overtime and/or compensatory time. Proper documentation must be provided to support Red Cross volunteer leave, including documentation from the Governor’s office that the employee is a certified disaster volunteer.

(4.6) Blind employee training leave. An employee who is blind is entitled to a leave of absence with full pay for the purpose of attending a training program to acquaint the employee with a seeing-eye dog to be used by the employee. This leave of absence will be limited to ten (10) working days per fiscal year and is in addition to other leave to which the employee is entitled. The employee continues to accrue vacation and sick leave while on this type of leave.

(4.7) Jury Duty Leave. The time an employee must be absent from work because of jury duty is paid leave. The employee is required to present a copy of the jury duty summons in advance of the absence. Time spent on jury duty should be documented by submission of a jury duty voucher or other official statement showing the time spent in the jury duty assignment, along with a leave request completed to show the dates of absence. A copy of the jury duty documentation and leave request must be attached to the employee’s TAE report for the affected pay period.

(4.8) Witness leave. If an employee is called to appear in an official capacity in any judicial action or legislative investigation, the employee may neither accept nor receive any witness fees for such governmental appearance. However the time used for such purpose is paid leave and does not affect any other paid leave entitlement such as vacation or compensatory time.

(5.1) Leave Of Absence Without Pay

(5.2) Active duty in the United States Armed Forces reserves. Any employee called to active reservist duty who has exhausted fifteen (15) days paid leave of absence will be placed on leave of absence without pay. Such an individual will accrue state service credit while on active duty, but will not accrue vacation or sick leave. An employee on leave of absence without pay will retain any accrued vacation or sick leave and will be credited with such balances upon return to active work status at UHCL.
a. An employee having accrued vacation or compensatory time may opt to exhaust any or all vacation
time before being placed on leave of absence without pay. During the time the employee is on vacation or
compensatory leave, all benefits and salary remain intact.

b. An employee called to active military duty and placed on leave of absence without pay is not eligible
to receive state group insurance or state retirement fund contributions. Such an employee may continue group
insurance plan participation by making direct monthly payments to the University of Houston System in the full
amount of the premiums due. The affected employee may receive retirement plan tenure credit for the eligible
time spent in active military duty as defined by the retirement plan’s rules and regulations.

c. If an employee on military leave of absence without pay chooses not to continue group insurance
participation during the leave, that employee may be subject to evidence of insurability requirements upon
return to active work status and re-entry to the group insurance program. Insurance plan exclusions and
limitations based on “war” or “acts of war” may apply to Reservists called to active duty. An employee called to
active duty is entitled to reemployment upon discharge from active duty under the following conditions:
   a. If the individual received an honorable discharge; and
   b. If application for reemployment is made to UHCL within ninety (90) days of discharge from active
duty; and
   c. If the length of active duty does not exceed five (5) years.

A Reservist who is re-employed will not receive back pay for the period of military service. A re-employed
Reservist will receive salary or wages at a rate that reflects state mandated increases that would have been
granted had the Reservist not been called to active duty. A Reservist returning to work following active duty will
be restored to the position held before called to active duty, or to a position of like seniority, status, and pay if
the individual is still qualified for that position. If a Reservist is not qualified for the previous position because of
a disability sustained during active duty, but is qualified for a different existing and vacant position, the Reservist
will be offered the different and vacant position.

(5.3) Workers’ Compensation leave. If an employee is injured on the job or experiences a work-related
illness, state law imposes certain requirements in connection with the Texas Workers’ Compensation program.
(See also the UHCL policy on Reporting Workers’ Compensation Claims.) If the employee is unable to return to
work following the injury or the onset of illness the following provisions apply:
   a. The initial 7-day period following the date of a work-related injury or the onset of a work-related
illness may be unpaid leave or leave with pay, if the employee has sufficient paid leave to cover the absence and
   elects to take paid leave.
   b. To elect to take paid leave during the initial 7-day period, the employee must sign, or have a
   representative sign, a notice documenting this election. The UHCL Office of Human Resources will forward a copy
   of this election form to the WCI Division of the Texas Attorney General’s Office.
   c. If the employee is unable to return to work for an extended time following the initial 7-day period
   and the employee’s claim is accepted for WCI weekly benefits, the employee will be placed on workers’
   compensation leave, unless the employee elects to continue using available sick time. Generally, an employee on
   workers’ compensation leave who recovers sufficiently to perform the full duties of the job is guaranteed
   reemployment in the same position, or in a position of similar rank, pay, and responsibility.

(5.4) Other leaves of absence without pay. The supervisor, in accordance with departmental/division
procedures, may approve a leave without pay that is for a duration of thirty calendar days or less. When a leave
of absence is in excess of thirty days an employee will apply to the President for leave of absence without pay,
routing the request through the immediate supervisor, department head or dean, and the appropriate Vice
President. Any reviewing authority below the level of President may deny the request for good business related
reasons. Any authority who denies such leave should inform the employee of the reason for denying the request
along with a report to the President. Such leave, if approved, will be limited in duration to 12 months and is
subject to the provisions of Section 3 of this policy. The President may grant exceptions to these limitations for such reasons as interagency agreements or educational purposes.

(5.5) Release time for educational purposes. Full-time, benefits-eligible employees are eligible to request up to 3 hours per week paid time off from work for the purpose of attending college classes judged to be of benefit to the state and the employee. A department head or supervisor may deny such a request for good business reasons, such as staffing or workload requirements.

A request for release time must be made on the required form which may be received from the Office of Human Resources. Before registration, the request must be approved by the immediate supervisor, and the dean or department head. Upon registration, an official of the enrolling college must certify the employee’s enrollment in the class and verify dates and times the class will be held. Upon completion of the college course, the enrolling college must certify that the course was completed by the UHCL employee. A copy of the final record of release time taken to attend a college course will be sent to the UHCL Office of Human Resources for inclusion in the employee’s personnel file. Throughout the semester enrolled, the employee must report such release time on all affected TAE reports, using the special earning code “075” for monthly paid employees and “076” for bi-weekly employees.

Signature: William A. Staples Title: President
University of Houston-Clear Lake
Approval Date: 11-9-00
Sunset Date: 11-9-10

7.5 EMPLOYEE TIME AND EFFORT REPORTING
Reviewed and approved by University Council on December 10, 2009

(1.0) Purpose and Coverage

(1.1) This document establishes UHCL guidelines for preparing and submitting employee time and effort reports to meet state and federal regulations.

(1.2) These guidelines apply to all employees, regardless of the source of funds from which the salary is paid.

(2.0) Definitions

(2.1) Benefits-eligible employee - one who is employed for at least 20 hours per week on a regular basis for a period of at least 4.5 continuous months, excluding students employed in positions which require student status as a condition of employment.

(2.2) Employee - an individual employed by UHCL, regardless of the source of funds, and paid through the automated payroll system, including faculty, executives, exempt staff, non-exempt staff, and student workers.

(2.3) Time and effort report - (TAE) - the form which is used to record and certify time worked and periods of paid and unpaid leave taken during a pay period. Commonly referred to as timesheet.

(2.4) Leave request - the UHCL Leave Request form which documents approval to take leave

(3.0) Policy

(3.1) State agencies, including higher education institutions, are required to maintain time and effort reports of vacation and sick leave accrual, absences and the reasons for absences (whether from sickness, vacation or other paid leave) and leave without pay for all regular, benefits-eligible employees.
(3.2) The record keeping provisions of the Fair Labor Standards Act (FLSA) requires state agencies to maintain employee records of wages, hours, and other related information.

(3.3) The records described in 2.3 and 2.4 are available for public inspection, in compliance with the provisions of the Texas Public Information Act. These records are also considered government documents.

(3.4) The Texas Penal Code §37.10.3, provides that intentional destruction, concealment, removal, or otherwise impairing the content, legibility, or availability of a government document may be a Class C misdemeanor or a felony, depending on the circumstances.

(3.5) In addition, intentional falsification, removal, concealment, or impairing the content or legibility of such a report may be considered grounds for disciplinary action, up to and including termination of employment.

(3.6) UHCL employees, including student employees, are required to observe the provisions of this policy for preparing, certifying and submitting time and effort reports.

(3.7) Nothing in this policy and its provisions or procedures may be used as the basis for discrimination against any individual group.

(4.0) Policy Provisions

(4.1) Each Non-exempt (hourly) employee is required to prepare a time and effort report detailing hours worked and hours to be deducted for vacation, sick leave, or other periods not at work during regularly scheduled work days. Each non-exempt employee must sign and date the time and effort report to certify its accuracy. The supervisor of each non-exempt employee must sign and date the time and effort report to certify the accuracy of the information reported.

(4.2) Leave requests covering all periods of absence from work during regularly scheduled work time during each pay period must be signed and attached to the TAE report of any benefits-eligible non-exempt employee. Paid and unpaid leave reported on the TAE must agree with the amount of paid and unpaid leave reported on the leave request. The first two (2) copies of the leave request form (white copy and yellow copy) should be attached to the TAE.

(4.3) Correctly completed time and effort reports for non-exempt employees must be delivered to the UHCL Office of Human Resources in accordance with the published payroll calendar deadlines.

(4.4) Each exempt (monthly) employee is required to document leave taken in the Time and Labor system which is accessed through People Advantage Self Service (P. A. S. S.). Employees document all types of leave including the amount of time taken for each day during the month. Time Approvers approve all reported time in Time and Labor. Payroll Approvers approve all payable time in Time and Labor. Time reported in Time and Labor must be documented on a Leave Request Form and approved by the employee’s supervisor.

(4.5) For employees paid from contract and grant accounts, the approval authority must be an individual with knowledge of 100% of the employee’s activities.

(4.6) The Chancellor of the UH System, or a designee, will approve time and effort reports for the President of UHCL.

William A. Staples Title: President
University of Houston-Clear Lake
Approval Date: April 22, 1999
Sunset Date: December 10, 2019
7.6 FAIR LABOR STANDARDS ACT
Reviewed and Approved by University Council October 8, 2009

(1.0) Purpose

The Fair Labor Standards Act of 1938 (FLSA) is a federal statute which establishes requirements and regulations for minimum wage, overtime pay, compensatory time, child labor, equal pay, and record keeping. Overall responsibility for enforcing the FLSA is assigned to the U. S. Department of Labor, with specific authority for equal pay provision delegated to the Equal Employment Opportunity Commission. This document states the university’s policy pertaining to compliance with the FLSA.

(2.0) Policy

(2.1) All faculty, staff and student employees of UHCL are covered by the FLSA, although specific provisions exempt certain classes of employees from its minimum wage and overtime pay/compensatory time requirements. The university adheres to provisions of the Act in the administration of salary, wages, and work hours for all employees. An employee’s rights under the Act may not be waived.

2.2 Final authority for determining exemptions from the overtime provisions of the FLSA is delegated to the Executive Director of Human Resources and Affirmative Action, or designee. The Office of Human Resources is responsible for the day-to-day administration of this policy and for ensuring compliance with the Act. The Office of Human Resources is authorized to investigate specific situations to assure that employee work and pay practices are conducted in accordance with the law.

(2.3) Nothing in this policy shall be used as the basis for discrimination against any individual or group.

(3.0) Policy Provisions

(3.1) Wage and salary administration. The UH System and UHCL are exempt from participation in the state’s classified pay plan, along with all other state institutions of higher education. UHCL has developed classification and compensation plans for staff employees and these plans comply with the provisions of the FLSA. Classification and compensation plans which prescribe the salary range authorized for each position of employment are administered by the UHCL Office of Human Resources. All inquiries and requests for special exemptions or interpretations are to be submitted to the Executive Director of Human Resources and Affirmative Action. The President, Sr. Vice President/Provost, and the Deans are responsible for salary administration of faculty members and other teaching and research professionals.

(3.2) Determination of exempt status of employees. Each employee’s overtime pay and minimum wage coverage under the Act (exempt or non-exempt) is determined in accordance with the terms of the federal regulations cited herein. All UHCL job categories are determined to be “exempt” or “non- exempt” as defined by FLSA.

(3.3) Equal pay for equal work. The Equal Pay Act, which was passed in 1963 as an amendment to the FLSA, applies to all UHCL employees. It prohibits gender-based wage differentials between persons employed in the same establishment in jobs that require equal skill, effort, and responsibility and which are performed under similar working conditions. The law permits differences based on factors other than sex such as bona fide seniority or merit systems or systems which reward productivity.

(3.4) Overtime and compensatory time. Non-exempt employees are subject to the overtime provisions of the FLSA. Compensation for all hours worked in excess of 40 hours in the standard workweek shall be handled in accordance with the UHS Administrative Memorandum 02.B.02 and the UHCL policy and procedures on overtime...
and compensatory time. Exempt employees are not eligible to receive compensation for hours worked in excess of the 40 hours in the standard workweek.

(3.5) Child labor provisions. UHCL adheres to all FLSA provisions in connection with child labor. Fourteen years of age is the minimum age for workers at UHCL in a non-hazardous job. The minor employee may only work if employment is outside of school hours and is for no more than 3 hours on a school day, 18 hours in a school week, 8 hours on a non-school day, with the additional condition that work may not begin before 7:00 a.m. nor end after 7:00 p.m., except from June 1 to Labor Day, when evening hours may be extended to 9:00 p.m. A minor’s employment release, signed by the parent or legal guardian, is required before any minor child may be employed at UHCL. Employment of a minor is also subject to the requirements of the Immigration Reform and Control Act of 1996 (IRCA).

(3.6) Minimum Wage. UHCL pays at least the minimum wage prescribed by the FLSA. It is the policy of the university to pay all workers, including student workers, no less than the federal minimum wage.

(3.7) Posting of FLSA Notice. As a covered employer, UHCL is required to post notices pertaining to the applicability of the FLSA, including minimum wage and child labor.

(3.8) Record keeping requirements. Records and reports associated with salary and wage payments required by federal and state law and by accounting systems of the UH System are incorporated in the automated HRMS system.

(3.9) Penalties. The Secretary of Labor has delegated authority to representatives of the Wage and Hour Division of the U.S. Department of Labor to undertake inspections and investigations to determine employer compliance with the law. These representatives may enter UHCL’s premises to inspect and transcribe records and interview employees to determine if violations have occurred.

(3.10) The U.S. Department of Labor will usually seek voluntary compliance if violations are discovered; however, if this method is unsuccessful, the Act provides remedies through the courts. An employee or group of employees may sue to recover withheld wages, liquidated damages, attorney’s fees and court costs, or the U.S. Department of Labor may initiate the court action. The Act also prescribes criminal penalties for intentional violations, and permits injunctive measures to ensure future compliance.

Signature: William A. Staples
Title: President, University of Houston-Clear Lake
Approval Date: April 22, 1999
Sunset Date: April 22, 2019

7.7 EMPLOYEE GROUP INSURANCE PROGRAMS POLICY
Reviewed and Approved by University Council on October 8, 2009

(1.0) Purpose

As a state agency, UHCL provides a number of standard benefits for eligible employees. This policy describes the group insurance options available to eligible employees.

(2.0) Definitions

(2.1) AD&D - Accidental death and dismemberment insurance
(2.2) Basic insurance coverage - The basic plan coverage currently includes coverage for the employee only as follows: Health Select medical, administered by Blue Cross Blue Shield, $5,000 term life, and $5,000 accidental death/dismemberment at no premium cost to the employee. Basic coverage does not include coverage for dependents.

(2.3) Benefits-eligible employee - A benefits-eligible employee is one employed to work at least 50% FTE for a period of at least 4.5 continuous months, or a full semester of more than four months, excluding students employed in positions that require student status as a condition of employment.

(2.4) Dependent - An eligible dependent includes the following:

(2.4.1) Spouse of the employee (including common-law spouse)

(2.4.2) Unmarried children of the employee under 25 years of age including: natural child; legally adopted child; stepchild whose primary place of residence is the employee's household; foster child whose primary residence is the employee's household and who is not covered by another governmental health program; child whose primary place of residence is the household of which the employee is head and to whom the employee is the legal guardian; child for whom the employee must provide medical support as required by a valid court order; child who is considered a dependent of the employee for federal income tax purposes and who is a child of the employees child; or a child who is mentally or physically incapacitated, regardless of age, under the guidelines available through the Office of Human Resources.

(2.5) Evidence of insurability-(EOI) - Proof of good health that may be required when an eligible employee requests changes of coverage or adds dependents. This could include medical records and a physician's statement.

(2.6) Optional insurance coverage - Insurance coverage in other than the basic plan coverage for employees only; including dependent coverage, long- and short-term disability insurance coverage, etc. Optional medical coverage may require a portion of the premium cost beyond the state's contribution to be deducted from the employee's pay. Optional employee life, dependent life, short- and long-term disability, AD&D, and dental coverage premiums are deducted from the employee's pay.

(2.7) Pay option - A selection available to benefits-eligible faculty members; a faculty member may elect to be paid the annual salary in 9 installments or in 12 monthly installments. Thus, a faculty member on a 9-month appointment may elect to have the 9-month salary paid out in 12 monthly installments.

(2.8) Premium sharing contribution - The portion of the insurance premium paid by the state; an amount determined by the state legislature and contributed by the state (or employing funding source for non-state funded positions) toward the insurance premium cost for each eligible employee's selected medical insurance option.

(2.9) Qualifying event - A significant event that changes an eligible employee's insurance needs. Such circumstances as the birth of the employee's child, the employee's marriage or divorce, the exclusion of the employee's spouse from the spouse's previous group insurance coverage, are qualifying events. An eligible employee has 30 days from the date of any qualifying event to request a change in insurance coverage.

(3.0) Policy

(3.1) Program standards and consistency. Standard employee benefits programs are developed and administered in accordance with the rules and regulations of the Texas Higher Education Coordinating Board and
other applicable state and federal laws and regulations. Group insurance programs for eligible employees are consistent throughout the UH System.

(3.2) Eligibility for coverage. All regular, benefits-eligible employees are eligible to receive coverage for themselves and eligible family members in the group insurance program under the Group Benefits Program (GBP), administered through the Employee Retirement System (ERS). The program provides coverage for basic and optional health and life/AD&D benefits, as well as optional dental, long and short-term disability, pre-tax premiums, and pre-tax reimbursement accounts for health care and dependent care.

(3.3) Automatic enrollment in basic plan. Eligible employees, excluding graduate assistants, are automatically enrolled in basic plan coverage for themselves only with the coverage beginning the first day of the month following the 90th day of employment at no cost to the employee. The state premium sharing contribution is applied and pays the premium cost for such basic Insurance coverage.

(3.4) Optional coverage requested during the first 30 days of employment. An employee may elect optional coverage to become effective on the first day of employment by completing and submitting the enrollment forms to the UHCL Office of Human Resources on or before the first day of employment. Otherwise, the employee may submit completed forms for optional coverage to become effective on the first day of the following month.

(3.5) Optional coverage requested after 30 days of employment. Insurance coverage requested by submission of completed forms for enrollment in optional coverage after the first 30 days of employment will be subject to approval by the insurance company through the evidence of insurability process, and cannot become effective until approval is granted by the insurance company.

3.6 Pre-tax premium payment. Health, dental and optional life premiums are automatically paid by the employee on a pre-tax basis.

(3.7) Reimbursement accounts. An eligible employee may enroll in a health care reimbursement account. Such an account allows the employee to deduct money from salary and put the money into an account to pay medical expenses that are not covered by insurance programs for the current fiscal year. The employee, therefore, reduces taxable income for the year. When a medical expense is incurred, the employee files a claim to be reimbursed from the account. Any money not used by the end of the fiscal year is forfeited. An employee must be employed for 6 continuous months before being eligible to enroll in a health care reimbursement account. If employment terminates during the plan year, the employee or estate must take the balance of payments due into the health care account.

(3.8) State premium sharing contributions. The state contributes group insurance credit toward the payment of group medical insurance premiums for each approved state medical plan. Information on the amount of state credit per plan may be obtained from the Office of Human Resources. The amount of the premium sharing contribution is determined by the state legislature.

(3.9) Twelve month coverage for 9 month faculty. A faculty member on a 9-month pay option or a spring semester appointment of 4.5 months may continue coverage through the summer months by paying summer premiums in April and May, with no premium payments during the months of June, July, and August. A faculty member on a 12-month pay option continues coverage during the summer by premium deductions in June, July, and August.

(3.10) Enrollment changes. Employees are allowed to make certain changes to insurance selections during an annual summer enrollment period to become effective on September 1 for the new policy year. Each year
employees will receive packets mailed to them individually with information on available changes, new options, and premium changes. Employees are responsible for obtaining the necessary change forms and submitting change requests within the specified time in order to effect such changes on September 1. Change requests during the year other than during the annual enrollment period are subject to qualifying event guidelines. Information regarding any requested changes may be obtained from the Office of Human Resources.

(3.11) COBRA. Under the provisions of Public Law No. 99-272, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and covered dependents who lose health coverage due to a qualifying event (listed below) may continue their group health and dental coverages. Employee qualifying events. Employees may continue health and dental coverage for up to 18 months when one of the following events occurs:

   a. Termination of employment for reasons other than "gross misconduct" (as determined by UHS).
   b. Loss of group insurance eligibility due to reduction of FTE. An additional 11 months (for a total of 29 months) is available if the Social Security Administration certifies that the employee or a covered dependent was disabled on the date of the employee's qualifying event, provided ERS is notified before the end of the original 18 month period.

(3.11.1) Dependent qualifying events. Dependents may continue health and dental coverage for up to 36 months when one of the following qualifying events occurs:

   a. Death of the employee covering the dependent;
   b. Divorce (or dependent is dropped in anticipation of a divorce); or
   c. Loss of group insurance eligibility as a dependent (such as, child marries, child turns age 25, or other than natural or adopted child moves out of employee's household).

(3.12) Retirement. Employees who retire with at least the required years of creditable service may continue coverage in the group insurance program, and continue to receive the state credit toward premium payment. Upon notification, ERS will communicate with the retiree regarding any additional premium charges required from the retiree for optional insurance coverage. Service requirements are subject to periodic change. Employees contemplating retirement should consult the Office of Human Resources to determine eligibility.

(3.13) Termination. Employees who terminate and who do not retire may elect to convert their health, dental, and life insurance coverage from the group to an individual plan. The terminated employee is then responsible for paying the premium assessed by the insurance company; the individual does not receive the state credit toward premium payment. Information regarding such conversion may be obtained from the insurance company.

William A. Staples Title: President
University of Houston-Clear Lake Approval
Date: April 22, 1999
Sunset Date: April 22, 2019

7.8 GRADUATE WORK BY UNIVERSITY FACULTY AND STAFF
From Faculty Handbook Approved June 1988

The University of Houston-Clear Lake encourages the professional development of its faculty and staff. There are, however, institutional, professional, and academic dangers involved when faculty members teach other members of the University faculty or staff. These dangers include inbreeding, conflict of interest, and restrictions of freedom of academic and administrative decisions. In view of these possible hazards, the following policies have been developed:
a. Faculty and academic staff members wishing to take an individual course or enroll in a degree program, are required to secure the prior permission of the instructor and the faculty/staff member’s Dean.
b. Members of the University faculty and staff may pursue graduate course work toward the attainment of a master’s degree with the prior approval of the Senior Vice President and Provost.
c. Exceptions and interpretations shall be made by the Senior Vice President and Provost.

7.9 PAID HOLIDAYS
Reviewed and approved by University Council on December 10, 2009

(1.0) Purpose

(1.1) This policy is designed to comply with the holiday selection process, which is stated as follows:
   a. The Legislators of the State of Texas authorize certain legal holidays for state employees. The State further provides that educational institutions may adjust the observance of these holidays to permit the most efficient operation of the institution.
   b. The annual holiday schedule for eligible UHCL employees is established by the UHS Board of Regents, on recommendation of the Chancellor, based on the recommendations of the Presidents of the component institutions.

(2.0) Definitions

(2.1) Regular, benefits-eligible employee - an individual employed to work at least 20 hours per week (50% FTE) for 4.5 continuous months or longer in a position that does not require student status as a condition of employment.

(2.2) Non-benefits-eligible employee (Part-time) - an individual employed to work less than 20 hours per week (less than 50% FTE) regardless of the length of appointment; or an individual employed to work at any FTE for less than 4.5 continuous months in a position that does not require student status as a condition of employment.

(2.3) Temporary employee – one employed at any FTE for less than 4.5 continuous months; a temporary employee is not eligible for benefits.

(2.4) Paid Status – actively working or on approved paid leave.

(2.5) Unpaid leave status - considered an employee, but on leave without pay or docked time status.

(3.0) Policy

(3.1) Regular, benefits-eligible employees of UHCL, regardless of length of service, are entitled to paid holidays as authorized by state law. Part-time and temporary employees and student employees are ineligible for paid holidays.

(3.2) Eligible employees are limited to no more than 8 hours of holiday pay per approved holiday. Eligible employees who work less than full time shall receive paid holidays proportionate to their percentage of full time effort.

(3.3) If a department observes approved schedules that differ from the normal 8-hour per day, 40-hour per week schedule, holiday compensation will nevertheless be restricted to 8 hours per holiday. Schedules may be adjusted accordingly. If more than 8 hours are taken off on a holiday as a result of the department’s work schedule, excess hours off will be reported as either:
a. compensatory time; or
b. annual leave time; or
c. docked (unpaid) time

(3.4) Holiday pay is calculated at the straight rate and does not include shift differential or other premium pay.

(3.5) In order to qualify for holiday pay, an eligible employee must be in a paid status for the scheduled workday immediately before the holiday.

(3.6) Work on a scheduled holiday. The nature of some operations may require that they be kept functioning during part or all of scheduled holidays. Staff assigned to such work groups must, as a condition of their employment, be willing and available to work on some or all of such holidays. Work on scheduled holiday must be approved in advance by the departmental supervisor. An eligible employee who is required to work on a scheduled holiday is entitled to equivalent time off with pay to be taken during the 12-month period following the end of the workweek in which the holiday occurs. The date(s) of such equivalent time off will be mutually agreed upon in advance by the employee and the supervisor. In some circumstances, pay in lieu of compensatory time off may be approved by the appropriate Vice President or President. Holiday entitlements for employees in approved leave status. When a university designated holiday occurs during an eligible employee’s approved vacation period, the holiday is not counted as a day of vacation. When a university-designated holiday occurs during an eligible employee’s approved absence for sick leave, the holiday is not counted as a day of sick leave. When a university-designated holiday occurs during an eligible employee’s approved unpaid leave of absence, the employee is not entitled to holiday pay.

(3.7) Optional Holidays. An eligible employee is entitled to observe Rosh Hashanah, Yom Kippur, and/or Good Friday in lieu of any holiday(s) on which the university is required to be open and staffed to conduct public business. Staff must provide reasonable advance notice to the supervisor of the intent to substitute holidays. Supervisory approval is required. Alternative substitutions must be approved by the executive director of Human Resources. The substitution must be properly reported on the employee’s time and effort report for the affected pay period.

(3.8) Election days. The university does not observe as a holiday any day on which an election is held throughout the state. However, employees shall be allowed a maximum of 2 hours at the beginning or end of the workday to vote in federal, state and local elections without deduction from pay or leave time. Staff must provide notice to the appropriate supervisor of the intent to arrive late or leave early for voting purposes. Within departments, absences for voting should be scheduled so as to cause minimum interruption of services.

Signature: William A. Staples
Title: President
University of Houston-Clear Lake
Approval Date: September 9, 1999
Sunset Date: December 10, 2019
7.10 FACULTY DEVELOPMENT LEAVE  
Reviewed and Approved by University Council, May 14, 2015  
Reviewed and Amended by Faculty Life, March 30, 2020  
Reviewed and Unanimously Approved by Faculty Senate, April 01, 2020

01. Policy Statements

01.01 The Texas Legislature has established a program of faculty development leave (FDL) “to improve further the higher education available to the [students] at the state-supported colleges and universities and to establish this program of faculty development leaves as part of the plan of compensation for the faculty of these colleges and universities” (see V.T.C.A. Education Code, Chapter 51, Subchapter C). The Texas Legislature has not, however, funded a faculty development leave program.

01.02 In the absence of state-funded FDL, the University of Houston – Clear Lake will regulate and administer its own FDL program in accordance with state law and the availability of funding.

01.03 Faculty development leave is intended to enable faculty to accomplish work not possible at the home institution or concurrent with normal duties. Examples of such work include but are not limited to:
   a. completing or advancing a research project to the point of submission and publication in scholarly journals;
   b. completing a scholarly book;
   c. conducting laboratory research, documentary, or study at a remote location;
   d. completing creative activities comparable to exhibition or performance;
   e. writing or submitting a substantial grant proposal for external funding; and
   f. other scholarly activity of comparable importance.

02. Eligibility

02.01 All tenured full-time faculty members at the University of Houston – Clear Lake with at least five academic years of service are eligible to apply for a FDL for either one academic year at one-half salary or for one long semester at regular salary.

02.02 A full-time faculty member becomes eligible for an additional FDL after completion of five years of academic service following the end of the previous FDL.

02.03 As stated in the enabling legislation, faculty may request development leave to engage in study, research, writing, and similar projects for the purpose of adding to the knowledge available to the applicant, the institution, its students, and society in general. Development leave is not available to support completion of an advanced degree.

02.04 Faculty Development Leaves are not an entitlement. They are awarded on a competitive basis and will go to those faculty who, in the judgement of their college committee, Dean, and the Senior Vice President and Provost demonstrate the greatest potential for scholarly accomplishment and professional development during the period of the leave. Major criteria which affect the determination for granting a leave are the applicant’s previous accomplishments, outcomes from any previous FDL, the quality of the proposal submitted, and the potential contributions the completion of the proposal would make to the faculty member’s professional development as well as to the mission and programs of the applicant’s college.
03. Procedures For Application and Selection

03.01 Each college will establish a Faculty Development Leave Committee and application criteria. The manner of selection and the size of committee will be left to the discretion of the faculty of the individual college.

03.02 By September 15 of the year prior to the academic year in which leaves are being considered, the Provost’s office shall announce the number of funded development leaves in each college. By state law, the total number may not exceed six percent of the full-time tenure-track faculty employed by the university. The number allocated to each college should be proportional over time to the number of tenure-track faculty in each college, with each college receiving at least one per academic year.

03.03 By October 15 of the year prior to the leave the applicant will submit an application to their respective college’s FDL Committee.

03.04 Each college’s Faculty Development Leave Committee shall review each development leave proposal and evaluate each on the basis of potential for scholarly accomplishment, professional development, and contribution to the mission and programs of the college in which the applicant is situated.

03.04.1 Preference should go to any faculty member who submitted an approved FDL the previous year that was not allowed to proceed for institutional reasons (e.g. could not find replacement instructors, financial exigency, etc.)

03.04.2 If two proposals are otherwise equivalent on their merits, preference should go to the faculty member with the longest period of time since last receiving FDL.

03.05 By November 15, each college’s FDL Committee shall forward to their respective Dean a set of approved proposals. These proposals may or may not be rank ordered at the discretion of the committee. To allow for substitutions, it is recommended the committee send more acceptable proposals than the maximum number being funded, if available.

03.06 The Dean of each college may nominate up to the maximum number of funded proposals and shall forward those nominations to the Senior Vice President and Provost by December 15 and copy them to the nominees’ department chairs to give them notice for course scheduling. If for some reason a proposal selected by the Dean is unable to be granted, other nominations by the committee may be forwarded by the Dean as a substitute.

03.07 The Provost shall inform the colleges of final approval by February 1.

04. Conditions of the Program

04.01 A faculty member may have a development leave for one academic year at one-half of regular salary, or for one semester at full salary. An academic year is defined as the nine-month regular session, as no leaves are authorized during summer sessions.
04.02 A faculty member shall sign an agreement to serve two long semesters with the university after completion of the leave. Included in the agreement will be a clause requiring the faculty member to reimburse the university in the amount received as salary and fringe benefits from the state while on leave if they should refuse to fulfill the year of service after the leave. Death or permanent disability attested to by a medical doctor will constitute reason for exemption.

04.03 Faculty members on development leave have no other teaching, service, or research assignments, but are expected to make provisions for supervising current students engaged in thesis, dissertation, or related work. The leave is designed to give the faculty member time and control to achieve the goals outlined in the development leave application.

04.04 A faculty member on development leave will retain the right to and eligibility for benefits, programs, and all other rights of a faculty member.

04.05 A faculty member on development leave may accept a grant to cover costs for study, research, or travel from any institution of higher education or from a charitable, religious, or educational corporation or foundation; or from any federal, state, or local governmental agency. However, a faculty member on development leave may not accept employment from any other person, institution, corporation, or government, unless the UH System Board of Regents determines that it would be in the best public interest to do so and expressly approves the employment.

7.11 MINNIE STEVENS PIPER AWARD
From Faculty Handbook Approved June 1988

Each year students at the University of Houston-Clear Lake have an opportunity to nominate, from the faculty, outstanding teachers. The name and credentials of one of these outstanding teachers will be recommended for a Minnie Stevens Piper Award, a state award that recognizes outstanding college/university teaching throughout the state of Texas.

(1.0) Procedures for Piper Nominations

(1.1) Nominations
The Piper Committee solicits nominations from graduating students. A signed form allowing students to nominate one or more faculty members who have contributed the most to their education at UH-Clear Lake will be included in the graduating student packet. The Chair of the committee will write the nominee, telling them they have been nominated.

(1.2) Award Selection

(1.2.1) A short list of finalists is created by the following procedures:

(1.2.2) The list of nominees is rank ordered by number of nominations received during the previous year. A ratio is computed by dividing the total number of nominations received by a faculty member by the number of credit hours generated by that faculty for the previous academic year. The list is again rank ordered by the number of nominations per 1,000 hours generated.

(1.2.3) Finalists will be those faculty members who appear in the top five positions on one or both lists.

(1.2.4) Individuals on leave will be eligible to be finalists in the year in which they return to full-time teaching.
(1.2.5) Finalists will be asked to assemble a profile of their teaching credentials which will include philosophy
and approach to teaching, courses taught, technical proficiency and student reaction. The finalist will work with a faculty and student committee member in assembling this profile.

(1.2.6) The committee selects up to three recipients for the University Teaching Award and designates one of these recipients as the University’s nominee for the State Piper Award.

(1.3) Follow-up
All of the deliberations of the committee are confidential. However, the Chair of the committee is responsible for disseminating the following information:

(1.3.1) A report of the process to the Executive Committee and the Faculty Senate including a statistical analysis of the nominations received.

(1.3.2) A letter to Deans and Associate Deans informing them which faculty member in their college or program received nominations and who were selected as finalists and recipients.

(1.3.3) A report to the whole faculty on the recipients of the award and the reasons that the committee considered them outstanding teachers.

(2.0) The Executive Committee of the Faculty Senate Appoints the Faculty Members to the Piper Committee.

(2.1) The nominees from the previous year are to serve if they are willing.

(2.2) Other members are to serve as the Executive Committee sees fit.

(2.3) The final committee must have at least one representative from each college. The Student Forum appoints one student from each college as members to the committee.

7.12 PRESIDENT’S DISTINGUISHED FACULTY AWARDS
From Faculty Handbook Approved June 1988

Each year outstanding achievements of UH-Clear Lake faculty are recognized in the areas of teaching, research and service. Specific guidelines are available in the President's Office. UH-Clear Lake Distinguished Teaching Award recognizes exemplary accomplishment in the craft of teaching, wherein the recipient is recognized as a master teacher by his or her peers. A master teacher is a model of substantive learning and rapport with students. The UH-Clear Lake Distinguished Research Award recognizes professional accomplishment in a discipline or field through published work, exhibitions, or similar activity, as recognized by peers for high contribution to the intellectual growth of an academic area.

The UH-Clear Lake Distinguished Service Award recognizes singular accomplishments in professional service beyond that of colleagues either in extending University services to the Houston Metropolitan Area and Gulf Coastal Region, to professional organizations, to the University, or to a combination of these.

8.1 ACADEMIC FREEDOM
From Faculty Handbook Approved June 1988

In recognition of the principle that a university of the first rank should have a clear statement of the privileges and responsibilities of its faculty under the right of academic freedom, the Board of Regents of the University of Houston System has adopted statement of its policy (21.03) relating to academic freedom.

(1.0) The faculty member is entitled to full freedom in research and in the publication of the results, subject
to the adequate performance of the teacher’s other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

(2.0) The faculty member is entitled to freedom in the classroom in discussing subject matter, but should be careful not to introduce into teaching controversial matter which has no direct relation to the subject.

(3.0) The college or university faculty member is a citizen, a member of a learned profession, and an officer of an educational institution. When teachers speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As people of learning and educational officers, teachers should remember that the public may judge the teaching profession and their institution by the teachers' utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not institutional spokespersons.

8.2 STANDARDS OF CONDUCT FOR THE ACADEMIC COMMUNITY
Approved 1980

The University expects that administrators, faculty and students will help to maintain on the campus a climate of reasoned discourse in which disputed issues are discussed freely and critically. By accepting membership in the University, an individual joins a community committed to free inquiry, intellectual honesty, respect for the dignity of others, and openness to constructive change. The rights and responsibilities exercised within this community must be compatible with these qualities. Members of the faculty, student body, and administration also have the responsibility to insist on the highest standards of integrity in the conduct of academic affairs. The integrity of the academic community is based upon the willing consent given by its members to the standards which guide its conduct. The University affirms the right of its members to organize and join political associations, to convene and conduct public meetings, to demonstrate publicly and picket in orderly fashion, and to advocate and publicize opinion by print, sign, and voice, as long as such activity does not violate public law. In return, it seeks from members of the community an affirmation of their continuing concern for the interests of the University as a whole. (UHCL, 1980)

8.3 LEGAL RESPONSIBILITIES OF FACULTY AND STAFF
From Faculty Handbook Approved June 1988

Members of the University community share the same responsibilities of citizenship as other members of the broader community in which we are located. Students, faculty, and staff members are all subject to the same laws and ordinances. The University does not stand between national, state, or local law enforcement agencies and persons who break the law. Persons who break the law on campus are subject to action by these agencies and also when appropriate, to the University's internal discipline procedures.

8.4 LIABILITY
From Faculty Handbook Approved June 1988

The Texas Tort Claims Act and state law provide to state employees certain protection from personal liability for their negligent acts or omissions when acting in the course and scope of their employment with the university. The Tort Claims Act deals primarily with incidents arising from the operation of motor vehicles and other provisions pertaining to liability for negligence in general. In each case the state may indemnify an employee for his/her negligence to a limit of $100,000 per person and $300,000 for a single occurrence for personal injury or death and to a limit of $10,000 for property damage, so long as there in no finding of bad faith. The Office of the Attorney General of Texas provides the legal defense in such cases, and should an incident occur where litigation
is threatened or commenced against an employee of the university, such employee should immediately consult the university counsel.

8.5 OPEN RECORDS POLICY
Approved by University Council March 13, 1997

1.0 Purpose

1.1 The University of Houston-Clear Lake complies with the letter and spirit of the Texas Public Information Act (Tex. Gov Code, Chapter 552). This policy and its procedures serves as a guide to handling open records requests.

1.2 Consideration and submission of open records requests must be expedited and handled according to this policy and its procedures to ensure access to any protection available under the law.

2.0 Policy

2.1 All information and records held by the university are public, unless they fall within a specific exception to the Public Information Act. The office of the University of Houston System General Counsel is authorized to determine whether requested information or records fall within an exception to the Open Records Act.

2.2 Only the office of UHS General Counsel may determine an exception to the Open Records Act and request a corroborating opinion from the Attorney General of Texas. Such a request must be made within 10 calendar days from the date a written records request is received by UHCL or by the office of UHS General Counsel (whichever is earlier). Unless an Attorney General’s opinion is requested within 10 calendar days of its receipt, the information is automatically deemed public and must be released. In general, information which might qualify for an exemption from the Open Records Act includes any information of a private nature that would cause undue embarrassment if released, or information affecting pending litigation which might serve to compromise the university's position. However, the Office of General Counsel must review material requested under the Open Records Act and is solely responsible for requesting an exception.

2.3 All Open records requests received at UHCL will be immediately referred to the Executive Director of Human Resources. That office will send a copy of the request to UHS General Counsel. If the UHS General Counsel's Office determines that requested records must be released, the Executive Director will notify the appropriate custodian(s) of records to request preparation and submission of the records.

2.4 Costs of providing information under the Public Information Act will be in compliance with General Services Commission rules 111.61-111.70.

3.0 Procedures

3.1 Any UHCL employee who receives an inquiry concerning disclosure of information or records will ask that the request be stated in writing and directed to the Executive Director of Human Resources.

3.2 A written request for information under the Public Information Act that is received by any UHCL department will be delivered to the Executive Director of Human Resources immediately upon receipt.

3.3 The Executive Director of Human Resources will immediately send copy of the request for information to the office of UHS General Counsel.
(3.4) When the Office of UHS General Counsel approves release of information under the Public Information Act, that approval will be relayed to the Executive Director of Human Resources at UHCL.

(3.5) The Executive Director of Human Resources will contact the appropriate custodian of records at UHCL to convey the records request and provide a copy of the written request. The custodian of records will prepare and submit the information requested to the Executive Director of Human Resources, for transmittal to the requester.

Signature: William A. Staples Title: President
University of Houston-Clear Lake
Approval Date: March 13, 1997
Sunset Date: March 13, 2017

8.6 FACULTY DISCIPLINARY PROCEDURES
Approved by University Council March 10, 1993

1.0 Statement of Purpose
Disciplinary procedures are designed to ensure that formal complaints of misconduct not covered by other specific university disciplinary procedures, receive administrative due process. In all cases governed by these procedures, it is imperative that the right of presumed innocence of the accused be recognized, and that the rights of confidentiality and due process of the claimant and the faculty member charged of misconduct are afforded equal protection. It is also the intent of the policy to ensure that any and all complaints involving faculty misconduct be resolved successfully at the appropriate level. What follows is intended to be a set of dispute resolution and disciplinary procedures -- not legal proceedings.

(2.0) Formal Complaint Procedures
Anyone bringing a complaint of misconduct against a faculty member must inform the faculty member's Dean of his/her intention. The complaint must be in written form and must be specific as to the nature and the circumstances of the alleged offense. The complaint should be filed with the Office of the Dean within ninety (90) days from the day the alleged offense occurred. Should the complaint be made by the faculty member's Dean, the responsibilities assigned below to the Dean will become the responsibilities of the Provost. Should the Provost also be a complainant with the Dean, these responsibilities then pass to the President. Should a Dean be the person against whom the complaint is made, the Provost or President will handle the responsibilities normally administered by the Dean. When a written complaint is made, the Dean will decide the appropriate level for resolution of the dispute. This may involve dispute resolution between the parties with the Chair/Program Coordinator, or an independent mediator appointed by the Dean with the consent of the parties involved. The independent mediator or Chair/Program Coordinator shall initiate discussions with both parties, jointly and/or separately at his/her sole discretion, with the purpose of reconciling the differences. It is hoped that most complaints would find a resolution at this level. If a solution is reached which is satisfactory for both the claimant and the faculty member, no further action is necessary, and the matter is to be considered closed. In case the claimant seeks further relief against the faculty member, the Chair/Program Coordinator or independent mediator is directed to submit to the Dean the original written complaint and a report of his/her efforts to mediate the matter. The Dean is then directed to forward the case to that College's Disciplinary Committee. The College Disciplinary Committee should ordinarily reach a recommendation within forty-five (45) working days. In conducting its hearings and deliberations, the Committee will set its own rules of procedure by majority vote. The College Disciplinary Committee will offer its recommendation in writing to the Dean of the College for further action. The Dean will consider the findings of the committee before imposing any sanctions, or recommending sanctions to the Provost. Should the Dean implement or recommend sanctions that are not recommended by the Disciplinary Committee, the Dean must inform the Provost in writing the reason(s) for
deviating from the Committee recommendations. As a result of this process, if a sanction is imposed on the faculty member by the Dean and the faculty member believes that such sanction has been incorrectly or unjustly imposed, the faculty member can appeal the decision through the Faculty Grievance Process.

(3.0) Composition of Disciplinary Committee
The College Disciplinary Committee will have a membership of three (3) faculty members. One faculty member is chosen by the claimant, one faculty member is chosen by the faculty member against whom a charge of misconduct has been made, and the remaining member, who will serve as chair, is selected by agreement of the two other faculty members on the committee.

(4.0) Disposition of Complaints
The general procedure in determining if the formal complaint and its resolution will be made part of the permanent record of the faculty member shall be as follows:

- If the charge of misconduct is resolved by the independent mediator or the Chair/Program Coordinator, no written record of it will be kept in the faculty member's personnel file.
- If the individual is found to have committed the offense and sanctions are imposed, all written documentation pertaining to the incident(s) will become part of the personnel file kept in the Provost's office. If the individual is found not to have committed the offense, or no sanctions were imposed, no records will be kept.

(5.0) Maintenance of Records
- The following records will be maintained for each complaint during the time that the disciplinary process ongoing:

(5.1) Original written complaint.
(5.2) The Chair/Program Coordinator's or mediator's written report.
(5.3) The Dean's written report.

(5.4) College Disciplinary Committee: The Committee will decide on a case by case basis its rules of procedure, the appropriate records and the form in which to keep such records. In all cases the minimum records to be kept will be:
  a. All documents accumulated during the case.
  b. The Committee's written recommendation.

(5.5) In certain instances it is recognized that the university may be required by law to maintain certain records. Nothing in these procedures will prohibit the university maintaining the minimum necessary records to comply with the law. Such records will be maintained in whatever place the Provost deems appropriate.

8.7 SEXUAL MISCONDUCT POLICY
For UH System policy please go to
https://uh.system.edu/compliance-etiquette/docs/sam/01/1d8.pdf

8.8 ADA POLICY
Approved by University Council October 12, 1995

(1.0) Purpose
The UHCL ADAAA policy established guidelines for ensuring compliance with the Americans With Disabilities Act.
(2.0) Definitions

(2.1) Person with a disability

(2.1.1) A person who has a physical or mental impairment that substantially limits one or more major life activities.

(2.1.2) A person who has a record history of such a physical or mental impairment.

(2.1.3) A person who is considered to have such a physical or mental impairment or who is limited in one or more major life activities due to attitudes of others or fear of negative reaction by others.

(2.1.4) Physical or mental impairment means any:

(2.1.5) psychological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more major body systems such as,
- neurological system
- musculoskeletal system
- special sense organ(s)
- cardiovascular system
- reproductive system
- digestive system
- genito-urinary system
- hemic and lymphatic systems
- skin
- endocrine system

(2.1.6) other conditions and infections as listed in the Americans with Disabilities Act as Amended effective 1/1/2009, but does not include
- minor or trivial impairments
- simple physical characteristics such as
  - eye color
  - hair
- handedness-environmental or cultural disadvantages
- current illegal drug use
- certain sexual behavior such as
- transvestism
- homosexuality
- sexual behavior disorders
- personality traits such as
- poor judgment
- quick temper
- advanced age

(2.2) Major life activity means an activity that an average person can perform with little or no difficulty, for example:
- walking
- talking
- breathing;
- performing manual tasks;
- seeing;
-hearing;
-learning;
-caring for oneself;
-working

(2.3) Substantially limited means the person cannot perform a major life activity that an average non-disabled person can perform, including the restriction of the conditions, manner, or amount of time in which such major life activities can be performed in comparison to most people.

(2.4) Reasonable accommodation means a modification or adjustment in:
- the job application process, in order to provide consideration for employment;
- the work environment, in order to enable the employee to perform the fundamental or basic functions of the job;
- equal employment benefits or privileges;
- the academic or student life environment, in order to enable the student to participate in educational and university life programs

(2.5) Undue hardship in reasonable accommodations means an action requires much difficulty or expense and is or may be:
- unduly costly;
- disruptive;
- substantial;
- unsafe for the requestor or other individuals;
- extensive; or
- a fundamental change or alteration in the nature of employment or educational programs.

(2.6) Essential Functions means job tasks that are fundamental and not marginal.
Fundamental means:
- basic tasks;
- normal actions;
- regular duty.

(2.7) Marginal means:
- extra duties;
- duties beyond what is necessary.

(2.8) Qualified disabled individual means any individual, disabled as defined by the ADAAA, who satisfies the requirements for employment or student status on the basis of:
- requisite skill;
- experience;
- education;
- and other job-related or education-related requirements,
And who, with or without reasonable accommodations can perform the essential functions of the position applied for, or for admission as a student.

(2.9) Association means any relationship with a person who has a disability. It is illegal to discriminate against any individual in any aspect of employment because of an association with a disabled individual.

(2.10) Direct threat means a great risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodations. The determination of a direct threat will be made on a case-by-case basis and may include consideration of:
- the individual's presentability to safely perform the essential functions of a job or to safely function as a student;
- reasonable medical judgment;
- related facts as opposed to fears, ignorance, misconceptions, or stereotypes.

(2.11) Scope Of Coverage

(2.12) Any individual with a disability in this country is covered by the ADAAA, regardless of that individual's race, color, sex, religion, national origin, disability, age, veteran status, genetic information, or sexual orientation and regardless of citizenship status. For employment purposes, all offers of employment are contingent on the applicant's ability to provide acceptable proof of identity and authorization to work in the United States in accordance with the Immigration Reform and Control Act of 1986 (IRCA).

(3.0) Policy

(3.1) The University of Houston-Clear Lake complies with the Americans With Disabilities Act of 1990 as amended effective 1/1/2009. UHCL does not discriminate against individuals on the basis of disability in any aspect of employment, including:
- the job application procedure;
- hiring and discharge;
- employee compensation and benefits;
- advancement;
- training;
- other terms, conditions, or privileges of employment.

(3.2) Nor does the university discriminate against students and applicants for admission as students on the basis of disabilities. The university endeavors to make reasonable adjustments in its policies, practices, services, and facilities to ensure equal opportunity for qualified persons with disabilities to participate in all educational programs and activities, and attempts to provide reasonable accommodations to individuals with disabilities who identify themselves as requiring such accommodation.

(3.2.1) The university assumes no responsibility for personal assistance necessary for independent living nor for specialized medical care. Students or employees requiring personal attendants or mobility assistants must employ such persons at their own expense before completion of registration or prior to beginning work. Students and employees requiring specialized medical care above and beyond the ordinarily offered through the Health and Disabled Services Office should be prepared to bear the expense of this care through a general hospital, or through a private physician or clinic.

(3.2.2) Grievance Procedures
Violations of this policy will be dealt with by enactment of the appropriate student, faculty, or staff grievance/appeal and disciplinary processes. An enrolled student who believes he has been discriminated against because of a disability may appeal through the university's student grievance process. An applicant for admission as a student who believes he has been discriminated against because of a disability may appeal directly to the Associate Vice President for Academic Affairs. A faculty member who believes he has been discriminated against because of a disability may appeal through the university's faculty grievance process. An applicant for employment as a faculty member who believes he has been discriminated against because of a disability may appeal to the Dean of the appropriate college or to the Associate Vice President for Academic Affairs, who also serves as the faculty AA/EO Coordinator. An employee who believes he has been discriminated against because of a disability may appeal through the university's non-faculty staff grievance process. An applicant for employment who believes he has been discriminated against because of a disability may appeal directly to the Executive Director of Human Resources and Affirmative Action. In any such appeal, the complaining party must
provide sufficient detail to enable thorough investigation of the alleged violation. The cooperation and support of all faculty and staff members is necessary and expected in implementing and maintaining this policy.

(4.0) ADAAA Coordinator
The ADAAA Coordinator for UHCL is the Coordinator of Disability Services located in the Health and Disability Services Office. All ADAAA-related inquiries, requests for accommodation, and complaints will be directed to the ADAAA Coordinator. The ADAAA Coordinator is responsible for working within the university's administrative structure and governance process to:
- provide reasonable accommodations when appropriate;
- advise administrators, faculty, and staff of student and employee needs for accommodations;
- interact with local rehabilitation and social service agencies to arrange accommodations when appropriate;
- research accommodation options;
- counsel students and staff regarding university policy and procedures;
- report lack of good faith effort or failure to comply with the UHCL ADAAA policy to the Vice Presidents or to the President when necessary;
- maintain records of all accommodation requests and their disposition.

(5.0) Guidelines

(5.1) Employment guidelines. UHCL will consider each request for accommodation from an employee on a case-by-case basis in an attempt to arrive at a satisfactory accommodation for the disability identified. UHCL is not required to provide the exact accommodation requested by the employee if a less-expensive alternative which achieves similar resolution can be identified. Accommodations may be made in various forms, including, but not limited to:
- modification of non-essential job functions;
- variable work schedules;
- removal of barriers;
- workstation modifications;
- equipment;
- assistance.

(5.2) Applicants for employment. UHCL does not limit employment opportunities to any qualified disabled person because of his/her disabled status as defined in the ADAAA. The university does not require self-identification by disabled applicants. However, any applicant for employment may self-identify during the application and hiring process.

UHCL employment personnel, interviewers, and hiring supervisors will not initiate any discussion of disabilities or perceived disabilities with applicants for employment. Discussions of disabilities and accommodations for disabilities between employment personnel, interviewers, hiring supervisors and applicants may be pursued only if such discussions are initiated by the applicant for employment.

(5.2.1) Pre-employment medical exams. Pre-employment medical or physical examinations are prohibited unless:

(5.2.2) A conditional offer of employment has been made; and

(5.2.3) The same medical or physical testing is required of all other potential employees in the same job category.
If the results of pre-employment medical or physical examinations indicate unsuitability for employment in the job in question, the offer of employment may be withdrawn as long as both conditions specified in 6.3.a. and 6.3.b. are met.

5.2.4 Drug tests. A test to determine the illegal use of drugs is not considered a medical examination and may be given at any time in accordance with existing policy.

5.2.5 Pre-employment medical records. Results of pre-employment medical and physical examinations are maintained confidentially and separately and do not constitute part of an individual's official personnel file.

5.2.6 Responsibilities related to applicants for employment. The applicant for employment is responsible for initiating any discussion of disability with the hiring supervisor or interviewer or with the staff of the Office of Human Resources.

5.2.7 An applicant who requests an accommodation for a disability must be able to provide written documentation of:

5.2.8 An acceptable description or certification from a physician or other health care professional of the disability to be accommodated;

5.2.9 A suggestion for the proposed accommodation. The Office of Human Resources is responsible for providing or authorizing accommodations requested by applicants for employment, when the purpose of such an accommodation is to enable the applicant to complete the application process. The Office of Human Resources will forward records of all such accommodations requested and their disposition to the ADAAA Coordinator.

5.2.10 Responsibilities related to employees.

5.2.11 The ADAAA Coordinator is responsible for assisting employing or hiring departments by interpreting ADAAA regulations and university policy. The ADAAA Coordinator is also authorized to assist employing and hiring departments and employees in identification of acceptable reasonable accommodations.

5.2.12 The employing department is responsible for providing the reasonable accommodation to an employee or to an applicant selected for employment, unless specifically exempted from this responsibility by the President, or the President's designee, on the recommendation of the ADAAA Coordinator and the Affirmative Action Officer.

5.2.13 The ADAAA Coordinator is responsible for maintaining records of accommodations requested by employees or applicants and made or denied by the university.

5.2.14 In the event an accommodation is requested but denied on the basis of undue hardship or direct threat, the employing or hiring department is responsible for providing written documentation to the ADAAA Coordinator detailing:
-the disability to be accommodated;
-the accommodations considered;
-the reason(s) the accommodation is determined to constitute an undue hardship, including cost, availability, budget restrictions, direct threat to the health and safety of the individual or others in the workplace, or other prohibitive factors.
(5.2.15) If an employing department is unable to make an accommodation because of budget restrictions, the ADAAA Coordinator will explore the availability of other sources, including campus and UH System sources, to fund the accommodation.

(5.2.16) Student guidelines. UHCL will consider each request for accommodation from a student or applicant for enrollment on a case-by-case basis in an attempt to arrive at a satisfactory accommodation for the disability identified. UHCL is not required to provide the exact accommodation requested by the student or applicant for admission if a less expensive alternative which achieves similar resolution can be identified. Accommodations may be made in various forms, including but not limited to:
- assistance with the enrollment process or with participating in other university programs or using university services or facilities;
  - special seating;
  - special means of obtaining lecture notes;
  - aides or interpreters;
  - arrangements for special testing.

(5.2.17) Responsibilities. Students enrolled at the university may request accommodations for disabilities by contacting the ADAAA Coordinator for UHCL. A student who requests accommodation for a disability must be able to provide written documentation of:
- an acceptable description or certification by a physician or other health care professional of the disability to be accommodated;
- a suggestion for the proposed accommodation.

(5.2.18) The ADAAA Coordinator is responsible for providing and authorizing accommodations, and for assisting academic personnel with the provision of accommodations requested by students and applicants for admission as students, unless the accommodation(s) requested are determined to constitute undue hardship. The ADAAA Coordinator is authorized to report to the Dean and/or the Provost any failure on the part of UHCL faculty to comply with a reasonable student request for accommodation of a disability.

(5.2.19) Academic departments, and the individual faculty members who make up those departments, are responsible for ensuring that their programs are accessible to students with disabilities. The Provost and the Deans are responsible for ensuring that student requests for accommodation of disabilities are met, unless such request(s) are determined to constitute undue hardship. Failure by a faculty member to reach acceptable compliance with a reasonable request for accommodation of a student's disability will be considered grounds for the appropriate Dean to initiate the faculty discipline process.

(5.2.20) Academic support departments, and the employees who staff those departments, are responsible for ensuring that their programs are accessible to persons with disabilities, including employees and applicants for employment and, when applicable, students. The President, Vice Presidents, and departmental supervisors are responsible for ensuring that requests for reasonable accommodations are met, unless such requests are determined to constitute undue hardship. Failure by a supervisor to reach acceptable compliance with a reasonable request for accommodation of a disability may be considered grounds for disciplinary action under the university's non-faculty discipline process.

(5.2.21) The ADAAA Coordinator is responsible for maintaining records of accommodations requested by students or applicants for admission as students and the extent to which such accommodations are made or denied by the university.
(5.2.22) In the event an accommodation is requested but denied on the basis of undue hardship, the ADAAA Coordinator is responsible to provide or obtain from the department concerned written documentation detailing:
- the disability to be accommodated;
- the accommodations considered;
- the reason(s) the accommodation is determined to constitute an undue hardship, including cost, availability, budget restrictions, or other prohibitive factors.

(5.2.23) Program Accessibility. University programs, whether conducted on- or off-campus, shall be designed and conducted so as to be accessible to persons with disabilities. Publicity for each UHCL-sponsored program will include the following wording: Any individual who requires a special accommodation to take advantage of or participate in this program should contact the office sponsoring the event at 281-283-2627 at least one week prior to the program date to arrange for the accommodation.

(5.2.24) Sources of Funding. Potential sources of funds for providing reasonable accommodations for student/faculty/staff areas follows:
- appropriated funds;
- grant funds;
- HEAF funds;
- departmental operating expense funds
- other external fund sources.

(5.2.25) The records maintained by the ADAAA Coordinator are available for review by the affected student, by UHS and UHCL officials for valid information purposes, and for investigating or regulatory agents of the federal government. In all other cases, these records will be held in confidence subject to valid legal processes or the student’s written permission to release information.

William A. Staples Title: President
Approval Date: October 12, 1995
Sunset Date: October 12, 2005

8.9 AIDS POLICY
Approved by University Council July 8, 1992
Reviewed and approved by University Council on December 10, 2009

(1.0) Purpose
The purpose of the policy on AIDS is to address the issue of Acquired Immune Deficiency Syndrome (AIDS) and to establish guidelines for responding to AIDS within the campus community. The university acknowledges its responsibility to promote a safe, healthy, and supportive campus community. AIDS has become a global health issue; the university addresses related issues in this policy statement. This policy has been developed in accordance with the Texas Education Code, Chapter 51, Section 51.919.

(2.0) Administrative Policies-Student Non-Discrimination

(2.1) Discrimination against students with AIDS, AIDS-Related Complex (ARC), HIV infection or a related condition is prohibited.

(2.1.1) Admissions decisions will not be made on the basis of known or suspected infection with any of the conditions listed herein.
(2.1.2) Admission questions regarding whether or not an applicant is infected with any of these conditions are illegal and prohibited.

(2.1.3) Admission questions regarding an applicant's sexual orientation are illegal and prohibited.

(2.2) A student with a suspected or confirmed diagnosis of AIDS, AIDS-Related Complex (ARC), HIV infection or a related condition shall be treated like any other student with an illness, e.g., if able to attend class, shall be allowed to attend.

(3.0) Confidentiality

(3.1) An employee's and student's medical diagnosis, if known, is considered privileged information and will not be released without the employee's permission except as provided by law.

(3.2) No employee or student will be asked to provide information as to his or her sexual orientation.

(4.0) Applicability
This policy applies to all university students, faculty, and staff. Failure to comply with the terms of this policy may be grounds for suspension or expulsion from university educational programs and/or disciplinary action or dismissal from employment.

(5.0) Education

(5.1) Educational Pamphlet

(5.1.1) AIDS educational pamphlets will be provided for every employee annually. The pamphlet will be the Texas Department of Health’s educational pamphlet or a pamphlet based on the model developed by the TDH. The pamphlet will be provided to new employees on the first day of employment and to all employees annually.

(5.1.2) This educational pamphlet will also be available at various locations including the Health and Disability Services, Career and Counseling Services, and the Student Life Office upon student's request.

(5.2) Information on Prevention Provided to Students

(5.2.1) The Student Service component should routinely offer student education based on the model HIV education and prevention program developed by the TDH and tailored to the students' cultural, educational, language, and developmental needs.

(5.2.2) The university's policy concerning AIDS will be published in the "Student Life Policies" which is made available to every student at the beginning of each semester.

(5.2.3) A copy of the American College Health Association report, AIDS on the College Campus, will be made available in the Health Center.

(6.0) Counseling
Confidential psychological counseling about issues related to AIDS will be available to students, faculty, and staff at the UHCL Career and Counseling Services Office. Support will be provided by professional counselors and psychologists on concerns such as the fear of contracting AIDS, stresses resulting from the occurrence of symptoms of HIV infection, lifestyle adjustments necessitated by the threat of HIV infection, relating to loved ones who have AIDS or losing a loved one to AIDS. Referrals to other counseling and support services will also be provided.
(7.0) Testing and HIV Infection

(7.1) Mandatory Training
The university will not require HIV testing of either employees or students.

(7.2) Voluntary Testing and Counseling
The University of Houston-Clear Lake Health Center will offer confidential testing for the HIV virus to all students, staff, and faculty upon request following the guidelines set by the American College of Health Association. Mandatory pre and post test counseling is provided by a staff person listed with the Texas Registry or by the university physician. Referrals for testing at other sites in the area are also available.

(7.3) Informed Consent
All HIV testing done in the Health Center will require informed consent of the person to be tested. Consent will be written on a separate form, or the medical record will document that the test has been explained and consent has been obtained.

(7.4) Reporting of HIV Positive
Positive HIV test results will be reported in compliance with all applicable statutory requirements.

(7.5) Confidentiality of Medical Records
All records with information concerning HIV status of students, staff, or faculty will be kept strictly confidential and not released without written consent of the patient.

(7.6) Patient Care
Patients with positive HIV tests will be evaluated and referred to follow up care on an individual basis relevant to their needs.

William A. Staples Title: President
University of Houston-Clear Lake
Approval Date: July 8, 1992
Sunset Date: February 10, 2020

8.10 DRUG AND ALCOHOL ABUSE PREVENTION POLICY

(1.0) The Dangers of Drug or Alcohol Abuse in the Workplace and on the Campus
There are millions of American individuals adversely affected by their progressive dependence on drugs or alcohol. For example, 2008’s national data (*) reports an estimated 20.1 million Americans, or 8.0% of the population aged 12 or older, were current illicit drug users. Among the young adult age group (18 to 25 years), 19.6% were current illicit drug users compared to 5.9% among adults aged 26 or older. Regarding alcohol users, an estimated 129 million Americans, or 51.6% of the population aged 12 or older, reported being current drinkers of alcohol, 6.9% reported as heavy drinkers, and 23.3% participated in binge drinking at least once in the 30 days prior to the survey. From the billions of dollars spent on related drug or alcohol abuse, nearly 50% is financed by the American public. (*) National Survey on Drug Use and Health (NSDUH), Office of Applied Studies (OAS), 2008. Health Risks. The abuse of drugs and alcohol can lead to a variety of serious consequences including: poor academic performance; poor decision making; poor morale; work errors; wasted time and materials; damage to equipment; theft; tardiness; absenteeism; accidents which injure the drug abuser; accidents which put employees and students at risk of injury; and may lead to disciplinary action, prosecution, illness, and even death. Abusers of these substances experience depression, isolation, loss of memory, loss of coordination, impaired judgment, reduced morale, anxiety, paranoia and loss of self-respect.
Philosophy

The unlawful use of drugs or abuse of other drugs and alcohol is inconsistent with the behavior expected of members of the university community. The university is committed to the development and maintenance of a drug-free environment on the campus as well as an environment that prohibits the abuse of other drugs and alcohol and has a drug and alcohol abuse prevention program in operation, accessible to all members of the university community. The university is committed to the further expansion of that program and the dissemination of drug awareness information to the members of the university community. In addition, the university is committed to enforcing the provisions of the Drug Free Workplace Act of 1988 and the Drug-Free Colleges and Communities Act of 1989 and believes that these acts and their regulations provide a proper framework for the drug and alcohol abuse policies of the university.

(2.0) Definitions

The following terms are important for purposes of expressing the university's policy on a drug free workplace:

a. Controlled substance means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), as further defined by regulations at 21 CFR 1300.11 through 1300.15, and defined in the Texas Controlled Substances Act [Texas Health and Safety Code, and §481.001 et seq].

b. Contract means a legal instrument reflecting a relationship between the federal government and a recipient whenever the principal purpose of the instrument is the acquisition by purchase, lease, or barter, of property or services for the direct benefit or use of the federal government; or whenever an executive agency determines in a specific instance that the use of a type of procurement contract is appropriate.

c. Conviction means finding of guilt (including a plea of nolo contendere), of imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

d. Criminal drug statute means a federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance.

e. Employee means an individual receiving a salary, wages, other compensation and/or stipend support from the university.

f. Federal agency or agency means any United States executive department, military department, government corporation, government controlled corporation, or any other establishment in the executive branch (including the Executive Office of the President), or any independent regulatory agency.

g. Grant means an award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by a federal agency directly to a grantee. The term grant includes block grant and entitlement grant programs, whether or not exempted from coverage under the grants management government-wide regulation ("Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"). The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies, insurance, or direct appropriations; or any veterans' benefits to individuals, i.e., any benefit to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.

h. Grantee means a legal entity, which applies for or receives a grant or contract directly from a federal agency.

i. Illicit drug use means the use of illegal drugs and the abuse of other drugs and alcohol.

j. Student means an individual registered or enrolled for credit or non-credit in a course or program offered by the university or any of its units.

k. University activities means an activity officially sponsored by the University of Houston- Clear Lake.

l. Workplace means the physical boundaries of the university and facilities owned or controlled by the university.
(3.0) Policy
It is the policy of the university that illicit drug use, including the manufacture, sale, distribution, dispensation, possession, or use, is prohibited in the workplace, on the campus, or as part of any university activities. Sanctions imposed for violation of this policy are indicated below.

(3.1) Application of Policy
The Drug and Alcohol Abuse Prevention Policy is supported by a drug free awareness and alcohol education program available to the faculty, staff and students of the university. Specific compliance and reporting items enumerated in the policy (items B,C,D,E) are applicable to all persons employed on federal contracts and grants. In support of this policy, the university:

a. Has established a drug free and alcohol abuse awareness program to inform its faculty, staff, and students about the dangers of drug and alcohol abuse in the workplace, the university’s policy of maintaining a drug free workplace and a workplace which prohibits the illicit use of alcohol, available drug and alcohol counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug and alcohol abuse violations.

b. Will provide each student and employee a copy of this policy. In addition, all faculty, staff, and students will be notified of this policy through appropriate publications.

c. Will notify each university employee and each student that, as a condition of employment on a federal grant or contract, the person, once so employed, must abide by the terms of this policy, and must notify his/her supervisor and the Office of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace not later than 5 days after such conviction.

d. Will notify the appropriate federal agency within 10 days after receiving notice of criminal drug statute conviction for a violation occurring in the workplace of any university employee engaged in performance of the grant or contract.

e. Will impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee so convicted. Sanctions imposed on employees for violation of this policy may include suspension, suspension without pay, and termination.

f. Will make a good faith effort to continue to maintain an environment that complies with the Drug Free Workplace Act of 1988 and the Drug-Free Colleges and Communities Act of 1989.

g. Will conduct a biennial review of its programs to assess their effectiveness, what changes need to be made, and to ensure the uniform application of sanctions to employees and students.

h. Implementation. Implementation of this policy is a joint responsibility of the Office of Human Resources, the Office of Sponsored Programs, University Police and the Student Services division. Penalties for Violation of the Policy

The university policy prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus and at university-sponsored events held off campus is for the support and protection of employees and students of the University of Houston-Clear Lake. Therefore, any employee admitting to or convicted of the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus or at university-sponsored events held off campus, will be subject to disciplinary action in accordance with the Discipline and Dismissal of Non-faculty policy or the Dismissal of Faculty policy. Further, the employee may be referred for criminal prosecution and may be required to participate in a satisfactory manner in a drug and alcohol assistance or rehabilitation program. Referrals to rehabilitation programs will be as a result of joint consultation between the employee, the Employee Assistance Program, and the Office of Human Resources. Supervisors who suspect that an employee may be in violation of this policy or may be under the influence while at work, must consult with the Executive Director of Human Resources and/or the University Police Department before any action is taken.

Any student found guilty of violating Student Life Policies regarding the unlawful possession, use, or distribution of illicit drugs and alcohol on campus or at university-sponsored events held off campus will be subject to disciplinary action. This action consists of penalties up to and including probation, suspension, and expulsion.
The student may be referred for criminal prosecution and may be required to participate in a satisfactory manner in a drug and alcohol assistance or rehabilitation program. Further information concerning disciplinary action and appropriate procedures for employees is available from the Office of Human Resources (281.283.2160) and for students from the Dean of Students Office (281.283.2567).

In addition, penalties under Texas and Federal laws are as follows: Penalties Under Texas Law:

<table>
<thead>
<tr>
<th>Section</th>
<th>Health and Safety Code</th>
<th>Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>481.112</td>
<td>Manufacture or Delivery. Penalty Group 1</td>
<td>Less than 1 gm, State Jail; 1 gm or more but less than 4 gms, 2nd degree; 4 gms or more but less than 200 gms, 1st degree; 200 gms or more but less than 400 gms, life or 10-99 years and up to $100,000; 400 gms or more, life or 15-99 yrs and up to $250,000.</td>
</tr>
<tr>
<td>481.1121</td>
<td>Manufacture or Delivery. Penalty Group 1-A</td>
<td>Less than 20 “abuse units,” State Jail; 20 units but &lt; 80 units, 2nd degree felony; 80 units but &lt; 4,000 units, 1st degree felony; 4,000 units or more, life or 15-99 yrs and up to $250,000.</td>
</tr>
<tr>
<td>481.113</td>
<td>Manufacture or Delivery. Penalty Group 2</td>
<td>Less than 1 gm, State Jail; 1 gm or more but less than 4 gms, 2nd degree; 4 gms or more but less than 400 gms, 1st degree; 400 gms or more, life or 10-99 yrs and up to $100,000.</td>
</tr>
<tr>
<td>481.114</td>
<td>Manufacture of Delivery. Penalty Group 3 or 4</td>
<td>Less than 28 gms, State Jail; 28 gms or more but less than 200 gms, 2nd degree; 200 gms or more but less than 400 gms, 1st degree; 400 gms or more, life or 10-99 yrs and up to $100,000.</td>
</tr>
<tr>
<td>481.115</td>
<td>Possession Penalty Group 1</td>
<td>Less than 1 gm, State Jail; 1 gm or more but less than 4 gms, 3rd degree; 4 gms or more but less than 200 gms, 2nd degree; 200 gms or more but less than 400 gms, 1st degree; 400 gms or more, life or 10-99 yrs and up to $100,000.</td>
</tr>
<tr>
<td>481.1151</td>
<td>Possession Penalty Group 1-A</td>
<td>Less than 20 “abuse units,” State Jail; 20 units but &lt; 80 units, 3rd degree; 80 units but &lt; 4,000 units, 2nd degree; 4,000 units or more but less than 8,000 units, 1st degree; 8,000 units or more, life or 15-99 years and up to $250,000.</td>
</tr>
<tr>
<td>481.116</td>
<td>Possession Penalty Group 2</td>
<td>Less than 1 gm, State Jail; 1 gm or more but less than 4 gms, 3rd degree; 4 gms or more but less than 400 gms, 2nd degree; 400 gms or more, life or 5-99 yrs and up to $50,000.</td>
</tr>
<tr>
<td>481.117</td>
<td>Possession Penalty Group 3</td>
<td>Less than 28 gms, Class A; 28 gms or more but less than 200 gms, 3rd degree; 200 gms or more but less than 400 gms, 2nd degree; 400 gms or more, life or 5-99 yrs and up to $50,000.</td>
</tr>
<tr>
<td>481.118</td>
<td>Possession penalty Group 4</td>
<td>Less than 28 gms, Class B; 28 gms or more but less than 200 gms, 3rd degree; 200 gms or more but less than 400 gms, 2nd degree; 400 gms or more, life or 5-99 yrs and up to $50,000.</td>
</tr>
<tr>
<td>Section</td>
<td>Act</td>
<td>Punishment</td>
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<tr>
<td>481.119 (a)</td>
<td>Manufacture or Delivery of Miscellaneous Substances Possession of Miscellaneous Substances</td>
<td>Class A: manufactures or delivers a controlled substance listed in the schedule but not listed in a penalty group. Class B: possesses a controlled substance listed in the schedule but not listed in a penalty group.</td>
</tr>
<tr>
<td>481.120</td>
<td>Delivery of Marijuana</td>
<td>¾ oz or less /no remuneration, Class B; ⅛ oz or less /with remuneration, Class A; more than ¾ oz but 5 lbs or less, State Jail; 50 lbs or less but more that 5 lbs, 2nd degree; 2,000 lbs or less but more than 50 lbs, 1st degree; More than 2,000 lbs, life or 10-99 yrs and up to $100,000.</td>
</tr>
<tr>
<td>481.121</td>
<td>Possession of Marijuana</td>
<td>2 oz or less, Class B; 4 oz or less but more than 2 oz, Class A; 5 lbs or less but more than 4 oz, State Jail; 50 lbs or less but more than 5 lbs, 3rd degree; 2,000 lbs or less but more than 50 lbs, 2nd degree; more than 2,000 lbs, life or 5-99 yrs and up to $50,000.</td>
</tr>
<tr>
<td>481.125</td>
<td>Possession or Delivery of Drug Paraphernalia</td>
<td>Possession of Paraphernalia, Class C; Possess with intent to deliver, or delivers paraphernalia, unless shown previously convicted of section (B) or (C) in which case the offense is punishable by confinement in jail for a term of not more than one year or less than ninety days, Class A; Delivers to a person paraphernalia under 18 yrs, State Jail.</td>
</tr>
<tr>
<td>483.052</td>
<td>Violation of other (Dangerous Drug) Provision</td>
<td>Class B; Class A with prior</td>
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### Penalties Under Federal Law:

<table>
<thead>
<tr>
<th>Section</th>
<th>Health and Safety Code</th>
<th>Punishment</th>
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<tbody>
<tr>
<td>Manufacture, distribution, or dispensing drugs (includes marijuana)</td>
<td>A term of imprisonment not more than one year, and a minimum of $1,000</td>
<td>A term of life imprisonment without release (no eligibility for parole) and a fine not to exceed $8,000,000 (for an individual) or $20,000,000 (if other than an individual).</td>
</tr>
<tr>
<td>Possession of drugs (including marijuana)</td>
<td>Civil penalty in amount not to exceed $10,000</td>
<td>Imprisonment for not more than 20 years, not less than 5 years, a fine of not less than $5,000 plus costs of investigation and prosecution.</td>
</tr>
<tr>
<td>Operation of a Common Carrier under the influence of alcohol or drugs</td>
<td></td>
<td>Imprisonment for up to 15 years and a fine not to exceed $250,000</td>
</tr>
</tbody>
</table>
Employee and Student Assistance Programs

The UHCL offices of Counseling Services, Health and Disability Services, and Employee Assistance Program offer drug and alcohol abuse educational resources, programs, consultation and referrals for employees and students.

1. Educational Resources Programs
   - Educational literature and materials on substance abuse, identification and treatment are available free of charge in the offices of Counseling Services, Health and Disability Services and Human Resources.
   - On a biannual basis, programs focusing on drug and alcohol abuse education are offered to the university community. The offices of Counseling Services, and Health and Disability Services, the Employee Assistance Program, and relevant agencies are used as resources in the implementation of these programs. These programs are open to students, faculty and staff at no charge.
   - In-service seminars are available by request. These seminars are designed to help students, faculty, and staff understand ways to identify persons at risk and to explore methods of dealing with such problems.

2. Consultation and Referrals
   - Students are eligible to consult with the counselors in the Office of Counseling Services or the Office of Health and Disability Services about drug and alcohol substance abuse issues and resources. Faculty and staff are eligible to consult with the Office of Human Resources and the Employee Assistance Program about drug and alcohol substance abuse issues and resources.
   - Drug and alcohol abuse counseling and rehabilitation program referrals are made as needed to mutual help organizations (such as Alcoholics Anonymous or Alanon), private hospitals, public treatment programs and private practitioners.

For more information:

<table>
<thead>
<tr>
<th>Counseling Services</th>
<th>Human Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Services/Classroom Bldg. 281.283.2580</td>
<td>Bayou Bldg. 281.283.2160 B2537</td>
</tr>
<tr>
<td>SSCB 3.103</td>
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<table>
<thead>
<tr>
<th>Health Services</th>
<th>Employee Assistance Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Services/Classroom Bldg. 281.283.2626</td>
<td>713.500.3327</td>
</tr>
<tr>
<td>SSCB 1.301</td>
<td>1.800.346.3549</td>
</tr>
</tbody>
</table>

8.11 NON-DISCRIMINATION & GRIEVANCE
Approved by University Council April 11, 1996

UH System Discrimination and Harassment Policy http:
http://www.uhsystem.edu/compliance-ethics/_docs/sam/01/1d7.pdf
Last Review May 2012

(1.0) Policy Statement And Purpose

(1.1) The University of Houston-Clear Lake prohibits discrimination on the basis of race, color, sex (including pregnancy), religion, national origin, disability, age, veteran status, genetic information or sexual orientation. Additionally, the university prohibits discrimination in all aspects of employment on the basis of sexual orientation, gender identity or gender expression. The purpose of this procedure is to provide the primary
process for addressing allegations of illegal discrimination by employees and students at the University of Houston-Clear Lake.

(1.2) The University encourages informal resolution of grievances as the most effective solution to problems. Thus, grievants are encouraged to consult with the respondent or the respondent's supervisor and seek resolution prior to filing a formal grievance.

(1.3) A grievant has sixty calendar (60) days from the date of the occurrence or discovery of the alleged discrimination to initiate a grievance. If the informal process has not resolved the grievance within sixty (60) calendar days, the grievant has 30 calendar days to file a formal grievance with the Executive Director of Human Resources and Affirmative Action.

(2.0) Coordination With Other Grievance Procedures

(2.1) Sexual Misconduct:
This procedure does not replace the University of Houston-Clear Lake Sexual Misconduct Procedure which shall be used for all sexual misconduct complaints.

(2.2) ADA Complaints:
In cases where the grievant alleges non-compliance with the Americans with Disabilities Act or Sections 503 and 504 of the Rehabilitation Act of 1973, the grievant shall attempt resolution under the University's ADA policy through the ADA Coordinator.

(2.3) Established Policies:
The University recognizes that grievance procedures not related to issues of discrimination are currently in place. The University does not intend for this Non-Discrimination Policy and Grievance Procedure to replace established faculty, graduate student, undergraduate student, and staff grievance procedures. However, the University also recognizes that a complaint or appeal filed under the established grievance procedures listed above may include an allegation of discrimination. Therefore, when an Associate Dean, Dean, Student Life Committee Chair, or other University of Houston-Clear Lake Supervisor or Chair presiding over a formal process other than under this policy receives a complaint or an appeal that includes an allegation of discrimination, he/she must notify the Executive Director of Human Resources and Affirmative Action who may serve as a resource on the issue of discrimination. When a complaint is brought under one of the established policies listed above and resolution has not been reached after sixty (60) days, the grievant may concurrently file a formal grievance under this procedure.

(3.0) Definitions

(3.1) Grievance:
A complaint alleging any act, policy, procedure, or practice that is prohibited under Section III (B).

(3.2) Prohibited Discrimination:
Acts covered under this policy include those which are deemed to be prohibited by the following:
• Title IX of the Education Act of 1972;
• Titles VI and VII of the Civil Rights Act of 1964
• Sections 503 and 504 of the Rehabilitation Act of 1973;
• The Americans with Disabilities Act (ADA) of 1990
• The Age Discrimination in Employment Act (ADEA) of 1967; and
• Other federal, state and local laws as well as University policies.
(3.3) Grievant: means a student or employee who submits a grievance relevant to this non-discrimination grievance procedure.

(3.4) The University of Houston-Clear Lake: means any college, department, subunit, or program operated by the University of Houston-Clear Lake.

(3.5) Executive Director of Human Resources and Affirmative Action: means that person who is designated as the Title IX and Title VI Coordinator as well as the Equal Employment/Education Opportunity Compliance Officer. It is the primary responsibility of the Executive Director to insure effective installation, maintenance, processing, record keeping and notifications as required by the grievance policy. The Executive Director of Human Resources and Affirmative Action is located in Bayou Building, Room 2537, and can be reached at (281) 283-2164.

(3.6) ADA Coordinator: means that person who receives and addresses ADA and Section 503 and 504 related inquiries and requests for accommodation. The ADA Coordinator is located in the Student Services/Classroom Building and can be reached at (281) 283-2632.

(3.7) Respondent: means a person alleged to be responsible for the violation set forth in a grievance. The term may be used to designate persons with direct responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas addressed in the grievance.

**8.12 WORKPLACE VIOLENCE POLICY**

Policy No. ULC.1999.009
Approved by University Council October 14, 1999
Reviewed and approved by University Council on December 10, 2009

(1.0) Purpose

(1.1) The University of Houston-Clear Lake seeks to provide a safe environment for learning and work for all employees, students, and visitors, by eliminating or reducing threats of workplace violence.

(2.0) Definitions

(2.1) Violence - physical activity which is intended to injure, abuse, or damage a person or property.

(2.2) Threat - Words or actions that create a reasonable perception that there is intent to physically harm persons or property.

(2.3) Workplace - the UHCL campus or the off-campus site of any UHCL-sponsored activity.

(2.4) Witness - one who has firsthand knowledge of an act, including a threat or act of violence.

(2.5) Dangerous weapons - for purposes of this policy, "dangerous weapons" means: any item commonly used as, or primarily intended for use as, a weapon; including but not limited to a firearm, knife, club, or other prohibited weapon as defined by V.T.C.A., Penal Code Section 46.05; or any object that has been modified to endanger or has been employed to endanger a person or property.

(2.6) Firearm - any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use (V.T.C.A., Penal Code, Section 46.01(3)).
(2.7) UHCL Police Department - a full service police department staffed by peace officers licensed by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) and commissioned as police officers by the University of Houston System Board of Regents consistent with authorization granted by Article 51.203 of the Texas Education Code and Article of the Texas Code of Criminal Procedure. The Texas Education Code defines the department's primary jurisdiction as all counties in which property is owned, leased, rented, or otherwise under the control of the University of Houston System Board of Regents and also includes streets contiguous to and running through the campus. The UHCL Police Department is located in the Bayou Building Suite B1636, and can be reached at telephone number 281-283-2222.

(3.0) Policy

(3.1) UHCL will not tolerate workplace violence of any type, from any source. This includes, but is not limited to, threatening, destructive or violent actions directed against employees, students, visitors, or university buildings, equipment, or property. Possession of firearms or other dangerous weapons on the physical premises of the University of Houston Clear Lake (UHCL) is prohibited (Texas Penal Code, Section 46.03). Further, although Texas Penal Code, Section 46.15 allows for peace officers to carry weapons throughout the state including areas where others are prohibited from doing so, peace officers are encouraged not to possess weapons while attending classes at UHCL as long as this would not violate rules and regulations of their respective police departments.

(3.2) UHCL executives, administrators, managers, supervisors, and employees are responsible for observing and promoting measures to establish and maintain a non-violent workplace. Additional responsibility is vested in students and visitors to the university to observe university regulations designed to establish and maintain a non-violent workplace.

(3.3) Incidents of workplace threats or acts of violence will be treated seriously by university personnel. Witnesses should report such acts or threats promptly to the UHCL Police Department. Reported threats or acts of violence will be investigated promptly, and appropriate action will be taken to address each incident that is reported.

(3.4) The university will respond promptly, positively, and firmly to deal with threats or acts of violence. This response will include timely involvement of the UHCL Police Department. Violations of this policy will be dealt with in accordance with the policies and procedures, which govern the behavior of UHCL employees and students. In addition, violations of this policy by any person, including non-UHCL affiliated persons, may lead to action by the criminal justice system.

(3.5) Responses to threats or acts of violence may include dismissal from employment or from enrollment, arrest, prosecution, removal from campus property, suspension, reassignment of duties or other sanctions as authorized by specific disciplinary policies.

(4.0) Responsibilities

(4.1) Every witness to a threat of violence or a violent action is responsible for reporting the incident to the UHCL Police Department.

(4.2) The Chief of Police is responsible for coordinating the university response to workplace-related threats and acts of violence. Department heads, managers and supervisors will continue to have primary responsibility for ensuring a safe workplace, for monitoring and resolution of employee conflicts or disputes, for taking
appropriate corrective action when potentially violent situations develop and for working with the UHCL Police Department when threats or acts of violence occur. The Office of Human Resources will be responsible for informing employees of this policy.

(4.3) Managers and supervisors will be provided with training in how to deal with workplace-related threats and acts of violence. This training will focus on prevention, recognition and de-escalation of violence, will include suggestions for appropriate responses to threats and acts of violence, and will identify those resources which are available for use once a potential problem has been identified, or an incident has occurred. The UHCL Police Department and the Office of Human Resources will coordinate such training.

(4.4) Workshops will be offered for training in threat awareness and appropriate responses to aggressive, threatening and violent behaviors. Assessment of additional training needs for employees will be made upon request to the unit supervisor, and appropriate training programs will be developed and presented. UHCL Police and the Office of Human Resources will coordinate this training.

(4.5) Department heads, managers, and supervisors are specifically empowered to take immediate appropriate action to resolve or stabilize violent situations in the workplace, and to protect people from harm. Supervisors will ensure that, when a threat is made or a violent incident occurs, the UHCL Police Department will be notified immediately. Supervisors and managers will also ensure that appropriate disciplinary responses to internal workplace violence and aggression are made, and coordinate these efforts with the executive director of human resources, the dean of students or their designee.

William A. Staples Title: President
University of Houston-Clear Lake
Approval Date: October 14, 1999
Sunset Date: December 10, 2019

8.13 ELECTRONIC INFORMATION POLICY
Approved by University Council May 14, 2015

(1.0) Purpose
This is the University of Houston-Clear Lake (the University) policy regarding the privacy of, the access to, and the use of Electronic Information sent or received by the Users (faculty, staff, students, alumni, and other authorized individuals affiliated with the University who may choose to make use) of University-provided equipment, electronic services, or supplies.

(2.0) Policy

(2.1) The University respects the individual privacy of the Users. The University is committed to protecting the personal privacy of members of the university community. However, privacy of these individuals does not extend to their use of University-provided resources in violation of University policies.

(2.2) If the University discovers a User misusing an electronic information system (as described in section 6), the individual may be subject to disciplinary action.

(3.0) Privacy of Institutional Electronic Information

(3.1) The University maintains Electronic Information about individual students, faculty, and staff (as well as former students, faculty, and staff) in order to support its mission. University operations require the collection, storage, and lawful use of Electronic Information for appropriate, necessary, and defined purposes. Access to Electronic Information will be controlled and reasonably safeguarded to ensure privacy.
(3.2) When University personnel design, upgrade, or integrate systems, they will consider the issues of privacy, confidentiality, and the need for informed consent regarding the release of personal information. Inadequate attention to the issues of privacy of personal information may be subject to sanctions.

(3.3) To the extent consistent with state and federal law, University policies on privacy and confidentiality of student and employee records should allow the particular named student or employee the means to inspect and obtain copies of University electronic records related to that student or employee.

(3.4) Persons responsible for electronic records containing personal information should exercise diligence to ensure accuracy and completeness. Safeguards must be provided to protect personal information against accidental or intentional misuse or improper disclosure within or outside the University. Misuses or improper disclosure of electronic information may lead to disciplinary action.

(3.5) When electronic personnel records become dated, the records should be reviewed to determine whether they should be destroyed or archived with appropriate protection of privacy and confidentiality under the University policies for record retention.

(3.6) The University strives to protect the academic freedom and privacy of faculty, staff, students, alumni, and other authorized individuals affiliated with the University. The University may find it necessary to access private information subject to restrictions specified in section 5.

(4.0) Computer Files and Electronic Mail

(4.1) While the University has no interest in reading or monitoring the content of electronic communications, it cannot guarantee the privacy or confidentiality of these communications.

(4.2) Users of networked computer systems are forewarned that they might encounter material that is offensive, indecent, obscene, or defamatory. The University does not verify, endorse, screen, approve, edit or otherwise regulate the content of electronic mail, bulletin board postings or other non-official information on its computer system, the Internet or any other system to which access may be gained. These systems are neither secure nor private modes of communication.

(4.3) University computer systems are vital to the institution. Administrators of these systems endeavor to maintain the integrity and proper functioning of the systems for the benefit of the University community. In the execution of their responsibilities, designated systems administrators may need to access or monitor parts of the system. All system administrators will respect the privacy of personal communications encountered on the systems. However, systems administrators are required to report the existence and source of information suggesting a violation of the law or University policies to the proper University authorities.

(4.4) The University reserves the right to access email as necessary for maintenance and service of such email services.

(5.0) University’s Right to Access Electronic Information

(5.1) The electronic mail and file systems exist to facilitate University-related communications and is owned by the University. The Users are issued individual passwords to access this system, but the contents of e-mail communications are accessible by University management when given appropriate authorization from the University president.

(5.2) If the University feels that privacy needs to be breached by allowing for the disclosure and access of alumni, faculty, staff, or student’s email or other electronic information then the University president must authorize both the access and disclosure of such e-mail messages. Also, a written report of such authorization
must be made within 24 hours of such authorization to the University, alumnus, student, faculty, or staff, whose University email account is to be accessed and/or disclosed.

(5.3) These electronic mail systems are subject to review as stated above and should be treated the same as other electronic filing systems.

(6.0) Personal Use of E-Mail

(6.1) Because the University provides the electronic mail system to support job performance, the users should primarily employ it for official business. Incidental and other occasional personal use of e-mail is permitted by the University.

(6.2) The Users should not employ these systems for such purposes as soliciting or proselytizing for commercial ventures, religious, political, or personal causes, outside organizations, or other similar, non-University-related solicitations.

(6.3) The Users may not use the University’s e-mail system in any way intended to violate the policies of the University.

Approval Date: May 14, 2015

Sunset Date: July 31, 2020

9.6 FACULTY GRIEVANCE POLICY

Approved by University Council, December 12, 2019

The University of Houston-Clear Lake requires that all faculty members be treated fairly and consistently in all matters related to their employment. The university provides faculty with the right to express their grievances through informal and formal avenues. Retaliation in any form against any faculty member for presenting a grievance is prohibited and may be grieved.

(1). Purpose

The Faculty Grievance Policy is designed to provide due process for faculty members. This policy will apply anytime a grievance is filed by a UHCL faculty member against members of the faculty, staff, or administration where no other UHCL policy is appropriate. Faculty are encouraged to attempt all informal avenues of resolving disputes before pursuing a formal grievance.

Although grievances can concern any action affecting a faculty member, they might include promotion and tenure decisions, dismissal of untenured faculty, post-tenure review, work assignments, violations of academic freedom, merit raises, and committee assignments. Grievances may also be for violations of University policies, College By-laws or other policies as appropriate. For guidance regarding grievances specifically relating to matters of promotion and tenure please see Section 15 of this policy.

(2) Definitions and Clarifications

(2.1) Respondent - the individual against whom the grievance is filed.

(2.2) Grievant - the individual initiating the grievance.

(2.3) Faculty - includes tenure track and tenured faculty and those appointed to non-tenure track academic positions. The positions are defined in the Faculty Handbook.

(2.) University Grievance Panel – a panel consisting of 6 tenured, full-time faculty members from each
college who are eligible for election to the Faculty Senate. This panel serves as the basis for development of the Grievance Committee (see 2.5).

2.5 Grievance Committee – a committee of five people, consisting of three voting members (to be selected from the University Grievance Panel from members not from the college of the grievant or respondent) and two non-voting representatives (as defined in 2.6). The two other members, known as representatives, must be full-time faculty who are eligible for election to the Faculty Senate (see 7.1).

2.6 Representative – Representatives are appointed; one named by the grievant, a second member named by the respondent. These two members will serve as representatives of the parties involved during the grievance process. (See 7.2) Representatives must be full-time faculty members who are eligible for Faculty Senate.

2.7 Working day – a day in which classes are in session at UHCL and all offices are open at least four hours.

2.8 If the provost is a respondent, the president of the university will assume the responsibilities assigned to the provost in this Grievance Policy. In such an instance, the university president shall not delegate responsibilities and role within the grievance process to an individual below the organizational level of the respondent.

2.9 If the Faculty Senate president is the grievant or respondent, then the Faculty Senate past president takes the place of the faculty senate president in the grievance process.

3 Selection of University Grievance Panel

3.1 The University Grievance Panel shall consist of 10 tenured faculty elected from each college. The members must be full-time faculty members who are eligible for election to the Faculty Senate. At least two of these members per college should hold the rank of (Full) Professor. The ten members of the panel chosen from each college shall be elected by those full-time faculty members of the college who are eligible for election to the Faculty Senate. Each college will elect five representatives every spring semester to serve a two-year term starting September 1.

3.2 By April 15 of each year, the Faculty Senate president will issue a confidential ballot to all the full-time faculty of each college who are eligible to be elected to the Faculty Senate. The ballot language shall include a statement on the importance of diverse representation on the Grievance Panel. Faculty members receiving confidential ballots will vote for up to 10 faculty members of their college to serve on the University Grievance Panel. These ballots will be submitted to the Faculty Senate president for tabulation.

3.3 Faculty members receiving the highest number of votes (the one full professor with the highest votes, then the highest 4 of the remaining faculty on the ballot) will be asked by the Faculty Senate president to serve on the University Grievance Panel. If any of those elected is unable or unwilling to serve, the faculty member receiving the next highest number of votes will be asked to serve.

3.4 Should a member become unable to serve during their term the faculty member receiving the next highest number of votes in the latest election shall be asked to serve.

3.5 Upon completion of the election, the president of the Faculty Senate will provide the provost with the names of the members selected to serve on the University Grievance Panel. The provost will in turn notify the deans of the colleges and the faculty members elected to the Grievance Panel.
Informal Resolution

(4.1) An attempt to settle grievances informally should be made through discussions between the grievant and the respondent(s). This informal process may include discussions or mediation with appropriate persons who are not parties to the grievance.

(4.2) If informal discussion does not resolve the grievance, the grievant may petition for a formal hearing of the grievance by a University Grievance Committee. Informal resolution may still take place at any point in the grievance process.

Formal Resolution

(5.1) If informal resolution of the grievance is not possible, the process for formal resolution of the grievance can be initiated as provided in section 6. In such cases, after a formal notification to the provost's office by the grievant, a Grievance Committee will be selected as stated in 7.2 of this policy. The Grievance Committee will hold hearings if needed and make a recommendation to the provost. The provost's recommendation and the Grievance Committee's recommendation will be sent to the president of the university for final resolution of the grievance.

Grievance Procedure

(6.1) The written grievance must be submitted to the provost's office within 120 calendar days of the most recent event(s) related to the grievance. Pursuit of informal resolution constitutes continuance of the event(s) related to the grievance.

The procedure begins when the grievant delivers in person, by email, or by U.S. Mail certified, return receipt requested, a written grievance to the Office of the Provost. Receipt of the grievance must be acknowledged in writing and dated by the Office of the Provost.

In his/her written grievance to the Office of the Provost, the faculty member shall provide their name and position and the name and position of all respondents, describe in less than 1,500 words the issues and actions that have resulted in the grievance, state in less than 500 words the outcome hoped for from the grievance, and submit any factual material pertinent to his/her case. No more than three grievable items may be included in a single individual grievance. While the scope of the initial grievance is established in the original written grievance, additional and supporting evidence related to the written appeal or grievance can be added at a later date in the process.

By filing, this and any other communication or documentation becomes a part of the grievance evidence. This evidence must be made immediately available to all parties including the grievant, the respondent, the representatives, and the Grievance Committee. The faculty member consents to the Grievance Committee having access to those materials and documents it deems relevant to the proceedings. The grievant and/or respondent(s) may voluntarily recuse themselves from having access to confidential materials and information should it allow for a more thorough review of the claim(s).

(6.2) In accordance with the established timeline, the provost must forward a copy of the grievance to the respondent who must acknowledge receipt of the grievance in writing by signing and dating the acknowledgement.
(6.3) In accordance with the established timeline, the respondent must submit to the provost a written and dated response to the grievance.

(6.4) In accordance with the established timeline, the provost will instruct the grievant and the respondent to select their representatives to the Grievance Committee. If the provost should fail to instruct the grievant or the respondent within ten working days, the president of the Faculty Senate shall within three working days act for the provost in forwarding the grievance and instructing both parties to select their grievance committee representatives. They must notify the provost of their selection within ten working days. These representatives will observe the selection of the other members of the Grievance Committee as described in section 7.2 of this policy. The provost shall not be involved in the formulation of the final recommendation of the Grievance Committee.

(6.5) If for any reason, either or both parties to the grievance do not select a representative within ten working days of notification by the provost, the provost will notify the president of the Faculty Senate who will select either or both of the representatives within an additional ten working days.

(6.7) In no event shall any member of the Grievance Committee be related (including by marriage) to the grievant or the respondent. In the case where the grievance involves a decision regarding tenure or promotion, in no event shall any member of the Grievance Committee have also been a member of the grievant’s peer committee or otherwise involved in the decision.

(7) Grievance Committee

(7.1) The University Grievance Panel will serve as a pool for the selection of three voting members of the Grievance Committee. The Grievance Committee hears the particular grievance and makes a recommendation to the provost. The Grievance Committee is a non-adversarial body designed to make a fair conclusion based on a thorough investigation of the evidence.

(7.2) The Representatives

(7.2.1) One representative will be named by the grievant, a second member by the respondent. These two members will be designated as representatives of the parties involved in the grievance. The representatives are non-voting members of the Grievance Committee. Both of these representatives must be full-time faculty members who are eligible for election to the Faculty Senate. Neither representative is required to be a member of the University Grievance Panel.

(7.2.2) Where multiple grievants file a grievance or where multiple respondents named, the group of grievants or the group of respondents must select a single mutually acceptable representative. If the individuals cannot agree, the provost may decide to separate the grievance into multiple grievances.

(7.2.3) During the grievance process, the representative should act as the advocate of their designated party. The representative should be invited to all meetings and the hearing related to the grievance.

(7.3) Selection of the Grievance Committee

(7.3.1) In accordance with the timeline, the provost or provost designee randomly selects three names from the members from the University Grievance Panel who are not from the same college as the grievant or respondent(s) and not actively serving on another grievance to select the members of the Grievance Committee, in the presence of the two designated representatives. Once three names have been drawn, each representative may strike one name from the Grievance Committee list, if desired. If a name is struck, another name will be randomly selected to replace the stricken member(s). If for any reason one of the designated three Grievance
Committee members decline to serve, the same process above will be used to randomly select a new member. If the provost and the faculty senate president both determine that a member of the grievance committee has a conflict of interest with the grievant or respondent(s), that member may be removed by the provost and replaced by the same process above to randomly select a new member. Representatives only have one allowed strike throughout the entire process.

(7.3.2) Conflicts of interest should be determined and resolved by the faculty senate president and provost before the grievance committee first meets.

(7.4) Failure of Representatives to Participate

(7.4.1) If, for any reason or at any time, either representative cannot participate in the grievance procedure, or there is a need for the representative to be replaced, this representative will no longer be considered part of the grievance committee. The party without a representative shall choose a replacement representative within ten working days of notification of the representative’s failure to participate.

(7.4.2) If the representative departs mid-process the replacement will follow the selection procedures in section 7.2 of this policy. The representative replacement may not be selected from the sitting Committee Members.

(7.4.3) If, for any reason or at any time, one of the three selected committee members is unable to participate, the replacement will follow the selection procedures in section 7.3 of this policy within the established timeline.

(8) Grievance Committee General Procedures

The Grievance Committee shall determine its own general procedures, subject to the restrictions stated in this Section and Section 9.

(8.1) The two representatives will call the initial meeting where the grievance committee will select the chair. The committee shall select its own chair, but neither the representative of the grievant nor the representative of the respondent(s) shall serve as chair.

(8.2) The grievant and the respondent will be asked by the chair of the Grievance Committee to submit all documents or exhibits that are to be considered by the grievance committee. Through the chairperson, the committee can request additional documents as a fact-finding effort that it believes are pertinent to the grievance.

(8.3) If the committee decides that it is warranted, the committee will select a date, time and location for a formal hearing concerning the grievance. The chair of the committee will notify the provost, the grievant, and the respondent(s) giving them at least ten working days’ notice before the scheduled hearing.

(8.4) Any formal hearing must take place within 60 working days of the committee being selected. If no formal hearing is conducted, the final recommendation is due within 90 working days of the committee being selected. If a delay is necessary, the committee must inform the grievant and the respondent, in writing, of the reason for the delay and set a new deadline for the report.

(8.5) After the hearing and due deliberation, the committee will make its recommendation on the grievance, and the reasons for it, in writing, to the provost or president as is most appropriate. This shall be done even if the recommendation of the committee is to take no action.
The grievance hearing is not a formal legal proceeding. Either party may be assisted by other faculty members or legal counsel in preparing for the hearing. However, these other faculty members or legal counsel will not be allowed to be present at these proceedings unless they are requested to participate by the chair of the Grievance Committee.

The chair of the Grievance Committee will instruct the grievant and the respondent to submit all documents to be considered by the committee. The committee must receive these documents for consideration no later than five working days prior to the hearing.

The grievant and respondent will identify all witnesses that may be called upon by the committee to testify at the hearing and what relevant facts they may be able to contribute. The grievance committee may also call upon additional witnesses it feels will be pertinent to the grievance. The Chair of the Grievance Committee will be responsible for contacting these individuals to ascertain their willingness to participate in the hearing. No retaliatory action may be taken against any individual who chooses to appear or not to appear.

Evidence and Recording. The formal hearing will be recorded. The only persons who will have access to the recordings are the committee members, the grievant, the respondent(s), the provost, and the president of the university. The grievance file will be retained in the provost's office for three years following the completion of the grievance proceedings.

Executive Session. The Grievance Committee shall discuss and determine its recommendation in executive session. This executive session is for voting members of the committee only; the representatives may not be in attendance.

Informal Resolution. An informal resolution recommended by the Grievance Committee to the grievance remains possible until the Grievance Committee makes its final report. In part, the role of the representatives is to make possible continued mediation between the grievant and the respondent(s).

Grievance Committee Recommendation. The committee must make its recommendation to the provost, with copies to the grievant and the respondent by both campus and electronic mail, within 30 working days after the hearing is completed or 90 working days after representatives are chosen. The recommendation of the committee need not be unanimous, and members of both the majority and minority must issue a report of their recommendations.

If the committee cannot reach a unanimous decision, its division and the reasons for it must be expressed either in the report or in separate concurring or dissenting statements by individual members. All committee members should be aware of all concurring or dissenting statements before they are submitted. Once submitted with the main report to the provost, the grievant and respondent(s) receive copies of all concurring or dissenting statements.

If a delay is necessary, the committee must inform the grievant and respondent, in writing, of the reason for the delay and set a new deadline for the report.

Provost Actions

The Grievance Committee's recommendation must be acknowledged in writing and dated by the provost. The provost must act on the grievance committee recommendation within fifteen working days of receipt of the Grievance Committee's recommendation.
(10.2) The provost must provide a written response to the Grievance Committee's recommendation, either agreeing or disagreeing with it. If the provost disagrees with the Grievance Committee's recommendation, the provost must make a full explanation in writing, with reasons for the decision, and distribute it to the grievant, the respondent and the Grievance Committee. In either case, the provost's written response and the Grievance Committee's report will be distributed to the grievant, the respondent(s) and the Grievance Committee.

(10.3) Within five to fifteen working days the provost will forward to the president of the university a copy of the Grievance Committee's recommendations along with the provost's written recommendation. The president must have the recommendation of both the provost and the Grievance Committee before making a decision. If the provost should fail to meet the deadline for forwarding the Grievance Committee's recommendations to the president, or fail to make a recommendation of their own, the Grievance Committee's report automatically goes to the president.

(11) President of the University Actions

Receipt of the provost's recommendation and the Grievance Committee's recommendation shall be acknowledged in writing and dated by the president. Within fifteen working days of receipt of the recommendations, the president must act. Agreement or disagreement with either the provost's or the Grievance Committee's recommendation must be in writing. In particular, if the Grievance Committee's recommendation is not followed, the president must provide a full explanation in writing. The president's decision, along with any necessary explanations, must be distributed to the grievant, the respondent, the Grievance Committee, and the provost.

(12) Rebuttals

(12.1) The grievant or the respondent(s), upon receipt of recommendation and explanations from the Grievance Committee, is entitled to submit a rebuttal within five working days of receiving that recommendation. Such rebuttal shall be sent to the Provost office and shall be limited to errors of fact or procedure found in the recommendation.

(12.2) Rebuttal letters from the grievant or respondent(s) shall be included in the file as it continues through the grievance process and should be considered at all subsequent levels of review.

(13) Prohibition of Discrimination and Retaliation

(13.1) Nothing in this policy shall be used as a basis for discrimination or retaliation against any individual or group.

(13.2) No retaliatory action may be taken against any individual who files or assists with a grievance because of his or her involvement with the grievant.

(14) Adherence to Timelines

Any request for departure from the established timelines in this policy should be made in writing to the provost before the Grievance Committee is formed or to the chair of the Grievance Committee after the committee is formed. When the chair of the Grievance Committee receives such a request, the committee will determine the appropriate action to be taken. The accompanying Table in 14.1 of this policy describes the timeline for a formal grievance procedure.
### (14.1) Timeline for Formal Grievance Procedure

<table>
<thead>
<tr>
<th>Action</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filing of grievance with provost</td>
<td>Within 120 calendar days from grieved event</td>
</tr>
<tr>
<td>Provost sends grievance to respondent</td>
<td>Within ten working days of prior action</td>
</tr>
<tr>
<td>Respondent replies to provost in writing</td>
<td>Within ten working days of prior action</td>
</tr>
<tr>
<td>Provost instructs parties to choose representatives</td>
<td>Within ten working days of prior action</td>
</tr>
<tr>
<td>Grievant and respondent choose representatives and notify provost</td>
<td>Within ten working days of prior action</td>
</tr>
<tr>
<td>Representatives choose three other members of the Grievance Committee</td>
<td>Within ten working days of prior action</td>
</tr>
<tr>
<td>Committee notifies parties of the hearing</td>
<td>At least ten working days before hearing</td>
</tr>
<tr>
<td>Hearing occurs if needed</td>
<td>Within 60 working days</td>
</tr>
<tr>
<td>Grievant and respondent submit documents to Grievance Committee</td>
<td>At least five working days before hearing</td>
</tr>
<tr>
<td>Grievance Committee recommendation to provost</td>
<td>Within 30 working days after the hearing or 90 working days after representatives chosen</td>
</tr>
<tr>
<td>(Optional) Rebuttal filed to grievance committee recommendation</td>
<td>Within 5 working days after recommendation to provost</td>
</tr>
<tr>
<td>Provost’s recommendation to president of the university and response to the Grievance Committee</td>
<td>Within 5-15 working days of receipt of the Grievance Committee recommendation</td>
</tr>
<tr>
<td>President’s decision to the grievant, the respondent, the Grievance Committee and the provost</td>
<td>Within 15 working days of receipt of the Provost’s recommendation</td>
</tr>
</tbody>
</table>

### (15) Grievance in Matter of Promotion and Tenure

**Section 15.1** When a negative recommendation on conferring tenure or promotion has been reached at the level immediately prior to the President’s decision (e.g. the letter written by the Provost), the faculty member involved can file an appeal. Notice of intent to file an appeal must be provided to the Office of the Provost within 5 business days of the candidate notification from the Provost’s Office of the recommendation of non-renewal of appointment, denial of tenure, or denial of promotion.

**Section 15.2** Decisions to recommend not to confer tenure, not to promote, or not to reappoint may be appealed based upon the following three conditions:

A. An error in the described procedures materially affected the outcome;
B. The decision was not based upon the applicable criteria included in the Promotion and Tenure File; or
C. The outcome was arbitrary, discriminatory, or capricious.

**Section 15.3** Faculty members who wish to file an appeal against a negative promotion or tenure recommendation must outline in their appeal letter, clearly and succinctly, the reason for the appeal. The reason for appeal must be linked to one (or more) of the three criteria above. The appeal must be filed with the Office of the Provost within 10 business days of the candidate notification of the recommendation of non-renewal of
appointment, denial of tenure, or denial of promotion. Upon receipt of intent to file an appeal, an appeal committee will be formed at the behest of the Provost by the Faculty Senate.

15.4 The P&T Appeal Committee will consist of 4 faculty members (one from each college). The four faculty will be drawn from the Faculty Grievance Panel. Every member of the committee shall be a full-time tenured faculty member at the rank at or above the rank of promotion requested by the candidate. If there are not enough members of the Faculty Grievance Panel of sufficient rank, the Council of Professors shall nominate a member to add to the Grievance Panel with the assent of the Faculty Senate Governance Committee. No current member of any committee evaluating the candidates (e.g. peer-review committee, university or college promotion and tenure committee) shall be eligible for membership on the P&T Appeal Committee. Faculty members of the P&T Appeal Committee will be selected by random draw as outlined in section 7.3.1. If possible, faculty members actively serving on an appeal should not be drawn for a second appeal, though this may be waived if there are insufficient eligible faculty of the required rank.

15.5 In the written appeal to the P&T Appeal Committee, the faculty member shall set forth in detail the nature of the appeal and shall submit material pertinent to the case. By filing, the faculty member consents to the P&T Appeal Committee having access to those materials and documents in the Promotion and Tenure File it deems relevant to the proceedings.

15.6 The P&T Appeal Committee shall then review the appeal and decide whether to reject the appeal or hold a formal hearing. The P&T Appeal Committee shall not substitute its judgment for that of the review bodies.

15.7 If the vote is in favor of rejecting the appeal, the appeal ends. This rejection will be sent to the Candidate, the Office of the Provost, and become part of the Promotion and Tenure File as it is forwarded to the President for review.

15.8 If the vote is to hold a formal hearing, the P&T Appeals Committee shall notify the faculty member of its decision to hold a formal hearing within 10 business days of receipt of the appeal and documentation. The Committee can request additional information if needed. Any participation in the process is voluntary. Faculty and administration are expected to cooperate with the P&T Appeal Committee in providing reliable, relevant, and valid evidence for the committee to make an informed judgment.

15.9 The hearing shall begin within 10 business days of the decision to conduct it and shall proceed as expeditiously as possible. Decisions of the P&T Appeal Committee require a majority vote, but minority opinions must be represented in the final report if the minority so desires. All voting will be by secret ballot.

15.10 If the Committee is not able to reach a consensus, members of the Committee may write dissenting opinions, which shall be attached to the majority opinion.

15.11 A recommendation shall be sent in a written report to the Candidate and the Office of the Provost within five business days of the end of the hearing. The written report of the P&T Appeals Committee will also become part of the Promotion and Tenure File as it is forwarded to the President for review.

15.12 The President has the option to request the Provost provide a written opinion on the P&T Appeals Committee report. The Provost’s written opinion shall be sent to the Candidate and the Office of the President within five business days of the President’s request and will also become part of the Promotion and Tenure File.

15.13 Promotion and Tenure Appeal Timeline

<table>
<thead>
<tr>
<th>Action</th>
<th>Timeline</th>
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<tbody>
<tr>
<td>Candidate notifies Office of The Provost of intent to file an appeal</td>
<td>Within 5 working days of receipt of the letter from the Office of the Provost</td>
</tr>
<tr>
<td>Event</td>
<td>Timeframe</td>
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<td>----------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Office of Provost Alerts Faculty Senate President and Chair of Senate Governance Committee of need to form a P&amp;T Appeals Committee.</td>
<td>Upon day of notification by the Candidate of intent to file an Appeal.</td>
</tr>
<tr>
<td>P &amp; T Appeals Committee is formed</td>
<td>Within 5 working days of receipt of notification by the Candidate of intent to file an appeal.</td>
</tr>
<tr>
<td>Candidate files their Appeal with the Office of the Provost. Provost office immediately forwards the letter to the Appeals Committee Members.</td>
<td>Within 10 working days of the letter from the UPTC.</td>
</tr>
<tr>
<td>P&amp;T Appeals Committee reviews the appeal and decide to reject or hold a hearing. Notification sent to Candidate and Office of the Provost and becomes part of the Promotion and Tenure File.</td>
<td>Within 10 working days of receipt of the Appeal.</td>
</tr>
<tr>
<td>P&amp;T Appeals Committee holds a hearing (if decision is to hold a hearing)</td>
<td>Within 10 working days of the notification of parties re: decision to hold a hearing.</td>
</tr>
<tr>
<td>P&amp;T Appeals Committee submits their report to the Candidate and Office of the Provost.</td>
<td>Within 5 working days of the hearing.</td>
</tr>
</tbody>
</table>

### 10.1 POLICY ON RESEARCH, SCHOLARLY AND ARTISTIC ACTIVITIES

From Faculty Handbook Approved June 1988

Research, scholarly or artistic activities are those which lead to the production and dissemination of new knowledge; to increased problem-solving capabilities, including such activities as design and analysis; to original critical or historical theory and interpretation; or to the production of artistic performance. (Co-authorship must be acknowledged).

- Publications
- Books (in print or in press)
- Journal articles published or accepted for publication
- Reports and Monographs Book Reviews
- Chapters and Selections in Books Other Published Materials
- Paper Presentations, Abstracts and Poster Sessions
- Artistic Activities and Inventions (Exhibits, Choreography, Performances)
- Other Scholarly Activities Research Grants
- Editorships and Translations Editorial Review Boards
- Honors
- Developmental Activities (For example, activities which make a fundamental contribution to research, scholarly, or artistic skills, works in progress, workshops which develop research capabilities.) Professional Activities and Service Professional activities include: 1) Service to professional organizations and journals 2) Service to the university 3) Professional service to the public Documentation may include:
  - Service to Profession Officer
  - Conference Coordinator Committee Membership Other Organizational Activities
  - Professional Service to the Public
  - Service to community, state or national organizations
  - Service to the University
  - Advisor to student organizations
  - Program--Designated roles, committees, activities
  - College--Designated roles, committees, activities
  - University--Designated roles, committees, activities
• University System. Honors Developmental Activities (For example, those activities which develop skills to better provide public service activities such as special seminars for leadership development provided by a professional organization.)

10.2 PERSONNEL POLICIES RELATED TO RESEARCH AND EXTERNAL ACTIVITIES
From Faculty Handbook Approved June 1988

(1.0) Salary Supplementation From Research Funds
The University has adopted the following policy on the supplementation of faculty salaries from research contract funds. This policy is based on a statement of the committee on Sponsored Research of the American Council on Education which reads in part as follows:
"...universities should avoid extra compensation (compensation above the full-time base salary) for work on special projects during the academic year. The base university salary should include compensation for all university duties (for example teaching, research, administration, intra-university consulting). Exceptions to this rule should be made only for very compelling reasons and in unusual cases. Whenever it is not feasible for the salaries of faculty members to be converted to a 12-month basis, the percent of effort devoted to sponsored projects should be determined for the academic year and the university should request reimbursement for the corresponding portion of each salary. "Very few cases exist in which salaries are continuously augmented during the academic year by research funds. In some of these cases, severe hardship has resulted to the faculty members whose income was contingent on the continuation of a research contract. The policy is intended to govern the concept of continuous supplementation and does not preclude occasional supplementation, where such compensation falls within the policy of the granting agency. This policy is generally that of government granting agencies, with but a few exceptions. It is and has been the policy of the University to request reimbursement for salary cost as a part of research grant proposals.

(2.0) Outside Employment Regarding Research
According to UH Board of Regents Policy 49.02 (October, 1987), faculty research may be subsidized by and performed with University research agencies or private organizations; however, such research, consulting, concertizing or other work must not interfere with primary University duties. (See also Dual Employment 49.04 and Consulting Policy SAM 02.A.08).

(3.0) Conflicts of Interest (UH System, 02.A.09)
Employees of the University of Houston System shall adhere to and be furnished a copy of the Statutory Standards of Conduct (Section 572.051, Texas Government Code) and avoid conflicts of interest, generally described as the use of one's university employment to obtain unauthorized privileges, benefits or things of value for oneself or others, including the following:
  1. No employee shall solicit, accept or agree to accept any privilege, benefit or thing of value for the exercise of his/her discretion, influence or powers as an employee, except as is allowed by law.
  2. No employee shall accept any privilege, benefit or thing of value that might influence him/her in the discharge of his/her duties as an employee.
  3. No employee shall use his/her position to secure special privileges or exemptions for himself/herself or for others, except as is allowed by law.
  4. Any employee who is an officer, agent, employee or member of, or owns a significant interest in any entity doing business with any component of the UH System must disclose such relationship in writing to his/her immediate superior.
  5. No employee shall accept employment or engage in any business or professional activity which foreseeably might require or induce him/her to disclose confidential information acquired by reason of his/her University position.
  6. No employee shall disclose confidential information gained by reason of his/her University position nor shall he/she otherwise use such information for his/her personal gain or benefit.
7. No employee shall transact any business for the University with any entity of which he/she is an officer, agent, employee or member or in which he/she owns a significant interest.

8. No employee shall make personal investments in any enterprise which foreseeably might create a substantial conflict between his/her private interests and the University's interests.

9. No employee shall accept other employment which might impair his/her independence or judgment in the performance of his/her University duties.

10. No employee shall receive any compensation for his/her services from any source other than the State of Texas except as is allowed by law.

11. No employee who exercises discretion in connection with contracts, purchases, payments, claims or other pecuniary transactions shall solicit, accept, or agree to accept any benefit from a person or entity the employee knows or should know is or is likely to become financially interested in such transactions. Failure of an employee to comply with the foregoing shall constitute grounds for discharge or other disciplinary action.

(4.0) Research Ethics Policy and Procedures

(4.1) Policy
The integrity of the research process is an essential aspect of a university's intellectual and social structure. Research is defined as all research, scholarly, and creative activities that support the intellectual endeavors of the University. Although incidents of misconduct in research may be rare, those that do occur threaten the entire research enterprise. Ethical codes govern the protection of human subjects and the welfare of animals and ensure compliance with specific terms or conditions of an award. The integrity of the research process must depend largely upon self-regulation. Formalization of the rights and responsibilities underlying the methods used is imperative in the research process. The following policy on ethical responsibilities in conducting research is directed toward preserving the integrity of the research process at the University of Houston-Clear Lake. It is the responsibility of UH-Clear Lake to foster a research environment that encourages ethical conduct in all research and that deals forthrightly with possible misconduct associated with research, especially when funds have been provided or requested for the research. Any failure to comply with our assurance to funding agencies and the requirements of Federal regulations may result in enforcement action against UH-Clear Lake including loss of Federal funding, and may lead to the Federal agency conducting its own investigation.

(4.2) Definition of Misconduct in Conducting Research
"Research Misconduct" may include the fabrication of falsification of data, plagiarism, or other fraudulent practices in proposing, executing, or reporting results from research. It might also involve a material failure to comply with Federal requirements for protecting researchers, human/animal subjects, or the public. In general, gross negligence of research standards and any action taken with the intent to defraud are considered forms of research misconduct. This definition does not include the results of honest error or honest differences in interpretation or judgments of data. (Definition based on statement 42 CFR Part 50, Federal Register August 8, 1989)

(4.3) Prevention of Misconduct in Conducting Research
The primary way to prevent misconduct in research at the University is for faculty to promote and maintain a climate consistent with high ethical standards. To reduce the likelihood of misconduct in research, the faculty and administration should facilitate the following:

(4.4) Encouragement of intellectual honesty. Because of the primary role played by a climate of intellectual honesty in an academic community, a commitment to the ethical responsibilities of research by all of its practitioners is essential. We must emphasize the importance of such common practices as submission of work to peer review, avoidance of conflict of interest, scholarly exchange of ideas and data, and self-regulation.
Mentor relationships between research leaders and new practitioners serve to guarantee the transmission of ethical standards in research. Assurance that quality rather than quantity of research is emphasized in promotion and tenure review and merit pay consideration for faculty.

(4.4) Acceptance of responsibility by research supervisor. University policies must define a focus of responsibility for the conduct of research and must ensure that the individual(s) charged with the supervision of researchers can realistically execute the responsibility. These supervisors of research should be experienced researchers who serve as mentors in transmitting the ethics and responsibilities underlying the research approaches used. The larger the research team, the more critical the role of the supervisor in promoting open communication and scholarly exchange of ideas, data, and results. It is also the responsibility of the supervisor to encourage publication of as much primary data as possible.

(4.5) Establishment of well-defined research procedures. Well-designed and strictly-adhered-to methods are a deterrent to fraud. Appropriate assignment of credit and responsibility. Publications should recognize the contributions of others through adequate citation. Publications should also name as authors only those who have had a genuine role in the research and who accept responsibility for the quality of the work being reported. Ordering all authorship should accurately reflect the contributions of the major participants in the research and writing process, including students.

(4.6) Response to Misconduct in Conducting Research
The University of Houston-Clear Lake will conduct inquiries and investigations into reported allegations of misconduct in conducting research by faculty, staff or students. These inquiries and investigations will be pursued in compliance with the rights to privacy, due process and academic freedom of those being accused. Proof of misconduct will result in appropriate disciplinary action by the University.

(4.7) Procedures
University Procedures for Dealing with Alleged Misconduct in Research
These procedures assume the University will act to protect the rights and reputations of all individuals, including any person who is alleged to have engaged in misconduct, as well as the person(s) who made the allegations. Also assumed is the University's prompt, careful, and objective review of such allegations. Confidentiality shall be maintained throughout the proceeding by all parties involved. In each College, the Dean or an individual designated by the Dean shall have principal responsibility for assessing a proper response to allegations of misconduct in conducting research. To assist the Dean's office in meeting this obligation, all allegations of misconduct, whether discovered by a faculty member or other member of the academic community, shall be brought to the attention of the appropriate Office of the Dean unless the allegations are clearly frivolous or otherwise lacking in substance.

(4.8) The Dean or the Dean's designee shall decide whether it is appropriate to resolve the matter through informal processes and discussions. Such processes shall begin immediately upon receipt of the allegation and shall be completed within 30 days of initiation unless an extension of no more than 30 days is requested by the Dean and granted by the Provost. A written report of the inquiry shall be prepared by the Office of the Dean and submitted to the Senior Vice President and Provost and the individual who is the subject of the allegation, as well as any co-investigators on the research project(s) involved. Final resolution through informal means shall require approval by the Provost or his/her designee.

(4.9) If the matter is not resolved through informal efforts and if, in the view of the Office of the Dean or the Provost, further proceedings are required, the allegation shall be referred to the University Research Committee.

(4.10) The Chair of the University Research Committee shall appoint from its membership an ad hoc committee of five members to hear the allegation of misconduct in research. Any individual who has been involved in the college level inquiry may not serve on the ad hoc committee. The Chair of the committee may
supplement by not more than two members (who shall be voting members) the subcommittee's membership when special expertise is necessary to understand the research in question and/or when allegations concern other universities or agencies. The subcommittee shall investigate the facts and submit the results to the University Research Committee. The committee, with the benefit of the report from the subcommittee and after such proceedings and deliberations as it deems appropriate, shall submit its report including recommendations to the Senior Vice President and Provost. The investigation shall be completed within 60 days of initiation unless an extension of no more than 30 days is requested by the committee and granted by the Senior Vice President and Provost.

(4.11) The Senior Vice President and Provost shall take action or make such recommendations as may be required. Special procedures must be followed when the alleged misconduct occurs in a research program funded by Federal or State agencies. It becomes necessary to notify the appropriate Federal or State agency, if at any stage of the inquiry or investigation, it is ascertained that one of the following conditions exists:

- There is an immediate health hazard involved;
- There is an immediate need to protect Federal funds or equipment;
- There is an immediate need to protect the interests of the person(s) making the allegations or of any individual who is a subject of the allegations as well as his/her co-investigators and associates, if any;
- It is probable that the alleged incident is going to be reported publicly.
- There is a reasonable indication of possible criminal violation. In that instance, the institution must inform the appropriate Federal or State agency within 24 hours of obtaining that information.

(4.12) The following actions are recommended when alleged misconduct is substantiated by a thorough investigation:

- The sponsoring agency should be notified of the findings of the investigation, and appropriate restitution should be made.
- All pending abstracts and papers emanating from any research found to be fraudulent should be withdrawn, and editors of journals in which previous abstracts and papers appeared should be notified.
- Institutions and sponsoring agencies with which the individual has been affiliated should be notified if there is reason to believe that the validity of previous research might be questionable.
- A faculty member whose misconduct is substantiated may be barred from submission of proposals to internal and/or external funding sources for a period of time.
- Appropriate action should be taken to terminate or alter the status of faculty members whose misconduct is substantiated.
- Institutional administrators should consider, in consultation with legal counsel, the release of information about the incident to the public press, particularly when public funds were used in supporting any research found to be fraudulent (recommendation from the Association of American Medical Colleges, June 24, 1984, pp. 5-6).
- The Office of the Dean and the University Research Committee shall maintain records of all proceedings in which they were involved. To the extent allowed by law, such records shall be made available to the accused.
- The researcher(s) involved in the alleged misconduct shall be informed in a timely fashion of the nature of the allegation and the preliminary evidence upon which it is based. Throughout the investigation he or she shall be advised of the progress of the investigation and be afforded the opportunity to respond and provide additional information. He or she shall be able to continue his or her activities unless legal, ethical, or contractual guidelines prohibit such continuation. Throughout the investigation, all parties involved shall maintain confidentiality.
- When a thorough investigation fails to substantiate an allegation of misconduct, formal measures will be instituted to ensure restoration of the reputation of the researcher(s) involved in the alleged misconduct. Appropriate actions will be taken against those who leveled the allegation if their unfounded charges are demonstrated to have been malicious or intentionally dishonest.
10.2.3 PROCEDURE ON CONFLICTS OF INTEREST FOR INVESTIGATORS
Policy No. LRCC.2005.001
Approved by University Council, March 10, 2005

(1.0) Purpose

The Conflict of Interest policy applies to individual(s) applying for or receiving funds that are to be managed through the University. In accordance with Federal regulations, the University has a responsibility to manage, reduce, or eliminate any actual or potential conflicts of interest that may be presented by a financial interest of an investigator. Thus, the University requires that investigators disclose any significant financial interest that may present an actual or potential conflict of interest with a sponsored project. Violations of conflict of interest may result in fines and/or penalties against the university.

The goal of the Conflict of Interest policy is to facilitate maintaining objectivity in the production of research results.

(2.0) Definitions

(2.1) To be in compliance with Federal regulations governing sponsored projects, we have adopted the following definitions.

(2.2) Investigator means the principal investigator/project director, co-principal investigators, and any other person at the university who is responsible for the design, conduct, or reporting of research, educational, or service activities funded, or proposed for funding, by an external sponsor providing funds that are to be managed through the university. In this context, the term “Investigator” includes the investigator’s spouse and dependent children.

(2.3) Significant Financial Interest means anything of monetary value, including, but not limited to:

- salary or other payments for services (e.g., consulting fees or honoraria)
- equity interests (e.g., stocks, stock options or other ownership interests)
- intellectual property rights (e.g., patents, copyrights, and royalties from such rights).

The term does not include:

1. salary, royalties, or other remuneration from the university;
2. income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
3. income from service on advisory or review panels for public or nonprofit entities;
4. an equity interest that when aggregated for the Investigator and the Investigator’s spouse and dependent children, meets both of the following tests: does not exceed $10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, or constitute more than a five percent ownership interest in any single entity, or
5. salary, royalties, or other payments that when aggregated for the Investigator and the Investigator’s spouse and dependent children over the next twelve months, are not expected to exceed $10,000. Provided, however, that the exclusions in items (1), (4), and (5) shall not apply if the compensation or transfer of an equity interest is conditioned upon a particular outcome in a sponsored research project.

(2.4) A Potential Conflict of Interest occurs when there is a divergence between an individual’s private interests and his or her professional obligations to the University such that an independent observer might reasonably question whether the individual’s professional actions or decisions are determined by considerations of personal gain, financial or otherwise. An actual conflict of interest depends on the situation and not on the character or actions of the individual.
(2.5) Conflict of Interest

The following list illustrates some of the most common conflicts of interest that occur with sponsored programs:

- Altering the focus of a research program for the benefit of one’s outside interests or for financial gain;
- Obtaining personal gain by influencing purchases of equipment, instruments, etc.;
- Influencing the negotiation of contracts for inappropriate personal or third party benefit;
- Using or releasing privileged information for personal or third party gain;
- Accepting gratuities or special favors in return for influencing the conduct of research.

(3.0) Procedure

(3.1) Prior to the University entering into any of the arrangements listed below, the involved Investigator must have submitted to the dean of his/her College or to the executive unit head a complete written disclosure. This disclosure should include 1) his or her current or pending relationship with the outside enterprise or entity in which the Investigator has a significant financial interest, 2) the relationship of the proposed University activity to the enterprise or entity, and 3) the means by which the Investigator proposes to address actual or potential conflicts of interest which arise from his or her, including immediate family members, dual University and enterprise or entity roles.

(3.2) Project proposals where any of the involved Investigators (or immediate family members) have employment or consulting arrangements or significant financial interests in an enterprise or entity whose interests might be affected by the outcome of the proposed project.

(3.3) Project proposals in which any of the involved Investigators (or immediate family members) have employment or consulting arrangements or significant financial interests in the proposed sponsor, subcontractor, vendor, or collaborator with the proposed project.

(3.4) Gifts, including cash or property, which will be under the control, or will directly support the teaching or research activities of an Investigator from an enterprise or entity in which that Investigator (or immediate family members) has an employment or consulting arrangement or significant financial interests.

(3.5) University technology licensing arrangements with an enterprise or entity for which the inventor (or immediate family members) has employment or consulting arrangement or significant financial interests. Common sense must prevail in the interpretation of these provisions. That is, if a reasonable, disinterested person would question the relationship, it should be disclosed and approval sought for the proposed arrangement.

(4.0) Implementation

This procedure as written is based on the final regulations issued by the National Science Foundation contained in Manual Number 15 as revised October, 1977 and the Public Health Service Objectivity in Research Guide, National Institutes of Health Guide effective October 1, 1995.

(5.0) Certification of Compliance

(5.1) On an annual basis, all Investigators engaging in sponsored projects must certify to their dean or executive unit head their knowledge of and compliance with the financial disclosure policy of the University as outlined herein. (See Appendix I, sample certification form, at the end of this document.) The certification form also requires the same information about members of the Investigator’s immediate family. Investigators must supply this information for confidential review by the University. At minimum, disclosures must include the information found on the sample certification form at the end of this document.
(5.2) In addition, Investigators engaging in sponsored projects must disclose to their Dean or executive unit head on an ad hoc basis new situations in which significant financial interests are obtained and which may raise questions of conflict of interest as soon as such situations become known to the Investigator.

(5.3) The dean or executive unit head will review the financial disclosure, determine whether an actual or potential conflict of interest exists, and determine what conditions or restrictions, if any, should be imposed by the institution to manage, reduce or eliminate such conflict of interest. An actual or potential conflict of interest exists when the reviewer(s) reasonably determines that a significant financial interest could affect the design, conduct, or reporting of the research or educational activities in question.

(5.4) Examples of conditions or restrictions that might be imposed to manage, reduce, or eliminate actual or potential conflicts of interest include:

- Public disclosure of significant financial interests;
- Monitoring of projects by independent reviewers;
- Modification of the research plan;
- Disqualification from participation in that portion of the project that would be affected by the significant financial interests;
- Divestiture of the significant financial interests; or
- Severance of relationships that create actual or potential conflicts.

(5.5) If the dean or executive unit head determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from a significant financial interest are outweighed by interests of scientific progress, technology transfer, or the public health and welfare, then the dean or executive unit head may recommend that the project go forward without imposing such conditions or restrictions. Such a recommendation will be forwarded through the Executive Director, Office of Sponsored Programs, to the Associate Vice President for Information Resources, who shall provide his or her approval and/or disapproval as delegated by the Provost. Restrictions similar to those listed in section 5.4 may be imposed by the Associate Vice President for Information Resources.

(6.0) Appeals of Decisions
Should an Investigator wish to appeal a decision made by the Associate Vice President for Information Resources, he or she may present the appeal to the Provost who then forms the adhoc appeals committee. The adhoc appeals committee is to be made up of one faculty from each college selected by the dean of that college, one member from A&F and one non-academic position appointed by the Provost. The adhoc appeals committee will make a recommendation to the Provost who has final authority.

(7.0) Retention of Records
Records of all financial disclosures and of all actions taken to resolve actual or potential conflicts of interest will be maintained in the Office of Sponsored Programs until at least 3 years beyond the termination or completion of the sponsored project award to which they relate, or the resolution of any government action involving those records. Failure of any Investigator to comply with this policy shall constitute grounds for disciplinary action.

### 10.3 FACULTY RESEARCH AND SUPPORT FUND
Approved by University Council, October 11, 2018
Approved by University Council, September 16, 2004

(1.0) Purpose And Funding Overview
At the discretion of the Faculty Research and Support Funds Committee, FRSF funds will be used to support research, creative and scholarly professional development activities by the University of Houston-Clear Lake faculty. The average grant award has been approximately $3,500 during the recent history of the FRSF fund. The maximum funding range is $5,000-$6,000.

(2.0) Allowed And Unallowed Expenses

(2.1) Funds may be used to support research, creative and scholarly activities. Examples of allowable expenses include:

   2.1.1. Equipment, supplies, and materials necessary to support a particular research, creative or scholarly project

   2.1.2. Copyright permission expenses

   2.1.3. Subvention for scholarly works supported with appropriate documentation

   2.1.4. Student assistant, research associate and research assistant salaries.

   2.1.5. Fringe benefits associated with supported salaries, unless those benefits are paid by the state.

   2.1.6. Travel expenses only when essential to conduct offsite research, and when itemized in detail in the proposal budget

   2.1.7. Preparation of monographs, including textual and biographical research and/or annotation, and scholarly or critical books or studies, other than textbooks

   2.1.8. Page charges and/or reasonable reprint costs for articles in refereed journals

   2.1. Certain expenses will not be supported by FRSF funds. These include but are not limited to:

   2.2.1. Travel to present at a conference

   2.2.2. Page charges for non-refereed journals

   2.2.3. Reimbursement for publication costs already incurred

   2.2.4. Faculty course release and/or summer salary

   2.2.5. Costs associated with the completion of a doctoral dissertation or master’s thesis

   2.2.6. Expenses associated with development of teaching materials or courses, including textbooks, classroom instructional materials and curriculum studies.

(2.2) Requests for funding to conduct institutional surveys and/or studies will not be supported unless they are clearly and plausibly intended for dissemination to the appropriate academic discipline, e.g., as an article in a refereed journal.

(3.0) Eligibility

The following criteria must be satisfied to be eligible for Faculty Research and Support Funds:
3.1. The applicant must be a full-time tenure-track faculty member.

3.2. Faculty members may only have one active FRSF award at a time. If a previous award has not been completed (via final project award) or is on a no-cost extension, it is an active award and the committee will not consider a new FRSF proposal from that faculty member.

3.3. If applicants are members of the FRSF Committee, they will recuse themselves and not participate in the discussion of proposals during that cycle. An alternate will be named as described in section 6, below.

3.4. Applicants must submit final reports from previously funded UH-Clear Lake faculty support programs. Optionally, reports may take the form of resulting articles, papers or grant applications.

(4.0) Proposal Requirements And Format

(4.1) When feasible, the following format should be used in submitting requests to the Faculty Research and Support Funds c/o the Office of Sponsored Programs, email address: sponsoredprograms@uhcl.edu.

(4.2) Brevity will facilitate the review process. The project description may not exceed 10 double-spaced printed pages with 1” margins and font size 12 or larger.

(4.3) Electronic submission of proposals is required. Other materials, e.g., reprints, which are not available in electronic format to be considered with the proposal must be provided to the Office of Sponsored Programs.

(4.4) The CV/biosketch of faculty member(s) must be electronically attached.

(4.5) Proposals must be submitted in the following standard sequence:

4.5.1. **Cover page** on OSP-provided form, including:
   a) Project title (brief but appropriately descriptive)
   b) PI name, title, department, phone, and e-mail address
   c) Total amount requested, in whole dollars
   d) Abstract (150 words or less), presented in accessible language, that describes the overall purpose of the project

4.5.2. **Purpose and Objectives of Proposed Request** - The benefits to be derived from the proposed request.

4.5.3. **Background and Hypothesis**
   a) Description of events leading up to the request.
   b) For research projects, give a description of the current status of research projects and give a description of the current status of research in this field.
   c) Include any preliminary work performed which led to this proposal.

4.5.4. **Significance of the Request** - Potential importance of the proposed activities, outcomes to be produced and benefits to be derived.

4.5.5. **Procedures/General Work Plan/Methodology** - Procedures to be followed in attaining the specific aim of the requests. A description of the specific nature of the proposed activity.
4.5.6. **Duration of Request/Time Frame** - A detailed schedule for the proposed activity (not to exceed one year).

4.5.7. **Equipment/Facilities** - Description of existing UHCL equipment and facilities available for the proposed project; and, justification of equipment/facilities requested to be purchased in the budget.

(4.5.8) **Dissemination/Use of Results and Project Sustainability** – Describe plans for disseminating and using the outcome of the project. If applicable, describe the mechanisms for sustaining the project after the conclusion of the funding period, including identification of potential funding sources to continue and/or expand the project.

(4.5.9) **Budget Summary** - A detailed budget for the proposed activity.

(4.5.10) **Budget Justification**
   a) Estimate travel cost for research to be conducted offsite.
   b) List each item of equipment, supplies, cost, and the relationship to the project.
   c) Estimate salary costs and fringe benefits and justify the employment of research assistants.

(4.5.11) **Cost Share Support from Program/College** – Itemize budget items which will be supported by program or college. For such support, documentation from program or college must be provided.

(4.5.12) **Appended Materials** - Names/vitae of all professional personnel who will work on the proposed request must be included as an appendix. Other appendices may be used to include supplemental information that supports the proposal, but has no logical place within the proposal narrative.

(4.6) All proposals must have approval by the College’s Dean. Forward proposal and CV/biosketch to the dean requesting an email recommendation of support be sent to the Office of Sponsored Programs via sponsoredprograms@uhcl.edu.

(5) **Proposal Review Criteria And Process**

(5.1) Priority for funding will be at the discretion of the FRSF Committee with consideration given to research, creative and scholarly activities (1) based on merit, (2) to generate additional external resources, and (3) not eligible for other existing funds within the university. Where merit of proposals is equal, preference will be given to proposals from those individuals seeking tenure and those who have not received FRSF funding in the previous twelve months.

(5.2) Consideration will also be given to the scholarly productivity resulting from the applicant’s FRSF awards in the preceding three years.

(5.3) The following six major criteria will be considered in the evaluation of all projects, thus assuring all proposals are evaluated equitably and objectively.

(5.3.1) To what degree does the proposed project meet the stated purpose of the FRSF fund?

(5.3.2) How significant and timely is the request?

(5.3.3) To what degree might the proposed project contribute to the advancement of a discipline or its practical applications?
(5.3.4) To what degree are the proposed hypothesis, methodologies and plans clear and complete, with need for project and expected project impact clearly noted?

(5.3.5) Does the applicant have an impactful plan for disseminating the research?

(5.3.6) If applicable, does the applicant have a realistic plan for leveraging the funds into an external grant or contract?

(5.4) Projects may also be evaluated based on their potential benefit to the university. Such benefits may include prospects for external research funding, beneficial student research participation or valuable additions to the university’s research infrastructure.

(5.5) Faculty Research and Support Funds will be distributed on an open competition basis. Funds remaining from one cycle will be carried forward to the next funding cycle. The FRSF Committee is responsible for best utilization of the available funds.

(5.6) The Committee may choose to (a) fund the full proposal; (b) partially fund the proposal with recommended changes to the budget; or (c) decline the proposal. It may recommend that the faculty member revise and resubmit at the next funding cycle.

(5.7) The recipient may request budget modifications during the term of the award. An email specifying the proposed changes is sent to the Office of Sponsored Programs for approval by the fiscal manager on behalf of the Committee.

(6.0) Committee Membership

(6.1) Voting members of the FRSF Committee will be a University committee consisting of eight elected faculty members, two from each college. The term for service shall be four years. Committee members will be elected with staggered appointments so that there will be four newly elected members, one from each college, every other year.

(6.2) The Executive Director of the Office of Sponsored Programs serves as ex-officio chair and fiscal manager. The Executive Director of the Office of Sponsored Programs will serve as a voting representative only in the event of a tie.

(6.3) In addition, each college will elect an alternate to serve during the funding cycle in which that college's representative submits a proposal to the committee for funding or is unable to be present at called meetings.

6.4 The Committee may call upon ad hoc reviewers for further evaluation of the technical aspects of proposals or may request the applicant to meet with them before recommending final action on the proposal.

(7.0) Reports And Acknowledgments

(7.1) Recipients of Faculty Research and Support Funds must submit a final report in electronic form to the Executive Director of the Office of Sponsored Programs 90 days after the project is completed or one year after the project is funded, whichever is later. This report may be brief, and it should summarize accomplishments of the project. The report may optionally take the form of a scholarly article, scholarly conference paper, or grant proposal connected with the FRSF project. The final report must be submitted before further FRSF funding will be considered.

(7.2) The report should acknowledge that the project was funded by the Faculty Research and Support Funds.
Post Award Information

(8.1) No-Cost Extensions: It is expected that the work be completed in the one-year award period. No-cost extensions will be made only for extenuating circumstances beyond the control of the awardee and if approved are generally no longer than one semester. Requests should be made as far in advance as possible. In the event that an extension is not approved, the applicant will forfeit funds remaining at the conclusion of the original award period. The Executive Director of the Office of Sponsored Programs is responsible for approving requests for no-cost extensions.

(8.2) Recipients Leaving the University: If a recipient of the Faculty Research and Support Funds leaves the University before the project is completed, any remaining funds will be retained by the University.

(8.3) University Property: Purchases of equipment, books, materials, etc., from the Faculty Research and Support Funds are properties of UH-Clear Lake and remain its property when recipients terminate their position with the University.

(8.4) Royalties: Royalties will conform to UHS Intellectual Property policies.

Application Deadlines

(9.1) The deadlines for submitting applications are September 15 and March 15 by 5 p.m.

(9.2) If the 15th falls on a weekend or a holiday, the deadline is the next working day.

(9.3) Electronic submissions by applicant and approvals by each applicant’s dean are due by 5 p.m. on the closing dates and will not be accepted after 5 p.m. on the closing dates.

(9.4) No alterations, additions, or changes to proposals will be accepted after the noted closing dates; however, an applicant may withdraw a proposal at any time before a final decision is made.

Compliance Requirements

(10.1) Human Subjects: For projects involving human subjects, applicants must submit an application and secure approval for those projects from the Committee for the Protection of Human Subjects prior to the beginning of the project.

(10.2) Vertebrate Animal Use: For projects involving vertebrate animals, applicants must submit a protocol and receive approval of the Institutional Animal Care and Use Committee (IACUC) prior to the beginning of the project.

10.4 FACULTY DEVELOPMENT AND SUPPORT FUNDS
These funds are awarded within the colleges according to the college-specific guidelines. See college documents for criteria and award process.

10.5 INTELLECTUAL PROPERTY POLICY (UH System Policy)
http://www.uhsystem.edu/board-of-regents/policies/#BOR%20Policies%20Section%20III

University research and intellectual endeavors often result in the invention of new technology or the creation of new copyrighted material. Such results may have commercial value. While the production of commercially valuable intellectual property is not necessarily the purpose of University research and educational activities, nor the duty of anyone engaged in research and educational activities, the Board desires that both
society and the University under the governance of the Board use all knowledge to the greatest possible benefit. Accordingly, when appropriate, the University will protect all intellectual property rights in technology and copyrighted material and use diligent efforts to make productive use of such rights for the good of the public, the creator, and the System. When this result is achieved by the attraction of private risk capital, or by the transfer or licensing of rights in technology or copyrighted material, income may be realized, which the Board will seek to distribute in a manner fair both to the creator and to the University at which the intellectual property was developed. Financial return, however, always remains secondary and incidental to the public service aspect of developing and disseminating knowledge for public use. The Board hereby delegates authority to promulgate specific policies for managing Intellectual Property Rights to the Chancellor/President.

(1.0) Definitions

A. "Author" means any person (as defined below) who actually creates copyrighted material (also as defined below).

B. “University” means all component universities within the University of Houston System.

C. "Business participation" means the participation of a person in any activity, the purpose of which is the commercial development or exploitation of intellectual property owned by the University. Such participation includes, but is not limited to, an equity interest, a consulting relationship, service on a Board of directors or similar body, a royalty interest, stock ownership, or any similar relationship.

D. "Copyrighted material" or "work of authorship" means original expression that is fixed in any tangible medium of expression and subject to copyright protection under Title 17 of the United States Code as it now exists or as it may be amended. Under federal law, copyright subsists from the moment of the work's creation, although protection may be enhanced by registration with the United States Copyright Office. Works of authorship currently include: 1. Books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests, and survey instruments; 2. Lectures and unpublished lecture notes; 3. Musical works; 4. Dramatic works; 5. Works of visual art, such as sculptures and drawings; 6. Architectural works; 7. Films, audiovisual works, slide programs, film strips; 8. Sound recordings and video recordings containing original performances; 9. Programmed instruction materials; 10. Computer programs and documentation.

E. "Creator" means an inventor or author (each as defined elsewhere in this policy).

F. "Intellectual Property Rights" means those rights of ownership recognized by law in technology, copyrighted material, and computer software and firmware (all as defined in this policy). Intellectual property rights include, but are not limited to patents, copyrights, and rights to trade secrets and know-how.

G. "Inventor" means any person who discovers or invents technology.

H. "Net income" means, with respect to Board-owned rights in any particular intellectual property and/or copyright, gross revenue received by the University as a result of the commercialization of such rights, less:
   1. any taxes or other charges of any description paid by the University to governmental agencies in connection with the particular intellectual property; and
   2. all legal and other expenses paid by the University to affiliates or third parties in filing, prosecuting, maintaining, enforcing, defending, and commercializing such rights in the United States or foreign countries.

I. “Net Sales” means the amount billed or invoiced on sales of licensed products and/or licensed services, less:
   1. Customary trade, quantity or cash discounts, and non-affiliated brokers' or agents' commissions actually allowed and taken;
   2. Amounts repaid or credited because of rejection or return; and
3. To the extent separately stated on purchase orders, invoices, or other documents of sale, taxes levied on and other governmental charges made as to production, sale, transportation, delivery, or use and paid by or on behalf of the creator.

J. "Person" means any part-time or full-time faculty or staff member working at, or student attending, the University or other entity under the governance of the Board.

K. "Chancellor/President" means the Chancellor/President of the University under the governance of the Board, or any person the Chancellor/President designates to carry out the University's intellectual property policy.

L. "Software" means any program, language, or procedure for a computer System or portion thereof, and any accompanying documentation. Software includes, but is not limited to, computer programs, internal programs, subroutines, assemblers, generators, subroutine libraries, compilers, operating Systems, and application programs.

M. "Technology" means discoveries, innovations, or inventions.

N. "University research" means all research, activities, or work within or related to a person's expertise or general area of employment responsibility, or that has resulted from activities performed by the person on University time, with the support of University funds or from using University facilities, including work under a research agreement with an external sponsor and research conducted by anyone, whether or not a person as defined in this policy, who utilizes University resources.

O. "University support" means direct University support which includes but is not limited to the following:
   1. Equipment, materials, and staff services from any of a variety of University departments other than the person’s academic department or unit are used in the development of copyrightable materials at no expense to the author or the author’s academic department/unit.
   2. Author receives support for the development of copyrightable material, such support being in the form of money in excess of normal salary, reduced teaching load, released time, or other resources from a department, college, or any unit of the University.

(2.0) Standing Committee on Intellectual Property
   A. Appointment. The Chancellor/President of the University shall appoint or specify the make-up of a Standing Committee on Intellectual Property.
   B. Duties in General. In addition to the responsibilities described elsewhere in this policy, the committee will advise and recommend to the Chancellor/President:
      1. guidelines and procedures for implementation of this intellectual property policy;
      2. proposed amendments to this policy; and
      3. such other matters as the Chancellor/President directs.

(3.0) Technology: Patents, Trade Secrets, Know-How, Etc.
   A. Ownership of Technology. The Board owns all intellectual property rights for technology that is conceived or reduced to practice by any person engaged in University research. The Board has delegated to the Chancellor/President of the University the authority to make the following exceptions:
      1. In cases of contracts for sponsored research exclusively with an industrial sponsor or in other rare circumstances for sponsored research, the University may agree, that the sponsors or other parties may own the intellectual property rights in technology resulting from such research.
      2. The University may accept research agreements that, under statutory law, vest intellectual property rights in the technology resulting from such research in an agency of government.
      3. After consideration as required by this policy, the University may waive intellectual property rights in technology in favor of the inventor.
B. Technology Agreement. Every person employed by the University shall execute a "Technology Agreement," a copy of which is available from the Chancellor/President's office. However, the failure of any person to execute a "Technology Agreement" shall not affect the Board's rights under this policy.

C. Technology Assignment and Execution of Documents. Whether or not a person makes a disclosure of technology as described below, he/she shall execute assignments or any other documents required for the acquisition and protection of Board-owned intellectual property rights, including those documents necessary to enable the University to fulfill requirements imposed by agreement or by law.

D. Disclosure of Technology. Carefully planned methods of transferring Board-owned rights in technology will best accomplish the objectives stated in the "Purpose" section of this policy. The University can accomplish those objectives only if inventors promptly disclose technology. Premature publication of information pertaining to discoveries and inventions, or delayed prosecution of patent protection, can damage seriously the ability to obtain patent protection. Therefore, if a person conceives or reduces to practice any technology, that person must disclose such technology to the University as soon as practicable after the date of first conception or discovery. Certain research agreements may require disclosure, and in such a case a person shall disclose technology in accordance with the agreement. To make a proper disclosure, the inventor must prepare, sign, and date a patent disclosure in the form promulgated by the University. The inventor must also include drawings, sketches, and other pertinent data to show the principle of the technology.

E. Action after Disclosure
   1. The Standing Committee on Intellectual Property shall review the technology upon disclosure and shall recommend to the Chancellor/President that the University adopt one of the following actions:
      1.1 institute action to acquire patent protection. The committee shall recommend whether the University should pursue such action itself or refer the technology to a management agency; or license the technology as know-how and/or a trade secret, whether or not it obtains patent protection;
      1.2 transfer intellectual property rights in the technology to the research sponsor, if such transfer is required by a research agreement; or
      1.3 waive ownership in the intellectual property rights in the technology in favor of the inventor with the University retaining 4% of net sales, should the inventor commercialize the technology that was disclosed. In addition, if the University had invested financial resources for legal protection of the technology prior to waiving ownership, the University shall recoup its legal fees and expenses from future revenues in addition to retaining 4% of net sales from the commercialization of the technology. It is noted, however, that any future improvements or modifications developed at the University are considered new inventions and the property of the University and subject to this policy. The 4% interest will be distributed 2% to the University, 1% to the Department(s) or Research Center based on research budget allocation and 1% to the College(s) based on research budget allocation.

   2. After reviewing the committee's recommendation and such other technical consultation as is appropriate under the circumstances, the Chancellor/President shall determine the University's course of action concerning the technology.

   3. The University will act in good faith and will attempt to evaluate all disclosures within a reasonable time.

The Standing Committee on Intellectual Property evaluates each disclosure, if adequate (see subsection following), within 30 days prior to the expiration of patent pendency for the provisional application. The Chancellor/President has an additional 30 days to act on the committee's recommendation. If either the committee or the Chancellor/ President fails to act on the invention within the relevant time period specified above, the inventor may request, and in response thereto the University may grant, a waiver of the University's rights in favor of the inventor.
4. If the inventor fails to provide any information pertinent, in the committee's judgment, to evaluation of the disclosure, the disclosure is not "adequate." In such circumstances, the committee shall request the needed information from the inventor, and the calculation of the 120- and 60-day time periods specified in the foregoing subsection shall not begin until the requested information is received by the committee.

F. Publication. Premature publication of information pertaining to technology could damage seriously the University's ability to obtain patent protection in foreign countries. Accordingly, an inventor may not seek publication of any information pertaining to disclosed technology until the earlier of (1) 90 days after disclosure is made, or (2) the University grants permission for such publication. This requirement is intended only to affect the timing for publication of research findings and shall not be used to infringe upon the academic freedom of any person. However, if the inventor publicly disclosed the invention, the University and members of the Standing Committee on Intellectual Property shall not be held responsible for any loss if patent protection is not secured.

(4.0) Copyrights

A. Ownership of Copyrights. The University will not assert ownership of copyright developed by faculty, staff or students, unless separately contracted for, in any: 1. Books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests, and survey instruments; 2. Lectures and unpublished lecture notes; 3. Musical works; 4. Dramatic works; 5. Works of visual art, such as sculptures and drawings; 6. Architectural works.

B. The University will assert ownership of copyright developed by faculty, staff or students, with regard to other types of works subject to copyright, namely, 7. Films, audiovisual works, slide programs, film strips; 8. Sound recordings and video recordings containing original performances; 9. Programmed instruction materials; 10. Computer programs, software, and documentation, allocation of copyright ownership will be as follows:

1. University Supported Effort. When a work is created with financial support or resources of the University and the work is not prepared in accordance with the terms of a contract or grant in which the University is a party or as a specific University assignment, the University will own the copyright and the division of royalty and other income will be based on the Net Income Distribution included in this policy. Routine use, as sanctioned by University policy, of library, office space, equipment, supplies, facilities, and personnel within the author's department or college does not, for the purposes of this section, constitute University support.

2. Extramurally Sponsored Effort. Copyright in works developed with support from an outside agency through a contract or grant will be owned by the University. The Chancellor/President or his designee must approve deviations from the policy.

3. University Commissioned Efforts. Materials or other works produced by employees of the University will be subject to copyright exclusively by the University, if the University commissioned the employee to write or produce the specific materials or works. A faculty member's general obligation to produce scholarly and creative works and the receipt of a professional development leave, unless there is a specific agreement to the contrary, do not constitute University Commissioned Efforts as defined in this policy.

4. Student copyrights as a result of course work. The University claims no rights to works created by students in the course of their education, such as dissertations, papers and articles, if the student received no support from a research grant in the form of wages, salary, stipend or a grant from funds administered by the University. The University will own the copyright to works created by graduate students in the course of their assigned duties of employment, including duties as teaching or research assistant as part of an assigned task, where the assignment explicitly states that the work will be owned by the University.

5. Categorization issues. It is recognized that the boundaries among traditional forms of works of authorship may be difficult to apply to certain works in newer media. For example, the line between books and programmed instruction materials may not be apparent. For purposes of this policy, a work whose presentation and use are interactive (other than for purposes of searching the text or otherwise locating material, or for verifying correct answers) will be regarded as a computer program rather than a book. When questions of ownership arise, and until the dispute is resolved, it will be managed as though the University owns the copyright.
6. Software and Firmware. Since the potential exists to protect software and firmware under copyright, patent, and trade secret laws, the author must comply with Board policies and regulations governing copyrights and technology.

C. Disclosure of Copyright. Carefully planned methods of transferring Board-owned rights in copyright will best accomplish the objectives stated in the "Purpose" section of this policy. The University can accomplish those objectives only if authors promptly disclose copyrighted material. Therefore, if a person creates copyrighted material, that person must disclose such works to the University as soon as practicable after the date of fixing the original expression in any tangible medium. Certain research agreements may require disclosure, and in such a case a person shall disclose technology in accordance with the agreement. To make a proper disclosure, the author must prepare, sign, and date a copyright disclosure in the form promulgated by the University. The author must also include other pertinent data to show the medium of copyright.

D. Action after Disclosure

1. The Standing Committee on Intellectual Property shall review the copyright upon disclosure and shall recommend to the Chancellor/President that the University adopt one of the following actions:
   1.1 recommend whether the University should pursue commercialization action itself or refer the technology to a management agency; or license the copyrighted material;
   1.2 transfer the rights in the copyright to the research sponsor, if such transfer is required by a research agreement; or
   1.3 waive ownership in the copyright in favor of the author with the University retaining 4% of net sales, should the author commercialize the copyright that was disclosed. In addition, if the University had invested financial resources for legal protection of the copyrighted material prior to waiving ownership, the University shall recoup its legal fees and expenses from future revenues in addition to retaining 4% of net sales from the commercialization of the technology. It is noted, however, that any future improvements or modifications developed at the University are considered new copyrighted material and the property of the University and subject to this policy.

2. After reviewing the committee’s recommendation and such other technical consultation as is appropriate under the circumstances, the Chancellor/President shall determine the University's course of action concerning the technology.

E. Rights to Fair Use. Where the University owns the copyright, the authors will retain rights to copy and distribute the original work to the extent necessary for classroom use in connection with courses taught by the author at this or another University. In exercising these rights, the author will provide fair attribution to the University of Houston for having supported the original work. The author will include the copyright notice; where the author owns the copyright, the University will retain rights to fair use, archival and library reproductions, and performance and display of such works.

F. Revision of Materials and Works. Works as to which the University, under the terms of this policy, owns the copyright shall not be altered or revised without providing the author a reasonable opportunity to assume the responsibility for the revision. If the author declines the opportunity to revise such material, the Chancellor/President in consultation with the appropriate department or office will make the assignment of responsibility for the revision.

G. Withdrawal of Materials and Works from Use. Materials and works as to which the copyright is owned by the University, under the terms of this policy, shall be withdrawn from use when the University in consultation with the author deems such use to be obsolete or inappropriate. No withdrawal or other discontinuance shall take place that would violate the terms of any licensing or other agreement relating to the materials or works.

H. Reimbursement of Expenses. In those instances where the University takes copyright ownership pursuant to this policy, any gross revenue received as a result of commercializing any work of authorship developed or created at the University must first be applied to recovering expenses associated with creation of such work and with exploitation of the copyright therein. Thereafter, revenue will be allocated to the authors and the University in the same manner as net income in the case of patented inventions.

I. Apportionment Among Authors. When there is more than one author of a work, the shares to the respective authors shall be distributed in the proportions set forth on the disclosure form submitted to the Standing Committee on Intellectual Property. If no disclosure has been submitted, then by agreement between the
authors, or in the absence of such agreement, the proportions will be determined by the Chancellor/President after affording an opportunity for hearing those concerned.  

J. Resolution of Copyright or Equity Disputes. A University Copyright Appeals Committee, an Ad Hoc Subcommittee of the Standing Committee on Intellectual Property, shall review the applications for the resolution of copyright or equity disputes and shall submit its recommendation to the Chancellor/President. Either the employee or the Vice President for Research may request a review. The Copyright Appeals Committee shall be appointed by the Chancellor/President from nominations submitted by the Standing Committee on Intellectual Property and shall function in accordance with policies and procedures established by the Standing Committee on Intellectual Property and reviewed by the University Faculty Senates. The Chancellor/President’s decision will be binding on all parties, and will be conveyed to all involved in a timely fashion, but must be conveyed within 60 working days.

(5.0) Commercialization of Board-Owned Intellectual Property and Copyrighted Material

The Board policy is to make productive use of Intellectual Property and Copyrighted Material for the good of the public, the creator, and the System. To achieve this goal, the University may license, transfer, or otherwise commercialize Board rights in technology or copyrighted works developed by its faculty, staff, and students. To manage this process, the University operates a licensing and technology transfer program and requires strict compliance therewith. The University also encourages creators themselves to seek potential licensees and transferees, or to notify the University of such individuals or companies. In all instances, the University must be involved in any negotiation of a commercialization agreement concerning Board intellectual property rights in technology or copyrighted works, and must give final approval to any such agreement.

(6.0) Net Income Distribution

A. Reimbursement to System. The Board recognizes the healthy symbiotic relationship that, by this policy, it seeks to foster between itself and persons associated with the University. Of necessity, the University will receive all gross revenue as a result of commercializing any intellectual property rights developed or created at the University and this must first be applied to recovering the expenses listed in the definition of "net income" above. Thereafter, the creator(s) of the intellectual property has a residual economic interest, to be paid out according to the schedule in the following subsection.

B. Creator's Residual Economic Interest

1. 40% of Net Income shall be paid to the creator(s) thereof in the proportions set forth on the disclosure form submitted to the Standing Committee on Intellectual Property (in the case of patents and other technology) or on the title page of the copyrighted work.

2. Thereafter, unless the Standing Committee on Intellectual Property recommends, and the Chancellor/President adopts, a different distribution, the remaining Net Income derived from commercialization of the intellectual property rights shall be distributed as follows:

   2.1 - 40% to the University;
   2.2 - 13% to the creator(s) academic department(s) or research center(s) in proportion to the research budget allocations;
   2.3 - 7% to the college(s) in proportion to the research budget allocation.

C. Time of Distributions. The sums referenced in the foregoing schedule shall be distributed annually to the creator(s) or the University as soon as practicable after the close of the fiscal year during which the income was received.

D. When equity, in the form of stocks, is received as part of the license agreement, the company shall be directed to issue 40% of the stocks to the creator(s) and the remainder of the stock shall be distributed to the University. For clarity, the creator’s share of equity, in the form of stocks, will be issued directly from the company and the creator shall not then be entitled to an additional 40% share of the remaining stock distributed to the University.

E. The distribution with the University shall be as follows:

   The entire University share will be distributed to a component that has incurred the costs of development, protection of the Intellectual Property and Marketing;
1. If the University of Houston System or another component has contributed financially to the commercialization of the Intellectual Property, the Chancellor or his designee shall determine the equitable distribution of the University share;
   2. Each component shall establish its own policies for internal distribution.

(7.0) Business Participation
   A. Business Participation Approved. The Board does not discourage persons subject to this policy from participating in the commercial development and/or exploitation of Board-owned intellectual property. Nonetheless, such participation must conform in all respects to this policy, including the policy stated above concerning licenses and transfers to applicable state and federal laws, and University conflict of interest policies.
   B. Specific Requirements. In particular, a person shall not engage in business participation if such participation would violate Board Policy 57.08, section 572.051, Texas Government Code, section 51.912, Texas Education Code, or other state or federal law or regulation that controls such participation.

(Policy last updated 08/24/2017)

10.6 POLICY ON THE AUTHORING AND DELIVERY OF ONLINE COURSES BY UNIVERSITY OF HOUSTON CLEAR LAKE FACULTY AND STAFF
Approved by University Council February 14, 2013

(1.0) Scope

(1.1) The purpose of this policy is to maximize the creative efforts of faculty and staff for the mutual benefit of the University and its faculty and staff.

(1.2) No part of this policy is intended to circumvent the authority vested in the Office of the Provost regarding curricular matters.

(1.3) This policy:
   1.3.1 governs the authoring and delivery of credit and non-credit online courses by full-time faculty and adjunct faculty offered through the University course management system.
   1.3.2 generally follows policies governing other courses offered at the University.
   1.3.3 reaffirms the UH-System Intellectual Property Policy adopted by the Board of Regents in May 1999 and designated as Section 21.08. The policy addresses patents, trade secrets, copyright and commercialization.

(1.3.4) seeks to make the System policy operational within the University environment.

(1.3.5) seeks to delineate the roles, responsibilities, and benefits related to University-developed and delivered online distance education credit courses.

(1.3.6) applies to any University employee engaged in authoring, developing, delivering, or commercializing online courses. References to financial compensation in this document apply only to full-time faculty and staff.

Compensation of part-time faculty, adjuncts, and other less- than full-time employees of the University is not subject to this policy.

(1.3.7) is not intended to infringe on the job description of persons hired by the University. Faculty members not hired specifically to develop, deliver, or support online courses may choose not to participate in such activities.
(2.0) Definitions

(2.1) Distance Education Delivery Methods - includes providing instruction and answering questions via telephone, television, or the Internet via electronic mail exchanges, discussion forums, chat room sessions, news groups, and other electronic means. This policy covers courses in which the delivery mode is fully online and all class instruction is delivered and course requirements are fulfilled online, day-to-day instructional activities connected with offering courses, including lecturing, or interacting with students via fully online distant delivery methods to accomplish the goals of the course, or all instruction is delivered online but could require students to attend mandatory orientation, class presentations or in-class examinations.

(3.0) Approval of Online Courses

(3.1) Colleges' Responsibility in the Approval of Online Courses – Colleges have exclusive control over curriculum quality issues including class size. Each college has by-laws guiding internal decision-making on matters of policy and curriculum, which are listed below:

(3.1.1) Approving University-supported online courses authored by faculty or staff.

(3.1.2) Approving revisions to existing online courses.

(3.1.3) Approving any proposed online courses developed external to the University.

(3.1.4) Approving instructors and faculty to deliver online distance education courses.

(3.1.5) Approving non-credit online courses.

(4.0) Online Course Development

(4.1) New Course - before a course can be developed for online distance education it must:

(4.1.1) go through the appropriate curriculum review process of the college offering the online course, THEN

(4.1.2) be approved by the appropriate dean for development and delivery as an online course, THEN

(4.1.3) go through the University’s course development processes for online courses AND appear in the University’s official inventory.

(4.2) The design, layout and format for online courses must meet University standard, including accessibility standards established by Section 508 Subsection 1194.22 of the Rehabilitation Act.

(4.3) Nothing in this section is meant to preclude employees of the University from developing online courses without substantial assistance from the University. Faculty members are free to contract with commercial web publishers to develop online courses, subject to the UH System Intellectual Property Policy. However, before a course can be offered online via distance education, as a part of the University’s curriculum, it must undergo the normal processes for college and University approval.

(5.0) Quality Assurance Process – once an online course is developed, but before it can be delivered, the course must go through the University’s quality assurance (QA) process. The QA process ensures that the course meets the distance education quality criteria set forth by the Texas Higher Education Coordinating Board and the Southern Association of Colleges and Schools.
(5.1) An online course goes through the course development and QA process if:

(5.1.1) A brand new online course is being developed.

(5.1.2) An existing course is being migrated from one course management system to another.

(5.1.3) The mode of delivery is changing from either face-to-face or web-enhanced to online.

(6.0) Online Course Delivery

(6.1) Prior to delivering an online course, the University and the instructor(s) must enter a written agreement covering its delivery.

(6.1.1) For the delivery of the online course:

(6.1.2) The University retains the right to offer any necessary online course sections using the course, including the author’s materials, during any semester.

(6.1.3) For as long as the author is employed by the University, the author retains the right of first refusal to instruct sections using the online course subject to workload guidelines and negotiations with the appropriate dean. Should the author decline to serve as instructor, the University may offer sections using the, online course, including the author’s materials, to another faculty member or adjunct as instructor.

(6.1.4) Should the author leave the University, the University retains ownership of the online course and the right to reuse or modify the course. The author may re-use the online course materials at a subsequent place of employment after institution identifying information, logos, and trademarks are removed.

(7.0) Compensation

Compensation to the author for the development or revision of an online course is determined within each college.

(7.1) As long as the author remains a University employee, the author is eligible to receive residual compensation for each section using the online distance education course taught by another faculty member or adjunct, provided the author has not been compensated by the University for the development of the online course.

(7.2) Compensation to the author, based on the sale, lease, license, rent, or trade of online courses or modules comprising the online distance education course by the University, will be in accordance with the UH-System Intellectual Property Policy.

Approved: February 14, 2013
Sunset: February 14, 2023

10.7 DEVELOPMENT POLICY

Revised August 6, 2013

(1.0) Purpose

Increasing the academic and programmatic strength of the University of Houston-Clear Lake by attracting resources and funds from private sources is a major institutional objective. To accomplish this successfully, all development efforts of the University must be well coordinated. At the University of Houston-Clear Lake, the
Office of the President is responsible for coordinating all solicitation efforts by University personnel for funding from private sources. These sources include corporations, businesses, associations, foundations, and individuals. Institution-wide development efforts are initiated and coordinated by the Office of University Advancement under the direction of the Office of the President. The University of Houston System through the Vice Chancellor for Institutional Advancement serves as the central coordinating point for solicitation and administration of contributions from all campuses comprising the System. Therefore, development efforts (solicitations and gift income reporting procedures) must conform to the requirements of the University of Houston System. The President must approve all private fund-raising plans prior to any solicitation effort. The President has delegated day-to-day responsibilities for the application and approval process to the Office of University Advancement which has the prime responsibility within the President’s office for managing the overall development efforts of the University. Efforts requiring substantial assistance must be submitted for approval by the President's office through the Office of University Advancement. Prior to its submission they must be approved by the appropriate Vice President or Dean. Priorities within their respective areas of responsibility must also be approved by the appropriate Vice President or Dean.

(2.0) Responsibilities of Key Offices
Responsibilities of the various components of the University of Houston System and the University of Houston-Clear Lake on matters of University Advancement are as follows:

(2.1) University of Houston System
The University of Houston System through the Office of the Vice-Chancellor for University Advancement serves as the central coordinating point for the solicitation and coordination of contributions and gifts from all University of Houston campuses comprising the System. Within the Vice Chancellor's office, the Office of Donor and Alumni has the primary function of recording all gifts from private sources, both restricted and unrestricted, and maintaining current files on all donors and pertinent information about them. This office is also responsible for issuing official receipts for all gifts, processing matching gifts and preparing the gift reports for the Board of Regents.

(2.2) Office of the President, UH-Clear Lake
The Office of the President has the ultimate responsibility for direction and coordination of solicitation efforts for contributions from private sources for all personnel employed by the University of Houston-Clear Lake. To this end, the President as designated the Office of University Advancement which is part of the Office of the President, as the central coordinating mechanism for University-wide development efforts. This includes the responsibility of reporting all UH-Clear Lake contributions and gifts to the University of Houston System, which in turn prepares reports to be presented to the Board of Regents and other appropriate University personnel.

Office of University Advancement
The Office of University Advancement is designated by the President to coordinate all University development activity with private sources. The Office of University Advancement will keep records of all transactions and related correspondence regarding the development efforts of the University. The Associate Vice President for University Advancement is the initial point of contact for all inquiries for members of the University’s faculty and staff. The development functions of this office are as follows:

(2.2.1) Create and implement institution-wide development efforts.

(2.2.2) Serve as a coordinating point for all development efforts of the University of Houston-Clear Lake.

(2.2.3) Serve as a reporting mechanism to the University of Houston System Vice Chancellor for Institutional Advancement and the UH-Clear Lake's Vice President for Administration and Finance.

(2.2.4) Provide solicitation expertise to development efforts approved by the President.
(2.2.5) Serve as an information resource base regarding gifts/contributions, donor profiles, and related topics.

(2.2.6) Develop procedures to implement the University's development policy.

(2.3) Office of the Vice President for Administration and Finance
The Office of the Vice President for Administration and Finance at the University of Houston-Clear Lake has the fiduciary responsibility regarding all contributions/gifts to the University. All contributions/gifts received and reported to the Office of University Advancement will be transferred with the appropriate paperwork to the University of Houston System for processing and deposit unless otherwise designated. All gifts-in-kind that involve future expenditures for upkeep, maintenance, or installation must be approved by the Vice President for Administration and Finance prior to their acceptance.

(3.0) Contributions Policy
In order to facilitate a comprehensive and coordinated approach to development efforts of the University of Houston-Clear Lake, as well as fulfill the reporting requirements of the University of Houston System, the University personnel must adhere to the following guidelines. For the purpose of this policy statement, gifts/contributions are to be defined as a voluntary transfer of real or personal property without compensation. All gifts to the University of Houston-Clear Lake (restricted and unrestricted cash, checks, securities, gifts-in-kind, grants, scholarships, endowments, and all other forms not herein described from any college/program or entity) are to be reported to the Office of University Advancement in accordance with the following guidelines:

(3.1) All development plans of the University must be approved, prior to their implementation, by the President and all development plans, prior to their submission to the President must be approved by the appropriate Vice President or Dean.

(3.2) University personnel shall deliver to the Office of University Advancement all information regarding contributions, checks, accompanying letters, restrictions, donor information, and any other pertinent data derived from fund-raising activity, after the President's approval of the basic plan.

(3.3) Should the contribution be a matchable gift, the college, program or office receiving the gift must remit to the Office of University Advancement information regarding the original gift and the completed original matching gift form (if applicable) as supplied by the donor. Many companies which match gifts have online forms to be completed by the donor.

(3.4) All offers of gifts-in-kind especially those which may involve future expenditures for upkeep, maintenance, installation and so forth must be approved prior to their acceptance by the appropriate supervisor and the Vice President for Administration and Finance. The burden of determining the value of these gifts for tax purposes devolves on the donor.

(3.5) All gifts designated for the University of Houston-Clear Lake Alumni Association or function thereof shall be delivered directly to the Office University Advancement. All related correspondence, donor information, and completed matching gift form (if a matchable gift) must accompany the original gift for deposit.

(3.6) All gifts of securities shall be delivered to the Office of University Advancement immediately or not later than the business day following their receipt. Additional information required for the processing of these gifts includes permission to sell stock or statement as to retention, the desired use of the proceeds (if restricted), and proper signature on stock certificates.

(3.7) A special fund shall be established within the Office of the President to receive all unrestricted gifts to be reallocated at the President's discretion to the appropriate subunit receiving the gift and for other University projects.
(3.8) All plans for deferred giving must be approved by the President prior to their acceptance.

(4.0) Acknowledgement Letters

The following are guidelines for acknowledging gifts:

(4.1) The Office of University Advancement shall coordinate acknowledgment of all gifts.

(4.2) The administrative subunit receiving the gift shall acknowledge its receipt and send a copy of the correspondence to appropriate officials within respective components and the Office of University Advancement.

(4.3) Other entities which benefit from a particular gift shall also make an acknowledgment and forward a copy to the Office of University Advancement.

(4.4) The President shall acknowledge all gifts valued at more than $1,000.00. The Associate Vice President for University Advancement acknowledges all gifts valued at $100 through $1,000. The Associate Vice President of University Advancement shall entertain special requests for letters of acknowledgment for gifts below $100.00 in value.

11.1 STUDENT RIGHTS WITHIN THE UNIVERSITY COMMUNITY

Approved by University Council May 19, 2014

The University is committed to complying with all applicable federal and state laws and regulations. Admission to the university is open to anyone qualified according to published admissions standards and resource limitations.

Access to Higher Education. The University must make available to all students publications which denote academic and behavioral standards required of all who register at this institution.

Freedom from Discrimination. Students shall be treated on an equal basis in all areas and activities of the University regardless of race, color, sex, genetic information, religion, age, national origin, disability, veteran status or any other legally protected status. Additionally, for purposes of this Policy, the term “Protected Class” includes sexual orientation, gender identity and gender expression.

Freedom of Speech, Expression, and Association. The rights of free speech, expression, and association, as defined by the Constitution of the United States and developed by statutory laws and judicial decisions, are guaranteed to every member of the university community.

Rights of Privacy. A student has the right to personal privacy except as otherwise provided by law, and this privacy will be observed by students and the university officials alike. See “Confidentiality of Records” FERPA for more information.

Rights of Due Process.
Each student subject to disciplinary action arising from violations of university regulations shall be assured procedural due process. At the discipline hearings, an accused student shall be assumed innocent until found responsible, and in the initial hearing, the burden of proof shall rest with those bringing the charges. In all proceedings, the student shall be guaranteed substantive and procedural due process.
Participation in Policy Development. University policy guarantees the right of students to participate in the initiation and development of university policy through shared governance.

Policy in Decision-Making. Students have the right to have their views considered at appropriate levels of the decision-making process within the university community.

Student Organizations. The university recognizes the right of students to form organizations not forbidden by federal laws, state laws, or university policy. Student organizations must be registered and approved through the procedures established in "Student Organizations Policies" designated in these policies.

Student Publications. Student publications may deal with issues of interest and importance to the university community. At the same, the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo.

Student Responsibilities Within the University Community
A student has the responsibility to respect the rights and property of others, including other students, the faculty, the staff and the administration.

A student has the responsibility to be fully acquainted with the published university policies and procedures and to comply with them and the laws of the land.

A student has the responsibility to recognize that student actions reflect upon the individuals involved and upon the entire university community. If a student violates any university policy or procedure, the student will be subject to due process of university policy regardless of any civil or criminal actions that may be pending as a result of the same action.

The university reserves the right, through due process, to issue a warning, to suspend, or to dismiss any student for conduct that is harmful to members of the university community or damaging to the educational interests of the university.

Student Code of Conduct

11.2 GRADING POLICY
Policy No. EPCC.1999.001;
Approved by University Council, May 14, 2015

(1.0) Purpose
This document describes policies for assigning and modifying course grades at UHCL.

(2.0) Grade Assignments

Only the course instructor may assign a grade for a student.

(3.0) Grade Changes
Grade changes are allowed for only one of the following three reasons:

(3.1) Removal of an incomplete grade.
(3.2) Result of a grade appeal or hearing.

(3.3) Correction of instructor error.
Other than removing an incomplete, grades will not be changed on the basis of extra work submitted after final grades are assigned.

Grade changes may be made by the instructor or the appropriate Associate Dean in the absence of the instructor. After one long semester, a grade change submitted by an instructor must be approved by the Associate Dean of the College in which the course is located. Grade changes must be completed within one year after the initial grade is posted.

Approval Date: May 14, 2015
Sunset Date: July 31, 2020

11.3 GRADING PROCEDURES
EPCC.1999.001
Approved by University Council, April 22, 1999

(1.0) Class Roster
Class rosters are available via E-services in the Faculty Center. The first day class roster is available on the first day of class. It contains the name of each student officially registered in the class. Students not listed on the roster should be referred to the Office of Academic Records immediately to resolve their schedule discrepancy problem.

The Census Date Class Roster is available after the census date of each semester, generally the 20th class day during the fall and spring semesters and the 4th class day in the summer. The Census Date Class Roster contains the names of all students officially registered in the class for the semester. Only students listed on the Census Date Class Roster will appear on the Grade Roster and will be eligible to receive grades for the class. Any student attending class who is not listed on the roster and who is not auditing the class should be referred directly to the Office of Academic Records. Faculty should indicate if the student if “Present” by checking the box next to each student and submitting the roster electronically by the submission deadline indicated.

(2.0) Grade Rosters
Grade Rosters constitute the official record of grades reported by instructors for all students officially enrolled at the University. Semester Grade Rosters are produced by the Registrar's Office and distributed during the week prior to final exams. If an instructor does not receive his/her grade rosters, or receives rosters belonging to someone else, the instructor should notify the Registrar's Office immediately. The deadline for submission of Semester Grade Rosters is noon on Monday following the end of final exam week. Grades of No Grade ("NG") are assigned to students when Grade Rosters are missing or late. Once an "NG" is assigned, the instructor must complete a Grade Change Form for each student on the Grade Roster. Students who receive an NG may not be eligible for the President's List; in addition, decisions regarding suspension/probation and graduation may be affected if Grade Rosters are not submitted in a timely manner. It is imperative, then, that all Grade Rosters be hand delivered to the Registrar's Office prior to the noon Monday deadline. Valid grades are noted on the grade roster. Effective Fall 1990, the University adopted the use of plus/minus with letter grades. Only the grades indicated on the roster are acceptable; invalid grades will be ignored. If a student has withdrawn from the course a grade of WX will be recorded on the Grade Roster. A grade of WX cannot be assigned to a student who has not officially withdrawn.

(2.1) Completing the Grade Roster
The Grade Roster is available via the Faculty Center in E-services by the official instructor of record. The Online
Grading Documentation will be provided by the Office of Academic Records each semester. The input of grades period and grading deadlines will be published in the Online Grading Documentation and will be strictly adhered.

(2.2) Grades of In Progress ("IP") are only valid for Master's Thesis, Project, Dissertation Residency and Internship classes that are still in progress. Grades of Incomplete ("I") are given only under special circumstances within the framework of an agreement worked out between the student and the instructor. That Incomplete Grade Contract must then be submitted to the Associate Dean's office of your college. Faculty should review the grades they submitted. Grades can be reviewed form the Faculty Center in E-Services. If discrepancies are found, the faculty member should notify the Office of Academic Records immediately.

(2.3) Incomplete Grades
A grade of Incomplete ("I") may be given at the discretion of the instructor to students who are making satisfactory progress in a course. Incomplete grades are typically given for emergency situations which occur after the withdrawal date but prior to the end of the semester, and which prevent the student from completing course requirements. When assigning the grade of "I," instructors provide students with an Incomplete Grade Contract which outlines the work to be accomplished before the "I" can be converted to a final grade and specifies a deadline date; this contract constitutes an agreement between instructors and students. A grade of "I" must be resolved within the time limit set by instructors; however, such limits may not be extended beyond the last day of classes of the next long semester following the semester in which the "I" was assigned. Failure to resolve an "I" will result in its conversion to a final grade of "F" on students' permanent records. An "I" can be converted to a final grade only. A notation regarding a grade changed from an incomplete will appear on the student's transcript. Students should not reregister for a course to complete a grade of "I." If any portion of the course must be repeated, students must sign up as an auditor for the course and pay appropriate fees. The Incomplete Grade Contract must be submitted to the Associate Dean's Office of their college.

(2.3.1) Students on academic probation, who have outstanding "I" grades, will remain on probation until all incomplete grades are resolved. Students who have accumulated two or more unresolved grades of "I" may not register for additional courses without the approval of the appropriate Associate Dean. "I" grades are not calculated in the GPA. An "I" which has been changed to a grade or has been converted to an "F" will be recorded and academic action taken during the semester of the grade change.

(2.4) Grade Changes
Only the instructor may assign the grades for a student in a course. Grade changes may be made by the instructor, or the Associate Dean in the absence of the instructor. After one long semester, a grade change submitted by an instructor must be approved by the Associate Dean for the program in which the course is taught. Grade changes must be filed in the Office of Academic Records within one year after the initial grade is posted. Grade changes resulting from the completion of In Progress (IP) or Incomplete (I) work may only be initiated by the instructor of record or the Associate Dean.

(2.4.1) Grade Change Forms are located in the Associate Deans' Offices and the Office of Academic Records. The instructor must come in person to complete the Grade Change Form - they may not be taken from the office. When the form is processed, the Registrar's staff will compare the instructor's signature on the form to their signature on file. If the signatures match, the grade is changed on the student's permanent record electronically and thereby noted on the grade roster. A copy of the change is sent to the student and the student's college is notified.

(3.0) Auditing Courses
Students may audit courses if they meet the admission requirements of the University and have the permission of the course instructor. Application forms to audit a course may be obtained from the appropriate Dean's office.
Registration to audit a course is on a space-available basis. Only after all registration for a semester has been completed - and after determination is made that space is still available - will individuals be assigned to particular courses for auditing purposes.

Students who audit a course are eligible to attend class only. Auditing does not include any further participation in class and does not provide a grade for the course. No official registration at the University is noted on the student’s record, the student is not on the official class roll and will not appear on the Semester Grade Roster. Regular tuition and fees are paid by auditors.

(4.0)  Withdrawal from a Course
The University has policies governing voluntary withdrawal, administrative withdrawal and the assigning of the withdrawal mark. These policies can be found in more detail in the Program Requirements section of the Catalogs. Students who drop a class or withdraw from all classes after the semester census date of the semester or session, but no later than the withdrawal deadline as stated in the Academic Calendar will receive one of the following grades: “WQ” (Student-initiated drop, No Evaluation or “WX” (Administrative Drop or Withdrawal, No Evaluation). These grades imply no evaluation of students’ performance prior to the withdrawal. Students may retain auditing privileges with the instructor’s consent. Students who do not withdraw prior to the deadline will be given a final grade by the instructor based on performance.

11.4  ACADEMIC HONESTY POLICY
Approved by University Council July 8, 1994

Preamble and Code

Academic honesty is the cornerstone of the academic integrity of the university. It is the foundation upon which the student builds personal integrity and establishes a standard of personal behavior. The University can best function and accomplish its mission in an atmosphere of the highest ethical standards. The University expects and encourages all students to contribute to such an atmosphere by observing all accepted principles of academic honesty. This policy is designed to encourage honest behavior and is jointly administered by faculty and students.

Honesty Code

The Honesty Code is the university community’s standard of honesty and is endorsed by all members of the University of Houston-Clear Lake academic community. It is an essential element of the University’s academic credibility. It states: I will be honest in all my academic activities and will not tolerate dishonesty.

Section I: Responsibilities
Joint Responsibility: Students and members of the faculty are jointly responsible for maintaining the academic integrity of the University by following the Academic Honesty Code and by refusing to participate in or tolerate scholastic dishonesty.

Student Responsibility: All students at the University of Houston-Clear Lake are expected to maintain complete honesty and integrity in all academic work attempted while enrolled at the University. This standard of conduct includes reporting incidents of alleged violation of the honesty policy to the instructor involved or, if necessary, to the appropriate academic dean. Each student acknowledges, by the mere act of turning in work for a grade, that he or she has honored the Academic Honesty Code.

Faculty Responsibility: Faculty is responsible for helping students comply with the Academic Honesty Policy by noting the Honesty Code on the class syllabus. Instructors should help minimize student temptation to violate
the code by enacting adequate security precautions in the preparation, handling, and administering of graded work. Instructors are responsible for discussing incidents of alleged violation of the Honesty Code with the student involved, outlining authorized penalties for violation of the Honesty Code, and notifying the student’s academic dean of record and the Dean of Students when a determination has been made that a student has violated the Honesty Code, regardless of which type of academic sanction the instructor chooses to administer.

While all students are expected to maintain the highest standards of personal academic honesty, it is recognized that some students may not meet these standards. This policy is designed to address, in a uniform manner, cases of alleged violation of the Honesty Code.

Section II: Violations

Honesty Code Violations: Any conduct or activity by a student intended to earn or improve a grade or receive any form of credit by fraudulent or dishonest means is considered an Honesty Code violation. In addition, engaging in any conduct including the following examples which a reasonable person in the same or similar circumstances would recognize as academic dishonesty is considered a violation. Examples of violations of the Honesty Code include, but are not limited to, the following:

1. Acquiring information:
   a. Acquiring information for any assigned work or examination from any source not authorized by the professor.
   b. Working with another person or persons on any assignment or examination when not specifically permitted by the instructor.
   c. Observing the work of other students during any examination.
   d. Using, buying, selling, stealing, soliciting, copying, or possessing, in whole or part, the contents of an un-administered examination.
   e. Purchasing, or otherwise acquiring and submitting as one’s own work any research paper or other writing-assignment prepared by others.

2. Providing information:
   a. Providing answers for any assigned work or examination when not specifically authorized by the instructor to do so.
   b. Informing any person or persons of the contents of any examination prior to the time the examination is given.

3. Plagiarism:
   a. Incorporating the work or idea of another person into one’s own work without acknowledging the source of that work or idea.
   b. Attempting to receive credit for work performed by another person, including papers obtained in whole or part from individuals or other sources.
   c. Copying copyrighted computer programs or data files belonging to someone else.

4. Conspiracy:
   Agreeing with one or more persons to commit any act of academic dishonesty.

5. Fabrication of information:
   Falsifying the results obtained from a research or laboratory experiment.
   a. Presenting results of research or laboratory experiments without the research or laboratory experiments having been performed.
b. Substituting for another student to take an examination or to do any academic work for which academic credit will be received.
c. Changing answers or grades after an academic work has been returned to the student and claiming instructor error.
d. Submitting work for credit or taking an examination and employing a technique specifically prohibited by the instructor in that course, even if such technique would be acceptable in other courses.

(6) Abuse of resource materials:

a. Mutilating, destroying, concealing, stealing, or altering any materials provided to assist students in the completion of academic work, including library books, journals, computer files, microfilm and microfiche files, materials placed on reserve by the instructor, or any such materials as the instructor may provide or assign.
b. Copying any data files or copyrighted computer program(s) for one’s own personal use or the use of others.
c. Copying without permission of the owner, or mutilating or destroying any copyrighted media, printed or electronic (for example, film, video, music, graphics, art, photography, or manuscript).

(7) Failure to report:

Failing to report to the instructor any incident in which a student witnesses an alleged violation of the Academic Honesty Code.

Academic Honesty Enforcement Procedures

The faculty has primary responsibility and authority in the classroom. Since each instructor has specific responsibilities to inform students of the contents of the Honesty Code, encourage compliance with the Honesty Code, and enforce the Honesty Code in the classroom, it is incumbent upon the instructor to administer the Academic Honesty Policy in a fair and judicious manner in all instances of alleged academic dishonesty.

Informal Resolution

When an instructor has evidenced that a violation of the Honesty Code may have occurred, whether through his or her personal witness or through a report made by another person, he or she should immediately investigate the alleged violation to determine the facts. If a student or other member of the University community suspects that another student has committed an act of academic dishonesty that person shall notify the instructor in the course in question, and the instructor shall notify the student of the allegation. When informing a student that an alleged violation has occurred, the instructor will set a meeting date and time within ten working days with the student to discuss the alleged violation. The student may then present a defense in his or her own behalf.

In the event a case of academic dishonesty is not resolved prior to the deadline for reporting final grades to the registrar, the student shall receive a grade of Incomplete (“I”) until the appropriate grade can be determined.

If the instructor determines that a violation has occurred, he or she must:

1. Determine the sanction that will be imposed.
2. Document the violation and sanction on the Honesty Code Violation Form, which must be signed by the student and the instructor. The instructor and student each retain a copy of the form, a copy if forwarded to the student’s academic dean of record, and the original copy is forwarded to the Dean of Students. If the student is a non-degree objective (NDO) student, a copy is forwarded to the Associate Vice President
for Academic Affairs. This form must be completed for all instances of violation of the Academic Honesty Code, regardless of the severity of the alleged violation or the sanction imposed.

3. Advises the student that the decision may be appealed to the Academic Honesty Council, and that to appeal the decision, the student must contact the Dean of Students by letter within ten working days of the sanction. The Dean of Students will set a hearing date before the Academic Honesty Council. If the decision is appealed, the formal procedures will be followed as outlined below.

4. Advise the student that, in addition to academic sanction by the instructor, the student may also be subject to disciplinary action. Such action may be imposed by the Dean of Students if evidence exists of repeated violations of the Honesty Code.

**Faculty Sanctions**

After determining that the student has violated the Honesty Code, the instructor may impose one of the following sanctions:

1. Require the student to complete another assignment.
2. Assign a grade of F or zero on the assignment.
3. Assign a final grade penalty for the course. If a final grade penalty is assigned, the instructor may indicate the penalty on the Final Grade Roster with a notation of “HV” (Honesty Violation) beside the grade. This notation will prevent the removal or change of the grade penalty.

Sanctions which involve a grade penalty for the course or lesser penalty shall be deemed a minor offense. If the student accepts the penalty and chooses not to appeal through the Dean of Students office, the matter is considered closed. If the instructor determines that greater sanction (i.e., probation, suspension, or expulsion) should be imposed, or if the instructor has previously sanctioned that same student, the situation becomes one of a major offense. All such cases must be referred to the Dean of Students to initiate a formal hearing before the Academic Honesty Council.

**Formal Resolution**

If an instructor determines that a student has committed an act of academic dishonesty and such act warrants sanction more severe than a grade penalty for the course, he or she must attach a copy of the complaint to the Honesty Code Violation Form. The instructor and student each retain a copy of the form and the complaint, a copy is forwarded to the student’s academic dean of record, and the original is forwarded to the Dean of Students within ten working days. If the student is a non-degree objective (NDO) student, a copy is forwarded to the Associate Vice President for Academic Affairs. The instructor shall recommend what he or she believes to be the appropriate sanction to the Academic Honesty Council. The Dean of Students will initiate a formal hearing process as soon as possible but no later than thirty days of receipt of the complaint, notifying the student of the alleged violation and setting a date and time for the hearing before the Academic Honesty Council.

If the Dean of Students has received two or more reports of academic dishonesty for the same student, this constitutes a major offense, and he or she must initiate a formal hearing process, notifying the student’s academic dean of record and the student of the series of alleged violations and setting a date and time for a hearing before the Academic Honesty Council. If the student is a non-degree objective (NDO) student, the Associate Vice President for Academic Affairs is notified.

**Academic Honesty Council**

The Academic Honesty Council will serve as a hearing board for cases of violation of the Honesty Code. The Academic Honesty Council will be constituted by having each college elect a faculty representative and an alternate. The Student Government Association Executive Council will select a pool of students for each college.
Each college dean will select a student representative and an alternate from the college’s pool of students. The Associate Dean representative and an alternate will be selected by the Associate Deans. Members of the Academic Honesty hearing panel for a specific case will not include a member involved in the case of violation of the Honesty Code nor any person who serves on the University Review Board. Members are selected prior to the beginning of each academic year for a one-year term to begin September 1 through August 31 and they may serve consecutive terms. The Dean of Students will serve as a nonvoting chairperson. The Council shall convene a hearing panel within ten working days of being notified by the Dean of Students.

The student and instructor will present their sides of the case along with any evidence, and each may call any relevant witnesses. Procedures for the hearing process for disciplinary hearings detailed in Student Life Policies will apply. The Academic Honesty Council deliberates and renders a decision of whether the Honesty Code was violated. The Council will either uphold the instructor’s recommendation for sanction or may impose a lesser sanction. The Council may not impose a more severe sanction than the one recommended by the instructor, unless such severe sanction is deemed appropriate by the Council based on documented repeat violations of the Academic Honesty Policy by that student.

The Dean of Students will implement the decision of the Academic Honesty Council in a registered letter to the student, with a copy to the instructor involved, the academic dean of record, and the registrar (when sanctions so require). If the student is a non-degree objective (NDO) student, a copy is forwarded to the Associate Vice President for Academic Affairs. This letter will also contain notice that the student may appeal the Council’s decision, according to the rules governing appeals in Student Life Policies.

Appeals will be heard by the Sr. Vice President and Provost only on the basis of the records of previous deliberations. Review of the sanction on appeal may not result in more severe sanction(s) for the accused student. The decision of the Sr. Vice President Provost is final.

Academic Honesty Council Sanctions

After determining that the student has violated the Honesty Code, the Council may impose one or more of the following sanctions, based on the instructor’s recommendation:

1. Impose a grade penalty of “F” or “zero” for the academic assignment or for the course.
2. Impose Probation: The student shall not represent the University in any extracurricular activity or run for office in any University sponsored group or organization. Additional restrictions or conditions may be imposed.
3. Impose Suspension: Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for re-admission may be specified. When suspended, a student may not attend class or participate as a student in any University activity.
4. Impose Expulsion: Permanent separation of the student from the University.
5. Other appropriate sanctions may be applied in addition to those listed.

Records

The Dean shall retain a copy of all Honesty Code Violation Forms. If the sanction imposed is a final grade penalty, suspension or expulsion, the registrar’s office is notified and a record of the notification is maintained in the registrar’s office according to the prescribed operating procedures of that office.

If the student is found in violation of the Honesty Code and the penalty is anything except suspension or expulsion, the form does not become a part of the student’s permanent record or transcript. Instead, it is retained by the Dean of Students.
If the student is found in violation of the Honesty Code and the penalty is suspension or expulsion, the record becomes part of the student’s permanent academic file and the notation of “Disciplinary Suspension” or “Disciplinary Expulsion” is placed on the transcript. In the case of suspension, the notation will be removed at the conclusion of the specified suspension period at the written request of the student. In the case of expulsion, the entry is noted permanently.

11.5 ACADEMIC APPEALS POLICY
EPCC.1997.004
Approved by University Council April 30, 1997

(1.0) Purpose
Academic appeals include those appeals related to grades and academic programs or degree requirements. Specific instructions are provided below for each type of academic appeal. In all instances, the university expects that every attempt will be made initially to resolve such disputes informally through discussions by all relevant parties prior to initiating formal procedures.

(2.0) Grade Appeals
All appeals relating to specific course grades require that students first seek a satisfactory solution with the instructor. If this is not possible or the instructor cannot be reached, the student must send a written statement detailing the grounds for the appeal to the associate dean of the college in which the grade was earned. This written request must be received by the associate dean within 45 days from the calendar date when grades are available. The associate dean will then initiate the college’s procedures to review the appeal. The student will be notified in writing of the decision. The student may appeal this decision in writing to the dean within 15 working days of notification. The dean's decision is final on all grade appeals.

(2.2) Appeals of Academic Program or Degree Requirements
All appeals relating to specific program or certification requirements (e.g., residency requirements, master's degree option decisions) require that students submit a written petition to the associate dean of the appropriate college detailing the grounds for the appeal. The associate dean will respond in writing with a decision. The student may appeal this decision in writing to the dean within 15 working days of notification. The dean's decision is final.

11.6 COMBINED AND PARALLEL UNDERGRADUATE AND GRADUATE COURSES
Approved by University Council, May 14, 2015

(1.0) Purpose

(1.1) A significant distinction between undergraduate and graduate levels of instruction must be made evident in combined or parallel courses.

(1.2) Assignments for these courses must be commensurate with the graduate/undergraduate distinction.

(2.0) Definitions

(2.1) Parallel courses are courses offered at the undergraduate and graduate levels sharing a similar content.

(2.2) Combined Courses refer to cross-listed courses that include at least undergraduate and 1 graduate course.
(3.0) Policy

(3.1) Faculty members offering such a course must ensure that there are significant differences between the graduate and undergraduate requirements.

(3.2) The syllabus for parallel or combined courses must contain requirements for graduate students that are significantly different from those for undergraduates; in addition, the requirements for undergraduate and graduate students must be clearly communicated using separate syllabi.

(3.3) The necessity for the combined course must be approved by the college.

(3.4) In cases where the distinction between undergraduate and graduate courses cannot be maintained adequately, a justification must be submitted to the Office of the Provost and approved.

Approval Date: May 14, 2015
Sunset Date: July 31, 2020

11.7 GRADE CHANGE ANNOTATION ON ACADEMIC TRANSCRIPT
Approved by University Council, April 22, 1999
Policy No. EPCC.1999.002

(1.0) Current Process
We now record both the old grade and the new grade on the academic transcript. The old grade appears with a strike-through and the new grade is the only grade used in calculating the grade point average.

(2.0) Proposal
Change our procedures to fit the “best practice” which is that used most commonly across the country. “Best practice” is to record only the final grade the student receives except in the case of incomplete grades where both grades would appear as they do now.

(3.0) Rationale
The current grade change form asks the instructor the reason for the grade change. If the reason is instructor error, our procedure is to delete the old grade and post only the final grade. If the reason is something else, we post both grades, with a strike-through the old grade. Faculty and students often want the old grade deleted, but because the reason was not instructor error, we cannot accommodate them. Or the faculty forgets to mark instructor error, the student complains, we have to verify that situation with the instructor and then make the change. Since the final grade is truly the grade the student earned, it seems reasonable to post only this grade on the student’s record and eliminate questions about the two grades for one course that may come up during job interviews or graduate/professional college application processes. If this proposal is approved, the grade change form would ask for the new grade, without reason for change, and that new grade would replace the old grade in all instances except for the incomplete grade process.

A transcript is attached to show how grade changes are now recorded. On the first page under the Spring 1987 semester you can see a grade change of “I” to a final grade of “F”. This process would stay the same. On the second page under Spring 1998 semester you see a grade change from “C” to “B”. Under the proposal, only the final grade of “B” would appear on the transcript.
12.1 POLICY FOR THE USE OF UNIVERSITY FACILITIES (EXTERNAL)
Approved by University Council September 13, 2012

(I.0) Purpose
The purpose of this policy is to define priorities, scheduling procedures and policies for the use of University of Houston-Clear Lake (UHCL) facilities for other than academic or administrative purposes.

Any exceptions to this policy require approval of the President.

II. Policy
1. General Provisions and Intent
The University of Houston-Clear Lake will endeavor to provide facilities for individuals and organizations subject to the provisions of this policy.

The Facilities and Support Services Committee (FSSC) together with Facilities Management and Construction (FMC) will maintain a list of spaces at UHCL that are available for non-academic use by university related and outside individuals and organizations.

(2) Scheduling
Reservation requests for the use of campus facilities must be made through the Office of Scheduling and Space Planning (OSSP). Request to reserve facilities must be in writing using the Facilities Request Form stating the date(s), duration, type of room(s), and number(s) of persons involved, as well as the official name of the organization or composition of the group and the purpose of the meeting(s) to be held in university facilities. The Facilities Request Form can be found at the Facilities Management and Construction website.

(2.1) The University cannot guarantee the availability of any space beyond the duration of the current academic term. University-related events will take priority over external functions and events and, should a conflict occur, external functions and events will be subject to relocation or cancellation.

(2.1.1) UHCL facilities that are not normally used for academic purposes may be available for scheduling on a continuing basis as indicated on the Facilities Request Form.

(2.1.2) Athletic Facilities: Reservations by external groups for use of all athletic facilities will be accepted beginning six months in advance of the requested event date. However, University Intramural events and University sponsored club events will take precedence in the scheduling of the fields. As a result, those reservations made by groups may be adjusted or cancelled after the start of each college session. If two groups agree to occupy the facility at the same time, they must notify the OSSP in writing. Upon this occurrence, costs for the use of the field will be appropriately divided and adjusted between the two user groups.

(2.2) Scheduling will be done according to the following priorities:
UHCL academic or administrative activities;
UHCL sponsored events;
External functions.
External functions and events will be scheduled on a first come, first serve basis.

(2.3) General purpose classroom space will not be scheduled until after the first full week of classes for each semester due to unpredictable course changes. As a result, general purpose classroom space cannot be guaranteed. Scheduling of events in classrooms will be accommodated on a case by case basis for events requiring classroom space during the first full week of classes. After the first full week of classes, classrooms will be scheduled as usual.
(2.4) The full week prior to final exams including the weekend, and the week of final exams is a designated 'quiet time' for students. No events that entail significant noise, music, P. A. systems, etc. will be scheduled in the Atria.

(2.5) Scheduled events that entail noise, music, P. A. systems, etc., that are scheduled overlapping academic classes will be monitored by the Police for excessive sound/noise and may be required to reduce volume levels or cease noise conduct altogether.

(2.6) UHCL will endeavor not to schedule events when the University is officially closed for state holidays (i.e. Thanksgiving, Christmas, etc.). Events that are scheduled and then cancelled due to inclement weather will be refunded their full deposit. However, events that are affected following an official closing on a Friday may incur overtime set-up charges.

(2.7) FMC will maintain a list of materials including, but not limited to, glitter, confetti, and silly string, that are not permitted in particular facilities or all of the University’s facilities.

(2.8) All non-UHCL organizations wishing to utilize UHCL space to offer any instructional programs to the public must obtain endorsement through the appropriate academic dean prior to confirmation of the event.

(3) Lead Time for setup of facilities
In order to guarantee the use of classroom/seminar space a completed Request for Utilization of Facilities form must be submitted a minimum of one week prior to the date of the event. In order to guarantee all other facility usage requests a completed Request for Utilization of Facilities form must be submitted a minimum of four weeks prior to the date of the event.

If required, all internal and external individuals and organizations reserving the University’s facilities must submit a copy of their setup to UHCL at least 5 working days before the scheduled event. Otherwise, a setup will not be guaranteed to be completed.

(4). Exclusions

(4.1) So long as appropriate space is available for the requested date(s), the University will not discriminate among applicants except that space will not be rented to organizations listed by the Attorney General of the United States as subversive of or inimical to the general public welfare; also except that University facilities may not be used by non-University organizations or groups solely for profit-making purposes, or for the purpose of offering instruction of an on-going nature not as part of the University’s academic or public service programs.

(4.2) For advertising purposes only, UHCL may allow use of its name to identify the location of the activities, as long as the language clearly indicates whether or not this is a University sponsored event. The OSSP reserves the right to review all promotional materials prior to dissemination.

(4.3) The University reserves the right to reject the application of any organization, group, or individual or restrict the time, place, and manner of usage if it is determined that such activities would interfere with the functions of the University

(5) Exemption from Liability
The University of Houston-Clear Lake cannot be held liable for any form of injury to any individual or for the loss of or injury to the property of any individual or of any organizations or group using the facilities of the University.
(6) **Protection of State Property**

Any organization or group or any individual member(s) (internal or external) thereof using University facilities will be held liable for any destruction of or damage to any property of the University including soiling of carpets, spilt liquids, damage to foliage and general disorders requiring University resources for reparation. Such occurrences, which involve extraordinary building cleaning, will cause the user to incur fees to return the building to original condition.

(7.) **Disability Accommodation Guidelines**

(7.1) **Internal users:** Campus departments and groups that sponsor events on campus are responsible for making necessary accommodations for individuals with disabilities who attend or participate in the program, service or activity and the cost associated with the accommodation. The campus group is also responsible for publicizing the availability of an accommodation in all publicity announcements for the event. Any individual who requires a special accommodation to attend or participate in a program or activity should contact the event sponsor at least 7 working days prior to the event date to arrange for the accommodation. Event sponsors should contact the UHCL Disability Services Coordinator once a request is received. Every effort will be made to provide the needed accommodations when the need for such is known.

(7.2) **External users:** Non-campus groups that sponsor events on campus are responsible for making necessary accommodations for individuals with disabilities who attend or participate in the program, service or activity and the cost associated with the accommodation. A non-campus group is also responsible for publicizing the availability of reasonable accommodation in all publicity announcements for the event. Any individual who requires a special accommodation to attend or participate in a program or activity should contact the event sponsor at least 7 working days prior to the event date to arrange for the accommodation. Event sponsors should contact the UHCL Disability Services Coordinator once a request is received. Every effort will be made to provide the needed accommodations when the need for such is known.

(8.) **Public Display of Art Work and Exhibits**

(8.1) The University of Houston-Clear Lake will strive to provide public areas of the buildings for the display of artwork and exhibits for the enrichment of the University community providing that safety egress routes are not blocked or compromised. Parties contemplating the use of public space for these purposes should consult with the OSSP and obtain a copy of written procedures outlining the appropriate and approved methods of hanging/displaying such items.

(8.2) Displays that are placed and/or hung in violation of these written procedures are subject to confiscation pending receipt of full restitution for damages incurred.

(9.0) **Campus Dining and Distribution of Alcoholic Beverages**

(9.1) **Food and Beverages:** For reservations involving food and beverage service, all arrangements must be made through the University dining facilities, which are operated under contract by an independent contractor. No outside caterer is allowed on campus without permission from the Office of the Associate Vice President for Finance. Any outside caterer approved to provide services on campus must be approved and comply with all health and safety food handling requirements. Any organization approved to sell food on campus must have a temporary food request form approved by the Risk Management Department.

(9.2) **Distribution of Alcoholic Beverages:** Alcoholic beverages may be offered for sale only by the University food and beverage contractor and only in specific areas.
(9.2.1) Any proposed distribution of alcoholic beverages by faculty/staff or community groups must be reviewed and approved in advance by the President.

(9.2.2) Any proposed distribution of alcoholic beverages by student organizations must have the approval of the Senior Vice President and Provost. All student organizations are subject to Student Life Policies for Alcoholic Beverage Distribution.

(9.2.3) The University Police Department has the exclusive right to schedule police officers during events serving alcoholic beverages. The cost of such officers will be paid by the event sponsors.

(10.) Notices, Decorations, and Displays

On campus signage, displays and advertising by outside individuals and organizations must be coordinated with OSSP. University related individuals and organizations must coordinate signage with the Student Life Office.

(10.1) A “poster” refers to any printed or pictorial matter displayed on university property inclusive of, but not limited to, flyers, table tents, sign holders etc.

(10.2) Materials may not be posted on any undesignated areas, including doors, glass, walls, bathrooms, car windshields, or over previously posted materials.

(10.3) Limitations on content in posters are regulated by federal, and state, laws as well as university policy.

(10.4) Any posters violating these regulations may be taken down by the University.

(10.5) Road Signs

Any temporary road signs not placed by Facilities Management and Construction must meet the following guidelines:

a. Road signs must be related to an on campus event or organization.

b. The entity placing the signs must remove the signs within 24 hours of the end of the advertised event. Signs may not be posted closer than 30 feet of any intersections and may not be closer than 500 feet apart. Exceptions may be approved by FMC.

c. Road signs must have their own support and cannot be attached to a permanent UHCL sign or traffic control sign.

d. The University Police Department and Facilities Management and Construction have the authority to remove any sign that is deemed in violation of this policy.

(11) Modification of Policy

The University of Houston-Clear Lake may at any time modify this policy or any regulations or restrictions relevant thereto without advance notice.

12.2 UNIVERSITY HOURS OF OPERATION
Revised April 1997

(1.0) Purpose
In recognition of both the daytime and large nighttime student population at the University of Houston-Clear Lake, the following staffing guidelines have been developed to assist the university in meeting the legitimate service needs and expectations of its students. These are administered in light of general statutory expectations:
(1.1) "State offices shall remain open during the noon hours each working day with at least one person on duty to accept calls, receive visitors, or transact business... and all State offices shall remain open between the hours of 8 a.m. and 5 p.m., with provisions made to stagger the normal day between the hours of 7 a.m. and 6 p.m." (H.B. 656)

(1.2) UH-Clear Lake recognizes that it cannot meet, solely within the confines of these statutory regulations, the legitimate service expectations of its students. Therefore, the following policies to guide the management of its diverse staff activities are adopted, with the understanding that all full-time employees work a minimum 40-hour week:

(1.3) The following general administrative offices of the university shall maintain regular minimum office hours of 8 a.m. to 5 p.m., Monday through Friday, during non-vacation periods, to meet the above statutory requirements:

(1.3.1) Office of the President (President, Institutional Advancement)

(1.3.2) Vice Presidents' Offices

(1.3.3) Academic Deans' offices

(1.3.4) Offices within Administration and Finance Division (Personnel, Accounting, Payroll, Budget, and Purchasing)

(1.4) The following offices, representing those with the largest regular and necessary student contact, shall maintain minimum regular office hours of 9 a.m. to 6 p.m., Monday -Thursday; and 9 a.m. to noon, Friday:

(1.4.1) Associate Deans*

(1.4.2) Enrollment Services

(1.4.3) Student Activities

(1.4.4) Career and Counseling

(1.4.5) University Cashier*

(1.4.6) and Gift Shop

(1.4.7) University Food Services

*As resources allow, offices in categories B & E should move to a 7 p.m. closing time, Monday-Thursday.

(1.5) The Office of Health and Disabled Services shall maintain minimum regular office hours of 8 a.m. to 10 p.m., Monday -Thursday; 8 a.m. to noon, Friday**, during fall and spring semesters.

(1.6) The following offices shall maintain special and critical function within the University and must maintain operational hours different from those above. In maintaining such hours, each such office should be cognizant of the needs of the particular campus population being served:

(1.6.1) Neumann Library

(1.6.2) University Police

(1.6.3) Physical Plant Services
(1.6.4) University Computer Center
** Friday hours may be extended to 6 p.m. for these offices once Friday programming is further developed.

(1.7) Faculty Suites
Every effort must be made to provide support staff in faculty suites for the following minimum coverage: 9 a.m. to 6 p.m., Monday - Thursday; 9 a.m. - 5 p.m. Monday - Friday during each long semester; and 8 a.m.-5 p.m. Monday - Friday, during the summer term.

(1.7.1) Faculty Office Hours: Full-time faculty must maintain a minimum of six office hours per week. These hours should be built around faculty members' class schedules to ensure timely access for students. Faculty office hours must be posted.

(1.7.2) Noon Hour Coverage: Where staffing permits, offices will remain open during the noon hours each working day with at least one person on duty to accept calls, receive visitors and transact business. Where staffing is insufficient to allow coverage during the noon hour, assistance will be provided to visitors and callers by any of the following means:
   a. referral of visitors to alternate offices or individuals by posted notice;
   b. routing of incoming calls to other offices or individuals via call forwarding mechanism;
   c. acceptance of telephone messages by call recording system.

(1.7.3) Weekend College: Special arrangements will be made to staff office services as weekend programming develops. Exceptions to these state staffing patterns should be recommended by the appropriate vice president and approved by the President.

12.3 SAFETY POLICY
Revised April 1997

(1.0) Purpose
It is the intent of the University of Houston-Clear Lake to provide a safe and healthy working environment for its employees, students, and visitors. To do this, we must constantly be aware of conditions in all areas that can produce or lead to injuries. Your cooperation in detecting hazards, reporting dangerous conditions and controlling work-place hazards is a condition of employment. We all bear the primary responsibility to work safely. A safe and healthy work-place cannot happen by itself. Therefore, safety is everyone's responsibility.

(1.1) Each year, accidents, injuries, and illnesses have caused suffering and financial loss to employees of this agency and their families. In addition, accidents and illnesses keep us from providing full service to the people of Texas who depend on us. Report accidents immediately.

(1.2) The Safety and Health Committee is an advisory committee to the Administration and Facilities Resources Committee (FRC). It is responsible for the oversight of planning, implementation, and assessment of safety conditions on the University of Houston-Clear Lake Campus. This committee reviews accident reports, reports of safety concerns, or unsafe conditions.

12.4 FACILITIES REPAIR AND MAINTENANCE SERVICES
Revised April 1997

(1.0) Purpose
This document describes procedures for reporting and obtaining repair and maintenance services.

(1.1) Services or need for regular repair of building equipment or utilities should be reported through WARES. This automated Work Request System is easily accessed and very user friendly. For assistance call
Facilities Management and Construction (FMC) at Extension 2250 and follow the menu instructions. Each work request should describe the service required, and should be forwarded to the Senior Vice President and Provost's Office for approval who will then forward it on to Facilities Management and Construction, Work Control Coordinator (hard copies to Box 322).

(1.2) Facilities Management and Construction includes building, custodial, and grounds maintenance. Air conditioning problems should be reported by phone directly to Systems Operations (Central Plant), Extension 2240. If you are unable to reach Systems Operations by phone and need immediate attention, please contact the Facilities Management and Construction Division's Administrative Office at Ext. 2250.

(1.3) Emergency repairs or service may be obtained by requesting the University Police to call the FMC Duty Officer.

12.5 TOBACCO-FREE CAMPUS POLICY
Approved May 10, 2018 by President Ira K. Blake and University Council


12.6 EMERGENCY CLOSINGS
http://alert.uhcl.edu/

(1.0) Purpose

(1.1) UHCL makes every effort to maintain normal operations as scheduled. At times, however, serious emergencies may warrant closing the university and canceling scheduled classes.

(1.2) This policy specifies the regulations and guidelines that are to be observed by university employees in the event of an emergency closing.

(2.0) Policy

(2.1) A decision to close the university on a temporary emergency basis may be made when severe weather conditions or other unforeseen occurrences present serious risk to university students and employees, property, or operations.

(2.2) The decision to close the university is the responsibility of the President or a designee. In making such a decision, the President or designee may consult qualified authorities both internal and external to UHCL. Any decision for an unscheduled university closing will be transmitted immediately to the Office of the Chancellor of the University of Houston System and to the UH System Office of Communications.

(2.3) In the absence of the President, delegation of authority for a decision to close the university is passed to the Senior Vice President/Provost and then the Vice President for Administration & Finance.

(2.4) An emergency closing of the university results in the automatic cancellation of events scheduled on campus during the period the university is closed. The university is not open to students or other personnel except for emergency ride-out crews for the duration of the emergency closing. Any faculty or staff employee who enters the university during a period of emergency closing does so at his or her own risk.

(2.5) During any emergency closing, certain personnel may be required to remain on campus to safeguard university property and operational systems. Employees of the UHCL Police Department, UHCL Facilities
Management and Construction, and Environmental Health and Safety are informed upon employment that as a condition of employment, they are subject to appointment to serve on emergency ride-out crews in the event of a university emergency. Failure of these employees to be available to serve in an emergency or refusal to report for duty if appointed may be grounds for disciplinary action up to and including termination of employment.

(2.6) During an emergency closing, provisions are made for shelter, sleeping quarters, food and communications for those serving on emergency ride-out crews. In recognition of the unusual nature of this service and its inherent risks, including the possibility of safety hazards associated with the work itself, non-exempt employees on emergency ride out crews are compensated in accordance with the UHCL "Compensation for Emergency Ride-Out Crews" policy.

(2.7) If an employee must be absent from work because of weather conditions not necessitating a university closing, the employee will be required to use approved annual leave or earned compensatory time to remain in a pay status during the absence. An employee is not authorized to use sick leave to cover an absence due to inclement weather, unless the absence would otherwise qualify for use of sick leave. In unusual circumstances, the employee may be eligible for emergency leave which must be approved through the head of the department, the vice president, and the president. The final approval for emergency leave rests with the president.

(3.0) Policy Provisions

(3.1) Notification. If a university closing occurs while the university is in session, the decision to close will be communicated to faculty, staff, and students by use of various methods including e-mail, telephone, word of mouth, and a public address system as appropriate. If a closing occurs while the university is not in session, the decision will be conveyed to administrative officials who, in turn, will notify faculty and staff members within their areas of responsibility. UHCL Emergency Information, text and/or voice messages regarding the status of the university will be sent as appropriate to update faculty, staff and students. Media coverage enhances this effort and conveys the information to the community-at-large. It is the responsibility of the employee to verify university closings and openings at the university's Web site (www.uhcl.edu), the UHCL Emergency Information Web site (www.UHCLemergency.info) or the UHCL Hotline (281-283-2221). Employees who are required to serve on the emergency ride-out crews will be notified as far in advance as possible of the emergency assignment.

(3.2) During a period of official emergency closing, regular benefits-eligible employees are paid at the regular rate of pay. If an employee elects to leave work prior to an official closing or remain absent past the official reopening, the lost time must be charged to accrued annual leave or earned compensatory time. If the employee does not have sufficient annual leave or compensatory time to cover such an absence, the employee is considered to be on leave without pay. All such absences must be approved in advance by the employee's supervisor. An absence related to an emergency closing which continues past what is authorized may be grounds for disciplinary action up to and including termination of employment.

(3.3) UHCL Director of Communications, or designee, is responsible for coordinating university closing or opening announcements with UHS Communications as well as notifying the local news media. Contacting the media in a coordinated fashion is necessary to minimize the possibility of public confusion or misunderstanding, given the similarity of institutional names and the likelihood that individual UHS universities will make different decisions regarding closures.

(3.4) UHCL's Chief of Police or designee is responsible for monitoring the National Weather Service System for severe weather reports as well as identifying other risks to the physical safety and well-being of the university community. This information is used by the president or designee to make decisions about closing and opening the university.
(3.5) Nothing in this policy may be used as the basis for discrimination or retaliation against any individual or group.

William A. Staples  
Title: President  
University of Houston-Clear Lake  
Approval Date: September, 1999  
Sunset Date: February 10, 2020

12.7 UHCL EVACUATION PLAN
Approved by University Council 12/12/96

(1.0) Purpose

The University of Houston-Clear Lake recognizes the need for an orderly plan to evacuate its facilities in emergency situations occurring inside buildings, such as fire, explosion, chemical spills, or bomb threats.

This evacuation plan will provide for a timely and effective exit of campus facilities in the event of such an emergency. This plan is a working document that will be continually reviewed and updated.

(2.0) Definitions

(2.1) University Safety Officer is the Environmental Health and Safety Officer, Jessie Zapata, Room B1117, telephone 283-2106.

(2.2) Audible alarm system - a system of low- and high-pitched alarms, accompanied by strobe lights for the hearing impaired, located in hallways and bathrooms in campus buildings.

(2.3) Area coordinator - an individual designated to be in charge of the evacuation of personnel from a block of suites, classrooms, or similar work areas. Alternate area coordinators should also be appointed and trained in advance to assume the duties of the area coordinator if necessary.

(2.4) Evacu-Trac - a device used to enable operators to transport disabled individuals down flights of stairs in a seated position. Located on the second and third floor center stairwells number 4 and number 5 of the Bayou Building. See instructions in Attachment 2.

(2.5) Primary evacuation route - the quickest and most accessible safe route from an individual's location when the emergency is announced to a designated safe area outside the building. Evacuation route diagrams will be strategically located throughout the buildings. These diagrams will indicate by a green dot your location on the building map. Exits and stairwells will be indicated in red.

(2.6) Secondary evacuation route - the next closest safe route to a designated safe area if the evacuation route cited in 2.5 is announced or seen to be unsafe for use.

(2.7) Work area leader - an individual designated for each work area to coordinate the evacuation of personnel from that suite and to account for the return of personnel to the suite when the emergency is resolved. The work area leader for a classroom is the faculty member in charge of the class. Each work area leader or alternate shall make a reasonable effort to assure that disabled personnel receive assistance to exit the building.

(2.7.1) A work area leader has the option to request volunteers from either the class or the work area to assist in the evacuation. If a work area leader is for any reason unable to perform the evacuation duties, he/she should...
request further assistance from the University Police Department. Questions pertaining to evacuation of disabled students or employees may be directed to the Coordinator of Disability Services, Bayou Room 1402, extension 2627.

(2.7.2) Faculty members as work area leaders will inform the class of evacuation routes when needed and will coordinate a plan for the evacuation of any students needing assistance. Students needing this assistance will inform the Coordinator of Disability Services, Bayou Room 1402, Ext. 2627, and the faculty member at the beginning of the semester. Work area leaders are responsible to ensure that all employees and students in the work area are informed about the exit plan for the area.

(2.8) Alternate - an individual designated to perform the duties of the work area leader if that individual is not present during the emergency. Alternates are also responsible to ensure that all employees in the work area are informed about the exit plan for their area.

(2.9) Designated safe area - a site safely away from the building where personnel should wait until the emergency is resolved. Designated safe areas for Bayou Building occupants shall be either lot "V" for personnel exiting from the rear of the building or lot "R" for personnel exiting from the front of the building.

(2.9.1) The designated safe area for the Arbor Building is the grassy area between the sidewalk and University Drive and the sidewalk between the Arbor and Delta Buildings.

(2.9.2) The designated safe area for the Delta Building is the outside part of the parking lots which are located by the front and rear entrances.

(2.9.3) The designated safe area for the Central Services Building is the grassy area just past the parking lot in front of the Central Services Building.

(2.10) "All Clear" - an oral announcement that it is safe to return to the building. This announcement will be made by a University Police Officer who may either be on foot or operating a public address system from a police vehicle.

(2.11) Emergency command center- The University Police Department office, Room B1636. The command center may temporarily assume a stationary or mobile location either inside or outside the building, depending on the nature of the emergency. The University Police Department is authorized to issue an "All Clear" announcement when the building(s) have been declared safe by the proper authority.

(3.0) Policy

(3.1) The university attempts to provide a safe learning and working environment for students, employees, and visitors. An evacuation plan, to be used in the event of an emergency, is an integral part of this environment. UHCL Executives and Administrators will ensure that this policy and its procedures are observed by employees under their purview.

(3.2) The emergency evacuation procedures described in this document will be observed in any situation requiring the evacuation of personnel from campus buildings. Deliberate violations of these guidelines will be cause for disciplinary action as follows:

(3.2.1) Such misconduct by a student will be grounds for disciplinary action through student life policies and procedures;
(3.2.2) Such misconduct by a staff employee will be grounds for disciplinary action through the staff discipline and dismissal policy and procedures;

(3.2.3) Such misconduct by a faculty employee will be grounds for disciplinary action through faculty discipline and dismissal policies and procedures;

(3.2.4) In addition, such misconduct by any person may be grounds for criminal charges against the individual in a court of law.

(3.3) Fire and evacuation drills may be conducted on an "as needed" basis. The same provisions apply during a drill as would apply during a real emergency requiring building evacuation.

(4.0) Policy Provisions

(4.1) Responsibility

(4.1.1) The university safety officer is responsible for implementing the evacuation plan, assessing its effectiveness, updating the plan to achieve increased safety or efficiency, and for training personnel in the use of the plan.

(4.1.2) The area coordinator is responsible for facilitating and assisting the safe exit of any employees, students, or visitors from a block of work areas or classrooms at the time the notice of evacuation is received. The area coordinator is responsible for directing personnel under his/her supervision to the nearest evacuation area via the nearest safe evacuation route. If an area coordinator becomes unable to serve, an immediate replacement should be designated and the university safety officer should be notified to assure that the replacement receives adequate training.

(4.1.3) The work area leader is responsible for assuring that personnel in a designated office or facility evacuate the area in accordance with procedures when a notice to evacuate is received. If a work area leader becomes unable to serve, an immediate replacement should be designated and the university safety officer should be notified to assure that the replacement receives adequate training.

(4.1.4) The President is responsible for officially closing the university when the situation warrants and authorizing employees to leave the campus under "Administrative Leave" provisions. If the President is unavailable during such an emergency, this responsibility rests with the Senior Vice President and Provost, or in that official's absence, the Vice President for Administration and Finance. If none of these officials are present during an emergency situation, this responsibility rests with the Director of University Police or his designated representative. Unapproved absences from work resulting from or associated with a building evacuation may be cause for disciplinary action, and will be considered on a case-by-case basis.

(4.2) Notice to evacuate

(4.2.1) Notice to evacuate any building will be received via the audible and visual alarm systems. In an emergency situation, the public address system may also be activated to provide oral instructions. If the alarm systems and public address system are disabled, University Police officials will provide the notice to evacuate by verbal commands.

(4.2.2) When the audible alarm system is activated, the occupants of the building must evacuate, observing the procedures listed in Section 4.3.
(4.3) Evacuation procedures

(4.3.1) Stop what you are doing and walk, do not run, to the nearest stairwell and proceed down the stairwell to the first floor, and from the first floor to the designated safe area for your group. If you are working in an area away from your regular work station, follow the instructions of the work area leader and area coordinator for the area in which you are working when you learn of the emergency. Do not attempt to return to your regular work area if an emergency is announced.

(4.3.2) Do not use elevators in any emergency situation.

(4.3.3) Take personal belongings, such as purse, coat, and car keys if they are within easy reach and can be collected quickly.

(4.3.4) Office doors should be closed but not locked when personnel exit.

(4.3.5) Listen to instructions from work area leaders and area coordinators or those provided via the public address system. Follow these instructions.

(4.3.6) Regroup with your co-workers or classmates in the designated safe area so that your presence can be accounted for. Because of the possibility of flammables, do not smoke in designated safe areas until the "All Clear" notice is received.

(4.3.7) Do not re-enter the building until the "All Clear" signal is announced by University Police officials.

(4.3.8) Return to your work area via stairwells.

(5.0) Exhibits

(5.1) UHCL building diagrams.

Arbor Building
Bayou Building - 1st Floor Bayou Building - 2nd Floor Bayou Building - 3rd Floor
Bayou Building - Basement Central Services Building Delta Building - 1st Floor Delta Building - 2nd Floor
Evacu-Trac operating instructions

12.8 NEUMANN LIBRARY

UHCL's Alfred R. Neumann Library (www.uhcl.edu/library), named after the university's founding chancellor, provides students with online access to thousands of books, journals, and scholarly resources. UHCL librarians offer personal research assistance to students and instruction on navigating search interfaces, retrieving information and evaluating information for use in scholarly research. Visit with librarians in person, or contact them by phone at 281-283-3910, by text at 281-816-4341, or by email at library@uhcl.edu. Visitors can receive help formulating effective search queries and identifying the best online resources from a collection of more than 216 subscription-only databases, most with full-text articles. Classes are available in research procedures tailored to particular courses. The library classroom is equipped with laptops and interactive learning devices so that students may participate in an engaging hands-on learning environment. Students may also make appointments with librarians to explore more in-depth instruction on library research strategies in a comfortable and educational one-on-one environment.

UHCL students, faculty and staff may also borrow books from UH and UH-Downtown quickly and easily through the shared discovery tool: OneSearch. The TexShare card, available upon request in Neumann Library, allows a UHCL student to borrow books from most academic or public libraries in Texas. The library's interlibrary loan
service will borrow requested materials from any library in the country through a national interlibrary loan network. Neumann Library offers 43 PCs and 4 iMacs for student use.

The library occupies approximately 80,000 square feet in the Bayou Building and contains collaborative study areas, laptop-friendly study space, group and individual study rooms and a presentation-practice room. The library contains more than 495,000 volumes and 585,000 e-books and provides access to more than 91,000 e-journals. The library has a collection of international films on DVD and subscribes to several educational video databases, which offer up to 100,000 streaming videos. A curriculum library for education students contain selected K-12 textbooks and classic and contemporary children's literature in print and audio. In addition to the university collections, Neumann Library Archives & Special Collections department includes the NASA Johnson Space Center History Collection, materials related to human space flight and Clear Lake history. These materials are open for research to UHCL students, alumni, faculty, staff and the general public.

12.9 COMPUTING AND TELECOMMUNICATIONS

The UCT Support Center serves as the first point of contact for all computing and telecommunications needs. Individuals may drop in at the center Monday through Thursday, 8 a.m. – 10:30 p.m., Friday and Saturday, 8 a.m. – 5 p.m. in the Bayou Building, Suite B2300, or contact the center by phone at 281-283-2828 or email supportcenter@uhcl.edu. Visit www.uhcl.edu/uct for details on available services, including documentation, self-help guides and policies. Computing and telecommunications resources available to students, faculty and staff include:

- Email accounts; Various technology orientations and training programs including online software training, student lab orientation, new student, faculty and staff orientations, computer use training, faculty orientation for classroom technology and Blackboard training for faculty; Wireless-equipped laptops may be checked out for free from several convenient locations on campus; Academic computing labs for students, in multiple locations, open daily including weekends. Printers and photo/document scanners available in all labs. Lab hours and locations can be found at www.uhcl.edu/uct; Specialized teaching labs including PC labs for students to work in teams, a high-performance PC lab for special graphic application usage, and a Mac lab equipped with 24-inch iMacs for video editing/creating, digital graphics and photography classes; University classrooms equipped with integrated video and audio technology; Support for online students using the Blackboard Course Management System; Support for faculty in instructional design of online courses as well as for web-enhanced instruction; Server support for university website (www.uhcl.edu); Wireless access in all campus classroom buildings; High-speed network for data, video and internet access; Industry-recognized applications to block spam and intercept virus attacks on all university-owned computers; Secure remote access to campus resources via Virtual Private Network or VPN; Software purchase program for current faculty, staff and students that includes Microsoft and Adobe products; Access to Qualtrics and Gartner; Cisco VoIP telecommunications system for voice communications, including voicemail and fax service for faculty and staff.

12.10 STUDENT SERVICES

Student Life Policies July, 1997

(1.0) Career and Counseling Services

Counseling and Testing Services are designed to help students improve personal, academic and professional skills related to academic success. Counseling Services offers personal and group counseling, academic skills training, testing (GRE, GMAT, MAT, MCAT, TASP), workshops and vocational testing and counseling.
(2.0) Career Services

Career Services assists students in establishing or advancing careers in their degree fields and in finding jobs while they are enrolled in college. Career Services offers job search assistance, mock interviews and resume critiques, resume referrals and on line job listings.

(3.0) Cooperative Education

Cooperative Education is a planned learning experience designed to prepare students for careers by integrating work experience with academic study. The UHCL Co-op Program offers two work plans. The alternating plan allows students to alternate semesters of full-time classes with cooperative education work experiences. The parallel plan allows students to work part-time while attending classes. Students must be degree seeking and meet academic eligibility requirements as defined by individual colleges. Cooperative Education offers a way to make money while in college, a way to gain on the job experience, flexible work schedules and opportunities in many areas of interest.

(4.0) Dean of Students

The Office of the Associate Vice President for Student Services and Dean of Students provides students with advocacy, information and help with any phase of campus life. The Dean of Students is responsible for interpreting and implementing student life policies, resolving disputes and disciplinary problems, and handling student-to-student grievances. The rights and responsibilities of students are published in Student Life Policies. Standards of student conduct are enforced to ensure the safety of individuals, protection of property, and the continuity of the educational process. Copies of Student Life Policies are available from the Office of the Dean of Students and the Student Life Office.

(5.0) Health and Disability Services

The Health Center serves students, staff and faculty by fulfilling two primary functions. Programs and services encouraging the prevention of illness, promotion of health and participation in the university experience; and Providing emergency services and short-term medical treatment.

(6.0) Disability Services

Disability Services actively addresses and promotes disability awareness within the UHCL campus community through programs and services designed to meet the academic and professional needs of individuals with disabilities.

(7.0) Student Diversity, Equity and Inclusion

The mission of the Office of Student Diversity, Equity and Inclusion is to assist students to become successful, well-rounded, educated, and accepting individuals. Programs and activities are offered to promote cultural pluralism and help meet the academic, cultural and personal needs of students from diverse cultural backgrounds. The Office also provides advocacy and support to all students. Program and services are available at no cost to any student.

International Student Support Services provide programs and services to help address students' individual, cultural and social needs. The International Student Services Coordinator works with individual students to ensure that their needs are being met and that they make a smooth transition to university life at UHCL.
(8.0) Student Information and Assistance

SIAO, located across from the cafeteria, serves as the general information center, coordinates New Student Orientation and facilitates UHCL's scholarship program. Student, faculty, staff and visitors can find information regarding admissions procedures, campus events and directions to offices and departments. New Student Orientation is sponsored at the beginning of each semester, orientating new students to the overall campus community. SIAO recruits and trains 40 student leaders to serve as hosts to their peers while gaining valuable leadership skills. SIAO acts as the clearinghouse for all scholarship information, advertises available awards, maintains over 90 accounts and offers several scholarship workshops to interested students.

(9.0) Student Involvement and Leadership Office

The Student Involvement and Leadership Office provides programs and services that enrich and support students' educational experiences at UHCL. Areas of specialization include student organizations, student government, cultural arts, women's resources, intramural sports, student publications and university-wide programming. Services provided throughout the office include ID operation, locker rentals, drop-off service, camping rentals, vending machine refunds, posting approval and ticket sales.

12.11 CAMPUS STORE

(1.0) Textbook Ordering

The Campus Store orders all textbooks and other teaching supplies needed by students. Textbook orders are requested through the Associate Dean's office. Textbook orders are due to the Campus Store in the following time span: Fall Semester due April 15th, Spring Semester due October 15th and Summer Semester due March 15th. Specific information regarding textbook orders, desk copies and class-related materials should be referred to the Campus Store management.

(2.0) Sale of Classroom/Instructional Materials

Faculty may choose to have materials reproduced in the University Copy Center for sale to the students in the Campus Store. The Campus Store will not sell or have reproduced any of the said materials with copyrighted information without going through a copyright clearance. This procedure will take six to eight weeks. Going through these procedures eliminates the copyright infringement liability of the University and the Campus Store. Information on these procedures is available at the Campus Store.

12.12 POLICY FOR THE USE OF UNIVERSITY FACILITIES BY INTERNAL CONSTITUENTS

Approved by University Council May 8, 2014

(1.0) Purpose

This policy reflects the priorities, scheduling procedures, and policies for the use of University of Houston-Clear Lake (UHCL) facilities for academic, administrative, and other University related purposes. All exceptions to this policy require approval of the President or his designee.

(2.0) Policy

(2.1) General Provisions

The University of Houston-Clear Lake will endeavor to provide facilities for individuals and organizations subject to the provisions of this policy. UHCL facilities are to be used for the purpose of supporting the UHCL’s mission of
teaching, research, and public service. UHCL facilities are not available for unrestricted use for other purposes. However, UHCL facilities may be reserved/rented by internal or external individuals, groups, or organizations for other purposes as long as such use does not interfere with the purposes for which the facilities are provided.

(2.2) Non-University related events and activities will be considered external usage and be subject to the University of Houston-Clear Lake’s external use policy: POLICY FOR THE USE OF UNIVERSITY FACILITIES.

(2.3) Events subject to this policy may be sponsored only by a university administrative, academic, or student unit, not an individual. Sponsorship includes being actively involved in the event, monitoring its progress, and taking overall responsibility for its success and policy compliance. Sponsoring organizations include the following:

- Colleges, divisions, or departments of a university
- Organized faculty or staff bodies (i.e., Faculty Senate, Staff Council, etc.)
- Officially recognized student organizations
- Academic and/or administrative committees consisting substantially of persons conducting official university business

(2.4) Benefits to the internal constituent designation may include but are not limited to: financial discounts on space, custodial and security, more posting opportunities, access to University Communications Office, use of closed caption advertising screens, use of University name for promotion

(2.5) Scheduling

Reservation requests for the use of campus facilities must be made through the Office of Scheduling and Space Planning (OSSP) https://public.uhcl.edu/about/administrative-offices/facilities/scheduling/. Request to reserve facilities must be in writing using the Facilities Request Form stating the date(s), duration, type of room(s), and number(s) of persons involved, as well as the official name of the organization or composition of the group and the purpose of the meeting(s) to be held in university facilities. The Facilities Request Form can be found at the Facilities Management and Construction https://public.uhcl.edu/about/administrative-offices/facilities/

(2.6) The University cannot guarantee the availability of any space beyond the duration of the current academic term. University-related events will take priority over external functions and events and, should a conflict occur, external functions and events will be subject to relocation or cancellation.

(2.7) The Facilities and Support Services Committee (FSSC) together with Facilities Management and Construction (FMC) will maintain a list of spaces at UHCL that are available for non-academic use.

(2.8) UHCL facilities that are not normally used for academic purposes may be available for scheduling on a continuing basis as indicated on the https://public.uhcl.edu/about/administrative-offices/facilities/documents/facility-request-form.pdf.

(2.9) Athletic Facilities: Reservations for use of all athletic facilities will be accepted beginning six months in advance of the requested event date. University Intramural events and University sponsored club events will take precedence in the scheduling of the fields. As a result, those reservations made by groups may be adjusted or cancelled after the start of each college session. If two groups agree to occupy the facility at the same time, they must notify the OSSP in writing prior to the event. Such requests must be approved in writing.

(2.10) Scheduling will be done according to the following priorities:

- UHCL academic or administrative activities;
- UHCL sponsored events;
- External functions.
(2.11) General purpose classroom space will not be scheduled until after the first full week of classes for each semester due to unpredictable course changes. As a result, general purpose classroom space cannot be guaranteed. Scheduling of events in classrooms will be accommodated on a case by case basis for events requiring classroom space during the first full week of classes. After the first full week of classes, classrooms will be scheduled as usual.

(2.12) The full week prior to final exams including the weekend, and the week of final exams is a designated ‘quiet time’ for students. No events that entail significant noise, music, P. A. systems, etc. will be scheduled in the Atria.

(2.13) Scheduled events that entail noise, music, P. A. systems, etc., that are scheduled overlapping academic classes will be monitored by the Police for excessive sound/noise and may be required to reduce volume levels or cease noise conduct altogether.

(2.14) UHCL will endeavor not to schedule events when the University is officially closed for state holidays (i.e. Thanksgiving, Christmas, etc.).

(2.15) FMC will maintain a list of materials including, but not limited to, glitter, confetti, and silly string, that are not permitted in particular facilities or all of the University’s facilities.

(2.16) All non-UHCL organizations wishing to utilize UHCL space to offer any instructional programs to the public must obtain endorsement through the appropriate academic dean prior to confirmation of the event.

(2.17) If parking is needed for guests without parking permits, arrangements should be made at least two business days before the event through the Parking Office. A fee may apply.

(3.0) Lead Time for setup of facilities
Individuals and organizations reserving the University’s facilities must submit a copy of their setup to UHCL at least 5 working days before the scheduled event. Otherwise, a setup will not be guaranteed to be completed.

(4) Exclusions

(4.1) For promotional purposes only, UHCL may allow use of its name to identify the location of the activities; however, the university prohibits the use of its name to claim or imply endorsement of a non-university organization, event or activity. The university may be listed as a sponsor of an event or activity only when written permission has been provided in advance. The Office of Communications reserves the right to review all promotional materials prior to dissemination.

(4.2) The University reserves the right to reject the application of any organization, group, or individual or restrict the time, place, and manner of usage if it is determined that such activities would interfere with the functions of the University

(5) Protection of State Property
Any organization or any individual member(s) thereof using University facilities are responsible for any destruction of or damage to any property of the University including soiling of carpets, spilt liquids, damage to foliage and general disorders requiring University resources for reparation. Such occurrences, which involve extraordinary building cleaning, will cause the user to incur fees to return the building to original condition.

(6) Disability Accommodation Guidelines
Campus departments and groups that sponsor events on campus are responsible for making necessary
accommodations for individuals with disabilities who attend or participate in the program, service or activity and the cost associated with the accommodation. The campus group is also responsible for publicizing the availability of an accommodation in all publicity announcements for the event. Any individual who requires a special accommodation to attend or participate in a program or activity should contact the event sponsor at least 7 working days prior to the event date to arrange for the accommodation. Event sponsors should contact Accessibility Support Services.

Services [https://www.uhcl.edu/disability-services/] once a request is received. Every effort will be made to provide the needed accommodations when the need for such is known.

(7.0) Campus Dining and Distribution of Alcoholic Beverages

(7.1) Food and Beverages: For reservations involving food and beverage service, all arrangements must be made through the University dining facilities, which are operated under contract by an independent contractor. No outside caterer is allowed on campus without written permission from the Office of the Associate Vice President for Finance. Any outside caterer approved to provide services on campus must be approved and comply with all health and safety food handling requirements. Any organization approved to distribute food on campus must obtain and have a temporary food request form approved by the [https://www.uhcl.edu/about/administrative-offices/environmental-health-safety/]

(7.2) Distribution of Alcoholic Beverages: Alcoholic beverages may be offered for sale only by the University food and beverage contractor and only in specific areas.

(7.2.1) Any proposed distribution of alcoholic beverages by faculty/staff or community groups must be reviewed and approved in advance by the President/or designee.

(7.2.2) Any proposed distribution of alcoholic beverages by student organizations must have the approval of the Senior Vice President and Provost. All student organizations are subject to Student Life Policies for Alcoholic Beverage Distribution.

(7.2.3) All members of the university community and guests are required to comply with federal, state and local laws regarding the possession, consumption, and distribution of alcoholic beverages.

(8) When the Scheduling Department has approved an event, the University Police Department has the right to schedule police officers for the event. The cost of such officers will be paid by Facilities Management & Construction.

(9) Notices, Decorations, Banners and Displays. On campus signage, displays and advertising must be approved and date-stamped by Student Life. University related individuals and organizations must coordinate signage with the Student Life Office. Display of materials in college specific locations is controlled by the designated college, library, or computing facility.

(9.1) A “poster” refers to any printed or pictorial matter displayed on university property inclusive of, but not limited to, flyers, table tents, sign holders etc.

(9.2) Materials may not be posted on any undesignated areas, including doors, glass, walls, bathrooms, car windshields, or over previously posted materials.

(9.3) Limitations on content in posters are regulated by federal and state laws, as well as university policy.
(9.4) Road Signs

Any temporary road signs not placed by Facilities Management and Construction must meet the following guidelines:

a. Road signs must be related to an on campus event or organization.

b. The entity placing the signs must remove the signs within 24 hours of the end of the advertised event.

Signs may not be posted closer than 30 feet of any intersections and may not be closer than 500 feet apart. Exceptions may be approved by FMC.

c. Road signs must have their own support and cannot be attached to a permanent UHCL sign or traffic control sign.

d. The University Police Department and Facilities Management and Construction have the authority to remove any sign that is deemed in violation of this policy.

(9.5) A “banner” refers to any oversized printed or pictorial matter too large to fit within a University designated Student Organization display panels. Any item hung from the ceiling, railings, over lobbies and an open area including the outside of a building is considered a Banner.

(9.6) Banners must be hung by FMC. A facilities request must be submitted to FMC at least two days in advance before the installation date.

(9.7) Banners specification, duration of display, acceptability of materiality, must be approved by Student Life and/or FMC.

(9.8) Any posters, banners, or displays, violating these regulations may be taken down by the University.

(10) Library

Use of University library facilities, space, computers, and resources are subject to the internal library policy available at the Alfred R. Neumann Library website https://www.uhcl.edu/library/

(11) Computing Facilities

Use of computing facilities including but not limited to: computer classrooms, computer labs and computer support is solely available to those with a valid University ID and are subject to University Computing guidelines and policies available at the University Computing Support Center.

(12) Modification of Policy

The University of Houston-Clear Lake may at any time modify this policy or any regulations or restrictions relevant thereto without advance notice.

13.0 TEACHING RELIEF POLICY

Approved by University Council May 10, 2018

(1.0) Description:

The University of Houston-Clear Lake (UHCL) is committed to providing an inclusive and family-friendly workplace environment for faculty, and recognizes that there are many different types of family and domestic responsibilities. For this reason, the university offers a policy of temporary workload adjustments for acute family care situations. Policy at the university level ensures that there is consistency in how such situations are handled across departments and units in the university, and that all faculty members have equal access to assistance with acute family care situations.
Acute family care situations include pregnancy, childbirth, adoption, and serious or prolonged illness of the faculty member or of a child, parent, partner or close relative which can include but is not limited to those related via guardianship, step-family, biological family, and in-law family members.

Dissemination of this information should be widespread, so that all eligible faculty and administrators are aware of them.

(2) Eligibility:

Eligible individuals are full-time faculty and administrators with teaching responsibilities of UHCL who have acute family care responsibilities.

(3) Terms:

This program allows faculty members and administrators with teaching responsibilities two options.

1. One long semester of teaching relief may be provided, in which other meaningful duties at program, department, college and/or university level are to be assigned instead of teaching duties. Teaching relief cannot be used for circumstances where use of sick leave is appropriate. The application must be approved by the Department Chair, Dean, and Senior Vice-president/Provost, based on the criteria set out below. Under the terms of this program, the teaching load of the faculty member in the semester before and after the leave will not be affected by the terms of the leave.

2. One long semester of teaching relief may be provided, in which the salary of the faculty member is reduced for each course release.

(4) Procedure:

Application – Faculty member must submit an application to their department chair and dean at earliest possible date, preferably 6 months in advance of the semester in which teaching relief is requested. In emergency situations, the application can be expedited.

Application for option 1 must include:

1. A request establishing the eligibility for the teaching relief;
2. A sufficiently detailed description of the work to be done in place of the applicant’s normal teaching responsibilities;
3. A defined work product to be advanced;
4. An adequate method for evaluation of the work by the department chair, dean, or provost during the semester; and
5. The faculty member’s teaching load in the semester before and after the leave must be specified.

Application for option 2 must include:

1. A request establishing the eligibility for the teaching relief and clarifying the relief requested;
2. The faculty members teaching load in the semester before and after the leave must be specified.
3. The department chair and dean must identify how the affected teaching load will be managed.

In the case that two faculty members experience the same acute family case, each may take the teaching relief, either in consecutive semesters or simultaneously, as best fits their needs and those of their department/s.

(5) Approval – Approval is contingent on the following findings:

1. The proposed project must be found to be beneficial at the department, the program, the college, or the university level.
2. The instructional responsibilities of the department or program can be met through the allocation of existing resources. The dean and provost in consultation with the department chair and faculty member may make exceptions to this.
3. The department or program will continue to be in compliance with applicable statutes and policies, including:

   b. Texas Government Code § 658.007 – Working Hours for Employees of Institutions of Higher Education
   d. Texas Higher Education Coordinating Board Faculty Workload Guidelines
   e. Board of Regents Policy § 21.05 – Faculty Workload
   f. UHCL Academic Workload Policy, established in the UHCL Faculty Handbook

Approval by SVP/Provost – The dean should submit the application to the SVP/Provost, along with his or her written review regarding eligibility and approval. Upon final review, the SVP/Provost will issue a written decision to the applicant and appropriate dean and department chair. The decision of the SVP/Provost is final.

Notification of approval is sent to: The faculty member requesting the leave, the Dean, the Department Chair, and Human Resources.

(6) Consultation with Human Resources – Human Resources will be contacted by the faculty, after receipt of approval by the Provost, in order to coordinate the logistical details of the Relief. Human Resources will advise on the timing of the relief as well as any requirements regarding how time will be coded (sick leave, FMLA, PeopleSoft designations, etc.).

(7) Clarifications and Exclusions

Tenure clock extension: The guidelines outlined in this document do not address tenure clock issues for faculty. A tenure-track faculty member may request separately a tenure clock extension owing to the issues raised by an acute family care situation.

Sick leave: These guidelines are independent of sick leave or vacation, which must be taken in situations where no duties are conducted. Thus, a faculty member will generally use either Teaching Relief or sick leave during the same reporting period. In situations such as childbirth, or recovery from an illness, a faculty member or administrator with teaching responsibilities might take sick leave for a period of time and then subsequently begin Teaching Relief. However, if a faculty member or administrator with teaching responsibilities is able to work at home for some portion of a day, a combination of Teaching Relief and sick leave or vacation leave (if applicable), may be appropriate.

Annual reviews: Faculty members or administrators with teaching responsibilities who have been assigned modified duties should not be penalized in annual reviews. These faculty members and administrators should be evaluated on the performance of the duty assigned rather than on the duty for which it was substituted (i.e., if a special service task is substituted for teaching then the faculty member is evaluated on the special task rather than teaching, with “normal” service rated separately according to departmental criteria).

14.0 TEXTBOOK AND EDUCATIONAL MATERIALS POLICY

The following principles pertain to the role and responsibilities of faculty in the development and selection of instructional materials at the University of Houston-Clear Lake:

1. The selection and production of educational materials by faculty is essential to providing quality instruction. Therefore, the decision on the use of such materials properly rests with individual faculty members and/or faculty units, consistent with policies of the department, college and University.
2. The practice of contributing to a body of knowledge by faculty members in their chosen fields of study through the development of educational materials, e.g., textbooks, case studies, custom books, workbooks, is a practice that is not only acceptable, but actively encouraged by peers, department chairs, and deans.

3. In the case of educational materials produced by faculty members or instructors such that the materials are self-published by the faculty member or instructor; or are reproductions, custom books, or other materials, produced for the course; or are published by entities wholly or substantially owned by the faculty member or instructor or by a member of his or her family, then such materials shall be made available to students at the University of Houston-Clear Lake at cost to produce. Similarly, the case where departments or other instructional units produce educational materials, the items shall be available to students at no cost or at a cost no more than it cost to produce. Textbook and educational materials, published through learned societies, professional organizations and/or professional publishers, must be made available to students at a reasonable price consistent with national norms and selected according to national standards of scholarship. In no case should students be charged for information that normally is available without charge, e.g., a course syllabus, practice exams.

4. Any instructional material utilized in the classrooms shall be aligned with the content of the class and the respective required curriculum.

5. In order to implement items 3 and 4, and to manage any conflict of interest, an instructor of record at the University of Houston-Clear Lake, who stands to profit from the sale of these instructional materials, must request the written approval of the appropriate college level curriculum committee before requiring students to purchase educational materials that have been written, co-written, or edited by him or her, and from which he or she shall receive royalties of any kind. The appropriate college level curriculum committee must review the required material to ensure that it is consistent with the requirements in 3 and 4 above, along with the University’s conflict of interest policy.