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UNIVERSITY OF OKLAHOMA FACULTY HANDBOOK
HEALTH SCIENCES CENTER
July 2008

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PREFACE

The Faculty Handbook is a summary of information concerning the University of Oklahoma and the Health Sciences Center’s policies, procedures, organization, and benefits. The information contained in the Handbook is current at the time of publication but may change from time to time by action of appropriate segments of the University. As changes are made, they will be announced in University publications. Employees are responsible for verifying that any information to which they refer is current. Up-to-date and complete information may be obtained from the offices of the Senior Vice President and Provost and Human Resources.
1. HEALTH SCIENCES CENTER: GENERAL INFORMATION

1.1 HISTORY

The University of Oklahoma was founded upon authority of an act of the first legislature of the Territory of Oklahoma seventeen years before Oklahoma became a state. Approved in 1890 and adopted in its main provisions by the first legislature of the state in 1907, the act stated the purpose of the University was "to provide the means of acquiring a thorough knowledge of the various branches of learning connected with scientific, industrial, and professional pursuits." Norman was selected as the site for the University. Students were accepted for the first time in the fall of 1892, and the first two graduates of the University received the pharmaceutical chemist diploma in 1896.

At the turn of the Twentieth Century, the College of Medicine was founded as a two-year pre-clinical school. Ten years later in 1910, it was merged with the Epworth Medical College in Oklahoma City and became a four-year degree-granting school. In 1911, the first degree in medicine was awarded.

Under the direction of the College of Medicine, a two-year School of Nursing was organized in 1911. In 1913, the school graduated its first class and became a three-year diploma program. Future physicians and nurses trained primarily in the old Rolater Home and Hospital in Oklahoma City until 1919, when University Hospital was built. Oklahoma Children’s Memorial Hospital was completed in 1928 and became the second state-owned University of Oklahoma hospital. Also, construction had begun on a new College of Medicine building, and by 1928, it was possible to centralize all of the College’s pre-clinical and medical operations.

During the ensuing years, enrollment climbed steadily, a Graduate College was formed, and new health facilities were added to help meet the comprehensive health care needs of the State. The Veterans' Administration Hospital and the privately sponsored Oklahoma Medical Research Foundation were constructed. In 1957, the School of Nursing was authorized to confer baccalaureate nursing degrees.

In 1967, a School of Health, which was later renamed the College of Health, was established.

A dean was appointed for the College of Dentistry in 1969, and three years later the first class was accepted and began studies.

Established in 1972 as a branch program, the College of Medicine, Tulsa has enabled the University to use hospital training facilities in Tulsa, to establish additional medical residencies, and to provide for expanded health care capabilities in the State. Under this program, selected third- and fourth-year students receive their clinical training in the major Tulsa community hospitals.

In 1973, the Oklahoma Legislature provided for the creation of a Board of Trustees to operate and govern University Hospital and transferred Children’s Memorial Hospital to the Department of Institutions, Social and Rehabilitative Services, now known as Department of Human Services. The name of the hospital was first changed to Oklahoma Children’s Memorial Hospital, and later to Children’s Hospital of Oklahoma.
In 1976, Medicine, Nursing, Health, Dentistry, and the Graduate Colleges were joined in Oklahoma City by the College of Pharmacy, the oldest academic unit at the University.

In 1980, the state legislature transferred the governance of the University Hospital to the Department of Human Services. The University Hospital was renamed the Oklahoma Memorial Hospital. Significant expansion of the hospital facilities was undertaken during the early 1980s, as it became the major component of the Oklahoma Medical Center complex.

In 1981, the College of Health was divided into two colleges, the College of Allied Health and the College of Public Health.

In 1993, in response to the changing health care environment and other factors, the state legislature transferred the teaching hospitals complex to a new governance structure and state agency, The University Hospitals Authority. In this transfer, the name of the adult hospital was restored to its historic title of University Hospital.

In 1997, the state legislature and the Governor approved the teaching hospitals and the University affiliating with a corporate entity in the health sciences center. The Supreme Court also approved this new arrangement. In February, 1998, the University Hospitals (University Hospital and Children’s Hospital of Oklahoma) entered into a groundbreaking joint operating agreement with Columbia/HCA to manage the University Hospitals and Presbyterian Hospital located on the campus. At the same time, the University entered into an Academic Affiliation Agreement with Columbia/HCA to continue the support of the hospitals for the various teaching and patient care programs, primarily affecting the College of Medicine but involving all colleges at the center. The three hospitals are managed under the title of OU Medical Center, formerly University Health Partners, but each retains its own unique identity and special characteristics.

1.2 HEALTH SCIENCES CENTER CAMPUSES

The University of Oklahoma Health Sciences Center is the State’s major educational resource for training physicians, dentists, nurses, pharmacists, public health specialists, and a wide range of allied health personnel. The Center has a campus in Oklahoma City and offers programs at the University of Oklahoma, Tulsa campus. It is also instrumental in developing improved methods of health care delivery for Oklahoma.

At the Health Sciences Center, approximately 3,000 students are enrolled in the more than 50 graduate and undergraduate degree programs of the seven colleges: Allied Health, Dentistry, Graduate, Medicine, Nursing, Pharmacy, and Public Health. There are approximately 1,000 faculty and 2,800 staff at work at the Health Sciences Center. These figures do not include over 3,000 volunteer physicians and other health professionals.

Faculty and students at the Health Sciences Center use the clinical, laboratory, and teaching facilities of the OU Medical Center, including Everett Tower, Children’s Hospital, and Presbyterian Tower. Also, students use the facilities of the Veteran’s Affairs Medical Center, the Dean A. McGee Eye Institute, the Oklahoma Medical Research Foundation, other affiliated institutions and hospitals in Oklahoma City, the major teaching hospitals in Tulsa, the Veterans Affairs hospital in Muskogee, and various affiliated hospitals and clinics in other locations in Oklahoma. The University of Oklahoma Health Sciences Center is one of a group of over 16 lead public and private health care and related institutions which make up the Oklahoma Health Center, including, but not
limited to, the American Red Cross Oklahoma County Chapter and Transplantation Services; Board of Medical Legal Investigation; Dean A. McGee Eye Institute; Department of Human Services; Oklahoma Allergy and Asthma Clinic; Sylvan N. Goldman Center Oklahoma Blood Institute; Oklahoma City Clinic; Oklahoma Medical Research Foundation; Oklahoma School of Science and Mathematics; Oklahoma State Department of Mental Health and Substance Abuse Service; Oklahoma State Department of Health; Veterans Affairs Medical Center; Presbyterian Health Foundation; OU Medical Center, including Everett Tower, Children’s Hospital, and Presbyterian Tower; and Children’s Medical Research Institute.

A valuable asset at the Oklahoma Health Center is the development of the Presbyterian Health Foundation Research Park. This rapidly growing venture of the Presbyterian Research Foundation, contains three biotechnology research facilities that support many private companies, private-public initiatives, and the University in research and development. In addition, the Oklahoma State Regents for Higher Education and OneNet have moved to the Park. Additional facilities at the Research Park are planned and under development by the Presbyterian Health Foundation.

The Oklahoma Health Center operates under the basic philosophy that Oklahoma’s growing healthcare needs can be met only through the combined efforts of its citizens, practicing health professionals, government, and the Health Sciences Center. Over 35,000 people representing institutional employees, students, patients, and visitors converge on the Oklahoma Health Center daily, making it one of the Southwest’s largest comprehensive academic health centers.

1.3 FACILITIES

The Basic Sciences Education Building, first in a series of construction projects aimed at helping meet the State’s need for health care professionals, was completed in 1969 and substantially renovated in 2008. It provides teaching space for undergraduate, graduate, dental, and medical education. It is also used extensively for continuing education of practicing health professionals in Oklahoma.

Companion to the Basic Sciences Education Building, the 10-story Biomedical Sciences Building was completed in 1976. This structure contains 500 rooms, over half of which are used for research by faculty and graduate students. It provides space for the administrative offices of the College of Medicine and the five basic sciences departments of biochemistry and molecular biology, cell biology, microbiology and immunology, physiology, and pathology. Also located in the building are animal quarters and specially designed temperature-controlled research laboratories. The College of Medicine clinical faculty are housed in the OU Physicians’ Building, Family Medicine Center, Williams Pavilion, and other clinical facilities.

The College of Dentistry Building was completed in 1976. The five-story structure provides teaching, research, clinical practice, and office space. Each of the five clover-shaped clinics, which give the building its unique shape, contains 36 operatories where students provide patient treatment under faculty supervision. In addition to the modern operatories, clinical laboratories, and specialty clinics, clinically-oriented research is conducted in special research operatories and laboratories located near faculty offices.

The Colleges of Allied Health and Public Health occupy the Health Sciences Center’s original teaching structure. The original medical school facility, completed in 1928, was renamed the College of Health Building and was renovated substantially in 1981. Construction of a three-story
state-of-the-art College of Allied Health Building will be completed in 2008. Under this project, the College of Allied Health will be relocated from the College of Health Building and the John W. Keys Speech and Hearing Center, originally constructed in 1957, will be relocated there as well. The Allied Health building will house classrooms and class laboratories, distance education and computer facilities, clinical and research space, children’s hearing impaired daycare center, faculty, staff, and student offices and building support spaces.

The College of Nursing Building on Stonewall Avenue was dedicated in 1977. The four-story building houses student activity space, teaching areas, and administrative and faculty offices. Features of the building include a 184-seat lecture hall, a professional practice area with a nursing station and model patient rooms, a clinical practice space, and a computing area.

The College of Pharmacy, the University’s oldest degree-granting college, moved its base of operations from the Norman campus to the Health Sciences Center in the Fall of 1976. The College moved into its newly completed facility, the Henry D. and Ida Mosier Pharmacy Building, in 1983.

The Robert M. Bird Health Sciences Library was dedicated in 1978. In addition to library services, the building houses the Offices of the President, Senior Vice President and Provost, Legal Counsel, Alumni and Development, Graduate College, Vice President for Research and Research Administration, Compliance, Institutional Review Board, Vice Provost for Academic Affairs, Community Partnership and Health Policy, Photography, and TV Services. Space is also provided for the University of Oklahoma Foundation.

The Rogers Building was acquired from the Oklahoma Medical Research Foundation in 1989. The Rogers Building provides the University with office support spaces.

The Allied Health Practice Center, previously used as the Health Sciences Center’s first Family Medicine Clinic, was renovated in 1997, and a technical facility was completed in the same year. These facilities are used by the Oklahoma Assistive Technology Center.

The offices of Human Resources, Financial Administration, Budget, Equal Opportunity, Information Technology, Site Support, Operations, and OU Parking and Transportation are located in the Service Center Building. Some of these offices provide administrative support while others have the responsibility for the physical operation and maintenance of the campus.

The Family Medicine Center was completed in 1994 at a total project cost of $7.6 million. This two-story facility contains 71,200 gross square feet, including primary care out-patient clinics on the first floor and Department of Family and Preventive Medicine offices and educational facilities on the second floor. The building includes 68 treatment rooms in five clinic modules on the first floor and faculty and staff offices and a multi-media classroom on the second floor. A building addition in 2002 provided a new, modern classroom for Physician Associate Students.

The Student Center was completed in 1996 at a total project cost of $4 million. This two-story facility contains 26,900 gross square feet, including food service, meeting rooms and Student Association offices on the first floor and a fitness area, conference and study rooms, and computer facilities on the second floor. A third floor story addition was completed in 2002 at a construction cost of $2.7 million. The third floor consolidates campus student support services, including offices for Student Services, Financial Aid, and the Bursar. Also, available on the floor is the David L.
Boren Lounge, an area to allow for student study and socialization. In 2004, the Student Center was renamed the David L. Boren Student Union.

The Stanton L. Young Biomedical Research Center (BRC North) was completed in 1997 at a total project cost of $21.5 million. This four-story structure includes 105,300 gross square feet. On the first floor, there are conference and seminar rooms, a bio-safety level-3 core laboratory, and building support spaces. The second, third, and fourth floors include research laboratory neighborhoods, each with eight research laboratories, principal investigator offices, and lab support spaces. In 2005, the second phase of the Stanton L. Young Biomedical Research Center (BRC West) was completed; adding 122,000 square feet of research space, targeted primarily for strategic research plan priority initiatives. The BRC West houses building management offices and the campus core facilities. The Johnnie Crutchfield Research Laboratory located on the first floor contains two of the campus core facilities; the Laboratory for Genomics and Bioinformatics and the Molecular Biology Proteomics Facility. The Flow and Image Cytometry Laboratory core facility is located on the third floor.

A new comprehensive ambulatory care facility for the medical faculty practice, the OU Physicians Building, was opened in November 2001. This five-story facility contains 192,000 gross square feet. The building was designed primarily from a patient perspective and offers many modern conveniences for ease of access. This was the culmination of a plan to bring together most of the medical and surgical specialties and subspecialties outpatient practices in one building. Laboratories and complete radiological services occupy the first floor. The second through fifth floors accommodate all patient examination and care services of the various specialties and subspecialties. The building also houses the University of Oklahoma Institute for Breast Health and the Cade Cancer Center, which has a modern, attractive cancer chemotherapy unit.

The Schusterman Center, University of Oklahoma-Tulsa Campus, was acquired in 1999. The campus is a 60-acre site with 16 buildings and 378,000 gross square feet. The Schusterman Center campus houses academic and research programs based in Tulsa, and some from the Norman and the Oklahoma City campuses. Current OU Health Sciences Center professional and graduate programs offered in Tulsa are the Colleges of Allied Health, Medicine, Nursing, Pharmacy, and Public Health.

In 2005, the 62,000 gross square feet Hillcrest Family Medicine Center was constructed. In 2007, the OU Physicians-Tulsa Research and Medical Clinic was completed on the Schusterman Center campus. The 100,000 gross square feet clinical facility houses a variety of clinical services, including the clinics previously located at the Sheridan campus. Additional clinical facilities, including University clinics and private hospitals, are located throughout the City of Tulsa.

The George Nigh Rehabilitation Center, located in Okmulgee, Oklahoma, was transferred from the Department of Veterans’ Affairs to the University of Oklahoma Health Sciences Center in 1999. This modern inpatient rehabilitation building contains over 60,000 gross square feet. The facility is managed by OU Physicians, College of Medicine.
2. UNIVERSITY GOVERNMENT AND ADMINISTRATION

2.1 OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION

The University of Oklahoma is part of the Oklahoma State System of Higher Education, which was established in 1941 when the people of the State adopted an amendment to the Constitution of Oklahoma, Article XIII-A. The system is composed of all institutions of higher education supported wholly or in part by direct legislative appropriations.

The amendment provided for establishment of the Oklahoma State Regents for Higher Education as the coordinating board of control of the system. The Board is composed of nine members who are appointed by the Governor and confirmed by the State Senate. They serve nine-year overlapping terms.

Their responsibilities include prescribing standards of higher education (including those concerning the admission of students) at each institution, determining the functions and courses of study at each institution, granting degrees and other forms of academic recognition for completion of the prescribed courses of study, recommending to the Legislature the budget needs of each institution, allocating to institutions funds appropriated by the Legislature, and determining the fees for all institutions of the system. (Article XIII-A, Sections 2 and 3, Constitution of Oklahoma)

2.2 UNIVERSITY OF OKLAHOMA BOARD OF REGENTS

By constitutional enactment, the government of the University is vested in the Board of Regents of the University of Oklahoma. The Board is composed of seven members appointed by the Governor with the advice and consent of the State Senate. Each member is appointed to serve for seven years, except when appointed to fill an unexpired term. Meetings are held approximately ten times per year and are open to the public. The Vice President for University Governance and Secretary of the University reports to the Board. The powers and duties of the Board are set out in Article XIII, Section 8, Constitution of Oklahoma; Title 70, Section 3305, Oklahoma Statutes, 1993 Supp.

2.3 ADMINISTRATIVE ORGANIZATION

The administrative organization of the University exists for the purposes of providing leadership and facilitating the academic programs. Fulfillment of these ends can best be achieved in an atmosphere of shared governance, mutual planning and implementation of decisions, and the recognition and encouragement of contributions of members of the University community. An organizational chart for the Health Sciences Center is contained in Appendix N.

2.3.1 President

As the chief executive and academic officer of the University, the President is responsible to the Board of Regents of the University of Oklahoma for the administration of the institution. All authority delegated by the University Regents is administered through the Office of the President.

The University officers who report to the President include the Senior Vice President and Provost, Norman Campus; Senior Vice President and Provost, Health Sciences Center; the Vice Presidents for
Executive Affairs, Administrative Affairs, Research, Development, Technology Development, Student Affairs, and Public Affairs; the General Counsel; the Director of State and Legislative Affairs; the University Equal Opportunity Officer; the Vice President for University Governance and Secretary of the University; the Internal Auditor; and the Director of Athletics.

(President, 9-28-83, 7-20-95, 8-3-98, 3-29-00)

2.3.2 Acting President

In the temporary absence of the President, the following officers are authorized to serve as Acting President of the University in the order listed:

- Senior Vice President and Provost, Norman Campus
- Senior Vice President and Provost, Health Sciences Center
- Vice President and General Counsel
- Vice President for Administrative Affairs, Norman Campus
- Vice President for Development
- Vice President for Administrative Affairs, Health Sciences Center
- Vice President for Student Affairs

In the event any of the above named positions are filled by persons in an acting or interim capacity, the line of succession is automatically directed to the next position.

In the event the President of the University resigns, is incapacitated, is on an extended leave of absence, or otherwise is unable to perform the duties for a period in excess of 30 days, an Acting or Interim President shall be designated by the Board of Regents.

The Acting or Interim President shall have all powers, duties, and responsibilities normally held by the President of the University.

(Regents 2-8-79, 3-21-95, 12-2-03)

2.3.3 Senior Vice President and Provost, Health Sciences Center

The Senior Vice President and Provost of the Health Sciences Center is responsible to the President as the chief executive officer for this campus. As the chief academic and administrative officer, the Senior Vice President and Provost is the ranking officer of the University on this campus. The Senior Vice President and Provost is responsible for the complete administration including the academic programs, policies and procedures, the employment of faculty and staff, and research administration.

The deans of the colleges report directly to the Senior Vice President and Provost. The principal staff of the Senior Vice President and Provost includes the Vice President for Health Affairs, Vice President for Administrative Affairs, Vice President for Research, and Vice Provost for Academic Affairs.

The Deans’ Council is composed of the deans, the principal staff, and the Senior Vice President and Provost, who serves as Chair. The Council meets periodically to discuss common interests and to make recommendations as appropriate.

(President, 7-21-81, 8-1-92, 12-3-02)
2.3.4 Senior Vice President and Provost, Norman Campus

The Senior Vice President and Provost, Norman Campus, is responsible to the President of the University. The chief academic and administrative officer of the Norman Campus, the Senior Vice President and Provost provides academic and administrative leadership for that campus for instruction, research and creative activity, continuing education, and public service. The Senior Vice President and Provost is responsible for intellectual standards; institutional planning and budgeting, and the recruitment, retention, and development of faculty and students.

The deans and certain other officials meet periodically as the Norman Campus Deans’ Council to discuss matters of mutual interest and make recommendations as appropriate. The Senior Vice President and Provost serves as Chair of the Deans’ Council.

(Senior Vice President and Provost, Norman Campus, 8-4-98, 9-12-00)

2.3.5 Vice President for Health Affairs

The Vice President for Health Affairs is responsible for promoting the clinical programs of the Health Sciences Center colleges and is one of the Executive Officers of the University. Responsibilities also include fostering clinical affiliations with community health care entities, representing the Health Sciences Center in negotiations with state and local agencies about clinical programs, and fostering clinical integration among colleges.

(Senior Vice President and Provost, 8-17-98, 12-3-02)

2.3.6 Vice President for Administration and Finance, Health Sciences Center

The Vice President for Administrative Affairs is the chief administrative and fiscal officer for the Health Sciences Center and is one of the Executive Officers of the University of Oklahoma. Responsibilities include planning and directing the activities of the Controller and Financial Services, Human Resources, Campus Police and Public Safety, Operations, Budget, Purchasing, Faculty House, and Parking and Transit Services.

(Vice President for Administrative Affairs, 8-17-98, 12-3-02)

2.3.7 Vice President for Research, Health Sciences Center

The Vice President for Research is responsible for the development and/or dissemination of official policies in the research and creative activity area. The Vice President for Research works with faculty to identify and obtain funding for research and scholarly and creative endeavors both in and outside the University. The Vice President for Research also works in conjunction with the Vice President for Technology to promote and facilitate the development of commercializable intellectual property relating to health care. The Vice President for Research has responsibility for and oversight of the Office of Research Administration, Laboratory Animal Resources, and the Institutional Biosafety Review Committee.

(Vice President for Research, 8-17-98, 12-3-02)
2.3.8 President, The University of Oklahoma - Tulsa

The President of The University of Oklahoma - Tulsa is the chief executive officer of the University of Oklahoma - Tulsa campus. The Tulsa President is responsible to the President of OU and coordinates with the Provosts of the Norman and the Health Sciences Center campuses and their designated staffs in developing and administering academic programs, research initiatives, policies, finances, public affairs, development activities, legislative relations, facilities, and strategic planning for OU programs based in Tulsa. The position is the primary liaison between the University and the Tulsa community, with particular emphasis on building working relationships with Tulsa’s high-growth businesses.

(President, The University of Oklahoma - Tulsa, 9-18-00)

2.3.9 Interim Appointments of President, Senior Vice President and Provost, Vice Presidents, and Deans

At the time of appointment to the position of Interim President, Interim Senior Vice President and Provost, Interim Vice President, or Interim Academic Dean, it will be stated whether or not the appointee is a candidate for the permanent position.

(Regents, 1-20-86, 3-21-95, 12-3-02, 12-2-03)

2.4 FACULTY SENATE, HEALTH SCIENCES CENTER

The Faculty Senate, Health Sciences Center, is composed of members of the Regular Faculty of the Health Sciences Center. Each college on the campus is represented in the Senate according to a formula defined in the Charter of the Regular Faculty and Faculty Senate. Election of members for three-year terms is by vote of the Regular Faculty of each college.

The Senate exercises the powers of the faculty of the Health Sciences Center as delegated by the Regular Faculty. It has the power to initiate any legislation requiring approval of the Board of Regents (see Appendix A).

(Derived from the Charter of the Regular Faculty and the Faculty Senate, Health Sciences Center)

2.5 STUDENT GOVERNMENT GROUPS

Each college has one or more student associations, each of which is governed by a student council. Representation to each council varies according to the student group and is delineated in each association’s constitution. Each association receives a portion of the student activities fees of the students it represents to use for various student activities and benefits.

Representation to the OUHSC Student Association is on a basis of one voting member per 100 students enrolled, with each college’s constituency guaranteed at least three voting members. Each college association pays per capita annual dues to the OUHSC Student Association.

(Derived from Constitution and By-Laws of the OUHSC Student Association; approved by the Regents, 9-10-97, 7-23-01)
2.6 STAFF SENATES

The Health Sciences Center Staff Senate was organized to serve as a representative body for the staff of the Health Sciences Center. The Tulsa Staff Senate was organized to serve the same purpose for staff on the Tulsa Campus. The Senates shall function for the welfare of the University and for the staff they represent. Each shall function as an advisory body and policy referral body to the President through the Senior Vice President and Provost on policy matters as may directly affect staff.

(Constitution and By-Laws of the Staff Senate, Health Sciences Center, approved by the Regents, 1974, 5-8-80; President 12-7-95, 12-05; Tulsa Campus 3-29-07)

2.7 COUNCILS AND COMMITTEES

2.7.1 Introduction

An effectively organized system of councils and committees is essential to the operation of the University. Councils and committees serve a variety of functions which contribute to the achievement of the goals of the University. Councils and Committees:

(a) keep the several elements of the University informed of the conditions, policies, and decisions which affect their responsibilities and welfare.

(b) are a means of marshalling the wide range of knowledge and expertise on all subjects available to the University so that it can contribute to decision-making.

(c) provide a liaison between officers of the University and other areas of the University, especially the faculty. Through consultation, policy review, and exploration of disagreements, a sound operating relationship can be maintained among all members of the University community.

(d) bring representatives of the appropriate groups in the University together at an early stage in the process of planning and development of policy and programs.

To achieve full effectiveness, councils and committees must be:

(a) Representative of the groups appropriate to their particular functions;

(b) Consulted regularly on a schedule that allows time for participation;

(c) Afforded full and immediate access to the information relevant to their interest;

(d) Able to exercise initiative and review actions as well as respond to proposals put before them; and

(e) Provided benefit of a formal response from the appropriate academic and administrative offices to proposed recommendations or actions.

All councils and committees are given clearly stated charges in writing, and they are asked to make periodic reports to their constituent bodies. All appointments to University councils and
committees by the Faculty Senate are direct appointments and are forwarded to the President for official notification.

The committee structure of the University is kept flexible by periodic review and revision, assuring that committee work does not absorb an undue amount of faculty, staff, and student time. A current listing of councils and committees, their charges, and their membership is maintained in the Office of the President.

2.7.2 Councils

Councils make recommendations to the President on policy and programs in areas of vital significance to the functioning of the University as an educational institution as well as special extracurricular areas that deserve the attention of the full representation of the University community. Certain councils are created by the Board of Regents, and their membership and charges are set by the Board of Regents. These include:

- Athletics Council (University)
- Council on Faculty Awards and Honors (University)
- Presidential Professorship Selection Committee
- Publications Board (University)

Other councils are established upon recommendation of the Faculty Senate and approval by the President. The President may suggest the establishment of specific new councils to the Senate. Councils may be abolished on recommendation from the Senate and approval of the President. Membership to the following councils is selected by the Faculty Senate and forwarded to the President for official appointment. Health Sciences Center councils established in this way include:

- Academic Programs Council
- Campus Planning Council
- Research Council

These councils operate according to the following guidelines:

(a) Membership. Membership of the councils will be drawn from the elements of the University relevant to their areas of interest including, as appropriate, faculty, students, and non-academic personnel. Ordinarily, the council membership consists of nine faculty members appointed to three-year terms with one-third retiring each year. At least one officer of the University administration whose duties are relevant to the work of each council will be designated by the President to be an ex-officio member of the council without a vote. The officer is responsible for assuring that the council is informed of administrative activities and plans appropriate to its charge. When necessary, the officer will provide staff support to the council.

(b) Chair. The chair of each council is elected annually from among the faculty members of the council.

(c) Charge to a Council. A charge to a council is recommended to the President by the Faculty Senate. The President gives the charge in writing.
2.7.3 **Standing Committees**

Standing committees provide the President and his or her staff with counsel and assistance regarding areas of University activity which are important to the fulfillment of an educational mission, but are of less fundamental significance than the areas of council concern. Standing committees are established by recommendation from the Faculty Senate and approval of the Senior Vice President and Provost and the President. The President may suggest the establishment of specific committees to the Senate. Committees may be altered in their function or abolished upon recommendation of the Senate and approval of the President.

The membership of a standing committee varies with its function, but faculty participation is desired on all standing committees. The terms of membership are stated when a committee is established. Membership selection and appointment to the following standing committees are made by the President. These standing committees include:

- Campus Tenure Committee, HSC
- Commencement Committee
- Committee on Discrimination and Harassment, HSC
- Employment Benefits Committee
- Faculty Appeals Board, HSC
- Honorary Degrees Screening Committee
- International Academic Programs Advisory Committee
- International Relations Advisory Committee
- Library Advisory Committee, HSC
- Presidential Professorship Selection Committee, HSC
- University Copyright Committee
- University Patent Committee

2.7.4 **Other University Committees**

(a) Administrative Advisory Committees. Officers of the University are authorized to establish special advisory committees for subjects not covered by the Council or Standing Committee structure, so long as they do not duplicate the work of the councils and standing committees. These committees are composed of members selected in a way determined by the establishing official. The number and purposes of these committees are regularly reviewed by the President and Faculty Senate.

(b) Task Forces. A task force is an *ad hoc* committee designed to accomplish a specific written charge. Members of the task force are selected by the appointing body or officer. Dissolution occurs when the task is completed or at the discretion of the appointing body or officer.

(c) Designated Scholarship Committees. These committee members are appointed by the President.

For more information refer to *Structure of University Councils, Committees and Boards, and Charters, Appointed by the President of the University* available from the Office of the President.
2.7.5 Attendance Requirements for Faculty Members of a University Council or Committee

Except as otherwise provided by Regents’ policy, each faculty, staff, and student member is permitted to miss only three regularly scheduled meetings of a University council, committee, or board during an academic year. Absence at more than three regularly scheduled meetings is grounds for removing faculty, staff, or student member from a University council, committee, or board at the discretion of the chair.

Absences from regularly scheduled meetings may be made up by attendance at specially scheduled meetings at the discretion of the chair.

2.7.6 Resignation of Faculty Members from Council and Committee Membership During Leaves of Absence

Faculty members who shall be absent from the University for a regular semester or longer because of sabbaticals, leaves of absence, or other activities shall resign all positions on councils, standing committees, and administrative advisory committees of the University. They shall be replaced for the unexpired portions of their terms by faculty members appointed by the President from the names submitted in accordance with established election procedures.

2.7.7 Administrative Search Committees

The selection of the President and other administrators is the responsibility of the Board of Regents, and any process leading to that selection is the prerogative of the particular Board in office at the time the selection process is to be initiated. It is suggested that administrative search committees make nominations and recommendations concerning candidates and that the President of the University and the University Regents be guided by them in most instances, but it is understood that the President and the University Regents shall not be bound by nor limited to nominations and recommendations of administrative search committees. (For effect of interim appointments on the searches, see Section 2.3.9). The spirit and letter of all applicable equal opportunity and affirmative action regulations shall be followed.

Administrative Search Committees include those for:

(a) President of the University

It is recommended that the presidential search committee have representation by the faculty from the Norman Campus, the Health Sciences Center, student(s), and staff. The Board of Regents would appoint these members from nominees selected by the official faculty, staff, and student governance organizations on each campus. Faculty members shall constitute a majority of those members chosen from the faculty, staff, and students. There shall be twice as many nominees as there are positions. The Board of Regents shall designate other members as deemed appropriate.

(b) Provosts, Vice Presidents, and Vice Provosts

The committee shall have faculty, student, and staff representation. The President of the University shall appoint these members from nominees selected by the official faculty, staff, and student governance organizations on each campus. Faculty members shall constitute a majority of those
members chosen from the faculty, staff, and students. There shall be twice as many nominees as there are positions. The President of the University shall designate other members as deemed appropriate; provided, designees from outside the University shall be subject to the approval of the Board of Regents.

(c) Deans

The committee shall have faculty, student, and staff representation. The President of the University shall appoint these members from nominees selected by the official faculty, staff, and student governance organizations on each campus. Upon requesting nominations by faculty members, the President of the University shall designate the number of positions to be filled from (1) the regular faculty of the particular college or unit involved, and (2) from the University faculty at large. The former shall constitute a majority of committee positions and shall be nominated by the regular faculty of the college or unit involved. There shall be at least one position filled from the University faculty at large from nominations made by the Faculty Senate. In all cases, there shall be twice as many nominees as there are positions. The President of the University shall make all appointments.

(Regents, 5-12-83, 3-21-95, 3-29-00, 12-2-03)

2.8 COLLEGE AND DEPARTMENTAL ORGANIZATION

2.8.1 College Administration

The dean is the chief administrative officer of a college and is responsible for providing leadership and administrative support to the programs and faculty of the college and for representing the college in relations with other colleges and administrative officers of the University.

The dean of a college is nominated to the University Regents by the President after considering the recommendation of the Senior Vice President and Provost [Section 2.7.7(c)], and serves at the discretion of the Senior Vice President and Provost.

(a) Administrative Duties. The dean is responsible for carrying out the policies of the University and college and is responsible for the preparation and submission of the budget for the college and its implementation when approved. Using guidelines approved for the college, the dean makes recommendations through the Senior Vice President and Provost to the President for the appointment, promotion, tenure, dismissal, retirement, and for other personnel decisions pertaining to faculty members in the college. Units affected should be consulted and their advice considered in developing such recommendations.

(b) Leadership Function. The dean has an obligation to foster the welfare of the entire college faculty and staff and to encourage and facilitate their work and professional development. The dean apprises faculty members of University, college, and departmental policies and requires compliance. The dean is responsible for the review and evaluation of the academic programs within the college and is expected to provide guidance to the faculty in developing appropriate and effective academic programs.

(c) Organization. The dean is responsible for the administrative organization of the college. The faculty of a college usually is organized into distinct academic units, such as
departments. The organization of such units is recommended by the dean and approved by the Senior Vice President and Provost, President and, as appropriate, the Board of Regents. The units provide groupings for faculty associated with one or more related academic programs and disciplines and provide for active participation by the faculty in carrying out the work of the college.

At times, it is in the best interest of a college to reorganize among its units in order to respond to new circumstances or to strengthen existing programs. Before such a recommendation, the dean will inform and consult with the faculty of the units affected (see Appendices F and G).

(d) Evaluation. The primary purpose of an evaluation is to provide constructive information toward improved performance of the dean. The information will be made available to the dean and University officers to whom the dean is responsible. Evaluation of the dean’s performance is carried out by those University officers to whom the dean is responsible. It includes, but is not limited to, confidential evaluation by the faculty of the college.

1) Performance evaluations will be conducted of all deans by the Senior Vice President and Provost at least every three years. The evaluation shall include:

(a) A self-assessment by the dean.

(b) Confidential evaluation by the faculty of the college conducted by the Senior Vice President and Provost.

(c) A formal consultation between the dean and the Senior Vice President and Provost.

2) Evaluation Procedures and Criteria. Evaluation procedures should provide the opportunity for input into the evaluation from the faculty, chairs/directors, and as deemed appropriate by the Senior Vice President and Provost, the staff, students, and appropriate external constituencies of the college.

(e) Vacancy. Whenever a vacancy occurs in the dean’s position, the Senior Vice President and Provost shall appoint an interim dean of the college until a permanent dean assumes responsibility for the college. Prior to the appointment, the Senior Vice President and Provost shall seek input from representatives of the faculty, chairs/directors, and staff of the college involved to obtain advice on an appropriate candidate for the interim dean. (For the effect of an interim appointment on the selection procedure for a new dean, see Section 2.3.9).

(f) Termination. The Senior Vice President and Provost may decide to remove a dean if it is determined to be in the best interest of the college and the University. The Senior Vice President and Provost shall inform the faculty of such a decision.

(Regents, 1-26-99, 12-3-02, 6-25-08)
2.8.2 Departmental Administration

An academic unit of a college, usually called a department, is administered by a chair (or an equivalent title recommended by the college and approved by the Senior Vice President and Provost and the President). The chair provides leadership in matters of policy determined by the faculty of the department, operating within guidelines provided by the University of Oklahoma Board of Regents, University administrative officers, and the college. The departmental faculty is defined as all members who are within the general faculty and includes the chair. In colleges not divided into separate units, the college faculty is the equivalent of the departmental faculty, and the dean performs the duties and functions of the chair.

(a) Departmental Chairs. The department chair serves at the discretion of the Dean. The chair has a leadership function and is accountable both to the department and to the dean for the performance of this function. The chair represents the department in relations with other departments, with the deans, with other administrative officers of the University, and with affiliated institutions. The chair is expected to encourage and facilitate the work, quality, and professional development of the department. The chair is the immediate supervisor of the faculty within the department and is expected to aid the faculty in their professional development; to develop and maintain a high standard of performance from faculty; and to ensure that departmental personnel comply with University, Health Sciences Center, college, and departmental policies.

1) Functions. The chair shall take the initiative in reporting the needs and championing the causes of the department to the dean. This includes a basic responsibility for obtaining merited recognition of faculty members with respect to promotions, salary increases, and support for career development. Other leadership functions include implementing the Affirmative Action Plan, summarizing the program review, and recommending tenure considerations. The chair provides leadership in all matters of policy as determined by the faculty, dean, and Senior Vice President and Provost.

2) Department Responsibilities. The chair determines procedures for carrying on the work of the department. Such functions shall include, but not be limited to: (1) determining time and frequency of teaching staff meetings (at least monthly); (2) approving class schedules for the department; (3) establishing policy for expenditures from departmental budget; and (4) making recommendations for increases in salary, promotion, new appointments, tenure, and teaching methods, with appropriate faculty input.

3) Appointment. The faculty of the department shall have a role in the appointment. The chair of a department is nominated to the Regents by the President after receiving recommendations of a duly appointed search committee, the appropriate dean(s), and the Senior Vice President and Provost. The search committee should be appointed by the dean(s). A majority of its membership should be members of the regular faculty.

4) Evaluation. Evaluation of the chair is determined by his or her overall contribution to the University, including the quality of his or her administrative work. The chair’s work will be subject to review by dean(s). This evaluation requires input from departmental faculty. Where appropriate, outside consultants shall be asked to provide performance evaluation.
Performance evaluations will be conducted of all chairs by the dean each year. The annual evaluation shall include:

(a) A self-assessment by the chair.
(b) A confidential evaluation by the faculty of the department conducted by the dean of the college.
(c) A formal consultation between the chair and the dean.
(d) Direct feedback from the dean in writing to the department chair relative to the chair’s performance evaluation each year.

5) Evaluation Procedures and Criteria. Evaluation procedures should provide the opportunity for input into the evaluation from the faculty and, as deemed appropriate by the dean, from the staff, students, and appropriate external constituencies of the college.

6) Vacancy. Whenever a vacancy occurs in the department chair’s position, the dean shall appoint an interim chair of the department until a permanent chair assumes responsibility for the college. Prior to the appointment, the dean shall seek input from representatives of the faculty, chairs/directors, and staff of the college involved to obtain advice on an appropriate candidate for the interim chair.

7) Termination. A dean may decide to remove a chair if it is determined to be in the best interest of the department, the college, and the University. The dean shall inform the faculty of such a decision.

(Regents, 1-26-99, 12-3-02, 6-25-08)
3. FACULTY PERSONNEL POLICIES AND GENERAL INFORMATION

FACULTY PERSONNEL POLICY

It is the policy of the University to recognize and implement the functions assigned to it by the Oklahoma State Regents for Higher Education. These functions are: teaching, research and creative/scholarly activity, and professional and university service and public outreach. The responsibility for carrying out this policy is shared by the Board of Regents, administrative officers, and the general faculty. The University recognizes the specific involvement of the faculty in the performance of these functions, and to this end, is committed to fostering a superior faculty.

Since 1942, the Regular Faculty has actively participated in the organization, formulation and implementation of University policies through a democratically elected Faculty Senate. Today, there are two Faculty Senates, one for the Health Sciences Center and one for the Norman Campus. The charters of these two Faculty Senates can be found in the Appendices of the Faculty Handbooks.

(Regents, 1-26-99, 12-3-02)

3.1 THE GENERAL AND REGULAR FACULTY

The General Faculty of the Health Sciences Center is composed of all full-time (1.0 Full-time Equivalent [FTE], whether 9-10- or 12-month appointment), part-time, and volunteer faculty members.

The Regular Faculty is composed of all full-time faculty with the unmodified rank of assistant professor or above who hold tenure track, tenured, or consecutive term appointments. Regular Faculty also include some full-time faculty whose salaries are paid all or in part by an affiliated institution such as the Veterans Affairs Medical Center or the Oklahoma Medical Research Foundation.

Additional policies related to the faculty, and the Faculty Senate are contained in Appendixes A and B.

(Regents, 1-26-99, 12-3-02)

3.2 FACULTY AND ADMINISTRATIVE TITLES

3.2.1 Faculty Titles

Faculty titles may be unmodified or modified (see Section 3.3(a)).

(a) Regular Faculty – Faculty holding regular appointments (i.e. tenure-track, tenured, or consecutive term) have faculty titles of Assistant Professor, Associate Professor, or Professor. These titles shall be unmodified and the name of the department in which the appointment is made shall be included as a suffix. Holders of endowed chairs and professorships or of Regents' designated professorships shall have that noted as a part of their title.
(b) Temporary Faculty – Faculty holding temporary appointments (see Section 3.3.3 (d)) have titles such as instructor, lecturer, or associate, or are modified by prefixes such as visiting, adjunct, or clinical (see 1, 2, and 3 below). Or, in the instance of temporary research appointments by the suffix “of Research” (see 2 below).

1) Assistant Professor and above – Assistant professors, associate professors, and professors who hold temporary appointments shall have their titles modified by one of the following prefixes: visiting, adjunct, clinical, or OMRF.

2) Research – Faculty holding temporary research appointments have titles of assistant professor of research, associate professor of research, and professor of research.

3) Other – Instructor and Associate titles are intended to designate individuals whose academic achievement and standing are below those of assistant professors. The title of lecturer can be used for individuals of academic achievement and standing comparable to any academic rank, including assistant professor, associate professor and professor.

The suffix indicating the department of appointment shall be used as in the case of regular appointments.

(c) Volunteer Faculty – Volunteer faculty serve without remuneration and shall be given the same titles as temporary faculty, with the exception of Instructor which may not be used unless modified. Colleges may choose to modify the title with a prefix, such as clinical, to indicate volunteer faculty status. The additional title of Preceptor may be used for volunteer faculty. For retired faculty, titles may be modified with the suffix Emeritus in compliance with the policy on Emeritus appointments. Volunteer faculty titles shall also include the suffix to indicate the department or college of appointment.

(Regents, 1-26-99, 12-3-02, 6-25-08)

(d) Emeritus Titles - The emeritus title is granted only by the Board of Regents upon recommendation by the President of the University. The President may recommend that the title "Professor Emeritus" be granted upon the retirement of regular faculty members when so proposed by their departments and colleges. The title indicates retirement in good standing and ordinarily will be without the designation of any additional faculty rank (such as "Assistant" or "Associate") except that distinguished professor titles shall be retained when the emeritus status is recommended. For the Health Sciences Center, the President may recommend that the title Clinical Professor Emeritus be granted upon the retirement of volunteer faculty when proposed by their departments, colleges, and the Senior Vice President and Provost.

It has also been the practice from time to time for the Board of Regents to grant the title "Emeritus" to former executive officers and deans upon retirement or resignation from the position.

(President, 9-10-85)
3.2.2 Administrative Titles

(a) Academic Administrative Titles – The following administrative titles are in addition to the academic faculty title and are established by the Board of Regents:

University and Campus Level: President and Senior Vice President and Provost
College: Dean
Department or Division: Chair or Director. Section chiefs are appointed by the Dean on recommendation of the chair and do not require Board of Regents’ approval.

The prefixes executive, deputy, vice, associate, and assistant are established by the Board of Regents to modify these titles. The name of the college, department, or division is designated in the title as a suffix.

(b) Non-Academic Administrative Titles – The titles Vice Provost, Associate Provost, Assistant Provost, Associate Dean, and Assistant Dean may also be used as administrative titles for staff employees appointed to these positions at the Health Sciences Center, as established by the Board of Regents.

Administrative departments and divisions are led by Directors, as appointed by the Board of Regents. The usage of the prefixes vice, deputy, associate, assistant, interim, and acting is the same as with academic administrative titles.

(c) Interim and Acting Titles – The term “interim” may be designated by the Board of Regents when no regularly appointed individual is in office. The term “acting” may be designated by the regularly appointed individual holding the administrative title during that person’s absence from the campus.

(Regents, 12-3-02, 6-25-08)

3.3 FACULTY APPOINTMENTS

Faculty appointments may be tenure track, tenured, consecutive term, temporary or volunteer (see Section 3.3.3). The type of appointment will be determined by the academic unit in consultation with the appointee and with the approval of the dean, the Senior Vice President and Provost and the President and Board of Regents, if required.

(a) Full-time faculty appointments with unmodified academic titles (assistant professor, associate professor, and professor) shall be limited to those faculty who devote their full-time professional effort to direct University activities (see Section 3.6) and who are compensated by the University or University-approved sources.

(b) When service to the University (defined in Section 3.6.3) is used as a basis for full-time academic appointment, teaching, research, clinical activities, and/or administration of academic units must constitute a major part of the faculty member’s assigned duties. Exemption from this provision may be made with the consent of the academic unit, the Dean of the College, and the Senior Vice President and Provost.
Faculty who devote less than their full-time professional effort to direct University activities as defined above shall be eligible for faculty appointment with a modified academic title, i.e. visiting, adjunct, clinical, etc.

(Regents, 1-26-99, 12-3-02, 6-25-08)

Volunteer faculty appointments have a modified academic title, and are without remuneration.

(Regents, 12-3-02, 6-25-08)

3.3.1 Appointment of New Faculty

In the appointment of new faculty, action is initiated by the academic unit through the respective Dean to the Senior Vice President and Provost, and to the President, in accord with the prevailing policies of the Board of Regents.

(a) Official Offer – The formal offer of appointment must come from the Senior Vice President and Provost or the President and will include the statement that the appointment is contingent upon the approval of the Board of Regents. The letter of offer will specify academic rank, appointment type (with tenure, subject to the appropriate University tenure process, tenure track, consecutive term, or temporary), beginning date of employment, salary, full-time equivalent, the length of pre-tenure period if tenure track (see Section 3.9.1 and 3.9.3), and any special conditions pertaining to the appointment. The formal offer shall include supplemental information necessary to access an on-line copy of the Faculty Handbook and faculty benefits.

Initial assignments as set forth in the letter of offer may be changed and do not constitute an agreement that the assignments will remain the same throughout the faculty member’s employment.

(b) Contract – If the appointment is approved by the Board of Regents, Regular Faculty (tenure track, tenured, or consecutive term) will be furnished a Contract of Employment for signature. Included in this contract will be the approved rank and salary. The Contract will contain a statement indicating that the applicant has read the Faculty Handbook and accepts appointment in accord with the policies specified, with the understanding that policies of the University are subject to change by the Board of Regents. Any exceptions to these policies must be described in the Contract.

In addition to the Contract for Employment, the appointee may receive a written statement provided by the department chair defining the appointee’s initial teaching, research, professional/clinical service and administrative responsibilities and other special conditions pertaining to the appointment. The department chair will also provide tenured, tenure track and consecutive term appointees with copies of the department and/or college tenure and promotion criteria.

(c) Compensation – The University recognizes that the professional effort of the faculty member may result in compensation in addition to the guaranteed base salary provided by the University. The conditions of such compensation are set out in each college’s Professional
3.3.2 Appointment Period

Most faculty appointments at the Health Sciences Center are 12-month appointments for the academic year, July 1 through June 30. However, the instructional periods may not correspond precisely to the faculty appointment dates. Some faculty members are appointed on a 9 or 10 month basis. The appointment period for the second semester begins January 1, even though the semester may begin at a different time. Summer session appointments for the regular eight-week period are effective June 1 through July 31.

It is the responsibility of the appropriate chair or dean to notify each faculty member of the date to start work.

3.3.3 Tenure Track, Tenured, Consecutive Term, and Temporary Appointments

(a) Full-time tenure track or tenured appointments are Regular Faculty appointments.

(b) Consecutive term appointments are Regular Faculty appointments. All consecutive term appointments are non-tenure track. There are no restrictions placed on the number of renewable consecutive terms that may be served.

Eligibility for consecutive term appointments shall be determined by the academic unit, the dean, the Senior Vice President and Provost, and the President or Board of Regents if requested. This understanding shall be specified in the contract.

(c) Temporary appointments may not be changed to a regular faculty appointment until all Affirmative Action requirements have been completed (i.e., national search, appropriate advertisements, etc.).

(d) Temporary Appointments: Do not extend beyond the end of each academic year. No notice of non-reappointment to a subsequent academic year is required for temporary appointees. Individuals serving in temporary appointments serve at the discretion of the chair and dean. Temporary appointments can be terminated during the academic year with no less than 60 days written notice. Temporary appointments do not require approval by the Board of Regents for salaries under $60,000. Temporary faculty may not appeal non-reappointment to the Faculty Appeals Board. All appointments less than 1.0 FTE are classified as temporary appointments.

Temporary appointments are indicated by titles such as instructor, lecturer, or associate, or are modified by such prefixes as visiting, adjunct, or clinical. Other temporary titles are referred to in Section 3.2.1(b). Faculty on temporary appointments are not eligible for tenure and their letters of offer shall so specify.

Full-time faculty may serve a maximum of seven years in a temporary rank. Additional appointments must be regular [see 3.3.3(c)]. The seven-year limitation on temporary appointments is not extended by the granting of additional appointments.
appointments may be waived by the Senior Vice President and Provost, upon the application of the Dean, and with the approval of the chair of the academic unit involved and the concurrence of the individual faculty member affected.

(Regents, 7-15-96, 1-26-99, 12-3-02, 6-25-08)

3.3.4 Part-Time Appointments

A part-time appointment is one at less than 1.0 Full-Time Equivalent (FTE), has a modified title, and is considered temporary [see 3.3.3 (d)]. At the time of any part-time appointment, the faculty member and the University must reach a clear understanding of the terms of the part-time appointment. This understanding shall be in writing and the faculty member shall be given a copy.

(Regents, 7-15-96, 12-3-02)

3.3.5 Joint and Secondary Appointments

(a) Joint appointments – Joint appointments in two or more academic units or colleges are permissible. Joint appointments consist of a primary appointment in two academic units or colleges, and cannot total more than 1.0 Full-Time Equivalent (FTE). Joint appointments must be approved by both academic units and colleges involved, the Senior Vice President and Provost, the President, and the Board of Regents consistent with the criteria below.

Before a faculty member receives a joint appointment, the appropriate academic units must mutually determine, record in writing, and secure administrative approval for the length of the pre-tenure period, and criteria for tenure, promotion, and reappointment or non-reappointment. The academic units must provide a written description of the faculty member's teaching, research, and service, and administrative responsibilities and other special conditions pertaining to the joint appointment. The faculty member shall receive a copy of this written description.

(Regents, 7-15-96, 12-3-02, 6-25-08)

(b) Secondary appointments – In recognition of teaching, research, or service contributions outside their primary department, faculty members may have one or more secondary appointments in other academic units. Secondary appointments are modified by such prefixes as adjunct or clinical.

(Regents, 12-3-02)

3.3.6 Changes in Status - Tenure Track and Consecutive Term Appointments

(a) At the request of the faculty member and with the approval of the chair of the academic unit, dean, and Senior Vice President and Provost, faculty members who are in the tenure track may be changed to a consecutive term appointment at any time during the pre-tenure period, but prior to the initiation of the procedures for tenure decision [see Section 3.9.5]. However, a faculty member may not return to a tenure track appointment after such change to a consecutive term appointment.

(b) At the request of the faculty member and with the approval of the chair of the academic unit, the dean, and the Senior Vice President and Provost, faculty members receiving renewable
consecutive term appointments may be changed to the tenure track in which case all University policies relating to tenure shall apply. Upon written request from the faculty member and with the approval of the chair of the academic unit, dean, and Senior Vice President and Provost, up to three (3) years served in a consecutive term appointment may be credited toward the pre-tenure period, and all University policies relating to tenure shall apply (see Sections 3.9.1(b) and 3.9.2).

(c) Under certain extraordinary circumstances in order to meet the University’s clinical care, service, or teaching obligations, a faculty member who has been denied tenure may be granted a consecutive term or temporary appointment upon recommendation by the chair of the academic unit, dean, and Senior Vice President and Provost.

(Regents, 7-15-96, 1-26-99, 12-3-02, 6-25-08)

3.3.7 Changes in Status – Tenured Appointments

(a) A faculty member granted tenure by the University of Oklahoma who accepts an administrative post within the University retains tenured status as a member of the faculty.

(b) A faculty member granted tenure who changes from a full-time appointment to a part-time appointment automatically forfeits tenure status, (except as noted in (c) and (d) below). A faculty member granted tenure who changes from a full-time appointment to a volunteer appointment automatically forfeits tenured status.

(c) Upon the recommendation of the chair of the academic unit and dean, the Senior Vice President and Provost may approve a tenured faculty member’s request for temporary reduction in employment from full-time to part-time, if the reduction is for less than six months. In those rare cases, when it is recommended that a tenured faculty member be permitted to reduce his or her employment to less than full-time for a period of six months or more, and maintain a tenured status, specific approval by the Board of Regents is necessary.

(d) A tenured faculty member retains tenure during phased retirement.

(Regents, 12-3-02)

3.3.8 Notifications of Non-Reappointment of Tenure Track or Consecutive Term Appointment

Action on the non-reappointment of individuals having a tenure track or consecutive term appointment is initiated by the chair of the academic unit through the respective dean to the Senior Vice President and Provost, President, and Board of Regents. All notifications of non-reappointment shall be given in writing by the Senior Vice President and Provost.

(a) A faculty member with a tenure track or consecutive term appointment who is not to be reappointed for a second year of service must be notified at least three months prior to the termination of the appointment.

(b) A faculty member with a tenure track or consecutive term appointment who is not to be reappointed to a third year of service must be notified at least six months prior to the termination of the appointment.
(c) A faculty member with a tenure track or consecutive term appointment who is not to be reappointed to a fourth or subsequent year of service must be notified at least twelve months prior to the termination of the appointment.

(d) The faculty member may appeal non-renewal of appointment to the Faculty Appeals Board only if notification practices prescribed in the foregoing paragraphs of this section are not followed.

(Regents, 7-15-96, 1-26-99, 12-3-02, 6-25-08)

3.3.9 Resignation

A faculty member who elects to resign is obligated to give notice in writing to the department chair within thirty days of receiving notification of the terms of the appointment for the coming year. A faculty member may request a waiver of this requirement.

(Regents, 7-15-96, 12-3-02, 6-25-08)

3.4 ACADEMIC FREEDOM AND RESPONSIBILITY

3.4.1 Institutional Academic Freedom

The accumulation and exchange of knowledge are among the preeminent purposes of the University, and the acknowledgement of individual academic freedom is one of the cornerstones to ensure such purposes are achieved. Equally important in meeting these goals is the recognition of the right inherent in the responsibility of the Board of Regents to govern the University. “[I]t is the business of a university to provide that atmosphere which is most conductive to speculation, experiment, and creation. It is an atmosphere in which there prevail ‘the four essential freedoms’ of a university—to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study.” Sweezy v. New Hampshire, 354 U.S. 234, 263; 77 S.Ct. 1203; 1 L.Ed.2d 1311 (1957).

3.4.2 Academic Freedom

The 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretative Comments of the American Association of University Professors has long been recognized as providing valuable and authoritative guidelines for policy and practice in American colleges and universities. The section on academic freedom below is essentially a restatement of these principles, with some modification and extension consistent with their intent and with later declarations by the Association. In the formulation that follows, these principles have been adopted as University policy by the Regents of the University of Oklahoma.

(a) Faculty members are entitled to full freedom in research and publication, subject to any restrictions set by law or by applicable codes of professional ethics, and subject to adequate performance of their other academic duties and to stated University policy on outside employment; but, except under conditions of national emergency, a faculty member should not undertake to do research on University time or using University facilities or funds under
any agreement which would (except for a definitely and reasonably limited time) prohibit open communication of the results.

(b) Faculty members are entitled to freedom in the classroom in discussing their subject, but it is inappropriate for a teacher persistently to intrude material which has no relation to the subject of instruction.

(c) As members of the community, university teachers have the rights and obligations of any citizen. They measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. In speaking or acting as private persons, faculty members should avoid creating the impression of speaking or acting for their college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the university teacher has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

(d) As citizens, university teachers should be free to engage in political activities consistent with their obligations as teachers and scholars. Subject to University policy (See Section 3.26) some activities, such as seeking election to an office for which extensive campaigning is not required, or service in a part-time political office, may be consistent with effective service as a member of the faculty.

(e) Since freedom of access to recorded knowledge is essential to learning and research in a democracy, the university's right and obligation to provide a full range of materials on any subject, even though some views might be currently unpopular or controversial, or appear incorrect, shall not be infringed. The principles of academic freedom shall apply to the presence of materials and also to those who provide and those who use them.

(f) The University endorses the 1967 Joint Statement on Rights and Freedoms of Students with 1990 Revisions which "...asserts the right of college and university students to listen to anyone whom they wish to hear...affirms its own belief that it is educationally desirable that students be confronted with diverse opinions of all kinds, (and) therefore holds that any person who is presented by a recognized student or faculty organization should be allowed to speak on a college or university campus." Duly constituted organizations at the University may invite speakers without fear of sanctions. However, in the exercise of these rights, it is clearly recognized that:

"Membership in the academic community imposes on students, faculty members, administrators, and trustees an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus. The expression of dissent and the attempt to produce change, therefore, may not be carried out in ways which injure individuals or damage institutional facilities or disrupt the classes of one's teachers or colleagues. Speakers on campus must not only be protected from violence but must be given an opportunity to be heard. Those who seek to call attention to grievances must not do so in ways that significantly impede the functions of the institution." (1970 Declaration of the AAUP Council with 1990 Revisions)
3.4.3  Academic Responsibility

The concept of academic freedom shall be accompanied by an equally demanding concept of academic responsibility. Nothing in the following statement is intended to abridge in any way the principles and procedures advanced in the 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments of the American Association of University Professors. This statement is derived in substantial measure from the June 1987 revisions of AAUP 1966 Statement on Professional Ethics.

Faculty members have responsibilities to their students. They shall encourage in students the free pursuit of learning and independence of mind, while holding before them the highest scholarly and professional standards. Faculty members shall show respect for the student as an individual and adhere to their proper role as intellectual guides and counselors. They shall endeavor to define the objectives of their courses and to devote their teaching to the realization of those objectives; this requires judicious use of controversial material and an avoidance of material which has no relationship to the objectives of a course.

Faculty members shall make every reasonable effort to foster honest academic conduct and to assure that their evaluations reflect, as nearly as possible, the true merit of the performance of their students, regardless of their race, color, national origin, sex, age, religion, disability, status as a veteran, or political beliefs. Faculty members shall avoid any exploitation of students for private advantage and shall acknowledge significant assistance in scholarly pursuits from them.

Faculty members have responsibilities to their colleagues, deriving from common membership in a community of scholars. They shall respect and defend the free inquiry of their associates. In the exchange of criticism and ideas, they should show due respect for the opinions of others. They shall acknowledge their academic debts and strive to be objective in the professional judgment of their colleagues. Although service must be voluntary, faculty members should accept a reasonable share of the responsibility for the governance of their institution. If driven by his or her conscience into dissent, the faculty member shall take care that this dissent does not interfere with the rights of colleagues and students to study, research, and teach.

Faculty members have responsibilities to their discipline and to the advancement of knowledge generally. Their primary obligation in this respect is to seek and to state the truth as they see it. To this end, they shall devote their energies to developing and improving their scholarly competence. They shall exercise critical self-discipline and judgment in using, extending, and transmitting knowledge, and they shall practice intellectual honesty.

Faculty members have responsibilities to the educational institution in which they work. While maintaining their right to criticize and to seek revisions, they shall observe the stated regulations of the institution, provided these do not contravene academic freedom. When considering the amount and character of the work they do outside their institution faculty members must have due regard to their paramount responsibilities within the University and the applicable University policies governing outside employment. All such work at the Health Sciences Center is governed by the Professional Practice Plans of the various colleges.

(Regents, 12-3-02, 6-25-08)
3.5 FACULTY ACCOUNTABILITY

A faculty member is held accountable for his or her performance in fulfilling faculty duties (Sections 3.6 and 3.7), and in meeting the requirements of academic responsibility (Section 3.4) and University policies. Persons who accept full-time employment at the University owe their first duty to the University. Any other employment or enterprise in which they engage for income must be secondary to their University duties. During the contract period, all outside work must be conducted through a University contract and all funds generated must be deposited into University accounts, per the respective colleges’ Professional Practice Plans.

The obligations of a faculty member to the University are not limited to meeting classes. There are obligations which include, but are not limited to, advising students, conducting research or scholarly activity, meeting clinical assignments, including providing patient care and supervising students and/or trainees, reading and remaining professionally competent, attending professional meetings, and cooperating in essential committee work of the department, the college, and the institution as a whole.

The most immediate agent of faculty accountability is the faculty member’s chair, who should maintain close and regular communication with the faculty member. Among the various mechanisms for ensuring faculty accountability, the most important include annual evaluations, and such periodic evaluations as those for advancement in rank. These processes should serve to identify and reward meritorious performance as well as to identify areas that need improvement.

Meritorious and responsible faculty performance is first and foremost an individual professional obligation. But it is also the product of a cooperative effort by faculty members and administrative officers – assisting one another, informing one another, jointly seeking to assure that each faculty member’s capabilities are developed fully and creatively. Both the academic unit and the individual faculty member have responsibility to take the necessary steps to overcome performance that is lacking in merit or responsibility. Just as faculty members are held accountable for their performance, administrators of academic units are held accountable for their leadership in the career development of the faculty in their academic units. However, career development remains primarily the responsibility of the faculty member.

The allegation of failure of a faculty member to achieve at least adequate performance may originate from the students, from faculty colleagues, or from administrative personnel. Whenever such an allegation is included in the personnel record of the faculty member, or whenever the allegation is the basis for further action or administrative remedies by the department chair, dean, or Senior Vice President and Provost against a faculty member, the faculty member should be notified promptly.

Administrative remedies, including reprimands, minor sanctions, counseling and career development support, are available to academic units as a means of attempting to rectify poor professional performance or breaches of academic responsibility. If administrative remedies fail to correct a faculty member’s inadequate professional performance or breach of academic responsibility, the President may consider applying a minor sanction, such as a formal reprimand. Prior to any such action, the President should have consulted fully with the appropriate administrative officers. For those cases where they are needed, the University has at its disposal...
the more drastic measures of severe sanctions, dismissal, and abrogation of tenure (Section 3.18).

(Regents, 1-26-99, 12-3-02, 6-25-08)

3.6 PROFESSIONAL ACTIVITIES OF THE FACULTY

Above all else, the University exists for learning and scholarship of a breadth and depth that result in excellence in all of the University’s major functions: teaching, research and creative/scholarly activity, and professional and University service and public outreach. Each academic unit has an obligation to contribute to each of the functions of the University. Faculty members play a central role in the realization of these functions and fulfill the obligations of the academic unit by contributing their unique expertise and competence. Decisions regarding tenure, promotions, and salary increases are based upon an assessment of the faculty member’s performance and contribution to the total mission of the University (Section 3.3, 3.7, 3.9.4, and 3.11).

3.6.1 Teaching

Teaching, which is the transmission of knowledge and cultural values, focuses upon helping students to learn. As a part of its mission, the University is dedicated to undergraduate, graduate, professional, and continuing education. The term teaching as used here includes, but is not restricted to, giving regularly scheduled instruction, directing graduate work, and counseling and advising students. This includes the direction or supervision of students in reading, research, clinical rotations, internships, residencies, or fellowships. Faculty supervision or guidance of students in recognized academic pursuits that confer no University credit also should be considered as teaching. Faculty performing non-administrative professional duties for which they are employed shall be regarded as engaged in teaching when the clear and direct purpose and function of these activities is academic instruction. Professional librarians in the discharge of their professional duties shall be regarded as engaged in teaching.

Faculty members who excel in teaching exhibit their command over the subject matter in classroom discussions, lectures, or clinical supervision, and they present material to students in an objective, organized way that promotes the learning process. They are recognized by their students and university colleagues as persons who guide and inspire their students. They strive continuously to broaden and deepen their knowledge and understanding of their discipline, seek to improve the methods of teaching their subject, keep informed about new developments in their field, use appropriate instructional technologies, and prepare educational materials that are up-to-date and well-written.

Their influence and reputation as teachers may be demonstrated by student and peer evaluation as well as by authoring textbooks and by lectures and publications on pedagogy, by the publication of such instructional materials as laboratory manuals and videotapes, or development of multimedia instructional materials and computer assisted learning techniques. Excellence in academic advising may serve to augment evidence of excellence in teaching.

(Regents, 7-15-96, 1-26-99, 12-3-02)
3.6.2 Research and Creative/Scholarly Activity

Research, which is the development, validation and dissemination of new knowledge focuses upon faculty participation in the extension of knowledge and maintenance of professional development and vitality. The term *research* as used here is understood to mean systematic, original investigation directed toward the enlargement of human knowledge or the solution of contemporary problems. *Creative/Scholarly activity* is understood to mean significantly original or imaginative accomplishment within the framework of the academic unit. Examples of scholarly achievement might also include synthesis of new ideas as gleaned from published data, technology transfer successes, patent awards, new application of information technology to improve education or health care, etc. The criteria for judging the original or imaginative nature of research or creative/scholarly accomplishments activity must be the generally accepted standards prevailing in the applicable discipline or professional area. To qualify as research or creative/scholarly activity, the results of the endeavor must be disseminated either through publication in peer reviewed journals or presentation at national or international symposia, conferences, and professional meetings, and subject to critical peer evaluation by established authorities outside the University of Oklahoma in a manner appropriate to the discipline or professional area. It is expected that the significance of the research or creative/scholarly activity will be evaluated at the national and international levels. One element of such an evaluation would be the ability of the faculty member to successfully compete for, and acquire, peer-reviewed, extramural grant or contract funding.

(Regents, 7-15-96, 12-3-02)

3.6.3 Professional and University Service and Public Outreach

(a) Professional and University service and public outreach, which is the application of knowledge gained through research or creative/scholarly activity, focuses upon resolving contemporary problems, identifying new areas for inquiry and development, and sharing knowledge with the larger community. Except as noted in (b) and (c) below, the term professional service always refers to activities directly related to the faculty member’s discipline or profession.

Included in professional services are such activities as continuing education, artistic or humanistic presentations; official service in relevant commissions, advisory boards, or agencies (public or private), related to the faculty member’s discipline or profession; service to professional communities outside the University, consultation; participation in a specialized professional capacity in programs sponsored by student, faculty, or community groups.

Professional service also includes editing professional journals or other publications; developing and preparing proposals for, training grants or other purposes; writing book reviews in professional journals; reviewing research papers and manuscripts submitted for publication.

Other examples of professional service include health care delivery; clinical leadership as evidenced by serving as head of a division, department, or specific clinic service; acquisition, introduction or development of new health care techniques, procedures, or clinical approaches; demonstrable improvement (quality, utilization, access) in delivery of health care; development of community health-related outreach programs; improvement in clinical management; management of facility based functions such as quality improvement, infection control, utilization review, etc.;
(b) The nature of the academic enterprise is such that the faculty properly shares in responsibilities involving the formulation of the University’s policies by participation in university governance. The faculty has a major responsibility in making and carrying out decisions affecting the educational and scholarly life of the University. Faculty members have a responsibility to contribute to the governance of the University through timely participation on committees, councils, or other advisory groups at the department, college, or University level, and through service within the University that reflects an application of specialized knowledge or skill to the institution’s affairs.

(c) Other areas of activity in which faculty members may have assignments include:

1) Administration. Many faculty members are called upon to perform administrative tasks. These include service in such positions as department chair, associate or assistant dean, or director of a program or special center.

2) Public Relations. On occasion, the University’s interests are served by requesting faculty members to perform public relations tasks that might not necessarily involve the faculty member’s discipline. These may include participation in a professional capacity in programs sponsored by student, faculty, or community groups; or appearances as a University representative before government bodies or citizen groups.

(Regents, 7-15-96, 12-3-02)

3.7 FACULTY EVALUATION

The evaluation of faculty performance is a continuous process, both prior to and following the granting of tenure. The fundamental purpose of periodic performance reviews is to identify areas of faculty accomplishments and areas of faculty performance deficiencies and provide such faculty opportunities and incentives to correct the deficiencies. An annual review of each faculty member’s performance is the responsibility of the chair or director of the specific academic unit with review by the dean. The chair or director must provide direct feedback in writing to the faculty member relative to the faculty performance evaluation each year. A systematic procedure for accomplishing such evaluations shall be developed in each academic unit with the participation and approval of the dean and Senior Vice President and Provost.

The criteria for evaluation shall be carefully and clearly stated and must be in accord with Section 3.9.4. Specific faculty assignments within an academic unit and the specific mission of a particular academic unit may modify the relative weight given to any specific area of professional activity, but only after approval in writing by the dean and Senior Vice President and Provost.

Tenure decisions, non-renewal of tenure track and consecutive term appointments, salary adjustments, and promotions in rank shall be based on systematic evaluations of faculty performance in the areas specified by the department chair and will include teaching, research/scholarly achievement, and service, as well as the needs of the department and college. An assessment of the faculty member’s overall contribution to the college and the mission of the University, as well as that person’s adherence to the standards of faculty accountability as noted in

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Section 3.5 must be included in any faculty evaluations.

(Regents, 12-3-02, 6-25-08)

3.8 SALARY ADJUSTMENTS

(a) The most frequent reflection of a continuing faculty evaluation system is in the annual recommendations for merit salary increases. Deserving faculty should be rewarded, within the limits of the financial resources of the University for meritorious performance as set out in the specific criteria for evaluation of faculty performance [Section 3.9.4].

(b) Under no circumstances will merit increases in salary be based upon race, color, national origin, sex, age, religion, disability, or status as a veteran.

(c) In certain circumstances, merit salary increases may cause the salary of a faculty member to equal or exceed the salary of faculty in higher ranks. Such a situation is acceptable, provided the salary levels are equitable reflections of the respective merits in effort and achievement of the faculty.

3.8.1 Procedures for Recommendations on Salary Adjustments

Procedural guidelines for salary recommendations are as follows:

(a) The chair of the academic unit will annually collect (1) achievement data from all academic units’ faculty and (2) evaluations of each individual’s performance from those who are in supervisory positions and from other sources agreed upon as suitable in departmental policy.

(b) For each faculty member, the chair will prepare a recommendation based upon a comparison of faculty performance with University and departmental criteria (Section 3.7) and forward a documented recommendation to the dean.

(c) The dean will review each recommendation and notify the chair of any changes or adjustments made.

(d) The salary recommendations from the college will be forwarded from the dean to the Senior Vice President and Provost for additional discussion, further recommendations, and administrative action.

(e) The chair will discuss with each faculty member the reasons for the salary recommendation that was made. It is the duty of the chair to discuss such matters individually with each faculty member in the unit. These discussions should take place as soon as feasible following approval of the budget by the Board of Regents.

3.8.2 Adjustments of Salary Inequities

Upon occasion, adjustments in salary may be needed to correct inequities caused by annual variations in available funds, changing conditions in the academic profession or in the economy, or other elements beyond the University’s control. The responsibility for making adjustments, where needed, lies primarily with the dean. After consultation with the appropriate academic unit, the dean recommends to the Senior Vice President and Provost specific salary adjustments to correct
evident inequities. Such adjustments should be made as funds are available, without causing disruption to the merit reward system.

(Regents, 12-3-02, 6-25-08)

3.9 FACULTY TENURE

Tenure implies a mutual responsibility on the part of the University and the tenured faculty member. In granting tenure to a faculty member, the University makes a commitment to the faculty member’s continued employment subject to certain qualifications [Section 3.18]. The University expects that tenured faculty members will maintain the level of performance by which they initially earned tenure. Only the portion of annual base salary paid by the University of Oklahoma is committed in the award of tenure unless otherwise agreed to in writing by the chair of the academic unit, the dean of the college, the Senior Vice President and Provost, the President, and the Board of Regents.

3.9.1 Definitions

(a) The term tenure means continuous reappointment to an achieved academic rank in accordance with the 1947 action of the Board of Regents of the University of Oklahoma. Tenure must be granted or denied by specific action of the Board of Regents.

Tenure is designed as a means to protect the academic freedom of faculty members and to assure freedom of scholarship and teaching by professional scholars and teachers. The right to academic freedom does not diminish the faculty member’s responsibilities under Section 3.5 Faculty Accountability.

(b) The term pre-tenure period refers to the period of employment at the University of Oklahoma in a tenure track appointment prior to the time the faculty member is evaluated for the granting of tenure. Tenure track faculty have a pre-tenure period of six (6) years. In rare circumstances, the chair of the academic unit, and dean may request that a faculty member receive an extension of the pre-tenure period, not to exceed three (3) years. Notwithstanding different uses of the term elsewhere (as in some statements of the American Association of University Professors), the pre-tenure period does not include any period of employment following the awarding of tenure.

(c) The term prior service means academic employment at an institution of higher education (including the University of Oklahoma) before the first appointment in the effective pre-tenure period at the University of Oklahoma.

3.9.2 Eligibility for Tenure

(a) Faculty of the University who hold a regular tenure track appointment and who devote full-time effort to University activities [Section 3.6] are eligible for tenure consideration provided they are assigned to devote at least 50 percent of their time to teaching and/or research for the University of Oklahoma and maintain this requirement during the entire pre-tenure period.
(b) At the request of the faculty member and with the approval of the chair of the academic unit, the dean, and the Senior Vice President and Provost, faculty members receiving consecutive term appointments may be changed to the tenure track in which case all University policies relating to tenure shall apply. With the approval of the chair of the academic unit, dean, and Senior Vice President and Provost, up to three (3) years of academic service in a consecutive term appointment may be credited toward the pre-tenure period.

(c) At the request of the faculty member and with the approval of the chair of the academic unit, dean, and Senior Vice President and Provost, faculty members who are in the tenure track may be changed to a consecutive term appointment at any time during the six (6) year pre-tenure period, but prior to the initiation of procedures for tenure decision (see Section 3.9.5). A faculty member who changes from a tenure track appointment to a consecutive term appointment will not be eligible for future tenure consideration.

(d) Before a regular faculty member assumes primarily administrative duties during the pretenure period, a written agreement must be reached between the faculty member, the chair of the academic unit, the dean, and Senior Vice President and Provost, as to whether the faculty member will be reviewed for tenure, at what time, and under what conditions.

3.9.3 Pre-tenure Periods

(a) Full-time tenure track faculty will generally have a pre-tenure period of six (6) years. Thus, the tenure application will be submitted no later than the fall of the seventh year.

(b) The first year of the pre-tenure period for a faculty member whose effective date of service is between July 1 and December 31 will be that academic year. If the effective date of service is between January 1 and June 30, the first year of the pre-tenure period will begin with the next academic year.

(c) In certain circumstances, and in consultation with the faculty member, the chair of the academic unit and dean may request an extension of the pre-tenure period not to exceed three (3) years.

(d) For assistant professors, the pre-tenure period may include up to a total of three years in prior full-time service in a consecutive term or tenure track appointment at the OUHSC or in professorial ranks at another institution. For associate professors and professors up to a total of four years prior service may be included. The faculty member may request in writing at the time of the first regular tenure track appointment that prior service be included. Inclusion of prior service requires approval by the chair of the academic unit, the dean, and the Senior Vice President and Provost.

(e) Prior full-time service in a temporary appointment with titles such as instructor, lecturer, or associate or in a comparable non-professorial rank at other institutions of higher education may be counted as part of the pre-tenure period if requested by the applicant and approved in writing by the chair of the academic unit, dean, and Senior Vice President and Provost at the time of the first regular appointment.
A new faculty member appointed at the rank of associate professor or professor may be granted tenure from the date of appointment. The determination of tenure shall be made as specified in Section 3.9.5 (b) through (r).

Early Tenure Review: Tenure may be awarded to faculty members of high merit prior to the end of the pre-tenure period. An academic unit’s recommendation to award tenure should be based on exceptional performance for at least two years at the University of Oklahoma. If tenure is not awarded, the faculty member may, subject to contract continuation or renewal, continue to serve in the pre-tenure period and be considered for tenure again without prejudice.

Whenever a non-tenured part-time faculty member changes from part-time to full-time tenure track status, specific written understanding must be approved by the Senior Vice President and Provost as to how, if any, the period of part-time service may be counted toward satisfying the pre-tenure period for tenure.

A maximum of one year of leave of absence without pay may be counted as part of the pre-tenure period, provided the chair of the academic unit in question records in writing the agreement with the faculty member to count the leave of absence, including how the professional activities carried out during the leave will be appropriately evaluated by the chair, and secures approval by the dean and Senior Vice President and Provost.

If a tenure track faculty member takes extended leave, the pre-tenure period prior to a tenure decision may be extended for one year at the written request of the faculty member with the approval of the chair of the academic unit, dean, and Senior Vice President and Provost.

A faculty member at any rank who is denied tenure shall be retained until the end of the academic year following that in which tenure was denied, (i.e. the terminal year) unless the faculty member is dismissed according to Section 3.18. An appeal of denial of tenure shall not have the effect of extending the faculty member’s terminal year.

Under certain extraordinary circumstances due to the University's clinical care, service, or teaching obligations, a faculty member who has been denied tenure may be granted a consecutive term or temporary appointment upon recommendation by the chair of the academic unit, dean, and Senior Vice President and Provost and approved by the Board of Regents.

Faculty members awarded tenure will normally commence their tenured appointments in the academic year immediately following the Board of Regents’ action.

3.9.4 Criteria for the Tenure Decision

The choices that the University makes in granting tenure are crucial to its endeavors toward academic excellence. A decision to grant tenure must reflect an assessment of high professional competence and academic performance measured against national standards in the discipline or professional area. Tenure should never be regarded as a routine award based upon length of service.
The tenure decision shall be based on a thorough evaluation of the candidate’s total contribution to the college and the mission of the University and the candidate’s adherence to the fundamentals of faculty accountability as noted in Section 3.5. While specific responsibilities of faculty members may vary because of special assignments or the particular mission of the academic unit, all evaluations for tenure shall address the manner in which each candidate has performed in:

1. Teaching (Section 3.6.1)
2. Research and Creative/Scholarly Activity (Section 3.6.2)
3. Professional and University Service and Public Outreach (Section 3.6.3)

All candidates for tenure must have displayed a record of substantial accomplishment in each of the three areas (teaching, research and creative/scholarly activity, and professional and University service and public outreach) and evidence of excellence in two areas. Above all else, it is essential to any recommendation that tenure be granted that the faculty member has clearly demonstrated scholarly attainment in teaching, research and creative/scholarly activity and professional and University service and public outreach.

Each college, with the participation and approval of the dean and the Senior Vice President and Provost, shall establish and publish specific criteria for evaluating faculty performance in that college, including specific expectations for evaluation of faculty performance in teaching, research/scholarly achievement and service. The document must be distributed to the faculty in that college. These criteria must be in accord with and do not supersede the criteria described in this section. The criteria for tenure will be in full force unless an exception is specified in writing. It should be noted that the criteria which the departments and colleges establish normally reflect more specific standards for both promotion and tenure than those described in general terms in the Faculty Handbook, 3.9.4 and 3.9.5. Consequently, all faculty should become familiar with the departmental, college, and University criteria.

Any exception that faculty will be evaluated on their performances in the three areas of teaching, research and creative/scholarly achievement, and professional service must be documented in writing at the time the assignment is made, agreed upon by the faculty member and the department chair, and approved in writing by the dean, and Senior Vice President and Provost.

As part of the overall promotion and tenure process, the department chair should provide junior faculty with advice on a regular basis as they develop their careers. Annual written evaluations of junior faculty by department chairs are essential to the faculty development process, and are an annual requirement each department chair must fulfill.

If the criteria for tenure are changed by the Board of Regents during a faculty member’s pre-tenure period, the faculty member may elect to be evaluated under the criteria approved by the University Regents in effect at the start of the pre-tenure period.

The award of tenure carries with it the expectation that the University will continue to need the services of the faculty member, and that the financial resources will be available for continuous employment. It also carries the expectation that the faculty member will maintain or improve upon the level of attainment which characterized the qualifications for tenure. The performance of all faculty, both prior to and following the granting of tenure, is to be evaluated annually as part of the University’s faculty evaluation process (Section 3.7).
3.9.5 Procedures for Tenure Decision

(a) The chair of the academic unit shall notify a faculty member who is eligible for tenure consideration at least eight weeks before the initial vote by the faculty member’s colleagues. (See (f) below)

(b) The chair of the academic unit will request the candidate for tenure to submit material which will be helpful to an adequate consideration of the faculty member’s performance or professional activities in relationship to the tenure criteria. It is the responsibility of the candidate to provide accurate, thorough, and clear evidence of achievements for review at the departmental college and university levels. The candidate is advised to consult with the chair and any other senior colleagues concerning the materials to include.

(c) In general documentation of the individual’s academic accomplishments should include, but not be limited to the following:

1) Complete and up-to-date curriculum vita, including a summary of college and university degrees earned, all professional employment, all professional honors and awards, and an up-to-date list of books and journal publications by author in sequence. Manuscripts in press or submitted for publication and abstracts should be listed separately.

2) Letters of evaluation of academic performance in teaching, research/scholarly achievement, and service should be solicited by the chair after consulting with the candidate. Normally, there should be three (3) letters of evaluation from individuals outside the University of Oklahoma considered established authorities in the discipline who are in a position to evaluate the candidate’s academic performance and suitability for tenure. These letters may be solicited from individuals who were not suggested by the candidate. There should be three (3) internal (or local) letters of evaluation particularly relevant to teaching and service.

3) Documentation of teaching accomplishments should reflect the candidate’s contribution, quality, innovation, or impact of teaching. This might include summary documentation of teaching evaluations by students, notation of teaching awards, description of teaching responsibilities, and materials and techniques which are unique and demonstrate innovative approaches or outstanding quality in undergraduate, graduate, professional instruction (e.g. integration of multimedia into courses, development of web-based content and course materials, computer software development, creation of innovative laboratory exercises and simulation techniques).

4) Documentation of research and creative/scholarly accomplishments should reflect the level and quality of the candidate’s research and creative/scholarly activity. Recognition of research and creative/scholarly accomplishments could be demonstrated by invitations to chair or organize symposia, edit books or journals in the professional discipline, publications of books, book chapters, and articles in peer-reviewed journals, publication of abstracts, participation as a presenter in national/international symposia, conferences, and professional meetings, etc., as well as the candidate’s ability to acquire extramural grant or contract funds, as a principal or co-principal investigator, through peer review mechanisms.
5) Documentation of professional and University and public outreach as well as clinical service contributions should reflect the level and quality of the candidate’s professional and/or clinical service contributions. Documentation might consist of leadership positions in local, state, or national associations; service on advisory boards for granting agencies; outstanding college or university committee work; consultantships; clinical leadership as evidenced by serving as head of a division, department, or specific clinic service; evidence of acquisition, introduction or development of new health care techniques, procedures or clinical approaches; development of community health-related outreach programs; improvement in clinical management; documentation of increased referrals; demonstrable improvement (quality, utilization, access) in delivery of health care; publication of clinical case studies, monographs, reviews, and book chapters; etc.

(d) Responsibility for gathering complete documentation of professional activity rests with the individual faculty member. The chair shall assist the faculty member in determining what to include in the tenure documentation. The chair may also solicit information to include with the candidate’s tenure documentation. The candidate is entitled to review the information in his/her tenure file.

(e) The chair is responsible for providing copies of the candidate’s complete tenure file to each of the voting members of the academic unit at least two weeks prior to the vote.

(f) All tenured faculty in the department who are available shall meet for a discussion of the candidate’s qualifications for tenure. The candidate shall not be present during the discussion of his or her qualifications but shall be available to enter the meeting on invitation to answer questions or clarify circumstances relevant to the qualifications.

Formal consideration for tenure shall originate with the polling by secret ballot of all tenured members of the candidate’s academic unit, including when practical those who are on leave of absence. The chair of the academic unit or other administrative personnel required to submit a separate tenure recommendation shall not participate in this vote.

At times the small number of tenured members of an academic unit prevent appropriate academic unit tenure review. In such instances the dean of the college, in consultation with the chair of the academic unit involved, shall establish an *ad hoc* tenure review committee to serve as the candidate’s academic unit for purposes of voting on tenure.

When a tenure proceeding is initiated prior to the last pre-tenure year and the result of the faculty vote is negative, that information shall not be forwarded, and the tenure consideration will be deferred. The result of the faculty vote taken during the last pre-tenure year will be forwarded to the dean, and a tenure consideration will proceed.

(g) The chair shall submit a separate recommendation with supporting reasons.

(h) All recommendations shall be in writing and, with exception of the faculty recommendation resulting from the confidential poll within the department, reasons for the recommendation must be stated at the time recommendations are made. At the time recommendations are made at each stage of the review process (Chair, Dean, Campus Tenure Committee, Senior Vice President and Provost, President), written notification of such recommendation must be
provided to the chair and to the individual candidate by the person or committee making the recommendation.

(i) Copies of the academic unit recommendations and all appropriate documentation upon which recommendations were based will be forwarded to the appropriate dean. Each dean will have an advisory council for tenure review and may request information and advice from any source.

(j) Upon receipt of the advisory council recommendation the dean will attach a recommendation with supporting reasons to the tenure materials, including the recommendation of the advisory council, and forward all materials to the Campus Tenure Committee, and will notify the candidate and the chair of the academic unit of the recommendation. After due deliberation, the dean may recommend to grant tenure, to deny tenure, or to defer tenure consideration for a specified period of time.

(k) The Campus Tenure Committee will be composed of thirteen tenured faculty members (two from each college, excluding the Graduate College, and one from the Tulsa campus) on staggered three-year terms selected by the President from nominations from the Faculty Senate.

(l) In determining its recommendation, the Campus Tenure Committee may request information or advice from any source. To avoid a conflict of interest, Campus Tenure Committee members from the originating academic unit shall not attend discussions nor vote on candidates from their own academic unit. The tenure file will be returned to the academic unit for remedy or correction if there are deficiencies found in the academic unit’s recommendation.

(m) The Campus Tenure Committee shall provide the Senior Vice President and Provost with input as to whether the academic unit’s recommendation is consistent both as to substance and process with the approved tenure criteria [Section 3.9.4].

(n) The Campus Tenure Committee will attach its recommendation to the tenure materials and forward all materials to the Senior Vice President and Provost with supporting reasons and will notify the candidate, the chair of the unit, and the college dean of its recommendations.

(o) In determining their recommendation, the Senior Vice President and Provost and University administration may request information and advice from any source.

(p) If the Senior Vice President and Provost plans to submit a recommendation contrary to that of the Campus Tenure Committee, the Senior Vice President and Provost shall notify the Chair of the Campus Tenure Committee in time to allow a thorough discussion before this recommendation is made.

(q) The recommendation of the Senior Vice President and Provost will be submitted to the President. After due deliberation, the Senior Vice President and Provost may recommend to grant tenure, to deny tenure, or to defer tenure consideration for a specified period of time.
If the President plans to submit a recommendation contrary to that of the Campus Tenure Committee, the President shall notify the Committee in time to allow the Committee to request a hearing with the President prior to his making a recommendation, if the Committee so desires.

The faculty member under review may appeal in writing to the Faculty Appeals Board at any time during the tenure review process if the faculty member believes that procedural violations occurred or academic freedom was violated. Appeals on these bases must be made within 30 calendar days after discovery of the alleged violation.

The faculty member may appeal discrimination on the basis of race, color, sex, age, religion, disability, national origin, or status as a veteran to the University Equal Opportunity Officer. Appeals on these bases must be made within 180 calendar days after discovery of the alleged violation.

The tenure review process is suspended while an appeal to either the Faculty Appeals Board or University Equal Opportunity Officer is pending. Where the tenure appeal prevents the tenure process from being completed before the end of the terminal year (Section 3.9.3(k), the appeal shall not extend the faculty member’s terminal year even if the appeals process is not completed. Should tenure ultimately be granted, the faculty member will be reinstated.

The President will notify the faculty member, chair, dean and Senior Vice President Provost by May 31 of the tenure decision, except when appeals make this impossible.

3.10 FISCAL RESPONSIBILITY

In each case where tenure is awarded there must be assurance that continuing financial support may reasonably be anticipated. The Senior Vice President and Provost for each campus, in conjunction with the respective deans, shall determine whether funds are sufficiently secure to support the awarding of tenure.

3.11 ADVANCEMENT IN RANK

Advancement in rank is a major way in which the University recognizes a faculty member’s achievements. A promotion is not a routine reward for satisfactory service but reflects a positive appraisal of high professional competence and accomplishment as judged and evaluated by individuals in the faculty member’s profession, at the local regional and national or international level as appropriate to the rank being sought, and by individuals within the University (see Section 3.11.1). Promotion decisions are to be made independent from tenure decisions.

3.11.1 Criteria for Promotion

Decisions to promote a faculty member must be made in light of a thorough evaluation of the faculty member’s performance in all the areas of faculty activity (Sections 3.6.1, 3.6.2, and 3.6.3) as specified in the department and college promotion and tenure criteria and procedures. Promotion criteria for tenure track faculty will mirror those criteria for tenure contained in Section 3.9.4.
Each department and college must have a document that sets forth the standards and procedures governing promotion and tenure of faculty within that department and college. The department and college documents may specify standards that are more specific than those of the University, provided they do not conflict with the standards of the University, and the procedures must be consistent with the procedures described herein. The document must be approved by the faculty of the college, by the dean, and the Senior Vice President and Provost. The document must be distributed to the faculty of the academic unit.

The candidate’s performance should be measured against the following institutional criteria, in addition to the criteria defined in the department and college promotion documents:

(a) Promotion to assistant professor is usually based on an advanced degree, and/or certifications(s) that are standard prerequisites for an academic appointment in the discipline, appropriate experience, and promise for academic accomplishment;

(b) While early consideration is possible, promotion to associate professor is usually based on five (5) or more years as an assistant professor, a sustained record of academic accomplishment in teaching, research and creative/scholarly activity, and professional and University service and public outreach, strong academic performance and promise. This record of accomplishment must document an emerging reputation of regional or national scope in the candidate’s academic field. Professional publications will be an important element in assessing regional or national recognition, although other factors will also be considered.

(c) While early consideration is possible, promotion to professor is a high honor, and is usually based on five (5) or more years as an associate professor and demonstration of superior achievements and continued excellence in their academic endeavors. Faculty at this rank should have fully achieved national or international recognition for work in their respective disciplines as evidenced by major contributions to teaching, research and creative/scholarly activity, and professional and University service and public outreach.

(d) Length of time in a given rank is not in itself a sufficient reason for promotion.

(e) Promotion should indicate that the faculty member is of comparable stature with others in the same rank and discipline at peer institutions.

### 3.11.2 Procedures for Promotion

(a) The process regarding advancement in rank shall originate in the academic units, according to timelines determined by the Senior Vice President and Provost.

(b) The college dean or the Senior Vice President and Provost may require the chair of an academic unit to initiate consideration of promotion for an individual faculty member. In such a case, the academic unit must forward a recommendation, to the dean or Senior Vice President and Provost whether or not it is favorable.
Primary responsibility for gathering complete information on professional activity rests with the individual faculty member. In general, documentation of the individual’s academic accomplishments should include, but not be limited to the following:

1) Complete and up-to-date curriculum vita, including a summary of college and university degrees earned, all professional employment, all professional honors and awards, and an up-to-date list of books and journal publications by author in sequence. Manuscripts in press or submitted for publication and abstracts should be listed separately.

2) Letters of evaluation of academic performance in teaching, research and creative/scholarly activity, and professional and University service and public outreach will be solicited by the chair after consulting with the candidate. Normally, there should be three (3) letters of evaluation from individuals outside the University of Oklahoma considered established authorities in the discipline who are in a position to evaluate the candidate’s academic performance and suitability for promotion. These letters may be solicited from individuals who were not suggested by the candidate. There should be three (3) internal (or local) letters of evaluation particularly relevant to teaching and service.

3) Examples of documentation of teaching, research and creative/scholarly activity and professional and University service and public outreach accomplishments are noted in Section 3.9.5 (c) (3)(4)(5). The candidate is entitled to review the information in his/her promotion file.

All faculty in the department who are of equal or higher rank to which the candidate is being considered shall meet for a discussion of the candidate’s qualifications for promotion.

Formal consideration for promotion shall originate with the polling by secret ballot of all faculty of equal or higher rank to which the candidate is being considered in the candidate’s academic unit, including when practical, those who are on leave of absence. The chair of the academic unit or other administrative personnel required to submit a separate promotion recommendation shall not participate in this vote.

All recommendations from the academic unit, chair, dean, Senior Vice President and Provost, and President must be in writing. Reasons must be given for all recommendations except for a recommendation based on any polling of the unit’s faculty members. In all recommendations that are to be forwarded, the chair shall provide a separate recommendation with supporting reasons. Recommendations of the dean and Senior Vice President and Provost must be provided to the unit as well as to the candidate.

Whenever possible, a promotion should be accompanied by an appropriate increase in salary. Promotions should not be delayed because of budgetary constraints. Conversely, promotions should be earned on their own right and not be used as substitutes for salary increases.

(Regents, 7-15-96, 1-26-99, 12-3-02, 6-25-08)
3.12 SABBATICAL LEAVE POLICY

(a) Purpose

Sabbatical leaves of absence are among the most important means by which an institution's academic program is strengthened, a faculty member's teaching effectiveness enhanced, and scholarly usefulness enlarged. The major purpose is to provide opportunity for continued professional growth and new or renewed intellectual achievement through study, research, writing, and training.

However, a faculty member does not automatically earn a sabbatical leave. Instead, it is an investment by the University in the expectation that the sabbatical leave will significantly enhance the faculty member's ability to contribute to the objectives of the University. There should be a clear indication that the improvements sought during a sabbatical will benefit the work of the faculty member, department, college, and the University. Only sabbatical leave proposals that meet this criterion will be accepted and approved by the University. Sabbatical leaves are supported as an investment in the future of the faculty member and the future of the faculty member's students at the University.

The purposes for which a sabbatical leave may be granted may include:

1) Research on significant problems and issues.
2) Important creative or descriptive work in any means of expression, for example writing or painting.
3) Postdoctoral study at another institution to update teaching skills.
4) Other projects satisfactory to the University.

It should be demonstrated that such work cannot occur as effectively during the regular work schedule of the faculty member.

Normally, the University will not grant a sabbatical for the purpose of pursuing work on the terminal degree in the faculty member's academic field.

Adherence to the plan submitted by the faculty member is expected. Within two months of returning from leave, the faculty member shall submit to the Senior Vice President and Provost through the chair or director and college dean a report of activities undertaken, which will be used in evaluating future applications for sabbatical leaves.

A faculty member who is on sabbatical leave shall not be penalized on matters of salary consideration. The report on the sabbatical will be used in consideration for merit raises in subsequent years.

(b) Conditions of Award

Approval of a sabbatical leave of absence with full or partial pay depends on the ability of the faculty member's college to absorb the financial obligation and on the college's ability to provide teaching without loss of quality.
A faculty member applying for a sabbatical leave and receiving a stipend for the same period from another institution or agency may still receive a sabbatical provided that it appears to the Senior Vice President and Provost that it is in the best interest of the University and will be needed to prevent financial loss to the faculty member obtaining the sabbatical.

Normally, faculty on sabbatical leave at full pay may not receive additional compensation from within the University for teaching in Advanced Programs, Liberal Studies, Intersession, or other University programs, since such activities would diminish the sabbatical time for study and creative activity. However, the Senior Vice President and Provost may approve exceptions provided that it appears to be in the best interest of the University. Faculty on sabbatical shall resign from all councils, standing committees, and administrative advisory committees of the University, except graduate students' committees, in order to devote their full time to their projects. The obligation to supervise and advance the work of graduate students shall continue during the sabbatical leave.

As a condition of receiving approval of a sabbatical leave the sabbatical recipient shall sign a statement of commitment to return to the University for one year following the sabbatical or to remit the salary and cost of benefits received from the University during the sabbatical leave, unless this requirement is waived by the President in writing.

(c) Benefits Payable

Employment benefits for faculty members on full sabbatical with salary will continue at full benefits levels. Employment benefits for faculty members on sabbatical leave at less than full salary will be as follows:

1) Health, Accidental Death/Dismemberment, and Dental insurance will continue at full benefit level.

2) Social Security contributions will be based on the actual salary paid.

3) The normal Defined Contributions Plan will be computed by reducing the salary that is exempt (normally the first $9,000) in the same proportion to the sabbatical FTE. For example, for a faculty member on sabbatical leave at half pay for a year, the exempt salary will be reduced to $4,500.

(d) Eligibility

The semesters that are counted toward eligibility for sabbaticals are the fall and spring semesters only and do not include the summer term.

1) After six years of service, faculty with 12-month regular faculty appointments may be granted a sabbatical leave at half-pay for a period not to exceed 12 months or at full-pay for a period not to exceed six months. After six years of service, faculty with nine or ten - month regular faculty appointments may be granted a sabbatical leave at half-pay for a period not to exceed two semesters or at full-pay not to exceed one semester. The term "six years of service" refers to full-time appointments in a regular faculty appointment at the University, but not counting leaves of absence without pay. The term "six years of
service” also includes other full-time service at the University that has been included in the probationary period for tenure. Such service at other institutions of higher learning shall not be included.

2) A faculty member’s eligibility to apply for subsequent sabbatical leaves is established by length of service following return from the previous sabbatical leave in accord with the schedule referred to above. Occasional exceptions to the rule may occur when a faculty member who is otherwise formally determined to merit a sabbatical leave is obliged to postpone it for the convenience of the University. In exceptional cases, the President may determine the period of delay be considered as part of the period of service establishing eligibility to apply for the next sabbatical leave.

(e) Procedures

The procedure to be followed in applying for a sabbatical leave shall be as follows:

1) The faculty member shall submit the sabbatical leave application to the department chair or director. After recommending approval or disapproval, the department chair or director shall submit the application to the college dean by February 1 for sabbaticals beginning in the following academic year or later and no later than July 15 for sabbaticals beginning the following spring semester. The dean will hold all applications for comparative review and recommend, by ranking in order of merit, to the appropriate Senior Vice President and Provost. The Senior Vice President and Provost may seek the advice of the Council on Faculty Awards and Honors. The Senior Vice President and Provost will recommend to the President, who will make recommendations to the Regents for the April and September meetings respectively.

(Regents, 5-11-78, amended 9-9-82, 4-12-84, 1-17-85, 7-23-87, 1-24-95, 1-27-04, 6-23-04, 6-25-08)

(See Section 6 – Benefits, for additional Leave Policies)

3.13 AWARDS

The University recognizes outstanding teaching, research and creative/scholarly activity, and professional and University service and public outreach, by its faculty by presenting several annual awards to deserving nominees. Some awards are privately funded, and criteria and method of selection are set forth in joint University-donor contracts.

3.13.1 Regents’ Awards

The Regents’ Award is an annual University-funded award that may be given for superior accomplishments in any of the following:

Superior Teaching
Superior Research and Creative/Scholarly Activity
Superior Professional and University Service and Public Outreach
(a) Criteria for Selection

Substantiating data should relate directly to the individual’s effectiveness in the award area for which he or she is under consideration (teaching, research, and creative/scholarly activity, and professional University service and public outreach). The data should be derived from as many as possible of the following sources of evaluation: faculty colleagues, undergraduate and graduate students, residents, fellows, alumni, departmental chairs, personnel committees, as well as from off-campus sources where appropriate.

(b) Nomination Procedure

1) The Senior Vice Presidents and Provosts will solicit recommendations for the awards during the fall semester and announce appropriate schedules for processing the nominations.

2) An academic unit may submit no more than a total of two names for all the Regents’ Awards. The name of each person recommended for nomination by the academic unit should be supported by substantiating statements as described under Criteria for Selection. The suggested nominations and supporting information are to be sent to the dean of the academic unit. The dean will transmit to the appropriate Senior Vice President and Provost names of nominees and all substantiating data and will append, for each nominee, his or her own statement of endorsement. The Vice President for Research from each campus shall share in the evaluation of nominees for the Regents’ Award for Superior Research and Creative/Scholarly Activity. The University Council on Faculty Awards and Honors will consider the nominations and make its recommendations through the Senior Vice Presidents and Provosts to the President.

(c) Selection Procedure

1) The University Council on Faculty Awards and Honors shall consider only the formal nominations. The Council may seek additional data about the nominees from such sources as seem appropriate.

2) The Council shall recommend to the President, through the Senior Vice Presidents and Provosts, as many as nine faculty members for the awards, with the understanding the majority of the awards will be given for Superior Teaching. The Council also shall transmit all substantiating materials pertaining to all nominees. The Senior Vice Presidents and Provosts will review the nominees and forward their recommendations, along with all substantiating materials, to the President, who will make recommendations to the Board of Regents for consideration.

3) The final selection of the recipients will be made by the Board of Regents.

(d) Announcement

The recipients of the Regents’ Award for Superior Teaching, Regents’ Award for Superior Research and Creative/Scholarly Activity, and Regents’ Award for Superior Professional and University Service and Public Outreach will be announced by the Board of Regents at the spring meetings of the faculty.
(e) Perquisites

Each award will consist of affixing the recipient's name to a permanent plaque in a prominent and suitable location, and a cash award of $2,000. A certificate suitable for framing will be presented to the recipient.

(Regents, 5-11-78; amended 9-11-86, 6-27-95, 1-26-99, 1-27-04)

3.13.2 Provost's Research Awards

The Provost’s Research Award recognizes meritorious research. Two awards are given each year to full-time faculty members; one each for junior (assistant professors) and senior (associate professors and full professors) faculty. The awards are given for a significant personal achievement of original research. The awards are $2,000 each and unrestricted.

(a) Nominations

Nominations will be solicited during the fall semester and can be made by any full professor. They should be made by means of a letter to the Vice President for Research describing the research achievement, and enclosing the relevant research publication(s), three to five referee letters and letters of support, as appropriate, and a curriculum vitae. They will be evaluated by the Health Sciences Center Research Council, and the two judged best for each award will be forwarded to the Senior Vice President and Provost, along with an evaluation which gives the reasons for the recommendations. Nominations are due in January of each year.

(b) Selection

The selections are made by an ad hoc committee consisting of the chair of the Health Sciences Center Research Council, the Vice President for Research and the Senior Vice President and Provost.

(c) Recipients

The recipients of the Provost’s Research Award will be announced by the Senior Vice President and Provost at the spring meeting of the General Faculty.

(Senior Vice President and Provost, 8-27-98)

3.14 DISTINGUISHED PROFESSORSHIPS

Recipients of distinguished professorships are deemed to have achieved unusual distinction in teaching; research and creative/scholarly activity; and professional and University service and public outreach. The University awards the following distinguished professorships:

David Ross Boyd Professorships
George Lynn Cross Research Professorships
Regents’ Professorships
Presidential Professorships

(Regents, 5-12-66; amended 5-11-78, 9-26-95, 1-27-04)
3.14.1 David Ross Boyd Professorship

(a) Criteria for Selection

To qualify for a David Ross Boyd Professorship, a faculty member must have consistently demonstrated outstanding teaching, guidance, and leadership for students in an academic discipline or in an interdisciplinary program within the University. Among more specific criteria which may be considered are the degree to which the candidate:

1) establishes, communicates, and fulfills appropriate course and program goals;

2) utilizes formats and techniques that are appropriate to the students served;

3) measures student performance appropriately and fairly;

4) establishes relationships with students that facilitate mutual respect and communication;

5) stimulates an intellectual inquisitiveness and communicates methods of pursuing that inquiry;

6) brings about change in students' knowledge, motives, and attitudes;

7) fosters the professional development of colleagues and serves as a model for colleagues and students; and contributes to the success of students.

(b) Nomination Procedure

1) Initiation. The Senior Vice Presidents and Provosts will solicit recommendations for the professorship by September and announce appropriate schedules for processing the nominations.

2) Recommendations. Any academic unit may submit to the college dean the name of one tenured faculty member with the rank of professor. The recommending unit will be responsible for assembling the supporting documentation. The dean of the college will review the recommendations and add his or her comments to the recommendation(s) considered to be most worthy. The dean will submit all the recommendations and supporting documentation to the Senior Vice President and Provost. The Senior Vice Presidents and Provosts will forward these materials to the University Council on Faculty Awards and Honors.

3) Supporting Documentation. Recommendations are to be accompanied by specific evidence that the nominee meets the criteria for selection. Whenever possible, surveys of representative groups of present and former students should be made and reported.

(c) Selection Procedure

1) Review. The Council on Faculty Awards and Honors shall recommend to the President, through the Senior Vice Presidents and Provosts, only those nominated faculty considered
by the Council to be most highly qualified and most deserving of being awarded the David Ross Boyd Professorship. The Council also shall transmit all substantiating materials pertaining to all nominees.

2) Selection. The Senior Vice Presidents and Provosts will review the nominees from the respective campuses and forward their recommendations, along with all nominations and all substantiating materials pertaining to all nominees, to the President, who will make recommendations to the Board of Regents.

(d) Perquisites

In the year of designation as a David Ross Boyd Professor, the person receiving the professorship will receive a one-time cash award of $7,000 and a permanent salary increase of 7% or $7,000 minimum starting in the subsequent fiscal year.

(e) Term of the Award

The term of a David Ross Boyd Professor is continuous until retirement.

(Regents, 5-11-78, 3-15-89, 9-26-95, 1-27-04, 6-25-08, 03-25-09)

3.14.2 George Lynn Cross Research Professorship

(a) Criteria for Selection

To qualify for a George Lynn Cross Research Professorship, a faculty member must have demonstrated outstanding leadership over a period of years in his or her field of learning or creative activity and have been recognized by peers for distinguished contributions to knowledge or distinguished creative work.

(b) Nomination Procedure

1) Initiation. The Senior Vice Presidents and Provosts will solicit recommendations for the professorship by September and announce appropriate schedules for processing the nominations.

2) Recommendations. Any academic unit may submit to the appropriate Vice President for Research the name of any tenured faculty member with the rank of professor who is deemed to meet the criteria for selection. The Vice President for Research will request that the appropriate academic unit chair/director and college dean review and comment on those recommendations.

3) Supporting Documentation. Recommendations are to be accompanied by specific indications that the person being recommended meets the criteria for selection. The appropriate Vice President for Research, consulting with knowledgeable persons both within and outside the University, will develop a list of external evaluators to aid in the review process. The specific procedures for evaluating those being recommended will be
developed by the Vice President for Research in consultation with the appropriate Research Council.

4) Evaluations. The Vice President for Research will present to the appropriate Research Council all nominations with the supporting documentation and the comments of the academic unit chair/director and college dean. In addition, the Vice President for Research will present to the Research Council the external evaluations and his or her own evaluation.

(c) Selection Procedure

1) Final Nomination. The Research Council shall recommend to the President, through the appropriate Senior Vice President and Provost, all those nominated faculty deemed by the Research Council to fully meet the criteria for selection as George Lynn Cross Research Professors. The Research Council also shall transmit all substantiating materials pertaining to all nominees. The Council on Faculty Awards and Honors will be informed of those recommended by the Research Council.

2) Selection. The Senior Vice Presidents and Provosts will review the nominees and forward their recommendations, along with all nominations and all substantiating materials pertaining to all nominees, to the President, who will make recommendations to the Board of Regents.

(d) Perquisites

In the year of designation as a George Lynn Cross Research Professor, the person receiving the professorship will receive a one-time cash award of $7,000 and a permanent salary increase of 7% or $7,000 minimum starting in the subsequent fiscal year.

(e) Term of the Award

The term of a George Lynn Cross Research Professor is continuous until retirement.

(Regents, 5-11-78, 3-15-89, 6-27-95, 9-26-95, 1-27-04, 6-23-04, 6-25-08, 3-25-09)

3.14.3 Regents’ Professorship

(a) Criteria for Selection

To qualify for a Regents’ Professorship, a faculty member must have rendered outstanding service to the academic community or to an academic or professional discipline, through extraordinary achievement in academic administration or professional service.

(b) Nomination and Selection Procedures

Nominees for Regents’ Professorships shall be presented to the Board of Regents by the President after conferring with the Chair of the Board of Regents, the Chair of the appropriate Faculty Senate, and the University Council on Faculty Awards and Honors. Recommendations for the appointment
may be made to the President by any academic unit, administrative officer, or faculty member, but such recommendations are not required.

(c) Perquisites

In the year of designation as a Regents’ Professor the person receiving the award will receive a one-time cash award of up to $7,000 and a permanent salary increase of 7% or $7,000 minimum starting in the subsequent fiscal year. Persons named Regents’ Professors on or after Spring 1996 are not eligible for consideration as Presidential Professors.

(d) Term of the Award

The term of a Regents’ Professorship is continuous until retirement.

(Regents, 5-11-78, 3-15-89, 9-26-95, 1-27-04, 3-25-09)

3.14.4 Presidential Professorship

(a) Criteria for Selection

Presidential Professors are those faculty members who excel in all their professional activities and who relate those activities to the students they teach and mentor. These professors inspire their students, mentor their undergraduate, graduate, and/or professional students in the process of research and creative/scholarly activity within their discipline, and exemplify to their students (both past and present) and to their colleagues (both at the University and within their disciplines nationwide) the ideals of a scholar through their endeavors in teaching, research and creative/scholarly activity, and professional and University service and public outreach.

To support this charge, nomination materials will include:

1) The nominee’s mini-vita and faculty evaluations for the previous three years (or since beginning at the University if the nominee has been at the University less than three years and the nominee’s complete vita.

2) A narrative assessment (no more than 5 double-spaced pages) of:

(a) The impact of the nominee’s research and creative activity on his/her students.

(b) The nominee’s contribution to the undergraduate instructional enterprise including such examples as:

   (1) The effectiveness of lower-division and upper-division undergraduate courses developed and taught by the nominee.

   (2) The extent of the nominee’s involvement with undergraduates in advising and mentoring within the academic discipline. This could include the quantity and quality of the independent study enrollments (3990, 4990, 3960, 3980, etc.), Undergraduate Research Opportunities Program (UROP) and Undergraduate
Research Day (URD) sponsorships, Research Experience for Undergraduates (REU) sponsorships, placement of undergraduates in quality graduate programs, number of academic advisees, and the sponsorship of academic clubs or academic honoraries.

(3) The extent of the nominee’s involvement with the planning and review of the undergraduate program within the academic unit. This could include chairing an undergraduate studies or program committee that undertook major changes in the undergraduate program or other leadership roles within the academic unit, college, or University that resulted in an updated and improved undergraduate program.

(4) The extent of the nominee’s involvement with undergraduates through University-wide programs such as the freshman Gateway course, freshman seminars, the residence hall adopt-a-faculty program, or other programs outside the classroom.

(c) The nominee’s contribution to the graduate instructional enterprise including such examples as:

(1) The effectiveness of graduate courses developed and taught by nominee.

(2) The extent of the nominee’s advising and mentoring involvement with graduate students within the academic discipline. This could include numbers of theses and dissertations supervised, publications co-authored with graduate students, graduate students supported through external grants and contracts, and the job placement of the nominee’s graduate students.

(3) The extent of the nominee’s involvement with the planning and review of the graduate program within the academic unit. This could include chairing a graduate studies or program committee that undertook major changes in the graduate program or other leadership roles within the academic unit, college, or University that resulted in an updated and improved graduate program.

(d) Up to five letters from among current undergraduates or alumni, current or former graduate students, University colleagues, or colleagues within the nominee’s academic discipline from other campuses. Among all these letters, there should be commentary attesting to the nominee’s ability to excel in all professional activities and relate those activities to the students they teach and mentor. However, any one reference is unlikely to be able to attest to all aspects of a nominee’s professional activities.

(b) Selection Committee

The Health Sciences Center selection committee will be chaired by the Senior Vice President and Provost and the Vice President for Research, who serve as non-voting members. Thirteen members of the selection committee will be chosen as follows:

1) The President will select six faculty and three academic administrators from among current members on the Research Council, University Council on Faculty Awards and
Honors – Health Sciences Center Campus members, and Deans’ Council. In the initial year, three appointees will be asked to serve a one-year term, three appointees will be asked to serve a two-year term, and three appointees will be asked to serve a three-year term.

2) The President will also select two faculty at-large from the HSC campus tenure track, tenured, and consecutive term faculty to serve. In the initial year, one will be asked to serve a one-year term, and the other a two-year term.

3) The President will also select two distinguished outside individuals to serve. In the initial year, one will be asked to serve a one-year term, and the other a two-year term.

In subsequent years, the selection committee will be composed of six faculty and three academic administrators serving three-year staggered terms, two faculty-at-large serving two-year staggered terms, and two outside individuals serving two year staggered terms.

4) Faculty members who are nominees must recues themselves from the selection committee during that particular year; the President will replace them so as to maintain the composition of the selection committee.

(c) Selection Procedure

1) Initiation. The President’s Office – in conjunction with the Senior Vice President and Provost of the Norman Campus and the Senior Vice President and Provost of the Health Sciences Center – (a) will review the number of vacant Presidential Professorships, (b) will hold three vacancies each year for recruitment leverage, and (c) will issue a call for nominations by September 30. Separate selection committees will be constituted on the Norman and Health Sciences Center campuses.

2) Nominations. Nominations should be prepared by chairs, directors, and Committee A, or other faculty groups, and forwarded to both the appropriate dean and Senior Vice President and Provost. Self-nominations will not be accepted. Deans will forward the nominations with their own comments to their campus Senior Vice President and Provost. Each Senior Vice President and Provost will convene his or her campus’ selection committee.

3) The Selection Committees’ selections for the Presidential Professors must be forwarded by February 15 to the President’s Office along with all nominations and all substantiating materials pertaining to all nominees. The President will make recommendations to the Board of Regents during the March Board of Regents’ meeting.

4) The final selections will be announced for Norman Campus at the annual Faculty Awards Ceremony and for the Health Sciences Center at the Spring General Faculty Meeting.
(d) Perquisites

The Professorship is awarded for a four-year term. Assistant and Associate Professors receive $5,000 per year and Professors receive $10,000 per year. To be eligible for funding in any given year, a faculty member must be considered as a full-time continuing member of the University.

Decisions regarding merit increases in base faculty salary in the academic year will be made independently of faculty status as a Presidential Professor.

Presidential Professors will be given the option each year of receiving the professorship funding as:

1) a (taxable) salary supplement plus associated fringe benefits; paid in two installments, one in the fall semester and one in the spring semester, or as a summer salary, or

2) a faculty development grant within their departmental account(s) for use in travel, graduate student stipends, instructional enhancement, and research development, or

3) a combination of 1 and 2.

(e) Term of Award

The Professorship is granted for a four-year term with the faculty member receiving the funding each year based on faculty rank.

[Regents, 9-26-95, 1-27-04, 6-23-04, 6-25-08]

3.14.5 Presentation to Board of Regents

All nominations shall be made known to the Board of Regents at least twenty (20) days prior to the time that nominees' names appear on an agenda for action.

[Regents, 5-12-66, amended 5-11-78, 9-26-95, 1-27-04]

3.15 ENDOWED CHAIRS AND PROFESSORSHIPS

An endowed chair or professorship is a faculty position supported by an endowment in perpetuity. An endowed chair requires a $1 million endowment and an endowed professorship requires an endowment of $500,000. Endowed faculty positions allow the Health Sciences Center to recruit or retain educators, clinicians, scholars, and researchers who are leaders in their fields of study.

Faculty may be appointed to endowed chairs and professorships established at the Health Sciences Center.

(a) Criteria for Selection

Specific criteria for the selection of occupants may be established for particular chairs as appropriate. To qualify for an endowed chair or professorship, a faculty member must be distinguished within a particular academic field or an interdisciplinary program.
(b) Search Committee

The President, with advice and counsel of the appropriate Senior Vice President and Provost, the appropriate dean, and appropriate chair/director, will appoint the Search Committee. Search Committees for occupants of endowed chairs and professorships shall be composed of (1) two faculty members from the academic unit concerned, (2) two outside individuals distinguished within the relevant area and appointed by the President, and (3) either the dean of the relevant college or a faculty member appointed by that dean. (The Board of Regents prefers and expects the dean to serve.)

At least one member will be from outside the University and at least one member will be from another college. The President and the Senior Vice President and Provost will meet with the Search Committee (and the dean and department head if appropriate) to hear their recommendations. The Senior Vice President and Provost, after consultation, may make a recommendation to the President. The President may approve and forward the appointment to the Board of Regents or reject it and request further searching.

(Regents, 1-27-04, 6-23-04)

(c) Term of the Award

For endowed chairs only, the appointee will generally be a tenured faculty member or receive tenure on appointment to an endowed chair in accord with Section 3.9.4. Endowed professorships do not carry such stipulations. The term of an endowed chair is governed by the terms of the donor agreement, or in the absence of such specifications, is determined by the dean.

(Regents, 6-15-78; Presidential Clarification, 9-15-92; Regents, 6-27-95, 1-26-99, 1-27-04, 6-23-04)

3.16 COLLEGE AWARDS FOR FACULTY AND STAFF

Colleges that wish to use private funds to give faculty or staff merit awards for outstanding performance must secure the Senior Vice President and Provost’s approval of the selection procedure and the amount of awards prior to any advertising or announcement. As a general rule, awards are given once a year and are limited to less than 10 percent of the recipient’s salary. Annual deadlines will be established for the submission of criteria and awards. Announcements of recipients will not be made until the President has approved the annual recommendation. These awards will be made from absolutely unrestricted funds or funds designated specifically for faculty/staff awards. Recipients will be issued an IRS Form 1099 with the payment from The University of Oklahoma Foundation.

(Regents, 12-19-90, 3-7-91, 1-27-04)

3.17 FACULTY SCHOLARSHIPS AND FELLOWSHIPS

The University is often called upon to recommend faculty members for scholarships or fellowships, such as Fulbright Scholarships, American Council of Learned Societies Fellowships, Social Science Research Fellowships, and Guggenheim Fellowships.
The University is always glad to help faculty members secure important scholarships and fellowships. Application for University assistance should be made to the Dean of the Graduate College or to the Provost’s Office.

The Council on Faculty Awards and Honors assists the President of the University, when requested, in the determinations of nominations for local, national, and international awards and honors.

(Regents, 5-11-78)

3.18 ABROGATION OF TENURE, DISMISSAL BEFORE EXPIRATION OF A TENURE-TRACK OR CONSECUTIVE TERM APPOINTMENT, SEVERE SANCTIONS, SUMMARY SUSPENSION AND FAILURE TO COMPLY WITH THE UNIVERSITY COMPLIANCE PROGRAM

Only the Board of Regents have the power to abrogate tenure, dismiss a faculty member before expiration of a tenure-track or consecutive term appointment, impose severe sanctions or summary suspension. The Board of Regents shall impose severe sanctions only in cases where they determine that there exists sufficient cause for such action. Dismissal of faculty members due to financial exigency and program discontinuance are not severe sanctions and should be guided by 3.18.3 and Appendix F.

(a) Abrogation of Tenure or Dismissal Before Expiration of a Tenure-Track or Consecutive Term Appointment:

The University strives to exercise great care in selecting its faculty appointees and in conferring tenure only upon those faculty members who have demonstrated their merit for continuous appointment. For that reason, abrogation of tenure, or dismissal of a tenure-track or consecutive term faculty member whose term of appointment has not expired should be an exceptional event. While abrogation of tenure or dismissal of tenure-track or consecutive term faculty generally will be required infrequently, the University must be prepared for such eventualities, so that both the integrity of the University and the rights of faculty members may be preserved. The Faculty Appeals Board is the appropriate appeals process for abrogation of tenure, or dismissal of a tenure-track or consecutive term appointment. The Board of Regents shall give all reasonable consideration to the recommendations of the Faculty Appeals Board Hearing Committee.

(b) Severe Sanctions:

It is also recognized, that a few faculty members may, from time to time, engage in improper conduct which require sanctions short of dismissal. As in the case of dismissal, the imposition of severe sanctions short of dismissal should be viewed as a serious and infrequent step usually undertaken only after administrative remedies and minor sanctions have failed. The faculty, through the Faculty Appeals Board, must be willing to recommend severe sanctions against a colleague when necessary.

See Section 3.18.1 for grounds for severe sanctions. Severe sanctions may include, but are not limited to, loss of prospective privileges for a stated period (for instance, loss of eligibility for a sabbatical leave of absence, loss of remunerated consultative privileges, loss of remunerated private
practice privileges, etc.); a fine; a reduction in salary; and suspension from service for a stated period.

(c) **Summary Suspension:**

Suspension of a faculty member, or assignment to other duties in lieu of suspension, before a hearing is justified if immediate harm to the faculty member or to others is threatened by that person’s continued performance of regular duties, or if the faculty member has failed to adhere to the University’s Compliance Program. Summary suspension does not remove from the University the obligation to provide due process within a reasonable period of time following action.

(d) **Failure to Adhere to University Compliance Program:**

An employee's failure to adhere to the University Compliance Program or other federal or state-mandates require that the University take quick and decisive action. With the exception of dismissal, it shall not be considered a severe sanction to impose fines upon, suspend the billing privileges of, or otherwise sanction University faculty who are determined to be out of compliance with the college’s Professional Practice Billing Compliance policy or who have failed to adhere to the University Compliance Program.

(Regents 7-15-96, 1-26-99, 12-3-02, 6-25-08)

### 3.18.1 Grounds for Abrogation of Tenure, Dismissal, and Severe Sanctions

A faculty member against whom the imposition of abrogation of tenure, dismissal, or a severe sanction is sought, must be informed in writing the reasons for seeking the action. While it is not possible to specify all grounds for which abrogation of tenure, dismissal during the term of a contract, or severe sanctions may be sought, they include, but are not limited to the following:

(a) Professional incompetence or dishonesty;

(b) Substantial, manifest, or repeated failure to fulfill professional duties and responsibilities, or

(c) Substantial, manifest, or repeated failure to adhere to University policies, including the University’s Compliance Program;

(d) Being placed on the United States Department of Health and Human Services’ list of excluded individuals and entities, in which case the University will take quick and decisive action by terminating the faculty member’s employment. The faculty member may request a Faculty Appeal Board hearing following termination;

(e) Personal behavior preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities;

(f) Serious violations of law to which the faculty member has pleaded guilty or nolo contendere or which have been proved before a court of competent jurisdiction that prevent the faculty member from satisfactorily fulfilling professional duties or responsibilities, or violations of a court order, when such plea or order relates to the faculty member’s proper performance of professional responsibilities.
(g) Loss or suspension of a license, prescribing authority or privileges at a facility; inability to
obtain or maintain enrollment as a provider with an insurer; or inability to obtain or maintain
professional liability insurance coverage in which case the University may take quick and
decisive action by terminating the faculty member’s employment. The faculty member may
request a Faculty Appeals Board hearing following termination.

(Regents, 1-26-99, 12-3-02, 6-25-08)

3.18.2 Notification of Recommendation of Abrogation of Tenure, Dismissal of a Tenure-
Track or Consecutive Term Appointment, or Severe Sanctions

When the President decides to recommend abrogation of tenure, dismissal of a tenure-track or
consecutive term appointment, or other severe sanctions to the Board of Regents, the President
must so notify the faculty member in writing. (See Section 3.21.1(b).

(Regents, 1-26-99, 12-3-02, 6-25-08)

3.18.3 Termination of Continuous Appointment on Grounds of Financial Exigency or
Program Discontinuance

(a) The policy and procedures for coping with financial exigency are contained in the Financial
Emergency Policy [Appendix F].

(b) The policy and procedures for program discontinuance are contained in the Program
Discontinuance Policy [Appendix G]. In certain instances, changes in the needs of society and
the rapidity with which new knowledge is accumulated and disseminated may affect the
relevance, cost effectiveness, and ultimate continuation of academic programs at the Health
Sciences Center. Changes in the University’s educational function through action of the Board
of Regents of the University and/or the Oklahoma State Regents for Higher Education may
also result in the elimination of an academic program(s). In such instances, the University will
adhere to the procedures outlined in the Program Discontinuance Policy.

(Regents, 1-26-99, 12-3-02, 6-25-08)

3.19 APPEALS AND GRIEVANCES

All faculty, whether tenured or not, are entitled to academic freedom as set forth in Section 3.4 and
academic due process.

The following procedures cover alleged prohibited discrimination, including sexual, racial, or ethnic
harassment, and alleged violations of academic freedom, academic due process, and University
policy. The faculty member may seek redress through the appropriate grievance procedures if such
violations occur in the course of performing professional duties or in the process of being
considered or evaluated for recommendations regarding reappointment, salary increase, promotion,
or tenure. Grounds for appeal may also include other personnel decisions in which a faculty
member has reason to believe there has been discrimination, sexual, racial, or ethnic harassment,
violation of due process or academic freedom, or if there are other grievances which have not been
resolved administratively.
Faculty members serving as chairs, directors, deans, or other administrative positions, who are relieved of their administrative responsibilities, may not file a grievance or appeal when the grievance or appeal is based upon actions related to their administrative performance.

There are two appeal processes; the Faculty Appeals Board (Section 3.14) and the Committee on Discrimination and Harassment (Section 3.17).

(a) **Faculty Appeals Board** - The Faculty Appeals Board is the appropriate appeal process for alleged violations of due process, academic freedom, or other grievances other than alleged prohibited discrimination which have not been resolved administratively. It is also the appropriate appeal process for abrogation of tenure, dismissal of tenure-track or consecutive term appointment, or severe sanctions (Section 3.20).

(b) **Committee on Discrimination and Harassment** - The Committee on Discrimination and Harassment is the appropriate appeal process for complaints involving harassment based on race, ethnicity, or sex, or discrimination because of race, national origin, sex, color, age, religion, disability, or status as a veteran. Such appeals must be filed with the University Equal Opportunity Officer (Section 3.17).

(Regents, 1-26-99, 12-3-02)

### 3.20 THE FACULTY APPEALS BOARD

(a) The Faculty Appeals Board is a standing body which responds to matters of tenure abrogation, dismissal, severe sanctions, alleged violations of academic freedom or academic due process, and other grievances concerning the alleged failure to follow University policy or alleged unfairness in the application of University policy unresolved through administrative procedures. The Faculty Appeals Board considers all such matters brought before it in a timely manner by individual faculty members. It is the responsibility of the Faculty Appeals Board Chair and Faculty Senate Chair to ensure that all matters are handled expeditiously.

1) In cases related to alleged violation of academic freedom, academic due process or other grievances concerning the alleged failure to follow university policy or alleged unfairness in the application of university policy the faculty member will be considered the complainant and the administration the respondent. ([See Section 3.14(a)(1)](#))

2) In cases related to abrogation of tenure, dismissal of tenure-track or consecutive term appointment, or severe sanctions, the administration will be considered the complainant, the faculty member the respondent, and the letter from the President outlining the charges will serve as the complaint.

(b) The Faculty Appeals Board of the Health Sciences Center shall consist of forty tenured faculty members representing fairly the existing colleges on the Health Sciences Center campus. The members shall be appointed from among all full-time faculty whose duties are primarily non-administrative (i.e., not at the level of Assistant/Associate Dean, Dean, Assistant/Associate/Vice Provost or Provost). All terms shall be four years.

(c) Each Faculty Appeals Board shall have a chair and vice chair designated by the Faculty Senate. The chair and vice chair should be from separate colleges.
(d) All responsibilities of the chair will be relinquished and passed to the vice chair if the appeal is from a faculty member in the same college as the chair.

(e) All members of the Board are eligible for re-election. Terms of service shall begin July 1 and end June 30 except that, if a hearing is in progress at this time, any retiring member of the Board who is on the Hearing Committee shall be continued on the committee until the case in process is closed.

(f) If a member of the Board, not serving on a hearing committee, ceases to be a full-time member of the faculty, or if his or her duties become primarily administrative, the Senate shall elect a replacement to complete the term.

(g) Members on the Board who have an appeal pending before the Board shall be suspended from all Board activities until the appeal is resolved.

(Regents, 1-26-99, 12-3-02, 6-25-08)

3.21 FACULTY APPEALS BOARD PROCESS

Alleged Violation of Academic Freedom, Academic Due Process, or Other Grievances Concerning the Alleged Failure to Follow University Policy or Alleged Unfairness in the Application of University Policy, Abrogation of Tenure, Dismissal of a Tenure-Track or Consecutive Term Appointment, Severe Sanctions, Summary Suspension, Failure to Comply with the University Compliance Program

3.21.1 Initiation of Appeal and Request for a Hearing

(a) Request for Hearing - Academic freedom, academic due process or other grievances concerning the alleged failure to follow University policy or alleged unfairness in the application of University policy:

Any faculty member who believes that either academic freedom or academic due process has been violated or alleges other grievances concerning the alleged failure to follow University policy or alleged unfairness in the application of University policy should first seek prompt redress through regular administrative channels, which would include the chair, dean and Senior Vice President and Provost.

If the administrative review does not provide a satisfactory result, and if the faculty member wishes to continue the appeal he/she may submit, as the complainant, a written complaint outlining the specific points of appeal and requesting a formal hearing to the Chair of the Faculty Appeals Board no later than 45 calendar days after he/she has become or should have become aware of the alleged violation. Seeking redress through regular administrative channels does not extend the 45-day time allowed for filing an appeal.

(b) Request for Hearing - Abrogation of tenure, dismissal of tenure-track or consecutive term appointment, severe sanctions, summary suspension, or failure to comply with the University Compliance Program:
Any faculty member who chooses to appeal the decision by the President to recommend abrogation of tenure, dismissal of a tenure-track or consecutive term appointment or other severe sanctions to the Board of Regents must submit, as the respondent, a written request for hearing to the Chair of the Faculty Appeals Board within 15 calendar days of the date of the President’s letter. (See (e) below).

(c) The time intervals specified in the preceding and following sections are guidelines and should be maintained unless waived by the Chair of the Faculty Appeals Board for unusual circumstances or in order to allow continuing progress towards informal resolution of the complaint.

(d) The Faculty Appeals Board process is a lay process which relies on peer review and the common sense, sound judgment, good character, and sense of fairness of each Hearing Committee. The Faculty Appeals Board procedures should strive to diminish formality and rigidity. The process is not to be considered a trial but is a system of internal review to effect a just and fair disposition of a grievance.

(e) Responsibilities of the Faculty Appeals Board chair:

1) The Faculty Appeals Board chair has the responsibility to determine if the complaint is appealable, for example, whether the initial deadline, as set in section 3.21.1, has been met or whether the complaint is concerned with the failure to follow University policy, or alleged unfairness in the application of University policy. If the complaint is appealable the process will continue. If the complaint is not appealable the chair shall notify both the complainant and the respondent.

2) The Faculty Appeals Board chair may, at any time prior to initiating the formal hearing process, meet with the complainant and respondent, either together or separately, to discuss the points of the complaint. The intent will be to resolve differences where possible and to seek a resolution and/or dismissal of the appeal.

3) Ordinarily the University General Counsel or a member of his/her staff not otherwise involved will serve as the legal advisor to the Faculty Appeals Board. If the Chair of the Faculty Appeals Board determines that some other course is desirable he/she may request a meeting with the President or his designee. In such instances when the Chair of the Faculty Appeals Board continues to desire outside counsel following a meeting with the President or his designee, the President may appoint other counsel with the concurrence of the Chair of the Faculty Appeals Board to advise the Hearing Committee.

(f) Pre-Hearing Procedure:

1) Upon receipt of the written complaint as set out in (a) and (b) of this section and prior to initiating the formal hearing process, the Chair of the Faculty Appeals board shall ask the respondent to submit, within 15 working days, a statement in writing outlining the specific points of defense. Upon receipt of this statement, the Chair of the Faculty Appeals Board shall, convene the complainant, the respondent, and two members of the Faculty Appeals Board within 30 working days. The two members
shall be selected by the Chair in the same manner as members and alternates (Section 3.21.2(c)(2)) and shall be ineligible to serve on the Hearing Committee for that particular case. The purpose of the meeting is to discuss the points of the complaint, to resolve differences, where possible, and to seek resolution of the matter at issue. Formal minutes of these discussions will not be taken, and no data, findings or recommendations from these discussions will be forwarded to the Hearing Committee except as provided in Section 3.21.3.

2) If a satisfactory resolution is reached, the Chair of the Faculty Appeals Board will summarize and forward the facts of the case in writing to the complainant and the respondent.

3) If a satisfactory resolution is not reached within 45 working days from receipt of the formal request for hearing (3.21.1(a)(b)), the Chair of the Faculty Appeals Board will notify the parties that no resolution was reached and initiate hearing procedures.

3.21.2 Formal Hearing Procedure

To initiate the hearing procedure, the Chair of the Faculty Appeals Board will request statements from both the complainant and the respondent per (a) and (b) below and concurrently begin the process for selection of hearing committee members per (c) 1) through 9) below.

All matters brought to the Faculty Appeals Board shall be handled according to the following procedures, which are designed to ensure fairness and due process.

(a) If the pre-hearing conference described in section 3.21.1(f)(1) does not produce a satisfactory result, the Chair of the Faculty Appeals Board will request the complainant to submit to both the chair and the respondent, within 20 working days of the pre-hearing conference, a written statement embodying:

1) Relevant policies of the administrative or academic unit, the College, the Provost’s Office, President’s Office, and the Board of Regents.

2) The written complaint (3.21.1(a)(b)).

3) A summary of the evidence upon which the complaint is based.

4) A list of witnesses to be called, a brief summary of their testimony, and a list of exhibits to be presented.

(b) The Chair of the Faculty Appeals Board will upon receipt of the complainant’s statement, request the respondent to submit to both the chair and the complainant, within 20 working days, a written statement including:

1) Relevant policies of the administrative or academic unit, the College, the Provost’s Office, President’s Office, and the Board of Regents.

2) The written response outlining the specific points of defense.
3) A summary of the evidence to be used in refuting the charges.

4) A list of witnesses to be called, a brief summary of their testimony, and a list of exhibits to be presented.

(c) Selection of Hearing Committee:

1) Within 5 working days after the pre-hearing conference (3.15.1 (f)(1)) the Chair of the Faculty Appeals Board will proceed with the selection of the hearing committee by submitting the list of names of the eligible Board members to both parties. The list shall not include a member of the same academic unit or one who is related by consanguinity or affinity to the respondent or complainant. Members and alternates currently serving on another hearing shall also be ineligible. A member or alternate of the Hearing Committee may disqualify himself or herself on personal initiative or in response to such challenge for cause as is provided for in this section. The Chair of the Faculty Appeals Board shall also determine that no one on the list has a bias related to the person(s) or issue at hand.

2) Within 5 working days after submitting the list of eligible board members to both parties, the Chair of the Faculty Appeals Board, will select seven members of the Board to constitute the Hearing Committee, three additional members to serve as alternates, and ten members to be available for maintaining the alternate pool should replacements become necessary through personal disqualification or challenge of individuals initially selected.

The selection of members and alternate members of the Hearing Committee shall be made by lot and it shall be made in the presence of the chair of the Faculty Senate or a designated representative. The complainant and the respondent in the hearing shall be invited to be present or to send a representative. The Chair of the Faculty Appeals Board shall notify members in writing of their selection to the Hearing Committee and of the parties involved, and provide a brief description of the general nature of the issue.

3) Within 10 working days of the initial selection of the Hearing Committee, the complainant or the respondent in the case may submit a written request to the Chair of the Faculty Appeals Board asking that members or alternates of the Hearing Committee be disqualified on grounds of bias or personal interest in the case. If, however, a challenge for cause is disputed by either of the parties, the Faculty Appeals Board Chair shall decide whether cause has been shown, and if so disqualify the member or alternate.

4) After challenges for cause have been acted on, the complainant and the respondent, additionally, each may make a maximum of two peremptory challenges of members or alternates selected for the Hearing Committee within 5 working days of the date such challenges for cause are resolved.

All decisions regarding initial disqualifications shall be made prior to the first meeting of the Committee. Within 20 working days after the Hearing Committee and the alternates have been finalized the Hearing Committee shall elect its own chair and set the date of
the hearing. Every reasonable effort should be made by the Hearing Committee and both parties to hold the hearing as soon as possible.

5) Members of the Hearing Committee who are disqualified, ill, or otherwise unable to serve, shall be replaced from among alternate members by the Chair of the Faculty Appeals Board. Alternates who are disqualified, ill or otherwise unable to serve, or who become members of the Hearing Committee will be replaced from among the reserve pool (3.21.2(c)(2)) by the Chair of the Faculty Appeals Board.

6) A finalized list of Hearing Committee members and alternates will be given to all parties within 10 working days of resolving any challenges of the membership of the hearing committee or alternates by the complainant or the respondent. If no challenges are offered the finalized list must be completed within 20 working days of the initial selection of the Hearing Committee and alternates by the Chair of the Faculty Appeals Board.

7) If a member of a Hearing Committee ceases to be a tenured, full-time member of the faculty, he or she shall be replaced from among the alternates.

8) If the duties of a Hearing Committee member become primarily administrative, the member shall inform the Chair of the Faculty Appeals Board. The Chair of the Faculty Appeals Board will inform all parties. The member will continue to serve unless either party objects in writing to the Chair of the Faculty Appeals Board within five working days of receipt of notice.

9) The pool of three alternate members shall be maintained according to selection procedures in Section 3.21.2(c)(2). Alternate members shall attend all meetings of the Hearing Committee.

3.21.3 Handling of Charges

(a) Within 20 working days after the respondent has submitted the written response outlined in section 3.21.2(b), the Chair of the Faculty Appeals Board shall meet for a second pre-hearing conference with the parties involved, as appropriate, and attempt to solicit an agreement which can be put into writing in an effort to resolve the matter at this point.

(b) If the issues cannot be resolved at this point, the complainant and respondent, with the Chair of the Faculty Appeals Board shall attempt to agree in writing upon the hearing procedures and other matters concerning the handling of the case including which issues are to be heard. In the absence of an agreement on procedures, the Chair of the Faculty Appeals Board shall determine the hearing procedures. In either case, the procedures should be finalized within 30 working days.

(c) The parties may agree to waive a hearing and submit the case to the Hearing Committee on agreed stipulation. The Hearing Committee will then make its findings and recommendations upon evidence contained in or referred to in the stipulation within 30 working days.
3.21.4 Hearing Regulations

The following regulations shall apply:

(a) The chair, after consulting with the legal counsel assigned to the board, shall have the final decision on any procedural issues raised which are not addressed by the Faculty Handbook and in which there is an absence of agreement by the complainant and respondent.

(b) The parties shall have the right to attend the hearing and to be accompanied by a colleague or counsel, or by both, to advise them. The names of such advisors and/or counsel shall be provided to the Chair of the Hearing Committee at least 15 days prior to the hearing. Costs for such representation are borne by the respective parties. All hearings will be closed.

(c) The President or his designee may attend the hearing and may have a representative or counsel, or both.

(d) The Chair of the Hearing Committee shall serve as liaison for communication to and from the complainant or respondent and the Hearing Committee. Communications related to evidence and hearing procedures should be directed to the Chair of the Hearing Committee. Neither party shall communicate orally or in writing with individual Hearing Committee members during the hearing procedure. To ensure that information provided to the Hearing Committee by either party is part of the official documentation of the proceeding, each party is provided with a copy.

(e) The Chair of the Hearing Committee is responsible for maintaining a full and accurate record of the proceedings. This shall consist of a tape recording, or, at the option of either party, a written transcript taken by a court reporter, and shall include copies of all exhibits, or other materials distributed at the hearing.

(f) Either party may request a copy of the recording of the proceedings. The recording will be maintained in the Office of the Legal Counsel for a period of five years. The full cost of recording the proceedings shall be borne by the University.

(g) The written statements of both parties, as provided in Section 3.21.2 (a) and (b) and evidence taken or considered beyond the written statements shall be heard by the entire Committee at the hearing and not beforehand.

(h) Both parties shall have the right to present, examine, and cross-examine witnesses.

(i) The principles of confrontation shall apply throughout the hearing.

(j) The President’s Office shall make available to the faculty member such authority as it possesses to require the presence of witnesses.

(k) The Board of Regents of the University of Oklahoma shall not be liable for any costs whatsoever incurred by the faculty member except as set forth in this section.
(l) The report of the Hearing Committee will be submitted to the Senior Vice President and Provost within 10 working days of the conclusion of the hearing regardless of whether the written transcript of the hearing is available.

### 3.21.5 Disposition of Charges

The President shall transmit to the Board of Regents the full record of the hearing and the findings and recommendations of the Hearing Committee, together with presidential recommendations. The Board of Regents shall come to a decision in the case based upon the materials submitted plus any additional information which it wishes to consider, or return the matter to the Hearing Committee with written directions as to how to proceed.

(a) When the Board of Regents reviews the matter the principals shall have the opportunity to present written argument. Oral arguments will be presented only upon request by the Board of Regents.

(b) If the Board of Regents chooses to return the matter to the Hearing Committee, the committee shall review the matter in light of the Board of Regents’ directions and receive new evidence or information, if necessary, and submit a final report of its findings and recommendations to the President for transmittal to the Board of Regents, as before. The work of the Hearing Committee is finished when the President communicates in writing the final decision of the Board of Regents to the Chair of the Hearing Committee and the principals in the case.

(c) The full record shall be deposited in the office of the Vice President for University Governance and Secretary of the University. Parties to the case may request copies or excerpts from the full record after the completion of the Committee’s work. The costs shall be borne by the requesting party.

(Regents, 1-26-99, 12-3-02, 6-25-08)

### 3.22 DISCRIMINATION POLICY (FOR OTHER THAN SEXUAL OR RACIAL/ETHNIC HARASSMENT)

The University has a policy of internal adjudication in matters relating to alleged discrimination. Any faculty member, staff member, or student, including without restriction, those on temporary or part-time status, who believes that he or she has been discriminated or retaliated against should file a complaint under the Grievance Procedure for Equal Opportunity.

Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of discrimination and/or harassment will be treated as a separate and distinct violation of this policy.

To contact the University Office of Equal Opportunity:

Health Sciences Center Campus
Room 113, Service Center Building
271-2110

Norman Campus
Room 102, Evans Hall
325-3546

(Regents, 7-22-81, 9-17-81, 9-9-82, 9-27-95, 1-14-97, 1-27-04)
It is also the policy of the University not to discriminate on the basis of sexual orientation.

(President, 1-7-93, 9-29-94)

3.22.1 Policies Governing Sexual Harassment, Sexual Assault, Consensual Sexual Relationships, Retaliation, or Racial and Ethnic Harassment

These policies, in their entirety, are contained in Appendices H through J.

3.22.2 Grievance Procedure for Equal Opportunity

A. What is Covered and Who May Use Procedure

The grievance procedure embodied herein shall be available to any person who, at the time of the acts complained of, was employed by, was an applicant for employment with, or was enrolled as a student at the University.

B. Filing of Complaint

This procedure applies to persons who have complaints alleging discrimination based upon race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran or complaints alleging sexual harassment, consensual sexual relationships, retaliation, or racial and ethnic harassment (together, “discrimination and harassment or retaliation”). Such persons may file their complaints in writing with the University Equal Opportunity Officer.

Complainants who exercise their right to use this procedure agree to accept its conditions as outlined below. Where multiple issues exist, (i.e. sexual harassment and violation of due process or grade appeal), the complainant must specify all of the grounds of the grievance of which the complainant should have reasonably known at the time of filing. A grievance filed under this procedure may normally not be filed under any other University grievance procedure. Depending on the nature of the issues involved, the complainant will be advised by the University Equal Opportunity Officer or his/her designee about the appropriate procedure(s) to utilize.

C. Timing of Complaint

Any complaint must be filed with the University Equal Opportunity Officer within 180 calendar days of the act of alleged discrimination, harassment, or retaliation. The University Equal Opportunity Officer may reasonably extend all other time periods.

D. Administrative Action

1) The University recognizes its obligation to address incidents of discrimination, harassment, or retaliation on campus when it becomes aware of their existence. Even if no complaints are filed, the University reserves the right to take appropriate action unilaterally under this procedure.

2) With respect to students, the University Vice President for Student Affairs and Dean of Students or other appropriate persons in authority may take immediate administrative or
disciplinary action which is deemed necessary for the welfare or safety of the University community. Any student so affected must be granted appropriate due process. For Norman campus students, a campus disciplinary council, in accordance with the Student Code, shall conduct any hearing involving disciplinary suspension or expulsion. Lesser administrative or disciplinary action may be appealed to the University Vice President for Student Affairs and Dean of Students. Such requests must be in writing and filed within seven calendar days following the summary action. The University Vice President for Student Affairs and Dean of Students will issue a written determination to the student within three working days following the date the request is received.

3) With respect to employees, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence pending the completion of the investigation or grievance procedure.

E. Withdrawal of Complaint

The complainant may withdraw the complaint at any point prior to the adjournment of a formal hearing.

F. Confidentiality of Proceedings and Records

Investigators and members of the Hearing Panel reviewing the grievance are individually charged to preserve confidentiality with respect to any matter investigated or heard. A breach of the duty to preserve confidentiality is considered a serious offense and will subject the offender to appropriate disciplinary action. Parties and witnesses also are admonished to maintain confidentiality with regard to these proceedings.

All records, involving discrimination, harassment, or retaliation, upon disposition of a complaint, shall be transmitted to and maintained by the University Equal Opportunity Officer as confidential records except to the extent disclosure is required by law.

G. Proceedings

1) Investigation

Upon receipt of a complaint, the University Equal Opportunity Officer is empowered to investigate the charge, interview the parties and others, and gather pertinent evidence. The investigation should be completed within 60 calendar days of receipt of the complaint, or as soon as practical. If a time period is extended for more than 10 calendar days, the University Equal Opportunity Officer will provide written or oral notice of reason for extension to all parties involved. The investigator shall prepare a record of the investigation.

In arriving at a determination of a policy violation at any stage of the proceedings, the evidence as a whole and the totality of the circumstances and the context in which the alleged incident(s) occurred shall be considered. The determination will be made from the facts on a case-by-case basis.
Upon completion of the investigation, the University Equal Opportunity Officer is authorized to take the following actions:

(a) Satisfactory Resolution

Resolve the matter to the satisfaction of the University and both the complainant and the respondent. If a resolution satisfactory to the University and both parties is reached through the efforts of the University Equal Opportunity Officer, he or she shall prepare a written statement indicating the resolution. At that time the investigation and the record thereof shall be closed.

(b) Dismissal

Find that no policy violation occurred and dismiss the complaint, giving written notice of said dismissal to each party involved. Within 15 calendar days of the date of the notice of dismissal, the complainant may appeal said dismissal in writing to the University Equal Opportunity Officer by requesting a hearing according to the provisions of this policy. If no appeal is filed within the 15 calendar day period, the case is considered closed.

(c) Determination of Impropriety

(1) Make a finding of impropriety and notify the parties of the action to be taken. Either party has the right to appeal said determination in writing within 15 calendar days of the date of notice of determination to the University Equal Opportunity Officer by requesting a hearing according to the provisions of this policy. If no appeal is filed within the 15 calendar day period, the case is considered closed.

(2) In the case of a complaint against a faculty member, the administrative investigator may determine that the evidence is sufficiently clear and serious so as to warrant the immediate commencement of formal proceedings as provided in the Abrogation of Tenure, Dismissal Before Expiration of a Tenure-Track or Consecutive Term Appointment, and Severe Sanctions section of the Faculty Handbook. If the President concurs with the investigator’s finding, the case may be removed at the option of the accused from the grievance proceedings contained herein and further action in the case shall be governed by the Abrogation of Tenure, Dismissal Before Expiration of a Tenure-Track or Consecutive Term Appointment, and Severe Sanctions section in the Faculty Handbook. Otherwise, this policy and procedure shall apply.

2) Hearing

(a) Request for a Hearing Under the Grievance Procedure for Equal Opportunity

(1) Appeals and complaints unresolved following an investigation may result in a hearing before a hearing panel selected from the membership of the
Committee on Discrimination and Harassment as described below. For the
Norman Campus, faculty versus faculty grievances with multiple issues are
heard by the Faculty Appeals Board. The request for a hearing is to be
addressed to the University Equal Opportunity Officer.

(2) The request for a hearing must contain the particular facts upon which the
policy violation allegation is based as well as the identity of the appropriate
respondent(s). The University Equal Opportunity Officer shall give a copy of
the request to the proper respondent(s).

(3) The respondent’s written response to the request for a hearing must be sent to
the University Equal Opportunity Officer within 10 calendar days of receiving
notice that a formal hearing has been requested. A copy of the response shall
be given to the party requesting the hearing.

(b) Selection of a Hearing Panel

Within 10 calendar days following receipt of the written request for a hearing, the
University Equal Opportunity Officer shall initiate the process to determine the
members of the Hearing Panel.

A five-member hearing panel will be chosen by the parties to the complaint from: on
the Health Sciences Center (including Tulsa), the twenty-four member Committee on
Discrimination and Harassment; and on the Norman Campus, from the sixteen-
member Committee on Discrimination and/or the fifty-member Faculty Appeals
Board.

A Committee on Discrimination and Harassment shall be established on each
campus and composed of: on the Health Sciences Center, eight staff members, eight
students, and eight faculty members; and on the Norman Campus, eight staff
members and eight student members, with faculty representation being selected
from the Faculty Appeals Board. On the Norman Campus, five staff will be
appointed by the Staff Senate and five students will be appointed by UOSA; the
President will appoint three staff and three students. At the Health Sciences Center,
eight faculty will be appointed by the Faculty Senate, eight staff members appointed
by the Staff Senate, and eight students by the Student Government Association. The
terms of appointment shall be for three years with initial terms of 1, 2, and 3 years
in each category to provide the staggered membership, except that each student
shall be appointed for a one year term.

The selection process shall be in the following manner: The complainant and the
respondent select five names each from the pool. The names will be listed in rank
order with name number one on each list being the preferred panelist. The
University equal Opportunity Office staff will contact the individuals in the order
selected. The first two names on each list who are available to serve will make up
the Hearing Panel. Those selected choose a fifth name from the pool to serve as
chair. If the four panelists cannot agree on the fifth, the names of five additional
Committee members will be drawn by lottery. Each panelist will strike one name off
the list of five names. The remaining person shall be the fifth panelist. Either party
to the complaint may ask the University Equal Opportunity Officer to disqualify any member of the Hearing Panel. Such requests will be in writing and show sufficient grounds for removal. Furthermore, no panelist shall be expected to serve if he/she feels that a conflict of interest exists. Replacements shall be selected in the same manner as the original panel.

(c) Orientation Conference

Within 10 calendar days of receiving notification, or as soon as practical, the Chair shall convene the Hearing Panel for an orientation and discussion of the grievance, and a decision as to whether there exist adequate grounds for a hearing. The University Equal Opportunity Officer shall be present during the orientation conference. Each Hearing Panel member shall be given a copy of the Hearing Guidelines, written complaint, the request for a hearing, and the written response.

(d) Informal Hearing

If the Hearing Panel determines that adequate grounds for an informal hearing exist, the Chair shall convene the Hearing Panel for an informal hearing. The parties involved will present a summary of their cases at the informal hearing. No witnesses will be heard.

At all meetings, each party may be accompanied by an adviser. In the event that a party chooses to be advised by an attorney, he/she may do so at his/her expense. If an adviser is used, the name of the person so assisting must be furnished to the Hearing Panel and the other party 10 calendar days in advance of the pre-hearing conference. Advisers may advise their clients at the informal hearing but may not directly address the Hearing Panel.

If the Hearing Panel decides at its informal hearing that there is no basis for a hearing, it shall recommend in writing to the proper Executive Officer that the matter be dismissed and shall send a copy to the President and the University Equal Opportunity Officer. The Executive Officer shall render his or her decision on the matter in writing to each of the parties involved in the informal proceedings.

(e) Formal Hearing

The Hearing Panel shall be convened by the University Equal Opportunity Officer for further orientation prior to the formal hearing. Each Hearing Panel member shall be given a copy of the Hearing Guidelines.

After the orientation conference, if a party wishes to have an adviser present at any stage of the hearing he/she must notify the Hearing Panel Chair and other party(ies) that an adviser has been retained at least 10 calendar days in advance of the scheduled hearing. Advisers may advise their clients at the hearing but may not directly address the Hearing Panel or witnesses, except as required for student disciplinary hearings leading to suspension or expulsion.
Upon request, University Legal Counsel may serve as an adviser to the Hearing Panel. In the event that the Hearing Panel determines the need for a formal hearing, the Chair will convene the Hearing Panel and the parties for a formal hearing. The Hearing Panel procedures shall be established with reference to the Hearing Guidelines and shall provide that the parties may present all the evidence that they consider germane to the determination.

Further, the parties may call witnesses to testify and may cross-examine witnesses called by the other party. The hearing shall be closed unless all principals in the case agree to an open hearing. Audio tape recordings of the proceedings shall be arranged by the Chair and paid for by the University. Transcripts may be charged to the requesting party. In cases of alleged sexual assault on students, the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding and both shall be informed of the outcome.

The Chair shall notify the parties of the date, time and location of the formal hearing. Parties are responsible for giving such notice to their witnesses. The hearing shall be scheduled to reasonably ensure that the complainant, respondent, and essential witnesses are able to participate.

In the event the matter is resolved to the satisfaction of all parties prior to completion of the formal hearing, a written statement shall indicate the agreement recommended by the parties and shall be signed and dated by each party and by the Chair. The recommendation will be referred to the appropriate Executive Officer for final determination.

(f) Hearing Panel’s Findings and Recommendations

In the event that no solution satisfactory to the parties is reached prior to the completion of the hearing, the Hearing Panel shall make its findings and recommendations known to the proper Executive Officer, with copies to the President and the University Equal Opportunity Officer. The Hearing Panel’s report, with its findings and recommendations, shall be prepared and properly transmitted within seven calendar days after conclusion of the hearing.

(g) Executive Officer’s Decision

Within 15 calendar days of receipt of the Hearing Panel’s findings and recommendations, the proper executive officer shall inform the complainant and the respondent of the findings of the Hearing Panel and the Executive Officer’s decision. A copy of the Executive Officer’s decision shall be transmitted to the Chair of the Hearing Panel, with copies to the President and the University Equal Opportunity Officer. In the event the allegations are not substantiated, reasonable steps in consultation with the accused may be taken to restore that person’s reputation.

(h) Appeal to the President

The Executive Officer’s decision may be appealed to the President within 15 calendar days of being notified of the Executive Officer’s decision. If the President does not act...
to change the decision of the Executive Officer within 15 calendar days of receiving the appeal, the decision of the Executive Officer shall become final under the executive authority of the President.

To contact the University Office of Equal Opportunity:

Health Sciences Center Campus
Room 113, Service Center Building
271-2110

Norman Campus
Room 102, Evans Hall
325-3546

(Regents, 9-27-95, 1-14-97, 1-26-99)

3.23 POST-DOCTORAL FELLOW GRIEVANCE PROCEDURE

Although post-doctoral fellows are University employees, they are at the University primarily to receive additional education. Therefore, even though they are generally appointed for one year at a time, the University, through its designated officials, retains the right to evaluate the academic qualifications, performance, professional conduct, and suitability for promotion, continued education and certification of post-doctoral fellows receiving education at the University. Note: Clinical trainees enrolled in a College of Medicine graduate medical education program (i.e. resident or fellow) are subject to the Grievance Policy in the Resident Handbook, in accordance with the Resident Agreement, for grievances related to their program.

Because of the post-doctoral fellows’ positions as employees who are also receiving education, any grievance brought by a fellow other than those clinical trainees in the College of Medicine, regarding his or her rights as a fellow or any allegation of wrongful administrative action resulting in probation, suspension, or dismissal and termination of post-doctoral education shall be brought under this policy. All grievances must be started within thirty days of the time the fellow knew or should have known of the decision or situation that is the subject of the grievance.

In the event a post-doctoral fellow has a grievance, the following steps shall be followed:

1) The post-doctoral fellow shall discuss the grievance with the supervisor or program director and attempt to resolve the issue within the program.

2) If the post-doctoral fellow is not satisfied with the program’s decision on the issue, he or she may request a meeting with the Assistant or Associate Dean in charge of post-doctoral fellows in the College in which the fellow is assigned through submission of a written grievance within ten days of beginning the attempt to resolve the issue with the supervisor or program director.

3) The Assistant/Associate Dean shall investigate the written grievance.

4) The Assistant/Associate Dean shall attempt to arbitrate the grievance. If the matter cannot be resolved, the post-doctoral fellow may within seven days of receipt of the notification that the Assistant/Associate Dean was unable to resolve the issue request a hearing before the Post-Doctoral Fellow Appeals Committee. This request shall be written and submitted to the Dean of the College in which the fellow is assigned.
5) The Dean shall convene an ad hoc Post-Doctoral Fellow Appeals Committee to consider the fellow’s grievance.

6) The Post-Doctoral Fellow Appeals Committee shall consist of six members: three selected from the faculty and three selected from among the post-doctoral fellows in the College where the post-doctoral fellow is assigned. The Dean of the College shall appoint the membership. The Assistant/Associate Dean shall serve ex officio.

**Charge:** The Committee may hear an appeal by a post-doctoral fellow who, (1) thinks he or she has been unfairly evaluated by a program or that his or her rights as a fellow have been abrogated, and (2) has been unable to resolve the matter in conference with the program director and the Assistant/Associate Dean. While the responsibility for evaluations rests with the program, the primary responsibility of the Committee is to mediate disputes which have not been satisfactorily resolved at the program level in order to protect both post-doctoral fellows and faculty from arbitrary and capricious decisions.

7) The Post-Doctoral Fellows Appeals Committee shall hear the grievance. The Committee shall determine the procedure and conduct of the hearing incorporating the basic principles of due process. The post-doctoral fellow may bring any person(s) whom he or she thinks will be able to contribute to his or her presentation to the Committee, and may be advised at his or her own expense by legal counsel, if desired. The post-doctoral fellow must notify the Committee Chairman at least seven days before the hearing if legal counsel will be present. If the post-doctoral fellow is accompanied by legal counsel at the hearing or at any steps where the post-doctoral fellow and a University official meet, University Legal Counsel shall also be present. Neither counsel for the post-doctoral fellow nor for the University may directly address the Committee in any hearing except in answer to a specific question by a committee member. The Post-Doctoral Fellow Appeals Committee hearing will be recorded.

8) The Committee will render a written report containing findings of fact and recommendations regarding the dispute in question to the Dean for his consideration.

9) The Dean of the College shall review the hearing proceedings and the report of the appeals committee and render a final decision regarding the grievance and take appropriate action. Any post-doctoral fellow about whom the Committee makes an adverse recommendation to the Dean will have the opportunity to talk with the Dean before the Dean makes a final decision.

(Regents, 12-4-92, 12-3-02, 6-25-08)

### 3.24 FACULTY PARTICIPATION IN COMMENCEMENT

Graduates at the Health Sciences Center from the Allied Health, Graduate, Nursing, and Public Health Colleges and the Dental Hygiene and Physician Associate programs participate in the commencement on the Norman campus held in early May. Separate commencement ceremonies are held for professional programs in the Colleges of Medicine, Dentistry, and Pharmacy.
It is the responsibility of all faculty members to participate in the commencement involving their programs.

3.25 SCHOLARLY AND PROFESSIONAL ORGANIZATIONS

There are active chapters of numerous scholarly and professional organizations at the University. Information on current activity can be obtained from the offices of the deans.

3.26 CANDIDACY FOR POLITICAL OFFICE

Any employee of the University who becomes a candidate in any primary or general election for any county, state or federal office shall, prior to announcing candidacy for any said offices, offer his/her resignation to the Board of Regents, without reservation (See Section 3.4.2 (d)).

In making the announcement of the adoption of the resolution, the Board of Regents stated: “In adopting this resolution, the Board of Regents does not want to be understood as offering discouragement to faculty members or employees from becoming candidates for public office. As an American citizen, an employee may regard it his or her duty to become a candidate.”

(Regents, 9-14-43, 1-27-04)

3.27 PROFESSIONAL PRACTICE PLANS

All colleges on the Health Sciences Center campus have Professional Practice Plans in effect. Faculty are obligated to comply with the Plan of their college.

Copies of Professional Practice Plans are included for each college in Appendix M.

Each college plan stipulates procedures and processes related to time restrictions, deposit and disbursement requirements and restrictions, governance structure, etc.

3.28 ETHICS IN RESEARCH POLICY

(a) Introduction

Research and other scholarly activity at The University of Oklahoma must be above reproach. Each member of the University community has the responsibility to ensure the integrity and ethical standards in any activity with which he or she is associated directly, or any activity of which there is sufficient knowledge to determine its appropriateness. Misconduct in the conduct of research undermines the scholarly enterprise and erodes the public trust in the University community to conduct research and communicate results using the highest standards and ethical practices. The University of Oklahoma is responsible both for promoting scholarly practices that prevent misconduct and for developing policies and procedures for dealing with allegations or other evidence of scholarly or research misconduct.

This policy establishes uniform policies and procedures for investigating and reporting instances of alleged or apparent misconduct involving research, including, but not limited to, research or research training, applications for support of research or research training, or related research
activities that are supported with funds made available under the Public Health Service Act. The policies and procedures outlined below apply to faculty, staff and students. They are not intended to address all scholarly issues of an ethical nature. For example, discrimination and affirmative action issues are covered by other institutional policies.

(b) Definition of Scholarly Misconduct

Scholarly misconduct involves any form of behavior which entails an act of deception whereby one’s work or the work of others is misrepresented. Other terms, such as research fraud, are here subsumed within the term "scholarly misconduct" as defined below. The term scholarly misconduct will be used to encompass scientific as well as other types of scholarly misconduct. Scholarly misconduct is distinguished from honest errors and ambiguities of interpretation that are inherent in the scholarly process. Further, scholarly misconduct involves significant and intentional breaches of integrity which may take numerous forms such as, but not limited to, those outlined below:

(b)(1) Falsification of data ranging from fabrication to deceptive selected reporting of findings and omission of conflicting data.

(b)(2) Plagiarism and other improper assignment of credit, such as excluding others or claiming the work of others as one’s own; presentation of the same material as original in more than one publication; inclusion of individuals as authors who have not made a definite contribution to the work published; and submission of multi-authored publications without the concurrence of all authors.

(b)(3) Improper use of information gained by privileged access, such as through service on peer review panels, editorial boards or policy boards of research funding organizations.

(b)(4) Serious deviation from the scientific method accepted in proposing or carrying out research, deliberate manipulations or improper reporting of results.

(b)(5) Material failure to comply with federal, state or institutional rules governing research: Including, but not limited to, serious or substantial violations involving the use of funds, care of animals, protection of human subjects, or use of investigational drugs, recombinant products, new devices, or radioactive, biological and/or chemical materials.

(b)(6) Inappropriate behavior in relation to misconduct: Including inappropriate accusations of misconduct; failure to report known or suspected misconduct; withholding or destruction of information relevant to a claim of misconduct; and retaliation against persons involved in the allegation or investigation of misconduct.

(c) Process for Handling Allegations of Scholarly Misconduct (also see page 3-67)

(c)(1) Initiation of an allegation of misconduct. Initial allegations or evidence may be reported to any faculty member or administrator, who must then report the allegations to the Senior Vice President and Provost and to the Vice President for Research. If the person to whom the report would normally be given is involved in some way in the misconduct, the next higher academic officer should be informed. The Provost or Vice President for Research shall take interim administrative actions, as appropriate, to protect Federal funds and
insure that the purposes of the Federal financial assistance are carried out during the inquiry and investigation stages.

The Provost or Vice President for Research shall informally review any allegations of scholarly misconduct, confer with the dean of the college in which the allegation is alleged to have occurred and Legal Counsel and determine whether the allegation warrants initiation of the inquiry process according to the policies and procedures for scholarly misconduct or whether other University policies or procedures should take precedence.

The Provost or Vice President for Research will counsel the individual(s) making the allegation, as to the policies and procedures to be used. If the reporting individual chooses not to make a formal allegation but the Provost or Vice President for Research believes an inquiry is warranted, an inquiry shall be initiated. The institution will pursue an allegation of misconduct to its conclusion, even if the person against whom the allegation is made (hereinafter referred to as the “Respondent”) leaves or has left the institution before the case is resolved.

(c)(2) Inquiry

(a) The first step of the review process is an inquiry which has as its purpose fact finding in an expeditious manner to help determine if an allegation is deserving of further formal investigation, and if formal investigation is not warranted, to make recommendations concerning the disposition of the case.

(b) An Inquiry Committee composed of no fewer than three tenured faculty with no real or apparent conflict of interest, with no appointment in the department of either the individual(s) making the allegation or the Respondent, with appropriate expertise for evaluating information relevant to the cases shall be appointed by the Provost or Vice President for Research within fifteen days after receipt of an allegation.

(c) The Provost or Vice President for Research shall notify the Respondent, in writing, of the allegations and the procedures which will be used to examine the allegations. The Respondent will be informed of the proposed membership of the Inquiry Committee to identify in advance any bias or conflict of interest.

(d) Where the individual(s) making the allegation seeks anonymity, the Inquiry Committee shall operate in such a way as to maintain the anonymity to the degree compatible with accomplishing the fact-finding purpose of the inquiry. Such anonymity cannot, however, be assured. Further, this anonymity may be neither desirable nor appropriate where individual(s) testimony is important to the substantiation of the allegations.

(e) Information, expert opinions, records, and other pertinent data may be requested by the Inquiry Committee. All involved individuals are obligated to cooperate with this committee by supplying such requested documents and information. Uncooperative behavior may result in immediate implementation of a formal investigation or institutional sanctions.

(f) All material will be considered confidential and shared only with those with a need to know. The Provost or Vice President for Research and the members of the Inquiry Committee are responsible for the security of relevant documents.
(g) In order to gather evidence, whenever possible, the Inquiry Committee will conduct interviews of all individuals possessing relevant information but in particular the Respondent and the individual(s) making the allegation.

(h) All individuals may have the assistance of personal legal counsel at their expense at both the inquiry and investigative stages; however, principals are expected to speak for themselves at the interviews.

(i) The review by the Inquiry Committee should be completed and a written report filed within sixty days of written notification to the Respondent that an Inquiry Committee is being named. The written report shall contain what evidence was reviewed, summarize relevant interviews and include the conclusions of the Inquiry Committee. If this deadline cannot be met, a request for extension and a report of reasons and progress to date, together with the anticipated time frame, should be filed with the Provost and the Vice President for Research and all individuals with a need to know should be informed.

(j) The written report of the Inquiry Committee will be conveyed to the Provost or the Vice President for Research, who shall give a copy of the written report of inquiry to the Respondent. The Respondent shall be given the opportunity (ten working days) to comment in writing upon the findings and recommendations of the Inquiry Committee. These comments may be made part of the record.

(k) If, after reviewing the outcome of the inquiry, the Vice President for Research, in consultation with the Provost determines the need for a formal investigation, the Provost or Vice President for Research will initiate that action within fifteen days by appointment of a Committee of Investigation, and by immediately notifying, among others with a need to know, the Director of the Office of Research Integrity, if appropriate, and the funding source, if any, that an investigation is being undertaken. This notification is expected to occur within twenty-four hours of the determination of the need for a formal investigation. Under certain circumstances, the institution may be expected to notify the sponsoring agency or funding source at a point prior to the initiation of an investigation. Factors used in determining the timing of such notification include the seriousness of the possible misconduct, the presence of an immediate health hazard, consideration of the interests of the funding agency, the scientific community, the public, and the individual who is the subject of the inquiry or investigation and his/her associates.

(l) If, after reviewing the outcome of an inquiry, the Provost or Vice President for Research determines that a formal investigation is unwarranted, or if the inquiry is terminated for any reason, the Provost or Vice President for Research shall notify all involved individuals and make diligent efforts to restore the reputations of persons alleged to have engaged in misconduct when allegations are not confirmed, shall also undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, have made allegations of scientific misconduct and shall send a report to the Office of Research Integrity stating the intent to terminate the procedure without an investigation and including a description of the reason for such termination. If the Inquiry Committee finds the allegations not to have been brought in good faith, sanctions may be recommended against the individual(s) making the allegation.
Records of the inquiry are confidential to the maximum extent possible and are to be passed on to Committee of Investigation only if a formal review is initiated. The records of inquiry shall contain sufficiently detailed documentation of the inquiry to permit a later assessment of the reasons for determining that an investigation was not warranted, if necessary. If a formal review is not initiated, the records shall be kept by the Provost or Vice President for Research for at least three years after completion of the inquiry and shall, upon request, be provided to authorized Department of Health and Human Services personnel.

Investigation

(a) The Provost or Vice President for Research shall appoint a Committee of Investigation of no fewer than three senior faculty who are without conflict of interest, hold no appointment in the departments of either the individuals making the allegation or Respondent, and have appropriate expertise for evaluating the information relevant to the case. Preferably, at least one member should not be associated with the institution.

(b) The Provost or Vice President for Research shall notify the Respondent, in writing, that there will be an investigation and of the procedures to be used during the investigation. The Respondent will be informed of the proposed membership of the Committee of Investigation to identify any bias or conflict of interest.

(c) The purpose of the Committee of Investigation is to explore further the allegation and to determine whether serious scholarly misconduct has been committed, and, if so, the extent of the misconduct. The investigation normally will include examination of all documentation, including but not necessarily limited to relevant research data and proposals, publications, correspondence and memoranda of telephone calls. Interviews should be conducted of all individuals involved including the Respondent and the individuals making the allegation, as well as other individuals who might have information regarding key aspects of the allegations. Respondent shall be given the opportunity to address the allegations and evidence at the interviews. Complete summaries of these interviews should be prepared, provided to the interviewed party for comment or revision and included in the investigatory file. The Committee of Investigation may request the involvement of outside experts. The investigation must be sufficiently thorough to permit the Committee of Investigation to reach a firm conclusion about the validity of the allegations and the scope of the wrongdoing or to be sure that further investigation will be unlikely to alter an inconclusive result. In the course of an investigation, additional information may emerge that may justify broadening the scope of the investigation beyond the initial allegation. Should this occur the Respondent is to be informed, in writing, of any significant new directions in the investigation. In addition to making a judgment on the veracity of the charges, the Committee of Investigation may recommend to the Provost or Vice President for Research appropriate sanctions.

(d) Interim administrative action prior to conclusion of either the inquiry or the investigation may be indicated as the institution is responsible for protecting the health and safety of research subjects, patients, students, staff, and Federal funds as well as the public interest. Such action may range from restriction on some activities to full suspension of
the Respondent. Notification of external sponsors and the Office of Research Integrity, if appropriate, should be initiated by the Provost.

(e) All individuals involved in the investigation are obligated to operate in timely fashion by producing any additional data requested for the investigation. Copies of all materials obtained by the Committee of Investigation shall be provided to the Respondent and to other concerned individuals as judged appropriate by the Committee of Investigation.

(f) The proceedings of the Committee of Investigation are confidential and will be closed. A tape recording of proceedings may be made.

(g) After the investigation has been completed, the Committee of Investigation shall deliberate, and prepare its findings and recommendations.

(h) All significant developments during the formal investigation as well as the interim and final findings and recommendations of the Committee of Investigation will be reported by the Provost or Vice President for Research, among others, to the research sponsor and the Office of Research Integrity, if appropriate.

(i) Every effort should be made to complete the investigation within 120 days; however, it is acknowledged that some cases may render this deadline difficult to meet. In such cases, the Committee of Investigation shall compile a progress report, identify reasons for the delay and request an extension from the Provost or Vice President for Research. The Provost or Vice President for Research shall convey to the funding or other relevant agency such information as may be required by it, at intervals as required by the agency.

(j) Upon completion of the investigation the Committee of Investigation shall submit to the Provost and Vice President for Research a full report which details the Committee of Investigation’s findings, recommendations and the documentation to substantiate the investigation’s findings. This report shall be sent to the Respondent by the Provost or Vice President for Research. The Respondent shall be given twenty working days to comment in writing on the allegations, evidence findings and recommendations of the Committee of Investigation. The Provost shall then make the decision regarding application of sanctions based on all the information received and shall so inform the Respondent in writing of the sanctions and the appeal process. If the sanctions involve the recommendation for termination of employment, the academic termination procedures of the University will be invoked.

(k) When appropriate, the Provost will submit the final report of the investigation to the Director of the Office of Research Integrity and the funding agency. In cases involving a recommendation for severe sanctions, the notification will state “these sanctions are being recommended and, following University policy, appropriate procedures to appeal the case will be initiated.” On occasion they may require a request for an extension. At the conclusion of the University process, the final report will be submitted. The final report must describe the policies and procedures under which the investigation was conducted, how and from whom information was obtained relevant to the investigation, the findings and the basis for the findings and include the actual text or accurate summary of the views of any individual(s) found to have engaged in misconduct, as well as a description of any sanctions taken by the University.
If the formal investigation is terminated for any reasons without completing all the requirements for an investigation, the Provost shall send a report to the Office of Research Integrity stating the intent to terminate the investigation, including a description of the reasons for such termination.

(c)(4) Resolution

(a) Finding of absence of scholarly misconduct. All research sponsors and others initially informed of the investigation shall be informed in writing that allegations of misconduct were not supported. If the allegations are deemed to have not been made in good faith, appropriate disciplinary action should be taken against the individuals making the allegation. If the allegations, however incorrect, are deemed to have been made in good faith, no disciplinary measures are indicated and an effort should be made to prevent retaliatory actions. In publicizing the findings of no misconduct, the institution should be guided by whether public announcements will be harmful or beneficial in restoring any reputations that may have been lost. Usually, such decisions should rest with the person who was wrongfully accused. Diligent efforts, as appropriate, should be undertaken to restore the reputations of persons alleged to have engaged in misconduct when allegations are not confirmed and to protect the positions and reputations of those persons who, in good faith, make allegations.

(b) Findings of scholarly misconduct. The Provost is responsible for notification of all federal agencies, sponsors, or other entities initially informed of the investigation of the finding of scholarly misconduct. The institution should take action appropriate for the seriousness of the misconduct, including but not limited to the following:

1. **Notification**: Consideration should be given to formal notification of the following, among other appropriate entities:
   - Sponsoring agencies, funding sources
   - Co-authors, co-investigators, collaborators
   - Department, School, or Institution
   - Editors in journals in which fraudulent research was published
   - Editors of other journals or publications, other institutions, other sponsoring agencies, and funding sources with which the individual has been affiliated
   - State professional licensing boards
   - Notification of professional societies

2. **Institutional Disciplinary Action** including, but not limited to the following:
   - Removal from particular project
   - Special monitoring of future work
   - Letter of reprimand
   - Probation for a specified period with conditions specified
   - Suspension of rights and responsibilities for a specified period, with or without salary
   - Termination of employment
(c) Appeal

Individuals may appeal the judgment of the Committee of Investigation and/or the sanction. A written statement of the grounds for the appeal must be submitted to the President within thirty days of written notification of the results of the investigation. Grounds for appeal include, but are not limited to, new previously unconsidered evidence which was not available earlier, sanctions not in keeping with the findings, conflict of interest not previously known among those involved in the investigation, or other lapses in due processes. Upon receipt of a written appeal, the President will evaluate the evidence and make a determination. At the President’s discretion, the investigation may be reopened. The President’s decision will be binding on all parties and will be conveyed to all involved in a timely fashion. In case of termination of employment, the decision may be appealed according to University regulations.

(Regents, 6-25-97, 6-25-08)
SCHOLARLY MISCONDUCT PROCEDURES

Initiation of allegation to faculty member or administrator

Report allegation to Senior Vice President and Provost (SVP) and Vice President for Research (VPR)

VPR will review allegations and consult with College Dean and Legal Counsel to determine if further inquiry is warranted

If further inquiry is not necessary then the process will cease

If it is determined that an inquiry is warranted the VPR will appoint an Inquiry Committee that avoids conflicts of interest

Inquiry Committee will investigate and evaluate the allegation and submit a written report to the VPR within 60 days

VPR will transmit written report to Respondent for any comment on the finding – Respondent must provide written comments within 10 days

SVP in consultation with the VPR will review the report of the Inquiry Committee and the comments from the Respondent to determine if there is a need for a formal investigation

If formal investigation is not warranted the SVP will notify all involved parties of the outcome and the absolution of all allegations

If formal investigation is required, the SVP will notify appropriate federal agencies, sponsors or other entities of the allegation and the process by which it is being handled

SVP will appoint a Committee of Investigation (COI) that avoids any conflicts of interest

COI will conduct a detailed formal investigation and prepare report of findings and recommendations within 120 days

SVP will transmit written report to Respondent for any comment on the findings – Respondent must provide written comments within 20 days

SVP will review the report and recommendations of the COI and the comments from the Respondent to make a final decision regarding the allegation and the actions that will be taken

If resulting decision absolves Respondent then the Provost will notify all parties that the allegations of misconduct were not supported

If resulting decision finds scholarly misconduct then the Provost will notify all parties of the decision and take action on the appropriate institutional sanctions

Respondent may appeal decision to the President within 30 days who may reopen the investigation

This is intended to serve only as an outline of the procedures detailed in the Ethics in Research Policy in Section 3.28.
4. **STUDENT POLICIES AND SERVICES**

4.1 **STUDENT ADMISSION**

Policies and procedures as they relate to student admission may be obtained from the appropriate college or by contacting the Office of Admissions and Records.

4.2 **STUDENT ENROLLMENT**

Policies and procedures as they relate to student registration, adding/dropping courses, and student withdrawals may be obtained from the current *Student Handbook* or by contacting the Office of Admissions and Records.

4.3 **ENROLLMENT TO AUDIT COURSES**

Auditing a class is permitted in all courses, subject to approval of the instructor and the dean of the college in which the course(s) is offered. Enrollment exclusively as an auditor requires one to meet the University's and or program's minimum admission requirements. Enrollment to audit must be completed by the last day of enrollment in any term. Further information may be obtained from the *Student Handbook* or by contacting the Office of Admissions and Records.

4.4 **ENROLLMENT AS A SPECIAL STUDENT**

Any person who is admissible to the University of Oklahoma and who wishes to take courses without the intention of pursuing a degree may do so under the classification of Special Student. For additional information on procedures and policies, contact the Office of Admissions and Records.

4.5 **ENROLLMENT AS AN UNCLASSIFIED GRADUATE STUDENT**

A student in an unclassified status is not a candidate for a degree, nor does unclassified status offer assurance of further admission to a degree program. Persons who have earned a baccalaureate degree or the equivalent with at least a 3.00 grade point average over the last 60 hours of graded undergraduate work, or a 3.00 grade point average on 12 hours or more of graduate work, or certification of award of a graduate or professional doctoral degree from an accredited college or university may be admitted to the Graduate College in unclassified status.

Further information may be obtained from the Office of Admissions and Records or the Graduate College.

4.6 **HEALTH SCIENCES CENTER STUDENT ENROLLMENT IN NORMAN CAMPUS COURSES**

OUHSC students desiring to enroll in courses on the Norman campus must receive permission from their HSC college. Norman campus courses will be listed on the HSC student's transcript. For further information, contact the HSC Office of Admissions and Records at 271-2359.
4.7 **NORMAN CAMPUS STUDENTS ENROLLING IN HEALTH SCIENCES CENTER COURSES**

Norman campus students desiring to enroll in courses on the Health Sciences Center campus must secure special permission from the HSC instructor before beginning the enrollment process and should do so in the Norman campus Office of Admissions and Records at 325-4308.

4.8 **OTHER ENROLLMENT OPPORTUNITIES**

Information on independent study through correspondence, courses taught off-campus, and intersession courses may be obtained from a current class schedule or by contacting the Office of Admissions and Records.

4.9 **FULL-TIME STUDENTS**

To be considered full-time, an undergraduate student must be enrolled in at least six hours in a summer session and at least twelve hours in a fall or spring semester.

Full-time enrollment for graduate students is nine semester hours during each of the fall and spring semesters and four semester hours during the summer sessions. A graduate assistant holding a 0.50 FTE appointment will be required to enroll in at least five hours during each of the fall and spring semesters and at least two hours for summer sessions to be classified as a full-time graduate student. Students may not carry more than sixteen hours per semester for graduate credit or more than nine semester hours per summer session without the permission of the Graduate Dean.

Many professional programs, i.e., dental, medical, physician assistant or associate, and pharmacy, require students to be enrolled full-time. In the event the students are required to repeat one or more courses, the enrollment status will be determined on a percentage basis. Students should contact their colleges for full-time requirements.

4.10 **GRADING SYSTEM AND REPORTING OF GRADES**

Grade reports at the end of a semester or a summer term must be filed with the Office of Admissions and Records no later than the date specified in the call for grades. It is especially important that final grade reports for degree candidates be filed 96 hours after the last day of classes, so records may be cleared and diplomas may be issued.

4.11 **FINAL EXAMINATIONS**

A final examination schedule is printed each semester and published on the Admissions and Records website. It is important to note that faculty are not permitted to deviate from the printed final examination schedule without permission from the dean and the Vice Provost for Academic Affairs.
4.12 CLASS ATTENDANCE

Only those students who are officially enrolled (either for credit or audit) and have paid the required tuition/fees may attend class. The individual instructor is responsible for communicating the specific policy concerning attendance requirements.

4.13 RESIDENT STATUS

Students who are not residents of Oklahoma must pay non-resident tuition in addition to other fees. Members of the armed forces stationed in Oklahoma and their dependents are ordinarily eligible for in-state tuition rates.

It is the responsibility of each applicant to submit any question about resident status to the Office of Admissions and Records for a decision. The Oklahoma State Regents for Higher Education policy governs concerning resident status for all state-supported institutions of higher education in Oklahoma. This policy may be found online at: http://www.okhighered.org/. An information sheet to determine residency may also be obtained from the Office of Admissions and Records.

4.14 WAIVER OF FEES

No student fee, resident or non-resident, may be assessed or waived unless by general policy or by specific authorization of the Oklahoma State Regents for Higher Education. Further information may be obtained from the Vice Provost for Academic Affairs.

4.15 TUITION WAIVER FOR GRADUATE ASSISTANTS

Graduate students with at least a .50 FTE graduate assistantship are eligible for tuition waivers irrespective of Oklahoma residency status. Graduate assistants involved in teaching must be proficient in both oral and written English. The ability to communicate course material effectively in understandable English is required of all graduate teaching assistants awarded these waivers. Scholarships awarded to graduate students meeting the above criteria shall not be subject to the limit of three percent of the Educational and General Budget – Part I.

(State Regents' Policies and Procedures, Adopted 4-29-68, revised 12-17-90, 5-31-96)

4.16 ACADEMIC APPEALS BOARDS

All academic appeals must be handled according to the following process: (see also page 4-5)

The responsibility for academic evaluations of students rests with the faculty. If a student feels he or she has received a prejudiced or capricious evaluation by an instructor, and if he or she is unable to resolve the matter in conference with the instructor or the departmental chair, an appeal may be made to the appeals Board of the college offering the course. Any thesis, dissertation, or comprehensive exam appeals shall be heard by the Graduate College Appeals Board.

In each college of the University, there shall be established an Academic Appeals Board consisting of an equal number of students and faculty. Faculty members of the board will be chosen by the faculty of the college for a term determined by the faculty. Student members of the Board will be
appointed for a term of one year by the dean of the college upon recommendations from the college student association president.

(a) It shall be the primary function of a Board to adjudicate disputes which have not been satisfactorily resolved at the department level.

(b) A Board will hear a case only after a student has notified an instructor of a dispute over an academic evaluation and after the student has made an unsuccessful attempt to resolve differences with the instructor, if necessary in consultation with the departmental chair or appropriate departmental official. In cases of an evaluation made known to a student during the term, the student must notify an instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than 15 business days after the results of the evaluation are made known to the student. In cases of end-of-term evaluations, a student must notify an instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than February 15 for the previous fall semester or winter intersession; and no later than September 15 in cases of end-of-term evaluations for the previous spring semester, spring intersession, or summer term.

If a student fails to notify an instructor or fails to attempt resolution within the appropriate time limit, the Board shall deny any request for a hearing on the claim unless, in the view of the Board, the student has been prevented from complying with the appropriate time limit (as, for example, in the case of a student being called into military service).

(c) The filing of a written request for a hearing on a claim before the appropriate Academic Appeals Board shall be within 10 business days following the day when the attempts at resolution in paragraph (b) above are completed. The Board shall deny any request for a hearing on a claim that does not meet this deadline unless, in the view of the Board, exceptional circumstances exist whereby the student is prevented from filing the claim. Furthermore, if in the judgment of the Board, the case is deemed to be without merit or already has been satisfactorily resolved in the department, the Board may refuse the student a hearing.

(d) Each Board shall be given the responsibility of establishing its own rules of procedure. Such rules as it establishes must be consistent with the full protection of the rights of all parties involved.

(e) Meetings of a Board may be closed to the public.

(f) Decisions of the board shall be communicated in writing to the Board’s dean, the student’s dean, the student, and the instructor.

(g) If a Board fails to achieve a settlement mutually satisfactory to the parties involved, it will recommend a means of settling the dispute to the executive committee (or comparable body) of the college, where final disposition of the case will be made.

(Regents, 6-19-96, 1-26-99, 12-3-02, 6-25-08)
STUDENT ACADEMIC APPEALS PROCESS

(Section 4.16)

Cases only heard if student cannot resolve difference with faculty or department

TIMEFRAME OF RESOLUTION
End-of-fall semester evaluations – February 15
End-of-spring/summer semester evaluations – September 15
All other evaluations – within 15 days that student is notified of

NO RESOLUTION
The student can request a hearing

Request for Hearing must be within 10 days from the attempt to resolve with faculty

Academic Appeals Board (AAB) process is specific for each college

If AAB cannot arrive at satisfactory settlement then the case will be referred to the college executive committee or the equivalent for resolution

* All days are University business days unless otherwise specified.
This represents an outline of the process. For the specific details and steps, please refer to Section 4.16

4.17 ACADEMIC INTEGRITY

Academic Integrity means honesty and responsibility in scholarship. The basic assumptions regarding student academic work at the University of Oklahoma are:

(a) Students attend the University of Oklahoma in order to learn and grow intellectually.

(b) Academic assignments exist for the sake of this goal and grades exist to show how fully the goal is attained.

(c) A student’s academic work and grades should result from the student’s own effort to learn and grow. Academic work completed any other way is pointless, and grades obtained any other way are fraudulent.

Academic integrity means understanding and respecting these basic truths, without which no University can exist. Academic misconduct violates the assumptions at the heart of all learning. It destroys the mutual trust and respect that should exist between student and professor. Academic misconduct is unfair to students who earn their grades honestly.

(Regents, 12-3-02)

4.18 ACADEMIC MISCONDUCT CODE

The Academic Misconduct Code describes academic misconduct as including cheating, plagiarism, fabrication, fraud, destruction, bribery or intimidation; assisting others in any act proscribed by this Code; or attempting to engage in such acts. The policy and procedures regarding dishonest work and definitions of each type of academic misconduct as noted above are detailed in the Academic Misconduct Code (Appendix C).
It is the responsibility of each faculty member and each student to be familiar with the definitions, policies, and procedures concerning academic misconduct as cited in Appendix C. (Regents, 1-26-99, 12-3-02, 6-25-08)

4.19 COMPLETION OF ACADEMIC WORK FOR OTHERS

A staff or faculty member who writes, compiles, or otherwise completes academic work for use by or sale to students of the University shall be discharged from employment. Any student who writes, compiles or otherwise completes academic work for sale to or use by students of the University or any student who sells or uses a commercial term paper to complete academic assignments is subject to the Academic Misconduct Code. (Regents, 12-3-02)

4.20 ETHICS IN RESEARCH

Students are governed by the Policy on Ethics in Research (Section 3.28)

4.21 INTELLECTUAL PROPERTY POLICY

The terms of the Intellectual Property Policy are a part of any contractual relationship of the University with any member of the faculty, staff, or student body. The policy, as amended from time to time, shall be deemed to be a part of the conditions of enrollment and attendance at the University by all students engaged in research using University resources and facilities (Appendix D).

4.22 DISCRIMINATION POLICY

The University has a policy of internal adjudication in matters relating to alleged discrimination. Any faculty member, staff member, or student, including without restriction, those on temporary or part-time status, who believes that he or she has been discriminated or retaliated against should file a complaint under the Grievance Procedure for Equal Opportunity.

Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of discrimination and/or harassment will be treated as a separate and distinct violation of this policy. (Regents, 7-22-81, 9-17-81, 9-9-82, 9-27-95, 1-14-97, 1-27-04)

4.23 OFFICE OF EQUAL OPPORTUNITY

The University of Oklahoma Health Sciences Center is committed to a policy of non-discrimination in the admission and education of students. The Office of Equal Opportunity monitors policies, procedures, and programs to ensure they are developed and carried out in a manner which does not unlawfully discriminate on the basis of race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran. Among areas monitored are student admission and retention, financial aid policies, and the provision of support services. The Office of Equal Opportunity is located in the Service Center Building, Room 113.
4.24 RELEASE OF STUDENT INFORMATION AND ACCESS TO STUDENT RECORDS

Family Educational Rights and Privacy Act Policy Release of Student Information and Access to Student Record Information about students and former students gathered by the University of Oklahoma is of two types: (1) directory and (2) confidential. Any office gathering such information and/or having custody of it shall release it only in accordance with this policy. When a student enters a university and furnishes data required for academic and personal records, there is an implicit and justifiable assumption of trust placed in the University as custodian of such information. This relationship continues with regard to any data subsequently generated during the student’s enrollment. While the University fully acknowledges the student’s rights of privacy concerning this information, it also recognizes that certain information is part of the public record and may be released for legitimate purposes. With these considerations in mind, the University of Oklahoma adopts the following policy concerning the release of information contained in student records:

Directory Information:

This is information which routinely appears in student directories and alumni publications and may be freely released. Upon written request by the student, directory information will be treated as confidential and released only with the student’s consent. Students may at any time request that directory information be treated as confidential and released only with their consent. Students should contact the Registrar at their specific campus location for the appropriate forms. Students should be advised that by withholding directory information, University officials are prohibited from releasing any form of information without their consent, or as permitted or required by law. This means the status of students who apply for an auto loan, good student discount, or apartment lease, employment verifications, enrollment verification, loan deferments, etc., will only be verified by University officials when accompanied by a release from the student.

Directory information includes the following:

The University of Oklahoma, in compliance with the Family Educational Rights and Privacy Act (FERPA), has designated specific information as Directory Information:

- Name
- Address (home, permanent home and email addresses)
- Telephone number
- Permanent address and/or parents’ names, phone numbers and addresses
- Major field of study
- Class year
- Enrollment status
- Anticipated degree date
- Participation in officially recognized University activities
- Date and place of birth
- Photograph
- Degrees and awards received (including outstanding or recognized academic achievement)
- Most recent previous educational institution attended
Although not specifically included within the definition of directory information, the University permits faculty to post individual student grades and interim class evaluations provided the information is identified by code numbers and does not identify the student. Students who do not want this information released or posted must notify their instructor or the Registrar’s office.

Confidential Information:

This is all other information contained in the student's educational record that can be released only upon the written consent of the student, with the following exceptions defined in the Family Educational Rights and Privacy Act of 1974, as amended, which waive prior student consent.

4.24.1 Disclosure of Education Records

(a) To school officials who have a legitimate educational interest in the records. School officials are defined as follows:

- A person employed by the University in an administrative, supervisory, academic or research, or support staff position, including health or medical staff.
- A person appointed to the Board of Regents.
- A person employed by or under contract to the University to perform a special task, such as the attorney or auditor.
- A person who is employed by the University law enforcement unit.
- A student serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another school official in performing his/her tasks

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or contract agreement
- Performing a task related to a student's education
- Performing a task related to the discipline of a student
- Providing a service or benefit relating to the student or student’s family, such as health care, counseling, job placement, scholarship, or financial aid
- Maintaining the safety and security of the campus

(a) To officials of another school, upon request, in which a student seeks or intends to enroll. Records will be forwarded upon request of the school official.

(b) To certain officials of the Department of Education, the Comptroller General, and State and local educational authorities, in connection with audit or evaluation of certain State or federally supported education programs.

(c) In connection with a student's request for or receipt of financial aid to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.

(d) To State and local officials or authorities if specifically required by a State law that was adopted before November 19, 1974.

(e) To organizations conducting certain studies for or on behalf of the University.
(f) To accrediting organizations to carry out their functions.

(g) To parents of an eligible student who is claimed as a dependent for income tax purposes. (Proof of dependency is required). Parents of international students are excluded. International students sign a 1-20 granting specific agencies access to educational records.

(h) To comply with a judicial order or a lawfully issued subpoena, provided that the educational institution makes a reasonable effort to notify the student of such prior to compliance.

(i) To appropriate parties in a health or safety emergency.

(j) To individuals requesting directory information so designated by the University.

(k) To notify the alleged victim of the results of any disciplinary proceeding conducted by the University against an alleged perpetrator of a crime of violence.

Confidential information shall be transferred to a third party, however, only on the condition that such party will not permit any other party to have access to the information without the written consent of the student.

4.24.2 Record of Requests for Disclosure

The Registrar maintains a record of all requests for and/or disclosures of information from a student’s education records. The record indicates the name of the party making the request, any additional party to whom it may be disclosed, and the legitimate interest the party has in requesting or obtaining the information. The record may be reviewed by the eligible student.

When a student signs a release authorizing another party access to his or her educational record, that signed release, including identification of the individual and organization to which access has been authorized and the use of the data gathered, is maintained by the Registrar. Student requests for copies of their own educational records (such as transcripts) are also retained by the Registrar simply as a record of the request having been completed.

4.24.3 Procedures to Inspect Education Records

Students may inspect and review their education records upon request to the appropriate records custodian or appropriate University staff person. Refer to the section within this policy that defines the type of records along with the location and name of the custodian.

Student should submit to the records custodian or an appropriate University staff person a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The records custodian or an appropriate University staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the date of receipt of the request.

When a record contains information about more than one student, the student may inspect and review only the records which relate to him or her. Information that identifies the other student must be redacted.
4.24.4 Correction of Education Records

Students have the right to ask to have records corrected that they believe are inaccurate, misleading or in violation of their privacy rights. Following are the procedures for the correction of records:

1. A student must ask the appropriate University official of the University of Oklahoma to amend a record. (Type of records, location and custodians are listed later in this policy). In so doing, the student should identify the part of the record to be amended and specify why the student believes it is inaccurate, misleading, or in violation of his or her privacy rights.

2. The University may comply with the request or it may decide not to comply. If it decides not to comply, the University will notify the student of the decision and advise the student of his or her right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student’s privacy rights.

3. Upon request, the University will arrange for hearing and notify the student, reasonably in advance of the date, place and time of the hearing.

4. The hearing will be conducted by the Registrar Vice Provost for Academic Affairs. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student’s education records. The student may be assisted by one or more individuals, including an attorney retained at his or her expense. The University may be represented by University Legal Counsel.

5. The University will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.

6. If the University decides that the information in the student’s record is inaccurate, misleading, or in violation of the student’s right of privacy, it will amend the record and notify the student, in writing, that the record has been amended.

7. If the University decides that the challenged information is not inaccurate, misleading, or in violation of the student’s right of privacy, it will notify the student that he or she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

8. The statement from the student will be maintained as a part of the student’s education records as long as the contested portion is maintained. If the University discloses the contested portion of the record, it must also disclose the student’s statement.

4.24.5 Limitations on Right of Access

The University reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student’s parents.
2. Letters and statements of recommendation for which the student has waived his or her rights of access, or which were maintained before January 1, 1975.

3. Records related to an application to attend the University of Oklahoma or a component unit or campus of the University if that application was denied.

4. Those records which are excluded from the FERPA definition of education records.

4.24.6 Refusal to Provide Copies

The University has a policy which denies students copies of their educational records, including transcripts, under certain conditions. While the University cannot deny students access to their education records, students will be denied copies of those records in the following situations.

1. The student lives within commuting distance of the University of Oklahoma.
2. The student has an unpaid financial obligation to the University.
3. There is an unresolved disciplinary action against the student.
4. The education record requested is an exam or set of standardized test questions.

4.24.7 Fees for Copies of Records

Educational records are copied at $1.00 per page. These fees are subject to change. Postage may be added if applicable. Transcript fees vary by campus. Consult the Registrar’s office at the appropriate campus location for fee information.

4.24.8 Parental Access to Student Academic Records

Parents of a dependent student may have access to grades and other confidential academic information under guidelines provided in the Family Educational Rights and Privacy Act of 1974. Access to this information is limited to parents who claim the student as an exemption on their federal tax return. Each request for parental access must include a copy of the top portion of the parent’s most recent tax return, showing the student’s name, social security number, and dependent status.

Requests for specific grade or other academic information can be addressed to the appropriate Registrar. Campus addresses are listed later in this policy.

4.25 OKLAHOMA OPEN RECORDS ACT

The University of Oklahoma follows the Oklahoma Records Act. The University of Oklahoma Board of Regents has approved a policy concerning the implementation of that act at the University. For information concerning that policy, contact the Norman campus Office of Legal Counsel or HSC Associate Vice President for Health Sciences.
4.26 E-MAIL

E-mail is an electronic form of memos, letters, or voice mail and should be used in the same manner as these three modes of communication. E-mail messages should not contain information that one would not want made public. See Acceptable Use Policy in Section 7.4.

4.27 HSC STUDENT AFFAIRS

HSC Student Affairs is dedicated to the support and enhancement of the academic mission of the University. The office provides programming and services to both current and prospective students. Programming is structured to complement the student’s academic experience, celebrate the rich diversity of the campus, provide opportunities to develop leadership skills and participate in community service, and offer an entertaining and safe social atmosphere. Services are offered to ensure the physical, emotional, and mental health of all students and provide guidance toward a career as a health care professional.

HSC Student Affairs is located in Suite 300 of the David L. Boren Student Union. To contact HSC Student Affairs please call (405) 271-2416 or email student-affairs@ouhsc.edu. For more information regarding HSC Student Affairs, please visit http://student-affairs.ouhsc.edu/.

4.28 STUDENT COUNSELING SERVICES

Student Counseling Services at the Health Sciences Center provides confidential individual, couples, group, and crisis counseling to HSC students. Services are included in their student fees. Testing and assessment services are also available for an additional fee. Outreach presentations and workshops on a variety of topics such as Study Skills, Stress Management, Test Anxiety, Relationship Workshops, are also available to students. In addition, presentations can also be given to faculty and staff on topics such as Recognizing and Assisting Distressed Students and Suicide Prevention/QPR training. Counseling services are available to students in the David L. Boren Student Union and in the Family Medicine Center. To schedule an appointment for counseling, testing, or an outreach presentation, please call (405) 271-7336 Monday through Friday 8 a.m. to 4 p.m. Appointments hours are 8 a.m. to 5 p.m. Monday through Friday with extended hours on various days of the week.

For more information on Student Counseling Services, visit http://student-affairs.ouhsc.edu/counseling/default.asp.

4.29 OFFICE OF FINANCIAL AID

Information on scholarships and financial aid may be obtained from the Office of Student Financial Services at (405) 271-2118 or by visiting the David L. Boren Student Union, Suite 301. For more information, please visit http://www.ouhsc.edu/sfs/.

4.30 STUDENT ORGANIZATION ADVISORS

Students are represented at the college level by their respective college student councils. Faculty or staff advisors for these student councils are recommended by the council and approved by the dean of the respective college. Students are represented at the campus level by the University of
Oklahoma Health Sciences Center (OUHSC) Student Association, whose membership is composed of representatives of the college student councils. The faculty or staff advisor for this organization is the Vice President for Student Affairs or his/her designee.

The advisor should attend the meetings of the organization; be active with the group in formulating and executing its policies and program activities, including social functions, in keeping with the purpose of the organization and the functions of the University; be aware of University policies and regulations concerning student organizations; and supervise the funds of the organization in accordance with the following regulations established by the Board of Regents.

Regulations of the Board of Regents make it mandatory for all student organizations to keep their accounts in the University. All state funds received by the organization must be deposited in its University account. All expenditures must be supported by written voucher and made by University check after approval of the faculty or staff advisor.

For more information regarding the process of student organization registration or for a complete listing of registered student organizations on campus, please visit http://students.ouhsc.edu/StudentOrganizations.asp.

**4.31 SERVICES FOR STUDENTS WITH A DISABILITY**

The University of Oklahoma will reasonably accommodate otherwise qualified individuals with a disability unless such accommodation would pose an undue hardship, would result in a fundamental alteration in the nature of the service, program, or activity, or in undue financial or administrative burdens. The term “reasonable accommodation” is used in its general sense in this policy to apply to employees, students, and visitors.

Reasonable accommodation may include, but is not limited to:

1. Making existing facilities readily accessible and usable by individuals with disabilities.
2. Job restricting
3. Part-time or modified work schedules
4. Reassignment to a vacant position if qualified
5. Acquisition of modification of equipment or devices
6. Adjustment or modification of examinations, training materials, or policies
7. Providing qualified readers or interpreters
8. Modifying policies, practices, and procedures

The Disability Resource Center, unless otherwise provided, is the central point-of-contact to receive all requests for reasonable accommodation and to receive all documentation required to determine disability status under law. This center will then make a recommendation on accommodation to the appropriate administrative unit. Reasonable accommodation with respect to employment matters should be coordinated with the Office of Human Resources. Reasonable accommodation with respect to academic matters, including, but not limited to faculty employment, should be coordinated with the Office of the Senior Vice President and Provost while all other issues of reasonable accommodation should be coordinated with the Office of the Vice President for Administrative Affairs.

Individuals who have complaints alleging discrimination based upon a disability may file them with
Individuals interested in additional information regarding the University’s Reasonable Accommodation Policy should visit the website for the Disability Resource Center at http://www.drc.ou.edu/.

**4.32 VETERANS SERVICES**

The Office of Admissions and Records provides certification of enrollment for students at the OUHSC who receive financial assistance through the Veterans Administration. Veterans enrolling at the Health Sciences Center or the first time are expected to complete the necessary paperwork at the Office of Admissions and Records.

**4.33 INTERNATIONAL STUDENT SERVICES**

The Office of Academic Affairs at the Health Sciences Center complies with immigration and federal laws governing the international students by providing necessary documents for admission, departure, and reentry to the United States; extension to stay; transfer to other colleges and universities; change of visa status, employment on and off campus; post-graduate applications for practical training; letters of certification for foreign exchange; etc.

International students are required to obtain health, hospitalization, and repatriation insurance while enrolled at the Health Sciences Center.

Further information may be found in the *Student Handbook* or by contacting the Office of Admissions and Records at (405) 271-2359.

HSC Student Affairs is dedicated to the support and success of International as well as all multicultural students. For more information regarding programming geared for International students, please visit http://student-affairs.ouhsc.edu/services/MultiCultural.asp.

**4.34 STUDENT HEALTH INSURANCE**

All students enrolled at the Health Sciences Center are required to have health insurance upon enrollment. Students may either purchase the Student Health Insurance offered through the University or show proof of coverage by an outside approved health insurance provider to their college student services office. At the beginning of each academic year, and periodically throughout the year, students may be asked to show proof of health insurance coverage. Students will have ten business days to provide proof of coverage after request for such is made. If not compliant within ten days, students may be suspended from classes and/or rotations until proof of coverage is provided. Additional information may be obtained by contacting the student services office within the individual’s college or HSC Student Affairs.

For more information, please visit http://students.ouhsc.edu/HealthServices.asp.
4.35 STUDENT HEALTH SERVICES

Health services for all Health Sciences Center campus students are offered in the Student Health Clinic housed in the Family Medicine Center, located at 900 NE 10th Street in Oklahoma City. A variety of medical services is provided. The Student Health Clinic serves as the repository for all mandatory health history forms.

Each student, at the time of registration for each semester, is charged a fee to defray the costs of these services, without regard to the number of hours for which he or she is enrolled. Students should contact their respective college student services office to obtain health history and immunization requirements.

For more information, please visit http://students.ouhsc.edu/HealthServices.asp.

4.36 UNIVERSITY HEALTH CLUB

The University Health Club (UHC) is available to all HSC students, residents, faculty and staff, and is housed in the Harold Hamm Diabetes Center located at 1000 N. Lincoln Blvd.

Fitness memberships are available for faculty, staff, and residents at a nominal fee. For information on memberships, fees, and hours of operation please contact the University Health Club at (405) 271-1650 or visit http://www.ouhsc.edu/uhc.

4.37 HUSTON HUFFMAN PHYSICAL FITNESS CENTER

HSC students interested in utilizing the Huston Huffman Recreational Center on the Norman campus may choose one of the following options: (1) pay a semester facility fee at the Center whereby the student’s identification card will be validated to allow full access, or (2) present a valid HSC identification card and pay a per-visit fee. The student has to have a valid HSC ID for either option and the fee must be paid at the Norman campus.

4.38 ENGLISH LANGUAGE PROFICIENCY

The Oklahoma State Legislature requires that all instructors now employed or being considered for employment at institutions within the Oklahoma State System of Higher Education shall be proficient in speaking the English language. Students having concerns with regard to an instructor’s English proficiency are to report their concerns to the Vice Provost for Academic Affairs.

4.39 HONORS PROGRAM

The OUHSC Honors Program offers academically superior students the opportunity to do undergraduate work in specially-designed courses that lead to a degree with Honors, High Honors, or Highest Honors. The educational opportunities include special sections, independent study and research, and interdisciplinary study. The aim of this program is to challenge academically superior students and to enable them to attain deeper understanding of and greater degree of commitment to their intellectual goals. In order to graduate with a degree with honors, students must satisfy requirements both of the college and of the department in which they are majoring.
Students who successfully complete all requirements of the Honors Program and who attain an overall grade average of at least 3.75 will be graduated with Highest Honors; those with overall grade averages of at least 3.50, but less than 3.75, will be graduated with High Honors; and those with overall grade averages of at least 3.25, but less than 3.50, will be graduated with Honors.
5. GENERAL POLICIES AND SERVICES

5.1 EQUAL OPPORTUNITY

This institution, in compliance with all applicable Federal and State laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, financial aid, and educational services.

(Regents, 3-24-70, amended 4-8-76, revised 7-12-77, amended 12-10-81, 1-27-93, 1-27-04)

5.2 SEXUAL HARASSMENT, SEXUAL ASSAULT, AND CONSENSUAL SEXUAL RELATIONSHIPS POLICIES

These policies, in their entirety, are contained in Appendices H and I. The grievance procedures and hearing procedures for these policies can be found in Section 3.22.2.

5.3 REASONABLE ACCOMMODATION POLICY

The University of Oklahoma will reasonably accommodate otherwise qualified individuals with a disability unless such accommodation would pose an undue hardship; would result in a fundamental alteration in the nature of the service, program, or activity, or would cause undue financial or administrative burdens. The term “reasonable accommodation” is used in its general sense in this policy to apply to employees, students, and visitors.

Reasonable accommodation may include, but is not limited to:

1. Making existing facilities readily accessible and usable by individuals with disabilities.
2. Job restructuring.
3. Part-time or modified work schedules.
4. Reassignment to a vacant position if qualified.
5. Acquisition or modification of equipment or devices.
6. Adjustment or modification of examinations, training materials or policies.
7. Providing qualified readers or interpreters.
8. Modifying policies, practices, and procedures.

The Disability Resource Center, unless otherwise provided, is the central point-of-contact to receive all requests for reasonable accommodation and to receive all documentation required to determine disability status under law. This center will then make a recommendation on accommodation to the appropriate administrative unit.

The student must self-identify as an individual with a disability and provide appropriate diagnostic information to the Disability Resource Center that substantiates the disability. All diagnostic information is confidential; therefore, memos can be sent only at the student’s request.

Reasonable accommodation with respect to employment matters should be coordinated with the Office of Human Resources and the disabled individual. Reasonable accommodation with respect
to academic matters, including but not limited to faculty employment, should be referred to the Office of the Senior Vice President and Provost while all other issues of reasonable accommodation should be referred to the Office of the Vice President for Administration and Finance.

Individuals who have complaints alleging discrimination based upon a disability may file them with the University’s Equal Opportunity Officer in accordance with prevailing University discrimination grievance procedures.

(President, 2-16-93)

5.4 LOYALTY OATH

Oklahoma statutes require that each new University faculty and staff member sign a Loyalty Oath. The requirement extends to all employees and officials of the State of Oklahoma and must be satisfied before an individual may be placed on the state payroll.

(President, 7-1-86)

5.5 NEPOTISM

Except as prohibited by the laws of the State of Oklahoma, relationship by consanguinity (blood) or affinity (marriage) shall not, in itself, be a bar to appointment, employment, or advancement at The University or, in the case of faculty members, to eligibility for tenure. The University recognizes, however, that there is an inherent conflict of interest when an employee makes hiring, promotion, or salary decisions about a family member, although there may be extremely rare circumstances when the potential benefit to the University in having an employee supervise a family member outweighs the potential harm.

Therefore, no two persons who are related by consanguinity or affinity within the third degree shall be given positions in which either one is directly responsible for making recommendations regarding employment, promotion, salary, or tenure for the other; nor shall either of two persons so related who hold positions in the same budgetary unit be appointed to an executive or administrative position in that unit or to a position involving administrative responsibility over it, as long as the other person remains in the unit, without first receiving a waiver that has been recommended by the Senior Vice President and Provost or the appropriate vice president and approved by the Board of Regents.

In recommending the waiver, the Senior Vice President and Provost or the appropriate vice president must make a written statement of the facts that have led him/her to conclude that the benefit to the University in granting the waiver outweighs the potential harm. In addition, the Senior Vice President and Provost or the appropriate vice president must propose in writing a means by which a qualified, objective person, unrelated to the employee at issue, shall make performance evaluations and recommendations for compensation, promotion, and awards for that employee and state in writing how that means will avoid the conflict of interest. The statement and proposal for supervision shall be made part of the Board of Regents agenda item.

Further, a salary increase above the average increase granted to all University employees in similar positions will not be granted to an employee who has been granted a waiver under this policy unless it has been approved by the applicable Senior Vice President and Provost or appropriate vice president and the President. In the case where this policy is made applicable by a related party
being elected to Committee A of an academic unit, approval of the Board of Regents is not required; however, all other provisions of this policy will continue to apply.

It is the responsibility of the head of the budget unit to seek a waiver before offering employment to any person whose employment without a waiver would violate this policy, and the willful failure to follow this policy may result in disciplinary action against the head of the budget unit. Notwithstanding any other provision of this policy, a conditional hire, prior to approval of the Board of Regents, may be made pursuant to this policy if deemed necessary for legitimate academic or business reasons and if justified in writing by the appropriate vice president. At the next regular meeting of the Board of Regents, the written justification and the conditional hire will be considered by the Board of Regents.

Relatives within the third degree of relationship to an employee by consanguinity or affinity include the following: spouse, parent, parent of spouse, grandparent; grandparent of spouse, great-grandparent, great grandparent of spouse, uncle or aunt, uncle or aunt of spouse, brother or sister, brother or sister of spouse, son or daughter, son-in-law or daughter-in-law, grandson or granddaughter, grandson’s or granddaughter’s spouse, great grandson or great granddaughter, great grandson’s or great granddaughter’s spouse. For purposes of this policy, step and half relatives are considered to be related by affinity.

(Regents, 4-8-71, 10-17-90, 2-20-92, 12-3-02, 1-27-04)

5.6 ACCESS TO PERSONNEL FILE POLICY

(a) Introduction

For the purpose of making faculty and staff employment decisions, the University maintains individually identifiable personnel files on persons who have been or who are its employees. This policy is intended to provide guidelines for access to those records in order to promote an informed public while maintaining the security of personnel records necessary to protect the privacy of University employees and the interests of the University in fulfilling its constitutional functions.

Access to appropriate records shall be in accordance with the provisions of this policy and the University’s Open Records Policy (see Appendix K).

(b) Contents

Those responsible for the custody of personnel files shall determine information to be placed in the files. Only such information as is germane to the person’s employment with the institution shall be retained in these files. Examples of this type of information are:

1) Information pertaining to bona fide occupational qualifications.

2) Service on University committees, councils, and task forces.

3) Summaries of pre-employment recommendations and merit, tenure, and promotion recommendations.

4) Performance and discipline matters.
5) Personnel actions, such as appointments, change of status, tenure, and promotion.

6) Awards, elected offices, service to outside organizations, and professional associations.

Individuals may ask that materials relevant to their employment be included in their personnel file by written request to the Director of Human Resources, to the Vice President for University Governance and Secretary of the University, or to the Senior Vice President and Provost, as appropriate.

(c) Confidentiality

The following personnel records shall be deemed confidential and may be withheld from public access:

1) Those which relate to internal personnel investigations including, without limitation, examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation; or,

2) Those where disclosure would constitute a clearly unwarranted invasion of personal privacy including, but not limited to, employee evaluations, medical documentation, payroll deductions, and employment applications submitted by persons not hired by the University; or,

3) Those which are specifically required by law or University policy to be kept confidential.

(d) Access

Personnel files shall be made available to individuals to review in accordance with the following provisions; provided, that the files may be inspected by persons so entitled only under the supervision of the custodian or his/her designee in the administrative office where they are maintained.

1) With the exception of information/records excepted or excluded elsewhere in this policy, personnel files shall be made available for public inspection, copying, and/or mechanical reproduction in accordance with procedures established under this policy, the University’s Open Records Policy (see Appendix K), or as otherwise provided by law such as by court order or subpoena. Examples of available information include, without limitation:

   (a) An employment application of a person who becomes a public official;

   (b) The gross receipts of public funds;

   (c) The dates of employment, title, or position; and

   (d) Any final disciplinary action resulting in loss of pay, suspension, demotion of position, or termination.
2) Supervisors or administrators shall have access to the personnel files of persons employed or being considered for employment in their areas of responsibility, on a need-to-know basis, and shall have authority to share the information with others responsible for personnel recommendations and/or decisions; further, other institutional officers or employees showing a legitimate need for the information shall be permitted such access.

3) Except as may otherwise be made confidential by statute or University policy, an employee (or his/her designee) shall have a right of access to his/her own personnel file, provided:

(a) Letters of evaluation and/or recommendation that apply to pre-employment qualifications, tenure, and/or promotion that are solicited in confidence or sent with the expectation of confidentiality shall be deemed confidential and unavailable to the employee unless otherwise ordered by a court of law.

(b) An individual wishing to inspect his/her personnel file should submit a written request for inspection to the custodian of the file.

(c) If the file contains confidential records as set forth in (3)(a) above, they must be removed before the file is opened to the individual. Upon request, the employee will be advised of the type and number of documents that were not made available to the employee for his or her review and that will be returned to the file after the review.

(d) An individual may not remove or add any records to his/her personnel file at the time of inspection.

(c) Correction of Records

An employee may dispute the accuracy of any material included in his/her personnel file. Such questions should be directed to the custodian of the file in writing. If the questions are not resolved by mutual agreement, the employee may initiate a formal challenge through the employment grievance or discrimination complaint procedures as outlined elsewhere in University policy.

(General Policies)

5.7 UNIVERSITY OF OKLAHOMA SAFETY AND HEALTH POLICY

The University is committed to providing a safe and healthy environment for the entire University community and to complying with all applicable federal and state laws and regulations pertaining to occupational and environmental safety. Academic and administrative personnel with supervisory and teaching roles must ensure that procedures are developed and followed which are designed to prevent injury, protect the assets of the University, and protect the University environment. It is the responsibility of all University faculty, staff, and students to follow safe working practices, obey health and safety rules and regulations, and work in a way that protects their health and that of others and does no harm to the environment.

The OUHSC/OU-Tulsa Comprehensive Safety and Health Policy states, “The University of Oklahoma Health Sciences Center (OUHSC) and the University of Oklahoma-Tulsa (OU-Tulsa) recognize their responsibilities to provide their employees with a safe and healthful working environment. In order to achieve this goal, OUHSC/OU-Tulsa shall endeavor to provide adequate...
and appropriate training and resources to prevent occupational injuries and illnesses, and to encourage all OUHSC/OU-Tulsa employees to make health and safety an integral part of their daily activities. Implementation of this policy shall be accomplished through the OUHSC/OU-Tulsa Comprehensive Safety and Health Program, which may be found at http://www.ouhsc.edu/ehso/.

(Senior Vice President and Provost, 12-21-95, 3-19-96, 11-99)

5.8 COMMUNICABLE DISEASE POLICY

The purpose of this policy is to inform faculty, staff, and students about how the University of Oklahoma will respond to faculty, staff, and students with a communicable disease. The University wishes to provide an environment free of hazards and will take reasonable precautions to protect faculty, staff, and students from individuals who are known to have communicable diseases.

Information on the communicable disease policy can be obtained from Human Resources on the Norman campus. Information for the Health Sciences Center and OU-Tulsa campuses may be found in the OUHSC/OU-Tulsa Infectious Diseases Policy at http://www.ouhsc.edu/ehso/.

(President, 1-21-91, edited 12-3-02)

5.9 SMOKING IN PUBLIC PLACES POLICY

In accordance with the State’s Smoking in Public Places Act, the University has established a Smoking in Public Places Policy. All facilities of the Health Sciences Center in Oklahoma City and Tulsa are smoke-free and on the Norman campus as indicated through the provisions of this policy. All buildings owned or operated by the University of Oklahoma will be free from smoking as noted.

Definitions. "Building" is defined for the purpose of this policy as an enclosed, indoor area owned or operated by the University of Oklahoma and used by the general public, serving as a place of work for university employees or a meeting place for a public body (as defined in the Open Meeting Act OS 25, Section 304), including but not limited to offices, classrooms, laboratories, libraries, auditoriums, arenas, theaters, performance/exhibit halls, museums, meeting rooms, cafeterias and restaurants, or public conveyances (including elevators, trolleys and buses). "Smoking" means the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device.

Signs will be posted at all entrances to University buildings stating that the buildings are smoke-free. Faculty, staff, or students within the building may ask any person smoking in the building to refrain.

The above does not apply to: (1) any housing or residence facility owned or operated by the University, (2) space leased to others, or (3) outdoor areas unless specifically designated as non-smoking areas.

Tobacco products will not be sold on University property.

Budget unit heads or their designees will disseminate this policy to all employees within their area of responsibility. Please direct concerns regarding this policy or its implementation through normal supervisory channels for resolution.

(President, 6-1-93)
5.10 POLICY ON PREVENTION OF ALCOHOL ABUSE AND DRUG USE ON CAMPUS AND IN THE WORKPLACE

The University recognizes its responsibility as an educational and public service institution to promote a healthy and productive work environment. This responsibility demands implementation of programs and services which facilitate that effort. The University is committed to a program to prevent the abuse of alcohol and the illegal use of drugs and alcohol by its students and employees. The University program includes this policy which prohibits illegal use of drugs and alcohol in the workplace, on University property, or as part of any University-sponsored activities. It shall be Board of Regents’ policy that:

1) All students and employees shall abide by the terms of this policy as a condition of initial and continued enrollment/employment.

2) The illegal use of drugs and alcohol is in direct violation of local, state, and federal laws, as well as University policies governing faculty, staff, and student conduct. This policy strictly prohibits the illegal use, possession, manufacture, dispensing, or distribution of alcohol, drugs, or controlled substances in the workplace; on its premises; or as a part of any University-sponsored activities.

3) Violating this policy shall be a major offense, which can result in a requirement for satisfactory participation in a drug or alcohol rehabilitation program, referral for criminal prosecution, and/or immediate disciplinary action up to and including termination from employment and suspension or expulsion from the University. A criminal conviction is not required for sanctions to be imposed upon an employee or student for violations of this policy.

4) Violations of applicable local, state, and federal laws may subject a student or employee to a variety of legal sanctions including, but not limited to, fines, incarceration, imprisonment, and/or community service requirements. Convictions become a part of an individual’s criminal record and may prohibit certain career and professional opportunities. A current listing of applicable local, state, and federal sanctions can be obtained through the Offices of Student Affairs and Human Resources.

5) An employee shall notify his/her supervisor in writing of a criminal conviction for drug or alcohol-related offenses occurring in the workplace no later than five calendar days following the conviction.

6) The University shall establish and maintain Employee Assistance Programs and Student Counseling Services for counseling and training programs to inform students and employees about the dangers of drug and alcohol abuse. Voluntary participation in or referral to these services is strictly confidential.

7) An employee shall not perform safety sensitive functions while an illegal drug is in his/her system.

8) The University may require drug testing of safety sensitive employees (as defined by federal law) prior to employment, when there is reasonable cause, after an accident, on a random
basis, and before allowing an employee or student to return to duty after refusing to take a drug test or after not passing a drug test.

9) The University shall annually distribute this policy to all staff, faculty, and students.

Health risks generally associated with alcohol and drug abuse can result in but are not limited to a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes, and thought disorders.

The appropriate Senior Vice President and Provost or Executive Officer is responsible for notifying federal funding agencies within ten calendar days whenever an employee is convicted of a drug-related crime which occurred in the workplace. This policy is subject to the grievance procedures stated elsewhere in the Board of Regents policy.

(Regents, 4-6-89, 9-5-90, 12-6-04, 6-23-04)

5.11 POLICY FOR WORKPLACE THREATS AND VIOLENCE

Nothing is more important to the University of Oklahoma Health Sciences Center than the safety and security of its employees. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Health Sciences Center property will not be tolerated.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on Health Sciences Center property shall be removed from the premises as quickly as safety permits and shall remain off Health Sciences Center premises pending the outcome of any investigation. The University of Oklahoma Health Sciences Center will initiate an appropriate response. This response may include, but is not limited to, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

The University of Oklahoma Health Sciences Center complies with Oklahoma State statues in regards to firearms or other weapons on University property or in connection with University functions.

The University of Oklahoma Health Sciences Center understands the sensitivity of workplace violence and has developed confidentiality procedures, which recognize and respect the privacy of the reporting employee(s).

(Senior Vice President and Provost, 5-28-99, edited 12-3-02)

5.12 REMOVAL OF INDIVIDUALS NOT AFFILIATED WITH THE UNIVERSITY FROM UNIVERSITY PREMISES

There are times when a university must ask individuals not associated with it to leave its premises for a variety of reasons. This does not include individuals lawfully on the university’s premises, nor will the removal of individuals violate their constitutional or statutory rights. The statute allowing a university to seek the removal of such individuals was recently amended. Oklahoma Statute Title 21, Section 1376. The statute indicates that any individual who is not a faculty member, staff
member, or student of a university may be required to leave the university’s premises if the individual: (a) interferes with the peaceful conduct of university activities; (b) commits an act which interferes with the peaceful conduct of the university’s activities; or (c) enters the university for the purpose of committing an act that may interfere with the peaceful conduct of university activities. Written notification to the individual of the available appeals and hearing procedures must be provided.

The Notice of Vacate citation complies with the recently amended statute by providing the individual with notice of the University’s hearing and appeal procedures. The citation is designed to be issued by individuals unaffiliated with the respective campus by the Board of Regents through the University of Oklahoma Police Department, campus security or other law enforcement entities if the individual has “interfered with the peaceful conduct” of university activities. The appeals process permits the individual receiving a citation from the University to leave the premises with the right to appeal such order to the President or his designated officer within ten days of its receipt. The President or his officer then has 15 days within which to overturn the citation. If it is decided that the citation stands, there is no further avenue of appeal for the cited individual. The citation may be periodically amended to reflect the appropriate designated officer to which the individual must direct his or her appeal.

Neither the amended appeals procedures for use by the University nor the citation alter, modify, or decrease any rights or appeals processes for faculty, staff, or students who are removed from the University’s premises.

5.13 UNIVERSITY OF OKLAHOMA FIREARMS POLICY

Firearms and munitions of all types are prohibited on all property owned, leased, or occupied by the Board of Regents at all times except as specifically authorized. Please refer to the Board of Regents Policy Manual for additional details.

5.14 PRIVATE FUND RAISING

The President is responsible to the Board of Regents for all private fund raising for the University. The President may delegate responsibility for the function, but such delegation does not diminish his responsibility. This policy applies to all elements of the University and is designed to assist the President in coordinating and directing this very important function in the operation of the University.

(Regents 9-2-76, 12-2-03)

All cash gifts received by University departments and designated for the University of Oklahoma Foundation, Inc., or the University of Oklahoma Regents Funds, should be immediately forwarded to the Office of Alumni and Development for appropriate deposit into the OU Foundation or the OU Regents Fund approved account(s). All non-cash gifts (bonds, stocks, titles to property, etc.) or inquiries of such, should be forwarded to the Office of Alumni and Development for appropriate facilitation.

5.14.1 Health Sciences Center Office of Alumni and Development

The HSC Office of Alumni and Development is responsible for the cultivation, solicitation, and stewardship of major gifts by individuals, corporations, and foundations. Additionally, the office is
responsible for the implementation of all special fund raising activities, including annual campaign solicitations and President’s Associates solicitations. The office also assists in the facilitation of the annual Campus Campaign. The Office of Alumni and Development is the responsibility of the Vice President for Development and the Health Sciences Center Executive Director of the Office of Alumni and Development. All HSC faculty and/or other designated staff must have authorization from the HSC Office of Alumni and Development in conjunction with the Vice President for Development and the Executive Director to raise private funds.

5.14.2 University of Oklahoma Foundation, Inc.

The University of Oklahoma Foundation, Inc., was organized in 1944 as a trust and incorporated in 1955. The Foundation has an office on the Health Sciences Center campus.

Gifts to the Foundation may be in the form of cash, securities, leases, royalties, literary and artistic collections, and real or personal property. Gifts may be made for a specific purpose or may be unrestricted. The Foundation is governed by its Board of Trustees.

5.15 UNIVERSITY OF OKLAHOMA PRESS

The University of Oklahoma Press, which was established in 1928 on the Norman campus, has won an international reputation through its publication of scholarly books. Of the books published by the Press, many have been written by faculty members of the University.

5.16 UNIVERSITY NAME, LOGOS, OTHER IDENTIFYING MARKS, SEAL, AND COAT OF ARMS

(A) Trademark Administrative Committee – Responsibility for management of the University’s name, logos, other identifying marks, and seal (collectively “marks”) shall rest with a Trademark Administrative Committee (“TAC”). The Vice President for Public Affairs, the General Counsel, and the Athletic Director shall each appoint a representative to the three-member TAC.

(B) Trademark Policies and Procedures – The TAC shall adopt, publish and implement policies and procedures to ensure that the marks are utilized in a manner that best serves the interests of the University of Oklahoma. In no event should such use be disparaging, misleading as to sponsorship/affiliation, contradict public morals or decency, or reflect unfavorably upon the University.

Such policies and procedures should address mechanisms for non-commercial and commercial uses of the marks, both internal and external to the University. Additionally, the TAC should implement a style guide or other instrument for implementation University-wide that establishes uniform and consistent usage of the University’s marks.

(C) Trademark Office – The TAC shall establish and oversee a University Trademark Office, which shall be responsible for implementation of policies and procedures regarding the University’s marks, including but not limited to the protection, licensing, management and enforcement of the University’s marks. If desired and
consistent with other applicable policies, the Trademark Office may contract with an official licensing agent to assist in one or more of these responsibilities.

(Regents 6-25-70, 6-27-95, 3-5-97)

5.16.1 Coat of Arms

There is authorized for general use a University Coat of Arms, which shall serve as the emblem of the University in lieu of the official University Seal.

(Regents, 4-9-52)

5.17 CERTIFICATES

In issuing certificates for whatever purpose, the University and all its divisions shall conform to the following specifications stipulated by the Oklahoma State Regents for Higher Education and endorsed by the Board of Regents.

Certificates bearing the name and the Seal or Coat of Arms of the University may be issued only by the University, pursuant to the applicable legislation in each instance, as created by the President and Board of Regents and/or the State as represented by the Oklahoma State Regents for Higher Education or the Governor or Legislature of the State of Oklahoma. Academic colleges, schools, departments, and other subdivisions of the University do not have such authority. (Oklahoma State Regents for Higher Education policy, II-2-41,6)

The Office of Admissions and Records is charged with the responsibility of administering the regulations governing the issuance of certificates. A complete statement of detailed regulations regarding certificates may be secured from the Office of Admissions and Records.

(Regents, 10-8-64, 11-9-67, 5-14-70, 6-14-79, 10-16-85, 11-14-91, 1-27-98)

5.18 TELEVISED INSTRUCTION SYSTEM

The Oklahoma State Regents for Higher Education maintains a statewide digital network named "Onenet." Onenet provides educational institutions access to the Internet. Onenet provides coordination and bridging services for televised classes using H.323 video protocol.

Most state colleges and universities and many hospitals are on the network. This system is particularly valuable for continuing education, seminars, and conferences. Both credit and non-credit programs may be transmitted. For further information, contact the Health Sciences Center Television Services.

5.19 OFFICIAL COMMUNICATIONS

The proper channels through which recommendations concerning the policies and/or administration of its governed entities, as a whole or in any of its parts, should be communicated to the Legislature or other State officials are the President and the Board of Regents. Further, any official statement made on behalf of the Board of Regents to the public through the press or otherwise, shall be made only by the Chair of the Board of Regents; provided, the President or his designee may publicly explain prior Board of Regents’ action as deemed necessary and proper.
Nothing in the preceding subsection is intended to or should be construed to abridge the rights and privileges of individual Regents to publicly express their personal opinions on any matter or to abridge constitutional rights of employees to comment on matters of public concern or to prohibit any other rights of communication established by law.

(Regents, 12-7-36, 12-17-45, 3-9-49, 10-13-88, 3-21-95, 3-29-00, 12-2-03)

5.20 NEWS RELEASES

The University Regents have requested that news releases for print media, radio, and television that affect the welfare or reputation of the University be released only through the President's Office. This policy is not intended to restrict or censor any release of factual information, but to ensure that news releases are issued from a fully informed source.

The Vice President for Public Affairs is responsible to the President for all University news releases that interpret the policies of the University. Questions concerning this news release policy may be answered by the Public Affairs Office, and requests for approval of releases may be initiated with that office.

(Vice President for Public Affairs, 8-1-80, 10-1-93)

5.21 CONTACTS WITH REPORTERS

On occasion, reporters for print and electronic media will contact University faculty or staff members directly instead of working through the University's Public Affairs Office. There is no objection to this procedure. However, any faculty or staff member who is contacted and either gives a statement to the press or arranges for a subsequent interview is requested to inform the Vice President for Public Affairs. This is an informational procedure only, and the cooperation of the faculty and staff is requested.

(Vice President for Public Affairs, 8-1-80, 10-1-93)

5.22 PUBLICATIONS AND PROMOTIONAL MATERIALS POLICY

In order for all publications and promotional materials representing the University to convey a consistent and accurate message and image, externally disseminated publications must be reviewed by the Division of Public Affairs or the designated publications office. The full text of this policy is maintained by the Division of Public Affairs.

(Regents 4-4-91, edited 3-29-00, 1-27-04, 6-23-04)

5.23 ADVERTISING AND PROMOTION POLICY

The University will never knowingly accept or allow advertising that does not conform to industry standards and University guidelines. The University also adheres to specific guidelines in regard to alcoholic beverage advertising. This policy applies to all advertising and promotion in whatever format. Examples are books, brochures, posters, programs, directories, newspapers, signs, radio and television, videotape and audiotape, and electronically generated programming. Signs include
those at the athletic facilities, on CART vehicles, and in other locations. This policy also applies to all events and activities organized by or sponsored by University departments or registered student organizations.

(Regents 1-13-83, 11-8-84, 12-8-88, 4-6-89, 3-29-00, 1-27-04, 6-23-04)

5.23.1 Endorsement Prohibited

The University does not endorse any commercial product, program, enterprise, or idea.

(Regents, 1-27-04)

5.23.2 Purchasing Advertising

The University from time to time may wish to reach a certain public by purchasing advertising in the media. The material contained in this advertising may include, among other things, matters related to increasing enrollments in regular or extension courses; promotional advertising, or informational material related to specific policies, projects, events, institutes, departments, and curricula. With the exception of employment advertising, no contracts for advertising should be entered into and no oral or written commitments may be made by any University employee without the prior written approval of the Vice President for Public Affairs or his/her authorized designee. Advance written approval of all layouts or copy must be obtained.

(Regents, 1-27-04, 6-23-04)

5.24 GENERAL ADMINISTRATIVE POLICIES AND PROCEDURES

5.24.1 Purchasing Procedures

The acquisition of goods and services is governed by State statute, State Regents policies, and OU Regents policies. The Purchasing Office assists departments in complying with these governing rules while at the same time acquiring goods and services timely. The main principles underlying the acquisition process are competition and fairness. Competition maximizes the opportunity for best value, and fairness ensures that all eligible vendors get a chance to do business with a State-supported institution.

For most small purchases ($1 through $5,000), departments may order directly from the vendor. There are exceptions which departments must understand and observe. All other acquisitions must be placed by the Purchasing Office.

Any agreement you make with a vendor may be an enforceable contract. If you enter into one that is later found to be against governing laws, policies, and procedures, you may be held personally liable. The OUHSC on-line Policies and Procedures are the best place to start learning about University acquisition rules. Additionally, the Purchasing Office has a web page that contains very useful information. Purchasing personnel are always ready to assist, in person or over the phone.
5.24.2 Authority to Sign Contractual Documents

The authority for any individual to sign contractual documents on behalf of the University originates with the Board of Regents. The Board of Regents grants to the President the power to delegate such signature authority to appropriate University executives, officers, and directors. Unless the President specifically delegates this authority to an individual by formal written communication, the individual may not sign any document whatsoever that binds or has the appearance of binding the Board of Regents, the University, and/or any element thereof.

Such documents include, but are not limited to, purchase orders, grants, contracts, sub-contracts, licenses, leases, funding documents, applications, extensions and renewals, letters and/or memoranda of understanding, sales orders, assurances, work orders, and the like. The common feature of such documents is the obligation they impose on the University, the breach of which may impose legal liability on the University. Such documents may involve products and services that the University provides to other parties for compensation (revenue) and products and services that the University acquires from other parties in exchange for payment. They may also involve agreements by which duties and responsibilities of the parties involved are formally delineated, even though monetary or other valuable consideration may not be involved.

The delegated authority to sign contractual documents does not carry with it any exemption from other policies and procedures that otherwise govern. For example, the authority to sign a purchase order in the amount of $100,000 does not exempt that transaction from competition and/or being processed by the Purchasing Department if such requirement would otherwise apply.

The Vice Presidents for Administration and Finance shall recommend to the President the positions and names of the individuals who should be authorized to sign contractual documents. Each recommendation shall include the nature of the authority delegated, the areas of activity to which it is limited, and the upper limit of the authority in terms of dollars. Upon Presidential approval:

- The original letter of authorization shall be forwarded to the individual to whom the authority is delegated;
- One copy shall be retained in the Office of the Executive Secretary of the Board of Regents, and
- One copy shall be retained in the respective Vice President for Administration and Finance and Legal Counsel Offices.

All such authorizations, regardless of commencement date, shall expire upon termination from the position or upon revocation of authorization.

Except as may be authorized in writing by the University’s Office of Legal Counsel, all contractual documents shall be processed through the University’s Office of Legal Counsel to ensure that certain legal limitations are not waived, ignored, or otherwise abridged.

The Vice Presidents for Administration and Finance may recommend revocation of the signature authority of any individual at any time to the President. Upon the President’s acceptance of the
recommendation, the Vice President for Administration and Finance shall notify the pertinent officers of such revocation and the reason therefore.

(Regents 3-29-00, 1-27-04, 6-23.04)

5.24.3 Property Control Procedures

Oklahoma Statute Title 74, Section 110.1, C. requires each state institution to maintain a current inventory of its physical property. Each item of capital equipment worth $5,000 or more must be marked as state property and carried on the central records maintained by the Equipment Inventory Section of Financial Services. A complete physical count and inspection of all items classified as equipment will be made by each department or budget unit of the Health Sciences Center on an annual basis.

5.24.4 Use of University Property in Off-Campus Locations, Health Sciences Center Campus

(a) Introduction

The purpose of this policy is to provide clarification as to the proper use of property owned by the University or other property for which the University is responsible, particularly as that use may involve removing such property from authorized University locations.

The University seeks to do everything possible to help faculty and staff carry out their work while meeting the University's responsibility for the proper use, care, and preservation of such property. It is in this context that the following policy clarification has been prepared for the Health Sciences Center.

(b) Policy/Departmental Responsibility

All property that is owned by the University or for which the University is responsible is to be used only for University purposes.

Responsibility for University property rests with department chairs, directors, and budget unit heads of the various departments. Property is charged to the Budget Sponsor's account upon acquisition and is accounted for by an University-wide physical inventory annually. As a general policy, University property will not be removed from authorized locations. However, there are instances in which it would be advantageous to allow faculty, staff, or students to remove the property for off-campus usage. When it is determined by the appropriate departmental authority that such is the case, the following policies and procedures shall be observed:

(c) Policies and Procedures

1) Approval to remove University property from authorized locations in University buildings must be secured from the department chairs, directors, and/or budget unit head who has responsibility for control of the item of University equipment involved.
2) A written record is to be maintained in the office of the approving authority of the authorization to remove such property from University premises. Such record shall include:

(a) Description of property to be removed;
(b) Make, model, and serial number of property;
(c) University inventory number;
(d) Name, position classification, residence address, and telephone number of the person authorized to remove the item of University property from its University location, and
(e) Location (street address, apartment number [if any] city, and state) to which property is to be relocated;
(f) Date on which University property is being removed from University location and the date it is to be returned to University location.

3) Any person removing University property from University location is to assume the responsibility for providing appropriate care and security in its transportation to the authorized off-campus location and for returning such property in satisfactory working condition. The person authorized to remove the University's property to an off-campus location may be made liable for the costs of repair or replacement of any such University property not so returned.

(a) The person removing the University's property will acknowledge this responsibility by that person's signature on a University form containing such a statement of responsibility.
(b) In the event of damage or destruction of the University's property due to fire, flood, windstorm or other natural causes, or in the event of the loss of such property through theft, the person having removed the University's property to an off-campus location shall file a report of loss or damage with the appropriate authority (fire department, police department, or sheriff's office) and furnish a copy of that report to the equipment inventory section of OUHSC.

4) Copies of the Authorization Form will be furnished to the person authorized to remove the University property to an off-campus location and to the Equipment Inventory division of Financial Services.

5) As a general policy, University property which has been authorized for removal from its normal University location will be returned to that location as soon as possible. To that end;

(a) Approvals for removal will be limited to the current fiscal year;
(b) If the authorizing authority deems it necessary, an extension of time for return of the University property can be given by memorandum from that office with copies to the individual authorized to use the property off campus and to the Equipment Inventory division of Financial Services;

(c) At inventory time, all property which has been removed from University locations shall be physically accounted for by the person who has authorized the removal of the property.

6) In the event of an extended absence of the person who has been authorized to remove the University’s property to an off-campus location, the authorizing official shall be responsible for the return of the property to its University location prior to the departure of the individual. Extended absences include Sabbatical Leave or similar authorized absence of six months duration or longer.

7) All University property removed from University locations shall be subject to the immediate recall by the University at any time deemed necessary by appropriate University authorities.

8) Upon request, each department chair, director, and/or budget unit head will identify all items of University property which have been authorized by those individuals for removal from their University location, will verify their current locations, and will either approve the continued use of that property away from the University’s location or have that property returned to the University.

(a) If authorization is given for continued use away from the University’s location, then the authorizing person will furnish the Equipment Inventory Section the information specified in Item 2, above.

5.24.5 Travel

University policy provides for reimbursement for travel-related expenses incurred by faculty, staff, and other non-employees in the conduct of University business. For the current travel-related policies, please refer to http://admin-scb.ouhsc.edu/policy/.

5.24.6 Use of University Vehicles for Private Purposes

According to Oklahoma statute, the use of state-owned vehicles to ride to and from an employee’s place of residence, except in the performance of official duty, is expressly prohibited.

Employees of the University cannot be assigned a University-owned vehicle for use on a permanent 24-hour basis unless an exception under the statute has been granted. In order to receive an exception, the President of the University must certify in writing to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives that the employee regularly receives emergency phone calls at his or her residence when off duty and the round trip to and from the employee’s residence does not exceed 75 miles.
Requests for an exception must be submitted in writing to the President of the University.

5.24.7 Parking Regulations

The University of Oklahoma is empowered to regulate and enforce parking in the Oklahoma Health Center and Research Park. All employees wanting to park a vehicle on the OHC campus, including the University of Oklahoma Health Sciences Center must register to park and pay the appropriate fee. Questions concerning parking should be directed to the University Parking Office at 1100 N. Lindsay, or telephone 271-2020. Visit the Parking and Transportation web page at http://oupts.ouhsc.edu.

The University of Oklahoma Health Sciences Center does not pay for parking for employees or students.

5.24.8 Police Department

The OU Health Sciences Center Police Department provides a number of services designed to assure safety and security for the Health Sciences Center Campus.

The OUHSC Police Department is open twenty-four hours a day, seven days a week to provide services expected of a police agency. The department shares a joint jurisdictional agreement with Oklahoma City Police Department, which extends the OUHSC Police Department boundaries. The area includes that property west of Lincoln Boulevard to Centennial Expressway and South from N.E. 13th street to N.E. 4th street and on the east side of Lincoln Boulevard from N.E. 15th street south to N.E. 8th street and from Lincoln Boulevard east to Lottie Avenue.

5.24.9 Lost and Found Service

The OUHSC Police Department is responsible for providing a centralized lost and found service. According to state law, articles remaining unclaimed after six months will be disposed of in accordance to court order.

5.24.10 Hazardous Weather Conditions Policy

It may become necessary to close the campus during inclement weather. When snow and ice has accumulated over the campus, the OUHSC Police Department will conduct an observation of the campus streets and major arteries into the Oklahoma Health Center area for road conditions. That evaluation will be passed on to the Vice President for Administration and Finance. The determination of closing will be decided by the Senior Vice President and Provost and the Vice President for Administration and Finance. This will be done as early as possible. Notification to close the campus will be given by 6 AM, if at all possible. This information will be placed on the Campus Weather Line (271-6499) and the Health Sciences Center Web Page. In addition, this information will be distributed to the media via the Office of Public Affairs.
5.24.11 Emergency Maintenance

Emergency maintenance after the normal work-day or on weekends or holidays should be reported to the OUHSC Police Department, who will immediately relay the information to the Department of Site Support.

5.24.12 Telephone Service

The Oklahoma Health Center telephone system is supervised by Information Technology. Requests for installation of office telephones and related equipment should be submitted by the administrative head of a budget unit, and the cost is charged to the unit.

No employee may use a University telephone for a personal long-distance call unless the call is charged to a home number or a personal calling card.

5.24.13 Mail Service

The Central Mail Processing Services office is located in the Williams Pavilion. Building and room number should be used on correspondence. Mail processing delivers and collects United States mail as well as intra-building and intra-University mail.

Only official University mail may be metered for postage, insured, certified, or registered by Mail Processing Services. Postage is charged to the unit’s budget account. Additional information is available by contacting Mail Processing Services.

The Health Sciences Center operates a contract United States postal office, located in the Service Center Building. The contract post office handles stamps, money orders, parcel post, registered, insured, certified mail, and Express mail. This post office is open to serve the public between the hours of 8:00 a.m. and 4:45 p.m., Monday through Friday, closing daily between 3:30 p.m. to 4:00 p.m.

An Interagency mailing service is operated by the State of Oklahoma for all state agencies located in the Oklahoma City area. Such mail should be placed in a campus mail envelope and clearly marked with the recipient agency and marked as inter-agency. Inter-agency mail will be picked up and delivered with all other campus mail. A list of the state agencies participating in the inter-agency mail service is available through the Department of Central Services web site.

5.24.14 Central Addressing

Human Resources provides a Central Addressing function available for use by all OUHSC departments. It is located in Room 122 of the Service Center Building, 271-2186. It has two functions:

1) Human Resources works in conjunction with University Printing to provide mailing labels for the Health Sciences Center and Tulsa campuses.

2) Human Resources maintains a listing of all OUHSC employees, which is used to publish the campus telephone directory.
5.24.15 Architectural and Engineering Services

Architectural and Engineering (A&E) Services provides professional design and project management services, engineering evaluations, and cost estimates for new construction and renovation projects to departments at the Health Sciences Center. Consultant architects and engineers are used when necessary. All projects for the Oklahoma City and Tulsa campuses must be approved and have oversight by A&E Services.

5.25 FACILITIES

The University of Oklahoma Health Sciences Center Procedures Governing Use of University Facilities for Non-University Sponsored Activities was adopted July 1, 1997. This procedure gives priority to the use of facilities for University functions. It is administered by the respective building coordinator. Facility repairs, maintenance, and renovation are managed by Operations.

5.25.1 Facilities Management and Capital Planning

Facilities Management and Capital Planning is responsible for space planning and allocation processes, space surveys and facility studies, facilities inventory, campus master planning, and planning for the development of new facilities for campuses in Tulsa and Oklahoma City.
6. BENEFITS

6.1 EMPLOYMENT BENEFITS FOR ELIGIBLE EMPLOYEES

The University makes insurance available for employees under a flexible benefits plan, Sooner Options. Health, dental, group term life, accidental death and dismemberment, and long-term disability insurance are offered under Sooner Options. Dependent life and dependent accidental death and dismemberment insurance are also available. To be eligible to participate in Sooner Options, an employee must have at least a 50 percent FTE (full-time equivalent) continuous appointment expected to last a semester or more for faculty and six months for staff. Eligible employees are provided Sooner Credits in proportion to the FTE at the 50%, 75%, or 100% level. Sooner Credits represent the money the University pays for each employee’s health, dental, group term life, and accidental death and dismemberment insurance. Under Sooner Options, the University determines annually an amount of money to provide to the employee to spend on benefit coverages and the amount that will be paid if the employee declines coverage.

Premiums for dependent health, dental, life, and accidental death and dismemberment insurance must be paid by the employee. Also available on an optional basis, with the employee paying the premium, is additional life, accidental death and dismemberment, vision coverage, long-term care, and long-term disability insurance on the employee.

Workers' Compensation Insurance is provided for all employees irrespective of employment status. Unemployment Compensation is provided for all employees except students.

Additional information concerning Sooner Options benefits can be found in the Sooner Options Enrollment Guide. Copies are available in Human Resources.

(Regents, 12-8-77, amended 7-19-78, 12-14-91, 1-27-04)

6.1.1 Liability Insurance

The State of Oklahoma provides professional and automobile liability insurance according to the Oklahoma Governmental Tort Claims Act for all employees who are acting within the scope of their duties. The liability coverage also extends to authorized volunteers for their operation of University-owned vehicles while acting within the scope of their authority, only after the authorized volunteer has completed and filed the Volunteer Acknowledgement and Release Form with the authorizing department. Copies of the State of Oklahoma Certificate of Self-Insurance are located in the glove compartment of all University vehicles. Further information is available from the Office of Risk Management.

6.1.2 Faculty Appointments – Benefits

Most continuous faculty at the Health Sciences Center are appointed on a twelve-month basis, for the period July 1 through June 30. Some faculty members are appointed on a nine or ten-month basis, which generally covers the period August 1 through May 31. Faculty who are appointed on a nine or ten-month basis must be paid over twelve months.
Departments which have faculty appointed on a nine or ten-month basis will be responsible for the premiums normally paid by the University for the entire twelve-month period.

6.2 TAX-DEFERRED ANNUITIES

Procedures are available for employees to authorize the University to purchase tax-deferred retirement annuities for them with qualifying companies. This procedure allows employees the opportunity to couple financial retirement planning with the deferment of taxes on a portion of their current income; it is assumed that taxes will be less after retirement, since gross income subject to taxes will normally be lower.

6.3 RETIREMENT

Eligible employees of the University are entitled to certain benefits following the completion of a designated number of years of employment, the attainment of specified ages, or satisfaction of other requirements as set forth in this Policy. For more complete details, please read the University of Oklahoma Retirement Policy. Human Resources for the respective campus will provide complete copies of the retirement policy upon request.

6.3.1 Teachers' Retirement System of Oklahoma

TRS is administered by TRS, and all decisions regarding TRS including, for example, eligibility for amounts of benefits, is determined solely by TRS.

1) Participation: Membership is mandatory for all faculty, executive officers, administrative officers, and all administrative, professional, and managerial staff, eligible employees who are appointed half-time or more. Other staff, excluding students, who work .50 full-time equivalency basis or more.

   a) The following are optional Members:

      - Benefit Eligible hourly Eligible Employees;
      - Visiting Faculty;
      - Temporary and Intermittent instructors and lecturers on the Norman Campus, or
      - Eligible Employees hired on or after age 45.

   b) The following cannot participate in TRS: Benefit Eligible Oklahoma University Health Sciences Center faculty where University salary is less than the salary provided by an institution affiliated with the University, whether such affiliation is by common governance or by contract.

   c) Enrollment is automatic the month after the Eligible Employee achieves eligibility. However, Eligible Employees need to enroll formally in order to designate a beneficiary.

2) Contributions: Rate and base for TRS contributions are determined by the TRS Trustees and announced each fiscal year.

3) Benefits: The retirement formula used to determine the maximum monthly retirement benefit is determined by the TRS Trustees.
Actuarial reductions are made for earlier retirement. Special TRS rules exist for 30-year retirements and “Rule of 80” retirements. Members joining TRS on or after July 1, 1992, must satisfy the “Rule of 90”. Also, special provisions exist for purchasing credit for out-of-state and military service.

6.3.2 Defined Contribution Plan

1) Participation: All “eligible employees” as defined in the Defined Contribution Plan who are age 28 and older, or who have three or more Years of Service participate in the Defined Contribution Plan. The age 28/3 year rule will be waived for any individual entering University employment from another institution in which he/she participated in a TIAA-CREF or similar plan. Waivers are also granted for those individuals who do not qualify for TRS membership because of age or because they are geographic full-time faculty members at the Health Sciences Center whose base salary distributions do not qualify them for TRS membership. See the Defined Contribution Plan for a description of and eligibility for benefits under the Defined Contribution Plan.

2) Contributions: Based on rules of the Defined Contribution Plan.

3) Benefits: The retirement benefit will be based on total accumulations and age at the time of Retirement or other termination of employment from the institution.

(Regents, 10-1-92, 1-27-04)

6.4 LEAVES POLICY

6.4.1 Leave of Absence Without Pay

Leaves of absence without pay may be granted for a period usually not exceeding one year to members of the faculty and other employees for purposes deemed to be in the interests of the University. Leaves without pay should be infrequent and should be approved only after careful consideration by department heads and college deans. Recurring requests for leaves of absence without pay should not be approved without strong justification, particularly when they are in consecutive years.

Application for a leave of absence should be submitted to the department chair or director, who will forward it with recommendation to the college dean by February 1 for leaves beginning in the following academic year or later and no later than July 15 for leaves beginning the following spring semester. After recommending approval or disapproval, the dean will forward the application to the Senior Vice President and Provost. The Senior Vice President and Provost will recommend to the President, who will make recommendations to the Board of Regents for final action for the April and September meetings, respectively. The President may approve exceptions to these deadlines, provided that it appears to be in the best interest of the University.

The application will be in the form of a letter of request with specific justification for the absence from the University and will include, for example, the following information:
1) Sabbatical or other leaves the faculty has taken in the past six years, their dates and purposes.

2) The purposes of the proposed leave.

3) The contribution of the leave to the realization of the faculty member’s goals and those of the University in research, teaching, or service.

4) The arrangements to be made by the department to handle the courses that normally would be taught by the faculty member who is proposing to go on leave. The application should be specific and list the affected courses or other work and the arrangements that have been made for these courses and work.

Requests for extension must contain updated information about the above items and will be subject to the same approval procedure as an initial leave.

Time spent on leave of absence without pay will not count toward a probationary period for tenure or for eligibility for sabbatical leave.

University contributions to the Defined Contributions Plan, AD&D, group life, and medical and dental insurance, will not be made during a leave of absence without pay. Persons on such leave without pay may pay for their own contributions to the plans, except to the Defined Contribution Plan.

(Regents, 11-12-43, 1-24-95, 1-27-04, 6-23-04)

6.4.2 Paid Leave and Extended Sick Leave Policy

Paid leave benefits are available to staff and twelve-month faculty who hold continuous appointments. Employees on limited appointments and student employees are not eligible for paid leave time. Paid leave time may be used for vacation, illness, or other personal business. Monthly paid employees working at least half-time but less than full-time will receive paid leave accrual based on their FTE appointment. Details about accrual of paid sick leave for eligible part-time benefits-eligible employees on each campus are available from the Office of Human Resources.

Earned paid leave time is accrued on a monthly basis according to the schedule below:

<table>
<thead>
<tr>
<th>Employment Category</th>
<th>Years of Service</th>
<th>Monthly Hours</th>
<th>Annual Accrual</th>
<th>Maximum Accrual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Officers, Administrative Officers, and 12-Month Faculty</td>
<td>Each Year</td>
<td>22 hours</td>
<td>33 days (264 hours)</td>
<td>42 days (336 hours)</td>
</tr>
<tr>
<td>9- and 10-month Faculty *</td>
<td>Each Year</td>
<td>8 hours</td>
<td>12 days (96 hours)</td>
<td>42 days (336 hours)</td>
</tr>
<tr>
<td>All other Staff</td>
<td>1-5</td>
<td>18 hours</td>
<td>27 days (216 hours)</td>
<td>42 days (336 hours)</td>
</tr>
<tr>
<td></td>
<td>6-10</td>
<td>20 hours</td>
<td>30 days (240 hours)</td>
<td>42 days (336 hours)</td>
</tr>
<tr>
<td></td>
<td>11 or More</td>
<td>22 hours</td>
<td>33 days (264 hours)</td>
<td>42 days (336 hours)</td>
</tr>
</tbody>
</table>

* Nine- and ten-month faculty accrue 12 days per year, which goes into an extended sick leave account. Accrued leave may not be used for vacation for these employees.
Paid leave time can be accrued up to the maximum allowance listed above. Time accrued beyond the maximum allowance will be deposited in the employee’s extended sick leave account. There is no maximum on the accrual of extended sick leave. An employee may transfer accrued paid leave time to the extended sick leave account. Time deposited in the extended sick leave account may not be transferred back to the paid leave time accrual. Extended sick leave can be used for extended personal illness requiring more than five days of leave time.

Time away from work because of vacation, illness of a family member, funeral attendance, or other personal business is to be reported as paid leave time taken. Absence due to personal illness is to be reported as paid leave time taken for the first five days per incident. When there is no accrued time in the paid leave account, the first five days per incident of illness must be leave without pay. Absence due to personal illness beyond five continuous working days will be deducted from the extended sick leave account as long as accrued time is available. When there is no accrued time in the extended sick leave account, absence due to personal illness will be deducted from paid leave time. Scheduled paid leave time taken will be considered as time worked for the purpose of compliance with the University overtime policy. Unscheduled paid leave time taken and extended sick leave time taken will not be considered as time worked for overtime purposes.

An employee returning to work part-time following an extended sick leave may continue to draw from the extended sick leave account for the time not worked until a full release is given by the physician. Recurrence of the same illness within 30 calendar days of returning to work from an extended sick leave may be considered a continuation of the incident and charged to extended sick leave.

Absences due to personal illness should be reported on the monthly payroll certification or hourly time records. A Personnel Action form changing the employee’s status to extended sick leave must be processed before any absence may be deducted from the extended sick leave account. The University will require acceptable medical documentation of illness or disability before allowing any charges to extended sick leave benefits whatsoever.

Leave for personal illness should be taken in the following order: five days of paid leave time, extended sick leave, compensatory leave (available for non-exempt staff), remaining paid leave time, leave without pay. Duration of the disability is to be medically determined. No supervisor should compel an employee to return to work without a medical release. Pregnancy is to be treated as any other extended sick leave. An employee may continue normal duties through pregnancy or use available leave while unable to perform regular duties. Employees who utilize leave for pregnancy shall suffer no penalty, retaliation, or other discrimination.

Vacation time is to be taken from paid leave time. Authorized holidays falling within an employee’s vacation period will not be counted as vacation time. Paid leave time may not be used for vacation within the first six months of employment. Use of paid leave time for other than personal illness or emergency must be scheduled in advance with supervisory approval. Employees must comply with departmental policies for reporting absences and seeking approval for time off work. Whenever possible, the University will grant earned paid time off at the convenience of the employee, subject to departmental needs.

Cash payment to an employee in lieu of paid leave time will not be permitted except upon termination. No cash payment will be made for time accrued in the extended sick leave account. Nine-month and ten-month employees will not receive cash payment for accrued paid leave time.
Twelve-month employees terminating their employment under satisfactory conditions and who have been employed by the University more than six months in a benefits-eligible position will be paid for paid leave time which they have accrued, not to exceed the amount of their annual accrual. Terminal pay will not include credit for University-recognized holidays falling within the terminal pay period. The budget head may recommend that terminal pay be denied to an employee discharged for serious cause. Retiring employees or the beneficiaries of deceased employees will be paid for accrued paid leave time up to the maximum accrual allowance and will receive pay for holidays falling within the terminal pay period.

Employees appointed to grants and contracts accounts are expected to use all earned paid leave time during the specified period of their appointment unless the grant or contract contains a separate account with sufficient funds to pay for accumulated leave time upon termination or the department to which the employee is transferring is willing to accept it. If such funds are not available, paid leave time must be transferred into the extended sick leave account at the time the employee terminates or the grant or contract is discontinued. Twelve-month employees changing to a nine- or ten-month appointment must transfer all accrued paid leave time in excess of 12 days into the extended sick leave account.

(Regents, 4-4-91, 6-19-96, 3-29-00, 1-27-04, 6-23-04, 10-22-08)

6.4.3 Extended Sick Leave Policy for Nine- and Ten-Month Faculty

The following extended sick leave benefits are available to full-time faculty members with the rank of instructor or above who hold nine-month or ten-month continuous appointments on the Norman and Health Sciences Center campuses. Benefits for 12-month faculty are addressed in the University’s Paid Leave and Extended Sick Leave Policy.

Full-time and nine- and ten-month faculty with the rank of instructor or above will accrue 12 days of extended sick leave per year. Such faculty members working at least half-time (.50 FTE) but less than full-time (1.0 FTE) will receive leave accrual based on their FTE appointment. There is no maximum on the accrual of extended sick leave. No cash payment will be made for any time accrued.

(Regents, 4-4-91, 6-19-96, 1-27-04)

6.4.4 Administrative Leave

An administrative leave with pay may be given when it is determined to be in the University’s best interest that an employee not return to work for a specified period of time or for designated emergency closings of the University. Recommendations for administrative leave must be submitted to the President or his designee for approval.

(Regents, 7-23-87, 1-27-04)

6.4.5 Military Leave of Absence

The University’s policy on military leave of absence is administered in accordance with federal and state law.

(Regents 3-9-72, 1-27-04)
6.4.6 **Family and Medical Leave**

This policy, in its entirety, is contained in Appendix L.

6.4.7 **Shared Leave Policy**

This policy, in its entirety, is contained in Appendix L.

6.5 **HOLIDAYS**

The University of Oklahoma Health Sciences Center recognizes eleven designated holidays each year. Specific dates for observance are published annually by Human Resources.

6.6 **ATTENDANCE AT SUMMER INSTITUTES**

Academic administrative officers on twelve-month appointments and in direct charge of academic programs, upon proper prior application and recommendation, may be allowed to attend summer institutes designed to improve or maintain their scholarly qualifications for their University work, at no expense to the University other than the continuation of the regular salary during the period of the institute, subject to the following conditions:

(a) The applicant will be expected to count the time spent in the institute as vacation time.

(b) A maximum of two weeks beyond the applicant’s entitlement of vacation time may be spent in the institute without loss of salary.

(c) The frequency of such an arrangement may not be greater than once in three summers.

Approval of such an arrangement in each individual case may be given by the President upon recommendation of the appropriate dean, and Senior Vice President and Provost, based upon the work load in the academic unit involved, the appropriateness of the institute to the applicant’s work, and the ability to handle the applicant’s work during absence at no extra cost to the University.

(Regents, 5-13-65, 1-27-04, 6-23-04)

6.7 **ATHLETIC TICKETS**

Faculty and staff members may apply to purchase season tickets to varsity athletic events at reduced rates. For initial application for season football tickets, eligible faculty and staff members should file their applications during the first week in April. Delaying such action may result in tickets not being available when requested. Application cards are generally available in Human Resources in early April, or they may be obtained from the Athletic Ticket Office, Owen Stadium, in Norman. Once a faculty or staff member has received season football tickets, the Athletic Ticket Office will mail renewal applications (for next season) directly to the faculty or staff member. Further information may be obtained from the Athletic Ticket Office, Norman campus, at 325-2424.
6.8 CREDIT UNIONS

Faculty and staff who are members of FOCUS Federal Credit Union and Tulsa Teachers Federal Credit Union can authorize payroll deductions for loan repayments and/or savings.

6.9 ENROLLMENT OF FACULTY AND STAFF IN UNIVERSITY COURSES

6.9.1 Limitations and Required Approvals

(a) The University places no limitations on the number of hours of course work in which faculty and staff may enroll outside the individual's normal working hours, provided that such course work does not interfere with the individual's duties as determined by the individual's supervisor and budget unit head.

(b) Full-time, regular faculty and staff may enroll in a maximum of one course not to exceed five contact hours per week each semester and summer session during their regular working hours. Permission to enroll in a course during the employee's normal working hours must be obtained from the chair of the faculty member's department or the staff member's supervisor and the budget unit head. Under very rare circumstances, exceptions to the one-course limitation may be made by the Senior Vice President and Provost through proper administrative channels.

(c) Staff personnel will be required to make up time spent in class through arrangements approved by their supervisor unless course enrollment does not increase staff requirements or does not place extra demands on other employees. A decision should be reached by the budget unit head, the supervisor, and the employee at the time of enrollment as to whether the time spent in class must be made up.

Any time spent in class, even though occurring during the employee's regular schedule of working hours, shall not be considered as time worked for the purpose of calculating overtime pay. Time spent in class during working hours must be indicated as such on an hourly employee's time card and noted on a monthly employee's payroll certification.

6.9.2 Reduced Fees

(a) As authorized by the Oklahoma State Regents for Higher Education, a full-time and permanent faculty or staff member enrolling in regular course work will be charged one-half the general fee for up to six hours per semester or three hours per summer session, except as noted below.

(b) Faculty and staff enrolling under the reduced fee will not be required to pay the student facilities fee and the student health fee, nor will they be eligible for the services covered by those fees. Student ID cards of persons not paying fees will be coded to show they are not entitled to the services for which the fees are charged. The reduced fee does not apply to special fees or to special academic programs, such as those in Continuing Education and Public Service or Liberal Studies, which have special regulations regarding fee waivers.

(c) Persons who are employed less than full time are not eligible for the fee reductions; all fees will be charged for their enrollment.
(d) A faculty member who is on a full time, nine-month appointment is considered to be full-time for the purposes of any enrollment made during a following summer session. In such cases, those not on summer appointment may receive a one-half fee waiver on six semester hours of work. Those on a full-time summer appointment may receive the fee waiver only on three credit hours as stated above. For those on a part-time appointment during the summer, a three-hour limitation will apply on the fee waiver.

(e) Under no circumstances will the reduced enrollment fee apply to more than six semester hours of course work in a single semester or summer session. Enrollment fees for hours taken over this maximum will be charged at the full rate. At the time of enrollment, the employee must present a Faculty/Staff Fee Waiver Application signed by the head of the budget unit. This form may be secured from the office of the budget unit head.

(Chair, 1-25-85)

6.10 FACULTY HOUSE

Faculty House, a University owned dining club, is located at 601 N.E. 14th Street. There are no dues for faculty, staff, or students. WiFi, video conferencing, private rooms, and catering services are available. Faculty House provides delivery services for the HSC campus. A portion of the Faculty House may be reserved at a discounted rate for special activities.

Further information may be obtained from the General Manager at 235-8212 or by visiting http://www.ouhsc.edu/facultyhouse/.

6.11 IDENTIFICATION CARD

The University provides an identification card, OneCard, to each full-time member of the faculty and staff and to University retirees. Volunteer faculty are also eligible to receive an identification card upon completion of the “Volunteer Faculty-OneCard Photo ID” form and the approval of the appropriate department. The card is to be presented on request when using University facilities. The initial card is provided free of charge; replacement cards cost $15.00.

Cards may be obtained from the OneCard Office, SCB 115, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

6.12 UNIVERSITY HEALTH CLUB

The University Health Club is a premier health and fitness facility. With 65,000 square feet of space, the University Health Club incorporates the latest technological advancements in fitness and wellness. The facility is located inside the Harold Hamm Oklahoma Diabetes Center, 1000 North Lincoln Boulevard, on the OUHSC campus.

For a list of services, hours of operation, and membership rates, call 271-1650.
7. LIBRARY FACILITIES AND INFORMATION TECHNOLOGY

7.1 ROBERT M. BIRD HEALTH SCIENCES LIBRARY

The Robert M. Bird Health Sciences Library is responsible for the informational materials and services that are needed to support the research and educational programs on the Health Sciences Center campus and serves as the major resource for health information in Oklahoma. The Library supports graduate, professional, and undergraduate levels in medicine, nursing, pharmacy, dentistry, public health, communication sciences, radiologic technology, nutritional sciences, occupational therapy, and physical therapy.

7.1.1 Collections

The Library collection contains more than 316,000 books, journals, audiovisuals, and electronic resources. The Library provides a reference collection, which includes the major biomedical indexes and abstracts, current directories, and current informational data resources; a book collection which contains over 98,000 titles; a journal collection which has approximately 3,500 current subscriptions; and a non-print media collection of 2,800 items which includes audiovisual and computer software programs.

The Library has several special collections. The Native American Health Collection contains resources of a historical nature, as well as reports of current research and clinical care related to the health and well being of American Indians. The Archive Collection contains books, journals, and manuscripts that are of historical value. Included in this collection are archives related to the Health Sciences Center and the history of health care in Oklahoma. The History of Nursing Collection contains materials distributed throughout the main collection that reflects the development of the nursing profession with an emphasis on Oklahoma nursing. The Library circulates most of the books, but the archives and journals are non-circulating.

7.1.2 Services

The Library serves the Health Sciences Center community as well as health professionals and institutions in the State. Access to the Library’s resources and policies can be located at the Library’s Home page, http://library.ouhsc.edu.

The online catalog is available for searching titles owned by the Library. The Library also offers access to more than 90 bibliographic databases. These databases and the online catalog are available in the Library, over the campus network, and via the Internet. For assistance in using the online catalog or any of the bibliographic databases contact the Reference and Instructional Services Department. The Library provides informational workstations for accessing the catalog, bibliographic databases, and information on the Internet, as well as workstations that provide access to word processing, spread sheet, database, and Internet software.

When materials are unavailable, they can be borrowed through interlibrary loan. The Library is a member of several networks designed to expedite the transfer of information between libraries in an efficient manner.
There are self-service photocopy machines on each floor and a Photocopy Center on the third floor.

The Library provides orientation tours, course-related bibliographic instruction, and seminars on using research tools.

Facilities and services of the University of Oklahoma Libraries, Norman campus, as well as the Library facilities at the OU-Tulsa campus are available to Oklahoma City Health Sciences Center personnel.

7.2 UNIVERSITY OF OKLAHOMA - TULSA LIBRARY

The University of Oklahoma - Tulsa Library provides library services to those faculty and students in Tulsa. The library contains 30,000 volumes and subscribes to 500 journals. On-line data base searching, reference service, and interlibrary loan service are available. The library has a computer-assisted learning center and a computer classroom, both of which are available for faculty, staff, students, and residents.

7.3 INFORMATION TECHNOLOGY

HSC Information Technology (IT) is a strategic partner with the OU Health Sciences Center and seeks to be the campus’ trusted advisor on all technology issues. In addition to providing core services, IT helps the University identify and implement strategies that serve the HSC missions of teaching, research, clinical service, and public service. IT utilizes proven technologies and recognized best practices and architectural frameworks in the design, development and delivery of core services that provide connectivity, communications, data storage, security, and enterprise applications development and management. IT leads many large-scale projects to build next-generation infrastructure in support of the growth of the campus and the increasingly critical and complex education, research, and clinical technologies needed by the campus community. Programs and initiatives include maintaining an enterprise class network, shared database and storage infrastructure, datacenter hosting solutions, and security and compliance efforts and processes. IT and the colleges work diligently to find effective ways to assist faculty with integrating technology into instruction, especially in their distance education offerings, and to improve support services for off-site students. IT partners with research faculty and the clinical enterprise by providing core infrastructure including connectivity, database, data security, and hosting services in support of their work. IT works closely with Administrative Offices to deliver comprehensive applications supporting the business processes of the University including Financial Management, Human Resources Management, and Student Administration systems.

7.3.1 Standards and Policies

In support of efforts to protect key University information assets, manage risk, and ensure regulatory compliance, Information Technology is overseeing development of information system security policies, standards, and procedures. See the IT Web site at http://IT.OUHSC.EDU/POLICIES for these policies. The following policy presents the acceptable use of information systems at the Health Sciences Center.
7.4 ACCEPTABLE USE OF INFORMATION SYSTEMS AT THE UNIVERSITY OF OKLAHOMA HEALTH SCIENCES CENTER

7.4.1 General Principles

Access to computer systems and networks owned, operated, or provided by OUHSC imposes certain responsibilities and obligations and is granted subject to University policies and local, state, and federal laws. Acceptable use must be ethical, reflect academic honesty, and show restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of data, system security mechanisms, and individual’s rights to privacy and to freedom from intimidation and harassment.

In making acceptable use of information resources, you **MUST**:

- use resources only for authorized administrative, academic, research, or clinical purposes;
- protect user-ID and system from unauthorized use. You are responsible for all activities on your user-ID or that originate from your system;
- access only information that is your own, that is publicly available, or to which you have been given authorized access;
- use only legal versions of copyrighted software in compliance with vendor license requirements;
- be considerate in your use of shared resources. Refrain from monopolizing systems, overloading networks with excessive data; degrading services; or wasting computer time, connect time, disk space, printer paper, manuals, or other resources.

In making acceptable use of information resources, you **MUST NOT**:

- use another person's system, user-ID, password, files, or data without permission;
- use computer programs to decode passwords or access control information;
- attempt to circumvent or subvert system or network security measures;
- engage in any activity that might be purposefully harmful to systems or to any information stored thereon, such as creating or propagating viruses, disrupting services, damaging files, or making unauthorized modifications to University data;
- use University systems for commercial or partisan political purposes, such as using electronic mail to circulate advertising for products or for political candidates;
- make or use illegal copies of copyrighted software, store such copies on University systems, or transmit them over University networks;
• use mail or messaging services to harass or intimidate another person; for example, broadcasting unsolicited messages, repeatedly sending unwanted mail, or using someone else's name or user-ID;

• waste computing resources or network resources; for example, intentionally placing a program in an endless loop, printing excessive amounts of paper, or sending chain letters or unsolicited mass mailings;

• use the University's systems or networks for personal gain; for example, selling access to your user-ID or to University systems or networks, performing work for profit with University resources in a manner not authorized by the University, or using your University web page or address for profit;

• engage in any other activity that does not comply with the General Principles presented above, University policies and procedures, or applicable law;

7.4.2 Enforcement

The University considers any violation of acceptable use principles or guidelines to be a serious offense and reserves the right to copy and examine any files or information residing on University systems allegedly related to unacceptable use and to protect its systems and networks from systems and events that threaten or degrade operations. Violators are subject to disciplinary action including, but not limited to, as prescribed in the Student Handbook, Staff Handbook, or the Faculty Handbook. Offenders also may be prosecuted under laws including but not limited to the Communications Act of 1934 (amended), the Family Educational Rights and Privacy Act of 1974, the Computer Fraud and Abuse Act of 1986, the Computer Virus Eradication Act of 1989, Interstate Transportation of Stolen Property, Electronic Communications Privacy Act, and state conflicts of interest laws. Access to the text of these laws is available through the Library Reference Department.

(Senior Vice President and Provost, Revised January 14, 2000)

7.4.3 Information Disclaimer

Individuals using computer systems owned by OUHSC do so subject to applicable laws and University policies. All risk of loss of materials or data or damage thereto remains the user's. OUHSC disclaims any responsibility and/or warranties for information and materials residing on non-University systems or available over publicly accessible networks. Such materials do not necessarily reflect the attitudes, opinions, or values of OUHSC, its faculty, staff, or students.

These guidelines should not be construed as a limit on any individual’s right under the Constitution of the United States.

7.5 MONITORING COMPUTER USE

(A component of the Acceptable Use of Information Systems Policy)

The University employs various measures to protect the security of its computing resources and users' accounts. Users should be aware, however, that the University cannot guarantee such security. Users should also be aware that their uses of University computing resources are not completely private. While the University does not routinely monitor individual usage of its
computing resources, the normal operation and maintenance of the University's computing resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for providing service.

The University may also specifically monitor the activity and accounts of individual users of University computing resources, including but not limited to, individual login sessions and communications, without notice, when (a) the user has voluntarily made them accessible to the public, as by posting to Usenet or a web page; (b) it reasonably appears necessary to do so to protect the integrity, security, or functionality of University or other computing resources or to protect the University from liability; (c) there is reasonable cause to believe that the user has violated, or is violating, the Acceptable Use of Information Systems policy; (d) an account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns; or (e) it is otherwise required or permitted by law.

Any such individual monitoring, other than when the user has voluntarily made the activities or accounts may be accessible to the public or it is necessary to respond to perceived emergency situations, must be authorized in advance by the Chief Information Officer or University Legal Counsel or their designees.

The University, at its discretion, may disclose the results of any such general or individual monitoring, including the contents and records of individual communications, to appropriate University personnel or law enforcement agencies and may use those results in appropriate University disciplinary proceedings. Communications made by means of University computing resources are also generally subject to discovery requests and Oklahoma’s Open Records Act to the same extent as they would be if made on paper.

(Approved by Senior Vice President and Provost and Deans’ Council, September 6, 2000)

7.6 OUGHSC POLICY FOR APPROVAL OF MASS, UNSOLICITED E-MAIL

Use of the HSC-OUHSC, HSC-Faculty, and HSC-Staff distribution lists is restricted to official communications (i.e. executive communications, campus emergencies or service disruptions) to the University community. These messages originate from the Office of the Senior Vice President and Provost, Administrative Affairs, Campus Police, Information Technology, or other approved offices. Messages for distribution to all HSC Students must be sent to the “Distribution List Moderator – HSC Students” mailbox. HSC Student Affairs will review, approve and send appropriate, messages to students through the newly adopted “HSC Daily News” – a daily comprehensive e-mail listing all current events and general announcements.

Editing of content is the responsibility of the requester. Further recommendations that will promote a friendly reception to your message:

- The message should be in (text) format.
- Avoid using formatting normally associated with a word-processing document or HTML files such as fonts, boldface, italic, or variable type sizes.
- Minimize the use of graphics if possible.
- References to University web pages are encouraged.
The use of other distribution lists for mass, unsolicited e-mail is governed by the “Acceptable Use of Information Systems at The University of Oklahoma Health Sciences” policy (http://it.ouhsc.edu/policies/AcceptableUse.asp). This policy specifies that information systems resources can be used only for authorized administrative, academic, research or clinical purposes or other University business.

7.6.1 Enforcement

The University considers violation of the E-mail Policy to be a serious offense and reserves the right to copy, monitor or examine any files or information residing on the University systems, networks or computing resources allegedly related to a violation of the E-mail Policy, and to protect its systems, networks, and computing resources from events or behavior that threatens or degrades operations. Violators are subject to disciplinary action including, but not limited to, penalties described in the Student Code, Faculty Handbook, and Staff Handbook.

7.6.2 Campus Notices

Campus notices is the primary method of electronic communication for announcements to the OUHSC campus. Members of the OUHSC community are encouraged to review Campus Notices regularly to stay informed of activities and events on the campus.

Campus Notices is available through the InsideHSC page on the HSC web site or at http://www.ouhsc.edu/campusnotices.

Campus Notices uses several categories for organizing and viewing announcements:

1) Campus Events: OUHSC-related announcements.
2) Staff Senate Announcements
3) Health Sooner Announcements
4) Electronic Bulletin Board: Faculty, staff, or student “bulletin board” type communications – any announcements that are not University sponsored.
5) Lost and Found

Any individual with an HSC computer account is able to post items to Campus Notices. Complete instructions for posting items are available at Campus Notices through the “Help” link.

Items submitted to Campus Notices:

1) Should be concise and provide links to additional information or forms, as necessary.
2) Will be displayed up to a maximum of two weeks.
3) Will be governed by the “Acceptable Use of Information Systems at the University of Oklahoma Health Sciences Center” (http://www.ouhsc.edu/it/policy/aup.asp) policy with the recognition that the Electronic Bulletin Board messages are not necessarily University business.

7.6.3 Rounds and Seminars

The Rounds and Seminars application posts announcements of Grand Rounds and Seminars that are scheduled for the HSC community. Rounds and Seminars can be accessed through the
InsideHSC page on the HSC web site or at http://www.ouhsc.edu/rounds.edu. These events may also be posted under Campus Events I Campus Notices.

Updated February 2006

7.7 ADDITIONAL POLICIES

Please refer to the IT Policy Web Site at http://IT.OUHSC.EDU/POLICIES to view the following policies:

- Access to Sensitive Data Policy
- Anti-virus Policy
- Business Associate Contracts Policy
- Computer Logoff/Lock Policy
- Desktop Computer Security Policies
- Electronic Data Disposal Policy
- Information Security Policy Definitions
- Monitoring Computer Use Policy
- Monthly Maintenance Schedule
- Password Management Policy
- Patches
- PHI Server Consolidation Policy
- Product Review Policy
- Resource and Data Recovery Policy
- Risk Management Policy
- Security Awareness and Training Policy
- System Development Security Policy
- Third Party E-mail Policy
- Transmission of Sensitive Data Policy
- Virus Response Policies
- Workstation Use and Security Policy
8. RESEARCH

8.1 OFFICE OF RESEARCH ADMINISTRATION

The Office of Research Administration (ORA) serves as a central resource to faculty and staff for all aspects of research, training, and public service activities and for the execution of professional service, affiliation, and certain provider contracts. The office provides information regarding funding sources and opportunities; reviews and approves completed proposals and grant applications for compliance with University, federal, state, and sponsor requirements prior to submission to external sponsors; and negotiates, and executes all basic research, clinical research, public service, professional service, provider, and affiliation agreements. ORA serves as the University’s liaison with external agencies and organizations for all administrative and contractual matters. ORA has Institutional signature authority for submission of grants and execution of research and service related contracts. The ORA is under the leadership and direction of the Vice President for Research.

8.1.1 Proposals and Contracts

The Office of Research Administration supports faculty and staff participation in research, training, and service activities by (1) assisting in the identification of sources of external funding support via electronic announcements; (2) assisting in the preparation of completed proposal applications by reviewing all required budget and form pages for compliance with applicable federal and state laws and regulations, and sponsor and/or University policies and requirements; (3) assisting investigators with collaborative projects with other institutions, including assisting with the preparation of program project grants, federal contract applications and negotiations, and subcontracts; (4) reviewing, negotiating, and executing clinical and basic research agreements, including but not limited to: clinical trial, material transfer, confidentiality, and subcontract agreements; (5) reviewing, negotiating, and executing professional service, affiliation, and provider agreements, including but not limited to: consulting and speaking agreements; student and resident affiliation agreements; and medical provider agreements for certain Colleges; and (6) maintaining a database of current and historical information on proposals submitted and awards received.

8.1.2 Routing Proposals

All completed grants applications and proposals must be routed through and reviewed by the ORA at least three (3) full business days prior to the sponsor’s deadline. This includes all proposals to state, federal, non-profit, foundation, and industrial/pharmaceutical sponsors, regardless of the type of submission (hard copy or electronic). All solicited and unsolicited (investigator-initiated) proposals are required to be routed to ORA for approval prior to submission to the sponsor, including submissions proposing that University investigators participate as subcontractors with other institutions. In certain cases, the ORA will execute a confidentiality agreement prior to the submission of investigator-initiated proposals to sponsors to protect the interests of the University and investigator. An authorized agent of the Board of Regents of the University of Oklahoma in the ORA must sign all proposals prior to submission to the sponsor. Faculty do not have the authority to sign any proposal or grant application, nor to submit any electronic applications without the prior written approval of the ORA.
8.1.3 Routing Contracts

All research training, professional, provider, public service, and clinical trial contracts must be routed through the ORA for legal, fiscal, and administrative review prior and approval to signature by an authorized agent of the Board of Regents of the University of Oklahoma in ORA. Contracts include agreements; letter agreements; memoranda of understanding; affiliation, material transfer, confidentiality, license, consulting, speaking, provider, and Professional Practice Plan (PPP) agreements; proposals that will be binding if accepted; amendments; contract modifications; and any other arrangement that obligates the University, its resources and/or its employees. Faculty may not legally bind the University by signing such contracts; therefore, all contracts must be signed by an authorized agent of the Board of Regents of the University of Oklahoma.

8.1.4 Funding Opportunities

The ORA disseminates sponsored program and funding information through weekly electronic newsletters and e-mail notices to announce: (1) special funding opportunities; (2) program deadlines; and (3) new directions or changes in programs, policies and procedures within University and at granting agencies.

Information about funding opportunities is also provided by the University through the Community of Science (www.cos.com). COS provides faculty and researchers access to an international network of universities and R&D institutions and corporations.

The ORA maintains a web page (http://w3.ouhsc.edu/ORA/) featuring: (1) ORA and University forms; (2) web site links to relevant University offices and sponsors; (3) current information regarding University and sponsor policies, including indirect cost rates (facilities and administrative costs), fringe benefit rates, and other important University and sponsor information necessary for the proper completion of proposals and processing of contracts; (4) links to a variety of internal and external funding announcements; (5) links to funding agency web sites; and (6) access to publicly available University award information.

8.1.5 Institutional Committee Reviews

All protocols for human subjects research, animal research, and research involving the use of recombinant DNA, gene therapy, microorganisms, biological toxins, and human gene transfer must be approved prior to the initiation of such research. In most cases, sponsors require certification of institutional approvals on a “just-in-time” basis, that is, after a grant or contract is awarded. Investigators are responsible for obtaining all required approvals in accordance with University and sponsor policies and for assuring required approvals are maintained for the duration of an award. Investigators must coordinate obtaining required approvals with the following offices prior to the initiation of research or service projects requiring approvals: Institutional Review Board (IRB), Institutional Animal Care and Utilization Committee (IACUC), Institutional Biosafety Committee (IBC), Radiation Safety Committee, and Environmental Health and Safety Office. Depending on where the activity is performed, investigators may also need to obtain additional approvals from the Veterans Affairs Medical Center, the Oklahoma Medical Research Foundation, OU Medical Center, Dean McGee Eye Institute, and/or other committees, centers, or entities.
8.2 DIVISION OF COMPARATIVE MEDICINE

The Division of Comparative Medicine has three primary functions at the Health Sciences Center. It is a service unit that provides housing, daily care, administrative direction, veterinary medical care, and veterinary diagnostic support of laboratory animals used for medical research and education for the University. It provides consultative services to investigators concerning animal research. Faculty members of the Division present training sessions to research technicians, laboratory animal technicians, and faculty on the use of laboratory animals in research. The Division also operates a Baboon Research Resource funded by the National Institutes of Health that serves as a research resource for OUHSC faculty investigators as well as biomedical research centers across the United States. In conjunction with the Institutional Animal Care and Use Committee, the Division of Comparative Medicine veterinarians review research protocols that involve laboratory animals. The Division of Comparative Medicine is accredited by the American Association for Accreditation of Laboratory Animal Care. The Health Sciences Center has an approved Assurance on file with the National Institutes of Health, Office of Laboratory Animal Welfare, for the use of animals in research, testing, and training programs.

8.3 RESEARCH COUNCIL

The Research Council is charged with the promotion and development of research and creative activity throughout the University community. The Council serves as adviser to the President, Senior Vice President and Provost, Vice President for Research, and Faculty Senate, in matters regarding research.

8.4 POLICY FOR CONSULTING ON GRANTS AND RESEARCH CONTRACTS AWARDED TO THE HEALTH SCIENCES CENTER

General Principles

Members of the University faculty and staff are heirs to extraordinary privileges and responsibilities. To these is added a commitment to the University as the central vehicle for the faculty and staff member's intellectual capabilities and energies. Faculty and staff also have a loyalty to the University's interests as a community of shared scholarship.

Additional extramural efforts of faculty and staff can be intellectually and financially rewarding. External service and consulting at moderate levels are honorable extensions of research experience and academic skills. They serve the scientific profession, promote productive collaborations, stimulate the practical applications of research, and foster transfer of information. The University encourages such efforts.

The University recognizes, however, that consulting services are susceptible to actual or perceived conflicts of interest, misuse, and abuse. Awarding agencies, particularly federal government agencies, scrutinize consulting arrangements and may determine the services to be unnecessary or unauthorized. Such disallowed costs must be reimbursed with unrestricted funds.

In an effort to protect the interests of the University and its faculty and staff and to comply with federal and state law and external granting agency requirements, the following policy regarding the
use of consultants in grants and research contracts is adopted. (Consultant agreements not involving grants or research must be approved through the University's normal approval process.)

**POLICY**

Section I. Definitions and Requirements (for purposes of this policy):

A. **External Consultants** – Individuals who are not employees of the University but who are engaged personally to give professional advice or service for a fee. These individuals have knowledge and special abilities that are essential to meet the project needs that cannot be provided by University personnel.

B. **Internal Consultants** – Under unusual circumstances, a person may be at the same time a consultant to and an employee of the University, only if the following conditions exist:

   1) the consultation is across departmental lines; and
   2) the work performed is in addition to the employee’s regular department load.

C. **Selection** – The PI must be able to justify the selection upon request.

D. **Payment** – The consultant’s fee (stipend, payment, etc.) must be in compliance with any grant terms or state or federal rules and must be reasonable (i.e., based on the consultant’s qualifications, in line with market rates). The PI must be able to justify the fee upon request.

Section II. Consulting Arrangements

All consulting services at the Health Sciences Center must be supported by documentation per each of the following categories. Documentation is to be provided to the Office of Research Administration (ORA).

A. **External Consultants to OUHSC**

There must be justification for the external consultant. *NOTE – Because of changes in the federal cost accounting standards, external consultants may need to be bid. Please refer to OUHSC Purchasing policies or contact the Director of Purchasing for clarification.*

**At the Time of and Included Within the Proposal:**

1. Approval – The consulting services are approved by the sponsor or contracting agency. Any relationship to the University and PI must be disclosed in the proposal;

2. The consultant has signed a letter of commitment to perform specified services at a stated rate under the grant or contract. This letter must be submitted as part of the proposal.

**After the Award:**

If a consultant line was not included in the proposal, the following steps must be taken:

1. An IPA (re-budget) form must be obtained from ORA and completed to re-budget funds into
the consulting budget category. Justification for the need for consulting services must be included.

2. If required by the sponsoring or contracting agency, a letter requesting permission to use a consultant must be sent to the sponsor or agency. The letter must include justification for the consultant and be cosigned by the ORA and the PI.

3. The consultant must have signed a letter of commitment to perform the specified services at a stated rate under the grant or contract.

B. Internal Consultants

There must be justification for a faculty/staff member to serve as an internal consultant and the requirements of Section I.B have been met.

At the time of the Proposal:

The inclusion of the consultant is required in the proposal budget. The budget justification shall identify the consultant’s position at OUHSC and include a statement that payment will be in addition to normal University pay. The internal consultant must complete an Internal Consultant Form (available from ORA). It includes:

a. a statement from the faculty/staff member describing the scope of work to be completed and explaining how the hours worked on the project will be in addition to his/her regular University duties;

b. a description of the payment terms;

c. the faculty/staff member’s signature; and

d. approval by the chair of the faculty/staff member’s department and the dean of his/her college of the work to be performed on the project, as indicated by their signatures.

After the Award:

If a consultant line was not included in the proposal, the following steps must be met:

1. An IPA form must be obtained from ORA and completed to re-budget funds into the consulting budget category. Justification for the need for consulting services must be included.

2. The faculty/staff member, the chair of his/her department, and the dean of his/her college must sign the completed Internal Consultant form. This form should then be forwarded to the ORA.

3. Upon receipt of the completed form, ORA will send a letter to the sponsor or agency requesting approval of the internal consultant. If necessary, the letter will include a request to re-budget funds. The letter must be co-signed by the ORA and PI.
4. Upon approval by sponsor, ORA will acknowledge the Internal Consultant form and return it to the faculty/staff member, with a copy to the department chair and dean.

(Senior Vice President and Provost, 5-13-98)

**8.5 SPONSORED PROGRAMS INCENTIVE PLAN POLICY**

The intent of this policy is to recognize faculty performance in research and scholarly activity, to increase externally sponsored funding to the University of Oklahoma Health Sciences Center (OUHSC), and to provide additional incentives and resources to supplement educational programs at the OUHSC. This policy allows faculty members to receive salary supplementation incentives when their salary is re-budgeted and charged to sponsored programs for which the OUHSC is the grantee, contractor, or sub-contractor.

**Eligibility**

Performance incentive payments are available for full- and part-time faculty with regular appointments. Participants must be members of the professional practice plan of their respective college.

**Policy**

Faculty salaries will be budgeted on sponsored research and grants and contracts commensurate with actual time and effort. Corresponding salary released from institutional accounts (PPP, state revolving, and other unrestricted funds, excluding "B" accounts and "D" accounts) is available for performance incentive payments. Performance incentive payments will not be charged directly or indirectly to federally-funded programs. Released institutional faculty salary will be made available for expenditure on a quarterly, after-the-fact basis as follows:

- **INDIVIDUAL FACULTY MEMBER (30%)** – 30% of released salary will be made available to the individual faculty member. Such funds can be paid as a performance incentive payment to the faculty member or be used by the faculty member for non-recurring expenditures; i.e., travel, supplies, equipment, temporary positions, etc.

- **DEPARTMENT CHAIR (50%)** – At the discretion of the departmental chair, salary/benefit release funds may be reallocated within the department for non-recurring expenditures.

- **DEAN (20%)** – At the discretion of the college dean, 20% of released salary/benefit funds may be reallocated within the college for non-recurring expenditures.

The sponsored programs incentive plan is separate from faculty compensation paid through college practice plans. Incentive payments will not be considered part of base salary for tenure purposes, merit based salary increases, or termination pay. A faculty member may continue to participate in the performance incentive plan as long as release funds are available. Performance incentive payments cannot be made prospectively. Exceptions to this policy must be approved by the Senior Vice President and Provost.

(Senior Vice President and Provost, 7-1-98)
8.6 POLICY REGARDING PRINCIPAL INVESTIGATOR ELIGIBILITY AT THE UNIVERSITY OF OKLAHOMA HEALTH SCIENCES CENTER

Principal Investigators on sponsored projects shall hold faculty (regular or temporary appointments) or staff paid appointments, full-time or part-time, at the University of Oklahoma Health Sciences Center. However, if a funding agency has more restrictive requirements regarding who can serve as a principal investigator on a project, the funding agency’s requirements supersede this policy.

If allowable by the sponsor, graduate students, postdoctoral fellows, and residents may apply for external funding provided that a University faculty member agrees to serve as the Principal Investigator and C account sponsor on the project, and to be responsible for the completion of all deliverables, including required project reports. Graduate students, postdoctoral fellows, and residents may submit individual training or fellowship applications with the written support of their mentor.

This is a University of Oklahoma Health Sciences Center policy. The Vice President for Research must approve any exception to this policy in advance of submission of a grant or contract proposal to a funding agency.

8.7 UNIVERSITY OF OKLAHOMA HEALTH SCIENCES CENTER POLICY ON LEVEL OF EFFORT COMMITED ON SPONSORED PROGRAMS

The University of Oklahoma Health Sciences Center treats all aspects of sponsored programs administration consistently, regardless of funding source. Therefore, pursuant to federal regulations, the OUHSC faculty and staff may not have total effort commitments (sponsored and non-sponsored) in excess of 100 percent (see definition of Commitment overlap below). Faculty or staff who have University responsibilities in addition to those committed on sponsored programs, including but not limited to teaching, administration or clinical activities, must reserve the appropriate amount of effort as agreed upon with the Department Chair and/or Dean for those commitments and, therefore, may not commit 100% paid or unpaid effort to sponsored grants and/or contracts.

Excerpt from NIH Notice: “Commitment overlap occurs when a person’s time commitment exceeds 100 percent, whether or not salary support is requested in the application. While information on other support is only requested for key personnel (excluding consultants), no individuals on the project may have commitments in excess of 100 percent.”


8.8 ALLOWABLE SALARY ON OUHSC GRANTS AND CONTRACTS FOR OUHSC EMPLOYEES WITH VA APPOINTMENTS

OUHSC “Institutional Base Salary” (IBS) is the salary that is guaranteed annually by the employee’s department, approved by the Board of Regents of the University of Oklahoma, and documented in the OUHSC Annual Budget Book. For the purpose of receiving compensation on grants or contracts, the IBS is derived solely from the OUHSC portion of the employee’s total compensation. Institutional Base Salary does not include Professional Practice Plan compensation or other clinical compensation that is not guaranteed and approved by the University Regents.
University of Oklahoma Health Sciences Center (OUHSC) employees with VA appointments will be compensated for time and effort on OUHSC grants and contracts in accordance with the NIH Grants Policy Statement regarding compensation of Federal employees for all grants and contracts received at OUHSC, regardless of funding source.


OUHSC and the Veterans Administration Medical Center (VAMC) are required by federal granting agencies to establish an agreement (Memorandum of Understanding) to determine the total effort and set of responsibilities between the two entities. An OUHSC employee with a paid OUHSC appointment can be paid for their time spent on OUHSC grants and contracts as part of their OUHSC appointment.

Federal salary cannot be included in the OUHSC Institutional Base Salary on grants and contracts. Only the OUHSC portion of salary may be used to determine the amount of allowable compensation on grants and contracts. The allowable salary is based on the percentage of the OUHSC appointment that is applicable to the effort devoted to the project. If the OUHSC employee does not receive salary from OUHSC, then salary cannot be requested or charged to a grant or contract.

An individual with an 8/8th appointment at the VA with a paid appointment at OUHSC can be compensated on an OUHSC grant or contract as part of their OUHSC appointment based on their OUHSC Institutional Base Salary alone. The total effort and set of responsibilities between the two entities and the percentage of effort at each institution must meet the test of reasonableness for such individuals.

8.9 UNIVERSITY OF OKLAHOMA HEALTH SCIENCES CENTER FACILITIES AND ADMINISTRATIVE COSTS POLICY FOR EXTERNALLY FUNDED PROJECTS

See the Office of Research Administration web site for current rates and applicable forms.

1.0 POLICY

1.1 It is the policy of the University of Oklahoma Health Sciences Center to collect the full applicable rate of facilities and administrative costs reimbursement on all externally funded projects, including research, public service, training and instruction grants and contracts.

1.2 For all projects funded by federal agencies, or funded with federal dollars (including federal dollars passed through other agencies), the applicable rate is based upon the University’s current federally negotiated facilities and administrative costs rate agreement. The only exception to the negotiated rate is for those federal programs where a lower rate is specified and published in the sponsored program announcement.

1.3 For all projects funded by state and local agencies, private industry and foundations, the applicable facilities and administrative costs rate is based upon the type of program (research, training, instruction, public service, fee-for-service) and the current negotiated indirect cost rate for research or the University’s published facilities and administrative costs rate for training, instruction, public service, or fee for service programs.
1.4 Any requests for an exception of the applicable indirect cost rate must follow the exception process described in Section 4.0. Exception requests must be submitted to the appropriate Dean's office for review and the signed Exception Form must then be approved by the Vice President for Research and the Vice President for Administration and Finance.

2.0 BACKGROUND AND DEFINITIONS

2.1 This policy provides guidelines for the University of Oklahoma Health Sciences Center regarding the reimbursement of facilities and administrative costs for all externally funded projects.

2.2 The total cost of all externally funded projects consists of both direct and indirect expenses. The University must pay for all associated facilities and administrative costs of every program, regardless of whether it is reimbursed by the sponsor or not.

2.3 Federal regulations (OMB Circular A-21 and the Federal Cost Accounting Standards) require that the same type of costs be treated consistently as direct or facilities and administrative costs on sponsored programs. This policy provides guidance to assure compliance with all applicable federal regulations.

2.4 Definitions

Direct costs are those that are readily identifiable with a specific project and which can be charged directly to that project. Direct costs include such items as salaries, fringe benefits, equipment, consumable materials and supplies, travel, subject/participant costs, and subcontracts.

Facilities and administrative (F&A) costs, formerly known as indirect costs, are actual costs incurred by the University to support externally funded projects. These costs are to be reimbursed by the sponsor for common University expenses that cannot be directly charged to a single project and include: 1) infrastructure costs (rent, heating, air, janitorial services) and 2) support services (IT, library, purchasing, accounting, research administration, animal resources, and federally mandated assurance boards and offices [Institutional Review Board, Institutional Animal Care and Use Committee, Institutional Biosafety Committee]).

On-campus/off-campus facilities and administrative costs rates - On-campus and off-campus facilities and administrative costs rates for research are determined by the DHHS negotiated cost rate agreement and are to be utilized for all federally funded research. The applicable on- and off-campus indirect cost rate(s) for research, public service, training and instruction are published annually by Administration and Finance and can be found at: http://www.ouhsc.edu/financialservices/Grants.asp. The off-campus rate applies only to activities performed in facilities not owned by the Health Sciences Center and to which rent is charged directly to the project.

3.0 APPLICABLE FACILITIES AND ADMINISTRATIVE COSTS RATES BY FUNDING SOURCE AND TYPE OF PROGRAM

3.1 FEDERAL - The University's current federal negotiated facilities and administrative costs rates apply to all federally funded programs, with the exception of Federal Training Grants. This includes funds received directly from federal agencies and funds received indirectly from
federal agencies as “flow-through” or “pass-through” funds from other institutions, i.e. subawards and subcontracts.

3.2 STATE - The current applicable facilities and administrative costs rate applies to all programs funded by State of Oklahoma agencies (including OSDH, ODHS, OHCA and others). The State agency must also provide written certification to the Office of Research Administration regarding the source of their funding, federal versus non-federal, in order to determine the applicable facilities and administrative costs rate. All research grants or contracts funded by federal flow-through funds are required to include the University’s current negotiated facilities and administrative costs rate.

3.3 NON-PROFIT/FOUNDATION - The applicable facilities and administrative costs rate applies to all programs sponsored by Non-Profit agencies and Foundations.

3.4 INDUSTRY: CLINICAL TRIALS - The facilities and administrative costs rate for Clinical Trials funded by Industry/Pharmaceutical companies may vary, but must include 20% for core Institutional overhead costs. Departmental or College Administrative cost rates may be included in addition to the Institutional 20%. There will be no exceptions to the core Institutional rate of 20% for Clinical Trials sponsored by Industry/Pharmaceutical companies.

3.5 INDUSTRY: BASIC RESEARCH – The University’s current federal negotiated facilities and administrative costs rate applies to all basic research programs sponsored by for-profit Industry/Pharmaceutical companies.

3.6 See the Office of Research Administration web site for all applicable facilities and administrative costs rates based upon funding source and type of program.

4.0 REQUESTS FOR EXCEPTIONS

4.1 Exceptions to this policy will only be granted in rare circumstances. Facilities and administrative costs must be included using the University’s federally-negotiated rates, with the exception of Federal Training Grants. All other deviations are subject to administrative approval by the Vice President for Research and the Vice President for Administration and Finance. Sponsor guidelines limiting facilities and administration costs must be provided with each proposal requesting an exception. Projects funded by the for-profit sector must accrue F&A at the appropriate negotiated rate.

4.2 All requests for exceptions to the University’s Facilities and Administrative Costs Policy must use the “Indirect Cost Rate Exception Request Form”.

4.3 The Exception Form must be submitted to the appropriate Dean’s office for review, which in consultation with the department chair may elect to support or deny the request. If supported by the Dean’s Office, the signed Exception Form must be routed to the Office of Research Administration and Administration and Finance at least five (5) business days prior to obtaining institutional signature on the proposal, grant application or contract.

4.4 The Vice President for Research and the Vice President for Administration and Finance will make the final decision.
4.5. The Senior Vice President and Provost, the Vice President for Administration and Finance, and the Vice President for Research, will monitor the cost to the University of approved facilities and administrative costs exceptions on a continuing basis. Exception approvals will be reviewed with the applicable Dean on a quarterly basis.

(Effective July 1, 2009)

8.10 POLICY REGARDING FACILITIES AND ADMINISTRATIVE COSTS ON CLINICAL TRIALS

In September 1992 and August 1994 the Provost and Vice President for Research, respectively, issued memoranda regarding the University’s policy for recovery of facilities and administrative (F&A) costs (formerly known as indirect costs) on clinical trials involving human subjects. The purpose of this memorandum is to restate the policy to more precisely define the basis for determining which clinical studies are subject to the ten percent (10%) F&A assessment by the Provost’s Office.

Ten percent (10%) of all revenue received from clinical trial studies is recovered by the Provost’s Office if the clinical study meets all of the following requirements:

1. The study is sponsored by an industrial company, i.e. pharmaceutical, device companies, etc.;
2. The study is clinical, i.e., involves living human subjects;
3. The study involves a drug or device;
4. Payment by the sponsor may be based upon number of patients enrolled, delivery of patient case report forms, a fixed fee lump sum, etc.;
5. The sponsor imposes no fiscal audit requirements on the University.

Any required college, department or section F&A charges are in addition to the 10% F&A costs recovered by the Provost’s Office. All appropriate F&A costs (the Provost’s 10% plus college, department or section charges) must be negotiated with the company by the investigator and included in the budget either 1) as a separate line item (administrative fees, F&A costs, etc.), or 2) added to the cost of each direct cost line item.

Basic, pre-clinical (nonclinical) research projects and other human studies not involving living human subjects are subject to the University’s current negotiated F&A costs. As with all sponsored studies, investigators and staff are required to allocate and charge their actual percent effort to all clinical study accounts, as well as all other costs directly benefiting the clinical study.

(Restated February 21, 2006)

8.11 Service as Promotional Speaker for Private Industry

University employees may serve as educational speakers – speakers who discuss products or services generally – but not as promotional speakers – speakers who promote a particular product or service.
University Regents’ policy prohibits the use of University resources, including employee time, and the University name for the promotion of goods or services. In addition, any use of the University’s name or symbols in advertising or promotional materials may be made only with special permission of the Vice President for Public Affairs. Employees who agree to or do promote goods or services in their professional capacity are in violation of University policy.

In addition, University employees are state employees and, as such, are governed by the State’s conflict of interest rules. Those rules do not permit the use of state funds to promote private industry, nor do they allow state employees to use their positions for private gain. Violations of state conflicts of interest rules can result in fines, payable by the individual, and/or jail time.

Given the University’s status as a public institution and the importance of presenting an image that is unbiased, professional, and respectful of its role as a steward of the resources entrusted to it, it is important that University employees not agree to provide any professional services that compromise, appear to compromise, or have the potential to compromise or appear to compromise their professional judgment, research results, or the like. Any action otherwise is a violation of University policy and state conflicts of interest rules.

Employees serving in educational speaking roles provide an important service to the community and their professions, and we encourage them to continue this service. University policy requires that contracts for employees to serve as educational speakers be routed through ORA for negotiation and authorized signature. Please contact ORA if you have questions regarding that process.

(Effective November 11, 2004)

**Additional Research Related Policies:**

- ACADEMIC MISCONDUCT POLICY (Appendix C)
- CONFLICTS OF INTEREST POLICY (Appendix E)
- ETHICS IN RESEARCH POLICY (Section 3.28)
- INTELLECTUAL PROPERTY POLICY (Appendix D)
- OPEN RECORDS POLICY (Appendix K)
9. COMPLIANCE

9.1 OFFICE OF COMPLIANCE

The Program’s mission is to enhance compliance consciousness for OU’s workforce by promoting the highest standards of ethics and integrity through awareness, training, education, monitoring, oversight, and appropriate responses to confirmed violations. Through this enhanced consciousness, compliance with all applicable laws, regulations, and University policies is achieved. Additionally, the Program establishes OU’s Standard of Conduct (“Standards”), which are a non-exclusive compilation of guidelines regarding ethical and legal standards that all University employees are expected to follow when performing services for or on behalf of OU. Both the complete Program and the Standards can be found on the website for OU’s Office of Compliance, www.ouhsc.edu/compliance/.

The Office of Compliance not only furthers the mission of OU’s Program but also effectively and efficiently operates and/or provides direction and oversight for the following compliance departments/compliance efforts:

- Healthcare Billing Compliance;
- Compliance Outreach
- Radiation Safety
- Human Research Protection / Institutional Review Board (“HRPP”)
- Environmental Health and Safety
- Institutional Biosafety
- Institutional Animal Care and Use Committee (“IACUC”)

9.1.1 Healthcare Billing Compliance

The Healthcare Billing Compliance Office’s mission is one of high ethical standards in maintaining regulatory compliance in all activities of documentation and coding for billing professional services.

The Healthcare Billing Compliance Office is a central resource in promoting education and monitoring regulatory compliance for medical and dental documentation, coding and billing. The Office assists in identifying and eliminating potential risk areas by activities which includes but is not limited to; providing education and training on regulations from Federal, State and other regulatory agencies affecting professional billing; conducting compliance validation reviews; recommending any needed changes or additions to billing policies and procedures; researching inquiries concerning proper billing practices; review, investigate and respond to reports of potential non-compliance; and recommending remedial actions for non-compliance.

The Healthcare Billing Compliance office maintains a web page containing federal and state regulations affecting professional billing along with forms and other helpful information relating to professional billing activities.
9.1.2 Compliance Outreach

Compliance Outreach’s mission is 1) to communicate the goals and purpose of the University of Oklahoma’s Office of Compliance to the university community and 2) to facilitate the exchange of essential information between that community and the Office of Compliance.

Compliance Outreach coordinates and facilitates communication between the University of Oklahoma Office of Compliance and the University community as a whole. The department achieves this goal by developing and maintaining Office of Compliance departmental websites that support and inform new and existing OU employees and students. Additionally, Compliance Outreach coordinates, develops, and monitors essential training initiatives geared to providing fundamental information to the university community.

9.1.3 Environmental Health and Safety Office (EHSO)

The Mission of the EHSO is to “develop and coordinate appropriate policies and programs to promote occupational health, reduce accidents and injuries, protect our environment, and provide technical assistance to administration, faculty, staff, and students of OU regarding environmental and occupational health and safety regulatory compliance”.

The Environmental Health and Safety Office (EHSO) provides health, safety, and environmental services to the University of Oklahoma including off-campus facilities to facilitate compliance with all environmental, occupational health and safety regulations. These regulations include, but are not limited to, those promulgated by OSHA, EPA, the Oklahoma Department of Environmental Quality, the Oklahoma Department of Labor, and applicable regulations under the Department of Transportation.

All University employees must perform their jobs in compliance with all applicable institutional policies and state and federal laws and regulations relating to the protection of workers’ safety. Employees must become familiar with and be trained on the worker safety laws, regulations, and University policies and programs which apply to their jobs. It is the responsibility of all University faculty, staff, and students to follow safe working practices, obey health and safety rules and regulations and work in a way that protects their health and that of others, and does no harm to the environment.

All University employees must manage and dispose of hazardous chemical, biological and other wastes in a way that maximizes protection of human health and the environment and is in accordance with all applicable local, state and federal laws and regulations.

9.1.4 Human Research Participant Protection

The mission of the Office of Human Research Participant Protection (HRPP) is to protect the rights, privacy, and welfare of all human participants in research projects conducted by OU faculty, staff, and students, or otherwise conducted under its oversight.

The HRPP is the University’s established program designed to support its commitment to the protection of human participants in research. The goals of this program are to provide safety
for human participants in research, to educate the University’s researchers, and to provide
continuous quality improvement of the University’s research activities.

The University of Oklahoma “OU” has established the Office of Human Research Participant
Protection (HRPP) on the Norman and Oklahoma City campuses to support its commitment to
the protection of human participants in research. The Oklahoma City campus HRPP office has
established a satellite office at the Schusterman Campus in Tulsa. The Norman and Oklahoma
City campus HRPP encompass Institutional Review Boards functioning in an autonomous
manner to apply all federal regulations and ethical principles to OU research involving humans,
regardless of sponsorship or performance site location.

The Institutional Review Boards (IRBs) are appointed as University Committees. As such, the
IRBs serve OU as a whole, rather than a particular college or department, and any institution
for which the University of Oklahoma is designated as the IRB of record in an Assurance filed
with OHRP.

All research activities involving human participants must be reviewed and approved by one of
the appropriate IRBs. Intervention or interaction with human participants in research,
including recruitment, may only begin when the IRB has reviewed and approved the research
project. All investigators conducting research involving human participants at OU are required
to complete the designated training related to the ethical conduct of research.

9.1.5 Institutional Animal Care and Use Committee (IACUC)

The mission of the Institutional Animal Care and Use Program is to review applications for the
use of animals in research studies or educational (teaching) activities submitted by Health
Sciences Center faculty; to inspect on a semi-annual basis all facilities where animals are
housed; to inspect on a semi-annual basis all laboratories that use animals to ensure that only
authorized procedures are being used; and to ensure that all individuals involved with the use
of animals in research are properly trained for these activities.

The Institutional Animal Care and Use Program is accredited by the Association for Assessment
and Accreditation of Laboratory Animal Care International (AAALAC), and has an approved
Assurance on file with the National Institutes of Health Office of Laboratory Animal Welfare as a
facility that uses animals in research, testing, and training programs.

The mission of the Institutional Animal Care and Use Program is carried out by a Program
Director and a committee composed of Health Sciences Center (HSC) faculty and graduate
students with expertise in the areas of research or teaching under consideration. The
Institutional Animal Care and Use Committee (IACUC) is ultimately responsible for reviewing,
requiring modification(s) if necessary, and approving all research proposals that involve the use
of animals. IACUC approval is required before these research studies or educational programs
 can be initiated.

9.1.6 Radiation Safety Office (RSO)

The mission of the Radiation Safety Office is to facilitate the safe use of radioactive materials
and radiation producing machines in education, research, and medical care; to keep personnel
and public exposure As Low As Reasonably Achievable (ALARA); and to ensure that these
materials/devices will be used in accordance with the highest standards of regulatory compliance.

In the State of Oklahoma, the use of radioactive materials, radiation therapy devices, and analytical x-ray devices are regulated by the Oklahoma Department of Environmental Quality (DEQ). OU, OUHSC, and OUMC have DEQ licenses that permit the use of radioactive materials. The use of diagnostic x-ray devices is regulated by the Oklahoma State Department of Health. Radiation producing devices are permitted and registered by the applicable agency.

The management of the OU, OUHSC, OUMC have appointed Radiation Safety Committees that oversee the use of radiation and radioactive materials on their respective campuses/facilities. The use of all radioactive materials and ionizing radiation for patient care, teaching, and research purposes must be reviewed and approved by the Radiation Safety Committee. These entities have appointed Radiation Safety Officers who are responsible for implementing the policies and procedures for the safe use of radioactive materials, ensuring regulatory compliance of such policies, and providing radiation safety training and consulting to the staff and management.

The ultimate responsibility for radiation safety is placed on the individual authorized to use radiation or radioactive materials. Therefore, all authorized users of radioactive materials and users of radiation producing devices shall be familiar with the contents of the Radiation Safety Manual, and ensure that those working under their supervision are properly trained. The licenses and the pertinent regulations are available for review in the respective Radiation Safety Offices.

9.1.7 Institutional Biological Safety Committee (IBC)

The OUHSC Institutional Biosafety Committee (IBC) has the charge of reviewing and approving the biological safety of all OUHSC and OU-Tulsa basic and clinical research activities involving recombinant DNA, gene transfer including transfer to humans, microorganisms, viruses, and biological toxins.

All basic and clinical research activities involving recombinant DNA, gene transfer including transfer to humans, microorganisms, viruses, and biologic toxins, must be performed in compliance with federal, state, and local statutes, guidelines, rules and regulations governing such research. For any research project involving the use of these potentially biohazardous materials, the Principal Investigator (PI) and any Co-Investigator (CI) must: 1) review the applicable requirements and determine the biological safety issues related to the project; 2) develop appropriate standard operating procedures (SOPs) which are consistent with all applicable requirements and are designed to control potential biohazards associated with the project; 3) receive approval from the responsible Institutional Biosafety Committee (IBC) at the respective OU campus; 4) train all employees on the appropriate biological safety procedures applicable to the research; and 5) notify the responsible IBC at the respective OU campus of any changes in protocol, procedures, biosafety level, or research site during the implementation of the research.

The IBC will perform periodic site visits to laboratories to verify that laboratory facilities and work practices are consistent with the biological risk and associated biosafety requirements.
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10. APPENDIX A

CHARTER OF THE REGULAR FACULTY AND THE FACULTY SENATE - HEALTH SCIENCES CENTER

10.1 PREAMBLE

The Regular Faculty of the University of Oklahoma Health Sciences Center has adopted the following Charter, within the structure of the University, to assist with the orderly conduct and governance of its affairs, protecting however the rights and jurisdictions of individual colleges and their respective faculties; to ensure due process; and to facilitate faculty-administration division of labor and reciprocally supportive collaboration in achieving the goals and purposes of the Health Sciences Center.

This Charter is not intended to abridge the rights and privileges of any member or sub-group of the Regular Faculty (i.e. department or college faculty group) to determine matters of their rightful jurisdiction, academic freedom, and responsibility.

ARTICLE I

10.2 NAME

The name of this organization shall be: "The Regular Faculty of the University of Oklahoma Health Sciences Center."

ARTICLE II

10.3 PURPOSE

The purpose of this organization shall be:

A. To help define and protect the rights of faculty members;

B. To support the faculty in implementing the University functions of teaching, research and scholarly activity, and service;

C. To develop, recommend, and implement policies for the Health Sciences Center and the University in matters relating to the instruction of students, the conduct of research and scholarly activity, and the provision of services in any matters affecting the welfare of the Health Sciences Center;

D. To promote collaborative effort within and among faculty, professions, and colleges; and

E. To respect the rights and jurisdictions of the individual Colleges in the Health Sciences Center.
ARTICLE III

10.4 MEMBERS

10.4.1 Section I. Members

The membership of the Regular Faculty of the Health Sciences Center shall be composed of all full-time faculty members with the unmodified rank of assistant professor or above who hold tenure track, tenured, or consecutive term appointments. The Regular Faculty does not include individuals holding temporary appointments such as instructor, lecturer or associate; or with modified ranks such as "visiting, adjunct, special, acting, and/or clinical," or holding temporary research appointments such as assistant professor of research or higher.

10.4.2 Section 2. Voting Rights

All members with the unmodified rank of assistant professor or above and who hold tenure track, tenured, or consecutive term appointments, shall have full voting rights.

10.4.3 Section 3. Proxy

No votes shall be cast by proxy.

ARTICLE IV

10.5 POWERS

10.5.1 Section 1. Governance Powers

The governance of the Faculty of the Health Sciences Center is vested in the Regular Faculty of the Health Sciences Center, subject to the provisions of Article III, Section 1 above.

10.5.2 Section 2. Exercise of Powers

These governance powers shall be exercised either by the Regular Faculty or by the Faculty Senate (see Article VII, Section 5).

10.5.3 Section 3. Accountability of Senate

The Faculty Senate shall be subject to the orders of the Regular Faculty, and none of the Senate’s acts shall conflict with actions taken by the Regular Faculty.

ARTICLE V

10.6 OFFICERS

10.6.1 Section 1. Officers

The Officers of the Regular Faculty shall be the Officers of the Faculty Senate: Chair, Chair-Elect, Secretary, and Secretary-Elect.
These officers shall perform the duties prescribed by this Charter, by the parliamentary authority adopted by the Regular Faculty, and any other activities necessary to achieve the purposes of the Regular Faculty of the Health Sciences Center.

10.6.2 Section 2. Election of Officers

The officers shall be elected yearly by and from among the representatives who compose the Faculty Senate.

10.6.3 Section 3. Eligibility

No member shall hold more than one office at a time. No member shall serve more than two consecutive terms in the same office.

ARTICLE VI

10.7 MEETINGS

10.7.1 Section 1. Meetings

The Regular Faculty shall meet at least twice yearly, usually in October and April.

10.7.2 Section 2. Annual Meeting

The meeting in April shall be known as the Annual Meeting and shall be for the purpose of receiving reports of Officers and Committees, for communicating a report of significant yearly Senate activities, and for any other business that may arise.

10.7.3 Section 3. Special Meetings

(a) Special meetings of the Regular Faculty may be called by the Chair of the Senate, by the Senior Vice President and Provost of the Health Sciences Center, or by written petition of a total of thirty (30) Regular Faculty of whom no more than fifteen (15) belong to any one college.

(b) The purpose of the meeting shall be stated in the call.

(c) Every Regular Faculty member shall be notified.

(d) Except in cases of emergency, at least seven (7) days notice shall be given, and the meeting shall be called within thirty (30) days of the presentation of a petition.

10.7.4 Section 4. Quorum

Sixty (60) members of the Regular Faculty of the Health Sciences Center, representing three or more Colleges, provided no more than thirty (30) of the quorum number are from any one college, constitute a quorum.
ARTICLE VII

10.8 THE FACULTY SENATE

10.8.1 Section 1. Members

(a) The Faculty Senate shall be composed of at least three (3) members of the Regular Faculty from each OUHSC College except the Graduate College, which shall have one representative, and one (1) member from each College on the Tulsa campus. One additional representative shall be elected by each College for each additional one hundred (100) Regular Faculty over the first 100 whose primary appointment is in that College. No College, however, shall have more than forty (40) percent of the total number of Senate representatives. The Senior Vice President and Provost of the Health Sciences Center or his designate shall be an ex-officio member of the Senate and shall serve without vote.

(b) Terms of office of members of the Faculty Senate shall be staggered. Specific methods of accomplishing this shall be determined by each College. No member shall serve more than two consecutive elected terms as a member of the Faculty Senate.

10.8.2 Section 2. Election

(a) Representatives of the Faculty Senate shall be elected by and from each College of the Health Sciences Center. They shall be elected by written ballot for a three (3) year term.

(b) Prior to June 1, each College shall elect new representatives to fill out-going Senate positions and inform the Chair of the Faculty Senate.

(c) Except for the Graduate College, Senators shall represent that College in which they hold their primary appointment. Members with joint or multiple appointments shall declare, at the beginning of each academic year, the College in which they will vote during that year.

(d) The Senate representatives shall assume their office on July 1.

(e) Each College shall elect one or more alternates to serve in case of the absence or disability of a Senator. The number of alternates elected from each college shall be one-half of the number of Senators to which that College is entitled rounded to the next highest whole number. They shall be elected by written ballot for a one-year term. If more than one alternate is elected, the alternates shall be numerically listed according to votes. The alternate for the Graduate College shall be elected to a one-year term from the membership of the Graduate Council.
10.8.3 Section 3. Replacement of Senate Members

(a) The Faculty of each College may establish procedures for the recall of any Senator of that College. However, in no case can a Senator be recalled without a majority vote of the Regular Faculty members of that College.

(b) Should a Senator be unable to fulfill the duties of that office for any reason, that name may be removed from the rolls upon written request to the Senate Secretary from that Senator or from the Faculty of the represented College.

(c) In the event of the removal of a Senator from the rolls for any reason, the First Alternate will fill that position for the remainder of the academic year. At the next College election, a Senator will be elected to fill the unexpired term.

(d) In the event there is no alternate to complete the unexpired term, the Faculty of the College will be asked to fill the vacancy. The procedure by which the vacancy is filled is determined by each College.

10.8.4 Section 4. Officers

The Officers shall be: Chair, Chair-Elect, Secretary, and Secretary-Elect, and such other officers as are provided for in the Charter.

10.8.5 Section 5. Powers

(a) The Faculty Senate shall exercise the governance of powers of the Regular Faculty of the Health Sciences Center as delegated by the Regular Faculty.

(b) The Faculty Senate shall conduct the affairs of the Regular Faculty between the latter’s meetings, make recommendations to the Regular Faculty, and perform such other duties as are specified in the Charter and Operating Procedures, and/or are necessary to achieve the objectives of the Regular Faculty.

(c) Any member of the Regular Faculty may bring matters relating to the governance before the Regular Faculty or the Faculty Senate by written request.

(d) The Faculty Senate shall determine its own rules, procedures, times and place of meetings, and regulations governing its internal affairs.

(e) The Faculty Senate shall publish a Charter as well as Operating Procedures.

10.8.6 Section 6. Meetings

(a) The Faculty Senate shall meet at least nine (9) times a year and at other times as necessary.

(b) The Faculty Senate shall report significant Senate activities to the Regular Faculty in the spring Annual Meeting of the Regular Faculty.
ARTICLE VIII

10.9 COMMITTEES

10.9.1 Section 1. Standing and Special Committees

Standing or special committees of the Regular Faculty and/or Faculty Senate shall be established as deemed necessary to facilitate faculty governance.

10.9.2 Section 2. Committee Membership

(a) The Chair of the Regular Faculty shall be an ex-officio member of any and all standing and special committees with voting privileges.

(b) All members of the Regular Faculty are eligible to serve on special or standing committees, provided, that the membership is proportional among the colleges in roughly the same ratio as are seats in the Senate.

(c) The Health Sciences Center Student Association may be invited to nominate a student to serve on selected Senate Committees.

ARTICLE IX

10.10 LIAISON WITH THE HEALTH SCIENCES CENTER SENIOR VICE PRESIDENT AND PROVOST

10.10.1 Section 1. Function

The Faculty Senate shall serve as an advisory body to the Senior Vice President and Provost of the Health Sciences Center and other administrative officers of the University in relation to matters of interest and importance to the Faculty.

10.10.2 Section 2. Faculty Assistance to Administration

At the beginning of each academic year, the Faculty Senate shall provide to the Senior Vice President and Provost of the Health Sciences Center a list of nominees who are willing and able to serve during the ensuing year on Health Sciences Center committees or councils. The Senior Vice President and Provost shall recommend the nominations to the President of the University who shall make the appointments.

10.10.3 Section 3. State of the Health Sciences Center Message

At the first meeting of the Regular Faculty each academic year, the President of the University and the Senior Vice President and Provost of the Health Sciences Center, shall be invited to orally present to the Regular Faculty of the Health Sciences Center a statement on the State of the Health Sciences Center and recommendations for furthering the progress of the Center.
10.10.4  **Section 4. Disposition of Requests for Action**

Requests from the Faculty Senate for action by the Administration or by the University Regents shall be directed to the Senior Vice President and Provost of the Health Sciences Center who will then forward these requests to the President of the University. The Senior Vice President and Provost of the Health Sciences Center shall, within thirty (30) calendar days, report in writing to the Faculty Senate the disposition of any request for action or information received. The reports shall include the rationale for actions taken or not taken.

**ARTICLE X**

10.11  **SENATE LIAISON COMMITTEE**

10.11.1  **Section 1. Purpose**

The purpose of the Senate Liaison Committee shall be to routinely facilitate the exchange of information between the OUHSC Senate, the University President, and the Norman Campus Senate.

10.11.2  **Section 2. Composition**

The Senate Liaison Committee shall be composed of the Chair, Chair-Elect, and the Secretary of the Senate.

10.11.3  **Section 3. Meetings**

(a) The Committee will meet as often as necessary with the University President and representatives of the Norman Campus Senate to achieve the Committee purpose as set forth in Article X, Section 1 above.

(b) The Committee will report activities and progress routinely to the Senate.

**ARTICLE XI**

10.12  **PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised, shall govern the Regular Faculty and the Faculty Senate in all cases to which they are applicable and in which they are not inconsistent with this Charter and any special rules of order which the Regular Faculty may adopt.

**ARTICLE XII**

10.13  **AMENDMENT OF THE CHARTER**

10.13.1  **Section 1. Amending**

This Charter may be amended from time to time in any particular as follows:
Amendments of this Charter and ensuing Rules and Operating Procedures may be proposed at any regular or special meeting of the Faculty Senate.

Amendments must be approved by a two-thirds (2/3) vote of the Faculty Senate voting by mail ballot.

Amendments shall be submitted to each Faculty Senate member for vote at least fifteen (15) days prior to tabulation of ballots.

10.13.2 Section 2. Effective Date

Amendments shall be effective immediately upon approval by the University of Oklahoma Board of Regents.

ARTICLE XIII

10.14 ADOPTION

This Charter shall be effective once approved by a majority of the Regular Faculty in each College of the Health Sciences Center and approved by the Board of Regents, signed by the President of the Board and sealed by the Executive Secretary of the Board of Regents.

(This Charter was approved by the Faculty Senate 7/12/74, the General Faculty 7/25/74, and the University Regents 7/26/74. Updated 6/25/84. Approved by the Faculty Senate 9/5/02 and the University Regents 12/3/02.)
11. APPENDIX B

CHARTER OF THE GRADUATE FACULTY AND THE GRADUATE COUNCIL

ARTICLE I

11.1 NAME

The name of this organization shall be: "The Graduate Faculty of the University of Oklahoma Health Sciences Center."

ARTICLE II

11.2 PURPOSE

The purposes of this organization shall be:

A. To develop, recommend, and implement policies relating to graduate education on the Health Sciences Center campus;

B. To assist the graduate faculty in its functions of teaching, research, and public service;

C. To promote excellence in graduate teaching and research; and

D. To promote collaborative effort, exchange of information, and mutual understanding among graduate faculty.

ARTICLE III

11.3 MEMBERS

11.3.1 Section 1: Membership

(a) Members

The Members of the Graduate Faculty of the Health Sciences Center are the faculty members of the rank of instructor or above who 1) have been appointed to the Graduate College by action of their respective departments and with the approval of the Graduate Dean, and 2) hold a non-temporary appointment in the Graduate College. The appointment of Members shall be reviewed at intervals of five years.

(b) Associate Members

The Associate Members of the Graduate Faculty of the Health Sciences Center are all other faculty who hold appointments in the Graduate College. The appointment of Associate Members shall be reviewed every three years.
11.3.2 Section 2: Voting Rights

Members of the Graduate Faculty shall have full voting rights. Each Member must declare the college in which his vote may be cast, usually the college of his major appointment. Associate Members shall not vote.

11.3.3 Section 3: Proxy

No votes shall be cast by proxy.

ARTICLE IV

11.4 POWERS

11.4.1 Section 1: Governance Powers

The governance of graduate affairs on the Health Sciences Center campus is vested in the Graduate Faculty of the Health Sciences Center.

11.4.2 Section 2: Limits of Powers

The governance powers of the Graduate Faculty shall not abridge those of the University Administration, of the General Faculty of the Health Sciences Center, nor of the individual colleges on the Health Sciences Center campus.

11.4.3 Section 3: Exercise of Powers

The governance powers of the Graduate Faculty shall be exercised either by the Graduate Faculty or by the Graduate Council (see Article VII) acting on behalf of the Graduate Faculty.

11.4.4 Section 4: Accountability of the Council

The Graduate Council shall be subject to the orders of the Graduate Faculty. None of the Council’s acts shall conflict with actions taken by the Graduate Faculty.

11.4.5 Section 5: Review of Dean’s Performance

The Graduate Council shall review regularly, at intervals not exceeding five years, the performance of the Dean of the Health Sciences Center Graduate College and shall report the findings to the Senior Vice President and Provost of the Health Sciences Center.

ARTICLE V

11.5 OFFICERS

11.5.1 Section 1: Officers

The Officers of the Graduate Council shall be the Officers of the Graduate Faculty: President, Vice President, and Secretary. These officers shall perform the duties prescribed by this charter, by the
parliamentary authority adopted, and by the Graduate Faculty.

11.5.2 Section 2: Selection of Officers

The Dean of the Health Sciences Center Graduate College shall serve as President of the Graduate Council. The Vice President and the Secretary shall be elected yearly by and from the representatives who compose the Graduate Council.

11.5.3 Section 3: Eligibility

No member shall hold more than one office at a time. No member, except the Secretary, shall serve more than two consecutive terms in the same office.

ARTICLE VI

11.6 MEETINGS

11.6.1 Section 1: Meetings

(a) Meetings may be called by the Graduate Council, Health Sciences Center, by the Dean of the Graduate College, or upon written petition of a total of fifteen (15) Members of the Graduate Faculty.

(b) The purpose of the meeting shall be stated in the call.

(c) All Graduate Faculty shall be notified.

(d) Except in cases of emergency, at least seven (7) days notice shall be given and the meeting shall be called within thirty (30) days of presentation of a petition.

11.6.2 Section 2: Quorum

Twenty (20) Members of the Graduate Faculty of the Health Sciences Center, representing two or more Colleges, constitute a quorum, provided that no more than ten of the quorum number are from any one college.

ARTICLE VII

11.7 THE GRADUATE COUNCIL

11.7.1 Section 1: Members

(a) The Dean of the Health Sciences Center Graduate College, who shall serve as President, with vote except in matters related to his review as stated in Article IV, Section 5.

(b) Two student representatives, elected by the Graduate Student Council.

(c) Graduate Faculty Members:
(1) Representatives from each college depending on the number of Members of the Graduate Faculty in each college:

<table>
<thead>
<tr>
<th>Graduate Faculty Members</th>
<th>Number of Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-30</td>
<td>1</td>
</tr>
<tr>
<td>31-90</td>
<td>2</td>
</tr>
<tr>
<td>91-150</td>
<td>3</td>
</tr>
<tr>
<td>151-210</td>
<td>4</td>
</tr>
</tbody>
</table>

(2) Additional representatives from colleges depending on the number of graduate students enrolled in graduate programs of departments of such college:

<table>
<thead>
<tr>
<th>Students</th>
<th>Additional Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-74</td>
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<tr>
<td>75-149</td>
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</tr>
<tr>
<td>150-224</td>
<td>2</td>
</tr>
<tr>
<td>225-299</td>
<td>3</td>
</tr>
<tr>
<td>300-374</td>
<td>4</td>
</tr>
</tbody>
</table>

11.7.2 Section 2: Terms

(a) Faculty representatives from a college shall be elected by Members of the Graduate Faculty of that college, for terms of three years.

(b) Terms of office of members of the Graduate Council shall be staggered. Specific methods of accomplishing this shall be determined by each college.

(c) No Member of the Graduate Faculty shall serve more than two consecutive terms as a member of the Graduate Council.

(d) Elections shall be held annually in April. Terms shall start on July 1.

(e) Faculty vacancies shall be filled by appointment by the Graduate Council upon recommendation from the college being represented. Student vacancies shall be filled by action of the Graduate Student Council.

11.7.3 Section 3: Eligibility

All Members of the Graduate Faculty as defined in Article III, Section 1, are eligible to serve as Members of the Graduate Council.

11.7.4 Section 4: Meetings

(a) The Graduate Council shall meet at least six times each year and at other such times as necessary.

(b) A quorum for meetings of the Graduate Council will be a majority of the Members defined in Section 1 of this Article.
11.7.5  Section 5:  Disposition of Requests for Action

Requests from the Graduate Council for action shall be directed to the Dean of the Health Sciences Center Graduate College. The Dean as well as the Graduate Council shall within thirty (30) calendar days report in writing their disposition of any request for action or information received from the other party(ies). The reports will include rationale for actions taken or not taken.

ARTICLE VIII

11.8  COMMITTEES

11.8.1  Section 1:  Standing Committees

There shall be the following standing committees of the Graduate Council:  a) Curriculum Review, b) Graduate Student Appeals, c) Graduate Faculty Appointments, d) Research, and e) Financial Support.

11.8.2  Section 2:  Other Committees

There shall be such other standing or special committees as the Graduate Faculty and/or the Graduate Council shall, from time to time, deem necessary to carry on the work of the Graduate Faculty.

11.8.3  Section 3:  Committee Membership

(a) Each committee shall have a Councilor as a member, with vote.

(b) Each committee shall have a graduate student as a member, with vote. Such student shall be selected by the Graduate Student Council.

(c) All Members of the Graduate Faculty are eligible to serve on special or standing committees.

11.8.4  Section 4:  Appointment of Committees

At the beginning of the academic year, the Graduate Council, with the advice of the Dean of the Health Sciences Center Graduate College and of the Senior Vice President and Provost of the Health Sciences Center, shall appoint the committees of the Graduate Council. The Dean shall not participate in the appointment of his own review committee.

ARTICLE IX

11.9  INTER-COUNCIL LIAISON COMMITTEE

11.9.1  Section 1:  Purpose

The purpose of the Inter-Council Liaison Committee shall be to exchange information between the Graduate Councils on the Health Sciences Center and Norman campuses.
11.9.2 Section 2: Composition

The representatives from the Health Sciences Center shall be the Health Sciences Center Graduate Dean and two members of the Graduate Council of the Health Sciences Center, who are selected by that Council.

11.9.3 Section 3: Meetings

The Deans of the two Graduate Colleges shall arrange for meetings of the Inter-Council Liaison Committee.

ARTICLE X

11.10 PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert’s Rules of Order, Newly Revised, shall govern the Graduate Faculty and the Graduate Council in all cases to which they are applicable and in which they are not inconsistent with this Charter nor any special rules of order which the Graduate Faculty may adopt.

ARTICLE XI

11.11 AMENDMENT OF THE CHARTER

11.11.1 Section 1: Amending

(a) Amendments to this Charter and ensuing by-laws may be proposed for debate at any regular or special meeting of the Graduate Faculty; at any meeting of the membership by majority vote of the members present and voting; at any meeting of the Graduate Council by majority vote of the Council members present; or by petition bearing the signature of at least fifteen (15) Members of the Graduate Faculty.

A meeting of the Graduate Faculty to discuss the proposed amendment(s) will be called by the Graduate Dean in accordance with Article VI, Section 1b, 1c, and 1d prior to any vote.

(b) Voting on proposed amendments shall be by mail ballot. To be approved, a proposed amendment requires affirmation both by two-thirds (2/3) of the Graduate Faculty voting, and, in each college, by a majority of the Graduate Faculty there voting.

(c) Amendments shall be submitted to each Graduate Faculty member for vote at least fifteen (15) days prior to tabulation of ballots.

(d) All amendments shall be forwarded through the Senior Vice President and Provost, for consideration by the President.

11.11.2 Section 2: Effective Date

Amendments shall be effective after approval by the President of the University of Oklahoma.
ARTICLE XII

11.12 ADOPTION

This Charter shall become effective when it has been approved by a majority of the Graduate Faculty voting in each of the Colleges of the Health Sciences Center and by the President of the University of Oklahoma.

(President, 10-92, 06-04)
12. APPENDIX C

ACADEMIC MISCONDUCT CODE

This Code applies to students, former students, and graduates.

12.1 ACADEMIC MISCONDUCT

Academic Misconduct includes any act which improperly affects the evaluation of a student’s academic performance or achievement, including but not limited to the following:

(a) Cheating: the use of unauthorized materials, methods, or information in any academic exercise, including improper collaboration;

(b) Plagiarism: the representation of the words or ideas of another as one’s own, including:
   1) direct quotation without both attribution and indication that the material is being directly quoted; e.g., quotation marks;
   2) paraphrase without attribution;
   3) paraphrase with or without attribution where wording of the original remains substantially intact and is represented as the author’s own;
   4) expression in one’s own words, but without attribution, of ideas, arguments, lines of reasoning, facts, processes, or other products of the intellect where such material is learned from the work of another and is not part of the general fund of common academic knowledge;

(c) Fabrication: the falsification or invention of any information or citation in an academic exercise;

(d) Fraud: the falsification, forgery, or misrepresentation of academic or clinic work, including the resubmission of work performed for one class for credit in another class without the informed permission of the second instructor; or the falsification, forgery, or misrepresentation of other academic or medical records or documents, including admissions materials, transcripts, and patient records; or the communication of false or misleading statements to obtain academic advantage or to avoid academic penalty;

(e) Destruction, misappropriation, or unauthorized possession of University property or the property of another;

(f) Bribery or intimidation;

(g) Assisting others in any act proscribed by this Code; or

(h) Attempting to engage in such acts.

It is the responsibility of each faculty member and each student to be familiar with the definitions, policies, and procedures concerning academic misconduct.
12.2 REPORTING ACADEMIC MISCONDUCT

12.2.1 WHO MAY FILE

Any University administrative, faculty, or staff member may bring a complaint of academic misconduct by submitting a written report as provided hereafter. Students who identify an act of academic misconduct should report that act to an administrative, faculty, or staff member so that a complaint may be forwarded to and filed by the instructor of the course involved.

12.2.2 INVESTIGATION OF MISCONDUCT

Before imposing a grade penalty or filing a complaint of academic misconduct, the faculty or staff member may initiate a preliminary inquiry to determine whether the incident meets the definition of misconduct under Section 12.1. During the course of this inquiry the faculty or staff member may discuss the matter with the student suspected of misconduct.

12.2.3 FACULTY MEMBER ELECTS TO RECOMMEND ADMONITION

12.2.3.1 A faculty member may conclude that an incident that meets the definition of misconduct under Section 12.1 nevertheless merits an admonition rather than a disciplinary sanction as defined in Section 12.5. In particular, a faculty member might conclude (but is not required to conclude) that the incident is more appropriately treated as an instructional rather than a disciplinary matter. When the faculty member concludes that an admonition is the more appropriate action, the faculty member may elect to reduce a student's grade and/or require additional, remedial academic work without first filing a charge of academic misconduct, subject to the following limitations and conditions:

(a) **NOTE:** The admonition option is intended for assignments and examinations that do not involve a semester-long activity and when the incident in question is not of an egregious nature. The faculty member may not use the admonition option for an incident of misconduct on a final examination, a term paper or project, an examination that determines the status of graduate students (e.g. qualifying, candidacy, general, comprehensive and certification examinations and defenses of theses and dissertations), a master’s thesis, or a doctoral dissertation;

(b) A faculty member who elects to use the admonition option may impose no grade reduction greater than loss of all credit for the assignment at issue. Unless otherwise specified in the course syllabus. Provided, however, in no event shall a student receiving an admonition receive a grade penalty of F or U for the course; and,

(c) A faculty member who elects to use the admonition option must do the following within 10 University business days after discovery of the incident, and before imposing the grade reduction or other requirement:

1) inform the student of the nature of and basis for the misconduct;
2) give the student an opportunity to explain;

3) inform the student of the intent to recommend admonition to the Vice Provost for Academic Affairs, admonish the student and explain the grade reduction or other requirement to be imposed;

4) where appropriate, instruct the student to resolve any confusion the student may have had regarding what constitutes proper academic conduct; and

5) inform the student how to appeal the decision. Notice of procedures for appeal shall be provided in writing; such notice shall be presumed adequate if provided in the course syllabus with a reference to this policy on the consequences of accepting the admonition and the procedures for appeal.

6) The student may contest the admonition by contacting the Vice Provost for Academic Affairs within ten (10) University business days from the date of the instructor's notice to the student and scheduling a meeting as provided below in Section 12.3.

12.2.3.2 The faculty member shall notify their dean in writing of the incident and the recommendation for admonition, ordinarily within 10 University business days of discovery of the incident. The dean shall forward notice of the incident to the student's dean, if different, and to the Vice Provost for Academic Affairs, ordinarily within 10 University business days of receipt of notice from the faculty member. Following consultation with the faculty member's dean and the student's dean, the Vice Provost for Academic Affairs shall notify the faculty member and the student whether the recommendation for admonition is accepted.

12.2.3.3 Unless the Vice Provost for Academic Affairs imposes a disciplinary sanction as described in Section 12.5, a student who accepts an admonition and resulting grade reduction under this subsection shall not be deemed to have admitted guilt for an act of academic misconduct; provided, the record of the admonition may be used in any subsequent academic misconduct proceeding, as appropriate, to establish the student's prior familiarity with the fundamental rules of academic integrity.

12.2.3.4 In cases of repeated offenses or otherwise as appropriate, the Vice Provost for Academic Affairs may announce a disciplinary sanction as provided in Section 12.5. Prior to imposing such a sanction, the Vice Provost for Academic Affairs shall send notice to the student, ordinarily within 10 University business days of receipt of notice of repeated offense(s) from the student's dean but in no case more than 45 University business days after discovery of the incident. Notice of the Vice Provost for Academic Affairs intent to impose a sanction shall be treated as a "complaint" for purposes of notice and hearing as provided in Sections 12.3 and 12.4 of this Code. The disciplinary sanction
shall not be imposed until the student is permitted the opportunity to respond as provided in Sections 12.3 and 12.4 of this Code.

12.2.4 FACULTY MEMBER ELECTS TO FILE A CHARGE OF ACADEMIC MISCONDUCT

12.2.4.1 Notification of Dean

The individual bringing the complaint of academic misconduct must notify the dean in writing with a brief description of the evidence within ten University business days after discovery of the incident, exclusive of University breaks or academic intercessions.

(a) If the incident is discovered by a faculty member in a particular course, he or she must notify his or her dean with a brief description of the evidence as well as the student's dean, if different, and impose a grade penalty as noted below. A faculty member who concludes that a student has engaged in, or is engaging in, academic misconduct must fail the student on the examination or paper and may set additional penalties to the extent of denying credit in the course. The faculty member's grade sanctions will not become final until the student is found guilty by the Academic Misconduct Board, defaults, or admits the charges. The student's dean has the responsibility to confirm that the appropriate grade is recorded on official student records.

(b) If the incident is discovered by someone other than a faculty member in a course, or is reported by a student or other person, the dean of the accused student shall be notified. If no particular class is involved (e.g., submission of a falsified application), the Vice Provost for Academic Affairs shall be notified.

12.2.4.2 Notification of the Student

The student's dean shall initiate academic misconduct procedures against the student. The dean shall notify the student in writing of the charge of academic misconduct, describing the alleged act and the grade penalty determined by the instructor, if a course is involved, and of the student's right to request a hearing by serving the student in person or by mail to the last address provided to the University. The dean shall simultaneously send notification to the Vice Provost for Academic Affairs.

A student may continue his or her regular enrollment in the University pending administrative resolution of misconduct allegations. However, until such resolution, a student may not graduate or receive a transcript without approval of the Senior Vice President and Provost, and any official transcript released during such period shall bear a notation that student code proceedings are ongoing.

12.3 CONFERENCE WITH VICE PROVOST FOR ACADEMIC AFFAIRS

Within five University business days of the date of the Dean's notification letter, the student shall contact the Vice Provost for Academic Affairs and schedule a conference to discuss the matter.

If the student fails to respond within the prescribed time or fails to meet as directed, the student shall be in default and thereby waives the right to all University hearings, appeals, and challenges.
In the event of a default at this point, the Vice Provost shall notify the student’s dean who shall confirm imposition of grade penalties and implement disciplinary sanctions.

At the conference between the student and the Vice Provost for Academic Affairs, the Vice Provost shall describe the academic misconduct process, possible sanctions, and the student’s right (a) to a hearing with adequate notice; (b) to be represented by an attorney at the student's expense in which case the University reserves the right to be represented by University Legal Counsel; and (c) to refrain from discussing the matter or from making any statement regarding the matter. At the conclusion of the conference, the student may:

(a) **Deny the charges** – If the student denies the charges and wishes a hearing to contest them, the student must submit a written request for such a hearing to the Vice Provost within five University business days of the conference. Failure to submit a written request within the prescribed time shall waive the student’s right to any University hearings, appeals, or challenges of the charges or of any sanctions imposed as a result of the academic misconduct. The student may also use this written request to respond in writing to the allegation.

(b) **Admit the charges** – If the student admits to the charges at this time or denies the charges but fails to submit a request for a hearing, the Vice Provost will inform the student’s dean and the dean of the college offering the course. The grade penalty shall be confirmed, and the student’s dean shall make his or her decision regarding disciplinary sanctions, if any. Provided, however, that if the student admits to the charges but wants to confer with the dean or to submit a written statement concerning extenuating circumstances affecting disciplinary sanctions, the student may do so only if done within five University business days of the date of the admission to the charge. Failure to do so within the five days will result in the dean making his or her decision without such information.

Nothing in this policy is intended to preclude the student from discussing the incident with the person initiating the charge, if that person agrees. Such a meeting should be scheduled after the conference between the student and the Vice Provost for Academic Affairs. Any such meeting shall not extend the period of time for requesting a hearing.

The person initiating the charge of academic misconduct may withdraw the charge at any time prior to the commencement of a hearing by the AMB or, if no hearing is held, prior to the imposition of a final sanction by sending written notice to the student’s dean. The dean shall inform, in writing, the Vice Provost and others involved that the charge has been withdrawn and, at his or her discretion, may terminate the case.

### 12.4 HEARING

#### 12.4.1 Academic Misconduct Boards

Each college shall establish an Academic Misconduct Board (AMB) consisting of two students and three members of that college’s faculty to hear each case.

Membership of the AMB shall be determined by the dean on an ad hoc basis from a pool of ten faculty and ten students. The faculty members for the pool shall be determined by the faculty of the college. Student members shall be appointed or selected from nominations submitted by appropriate student organizations. Terms of service shall begin September 1 and end August 31.
except that, if a hearing is in progress at this time, any retiring member shall be continued on the board until the case in progress is closed.

The dean of the college shall appoint an additional faculty member who shall be nonvoting to chair the AMB and to be responsible for the board’s administrative matters, including scheduling of cases, notification of hearings and decisions, and maintenance of records.

12.4.2 Selection of AMB to Hear the Appeal

In a case in which a hearing has been requested, the facts of the case shall be determined by the AMB of the student’s college.

12.4.3 Scope of Hearing

The Board will consider the information and arguments presented, make findings of facts of matters in dispute, and determine whether the student did engage in the alleged act.

The Board will also hear any evidence and argument by the parties concerning extenuating circumstances that may affect decisions about what disciplinary actions might be imposed and may make recommendations to the dean concerning disciplinary sanctions. (Section 12.5)

12.4.4 Hearing Procedures

(a) Each AMB shall establish the procedures to be followed for the hearing.

(b) Prior to the hearing each party shall furnish to the other party a list of witnesses to be called and exhibits to be used at the hearing, as requested by the AMB chair.

(c) Students who elect to have legal counsel representation at the hearing shall furnish the name of such counsel, when identified, but no later than ten University business days before the hearing to the dean and the chair of the AMB.

(d) Written notification of a hearing must be distributed to the parties involved at least ten University business days in advance of the hearing date, and shall include:

   (1) The authority for the hearing and the hearing body;
   (2) Reference to the specific rule or rules involved;
   (3) Date, time, nature, and place of the hearing;
   (4) A brief faculty statement of the charges and issues involved;
   (5) Names of AMB members and a statement that parties have a right to challenge any member no later than 5 days prior to the hearing.

(e) Students who fail to appear after proper notice will be deemed to have admitted to the charges against them.

(f) Hearings shall be closed to the public and shall be confidential.

(g) Hearings shall be tape recorded or transcribed.
(h) Witnesses shall be asked to affirm that their testimony is truthful.

(i) The burden of proof shall be upon the complainant, who must establish the guilt of the student by a preponderance of the evidence.

(j) Prospective witnesses other than the complainant and the student are excluded from the hearing during the testimony of other witnesses. All parties, witnesses, and the public shall be excluded during AMB deliberations.

(k) Formal rules of evidence shall not be applicable in these proceedings. The chair of each AMB shall give effect to the privileges recognized by law.

(l) The AMB shall not receive or consider arguments about the legality of any provision under which a charge has been brought or the legality of the procedures under which the hearing is proceeding. Such questions should be presented in writing to the Senior Vice President and Provost.

(m) Principals in the case shall have reasonable opportunity to question witnesses and present information and argument deemed relevant by the AMB.

(n) Final decisions of all AMBs concerning guilt or innocence and recommendations to the student’s dean regarding disciplinary sanctions shall be by majority vote of the members present and voting. The final report shall contain a written statement setting forth findings of fact and the decision on each of the charges, and may contain recommendations for disciplinary sanctions with the reasoning behind these recommendations. A minority report may be filed.

12.4.5 Findings of AMB

(a) If the AMB finds that the facts do not support the allegations, the charges will be dismissed. The chair of the AMB shall transmit the finding in writing to the student’s dean, the dean of the college offering the course, if different, and the Vice Provost for Academic Affairs within five University business days of the conclusion of the hearing. The student’s dean shall notify the student and the Vice Provost for Academic Affairs in writing of the decision of the AMB and the dismissal of the charges within ten university business days after receiving the AMB decision. The matter is then ended, and the grade is recorded appropriately. The AMB record of the case shall be destroyed by the chair of the AMB 20 days after transmittal of the decision.

(b) If the AMB finds that the facts support the allegations against the student, the student shall be found guilty, and the AMB may recommend disciplinary sanctions (See 12.5). The AMB’s finding and recommendations must be transmitted to the student’s dean, along with the recording of the hearing, and to the Vice Provost for Academic Affairs in writing within five University business days of the conclusion of the hearing. The student’s dean shall notify the student and the Vice Provost for Academic Affairs in writing of the finding and recommendations of the AMB and of the dean’s decision. A letter to the student at the address last provided the University by the student shall be sufficient to meet this requirement. Copies of the letter may also be provided to other parties who have a legitimate need to know of the action. Implementation of the appropriate action or disciplinary sanction by the student’s dean shall end the process.
12.5 DISCIPLINARY SANCTIONS

12.5.1 Additional Recommendation of Disciplinary Sanctions

The AMB may recommend to the student’s dean disciplinary sanctions including, but not limited to, those noted below:

(a) **Censure** – A written reprimand for violation of acceptable standards of academic conduct. This action takes formal notice of the student’s act of academic misconduct and provides a formal warning that a further act of academic misconduct will result in far more severe action.

Censure shall not be noted on a student’s transcript, but it will be noted in the Office of the Vice Provost for Academic Affairs. Copies of the letter of censure shall be provided to the student, the Vice Provost for Academic Affairs, the appropriate deans, and the instructor.

(b) **Limited Notation Suspension** – Suspension from classes and other privileges for a period of not less than one semester or more than one calendar year. During this period, the student will not be allowed to earn credits for transfer to the University of Oklahoma at any other institution. Any credits earned at another institution during a period of suspension shall not be recorded on the student’s University of Oklahoma transcript and shall not be acceptable transfer credit at the University of Oklahoma. A notation of suspension for academic misconduct shall be made on the student’s transcript. Such transcript notation shall be removed upon the student’s graduation from the University or four years from the date of suspension, whichever comes first. The student’s college is responsible for notifying the Registrar to remove the notation.

(c) **Permanent Notation Suspension** – Suspension from classes and other privileges for a period of not less than one semester or more than one calendar year. During this period, the student will not be allowed to earn credits for transfer to the University of Oklahoma at any other institution. Any credits earned at another institution during a period of suspension shall not be recorded on the student’s University of Oklahoma transcript and shall not be accepted as transfer credit at the University of Oklahoma. A permanent notation of suspension for academic misconduct shall be made on the student’s transcript.

(d) **Expulsion** – Termination of student status for an indefinite period, intended to be permanent. A permanent notation of expulsion for academic misconduct shall be made on the student’s transcript. Such notation shall be permanent. If a student is reinstated after an expulsion, it is only after a complete reconsideration of his or her case by the Senior Vice President and Provost.

12.5.2 Determination of Disciplinary Sanction

The student’s dean shall determine the appropriate disciplinary sanction. The dean may consider the evidence in the record regarding extenuating circumstances and may request additional information prior to making his/her decision.
12.6 APPEALS

Decisions regarding the facts and the disciplinary sanction shall be final and not appealable within the University, unless (1) manifest procedural irregularities effectively denied the student a fair hearing, (2) new and significant evidence becomes available which could not have been discovered by a reasonably diligent student before or during the original hearing; or (3) probable inequity exists in the disposition of the matter. Such appeals must be made within ten days of the time such grounds for the appeal are discovered or should have been discovered.

Appeals shall be made in writing to the Senior Vice President and Provost. Consideration of such appeals may be made by the Senior Vice President and Provost upon the basis of written statements and such other evidence as the Senior Vice President and Provost may require according to procedures he deems appropriate.

Harmless deviations from prescribed procedures may not be used to invalidate the decision or proceeding. Technical departures from these procedures and errors in their application shall not be grounds to withhold disciplinary sanctions unless, in the opinion of the Senior Vice President and Provost, the technical departure or errors were such as to have prevented a fair determination of the issues.

In all cases, the President and the Board of Regents reserve the right to review, at their discretion, any decision of a hearing body for manifest error or inequity.

(Regents, 6-9-98, 1-26-99, 12-3-02, 6-25-08)

12.7 ACADEMIC MISCONDUCT IN OFF-CAMPUS COURSES

The principles of academic integrity, due process, and confidentiality apply fully in all courses offered by any Health Sciences Center academic unit. When an allegation of academic misconduct arises in a course in which instruction is primarily given or received in a place other than the Health Sciences Center campus, procedures shall be employed which are consistent with those in Section 12 to protect the rights of all parties as provided by law and University policy. The definition of academic misconduct in such classes and the procedure for filing a charge, notification, hearing, appeal, and sanction shall be the same as those for the Health Sciences Center campus, as cited in Section 12. All travel and related costs shall be borne by the student.

(Regents, 6-25-08)
OUTLINE OF ACADEMIC MISCONDUCT PROCEDURES
HEALTH SCIENCES CENTER

Instructor Recommends Admonition and Admonishes Student within 10 University Business Days of Discovery of Incident [12.2.3]

Student Accepts Admonition and Grade Penalty

Instructor Notify their Dean within 10 University Business Days of Discovery of Incident [12.2.3.2]

Dean Notify VPAA and the Student’s Dean within 10 University Business Days of Receipt of Notice from Instructor [12.2.3.2]

VPAA Notify the Instructor and Student whether Admonition is Accepted [12.2.3.2]

VPAA Proposes No Additional Sanction [12.2.3.3]

VPAA Proposes Disciplinary Sanction [12.2.3.4]

VPAA Notify the Student within 45 University Business Days of Discovery of Incident [12.2.3.4]

End

Instructor Files Academic Misconduct Charge with Student’s Dean [12.2.4]

Student Contest Admonition, Contacts VPAA within 10 University Business Days from Instructor Notice [12.2.3.1]

Dean Notify Student [12.2.4.2]

Student Meet with VPAA; Optional Meeting with Instructor [12.3]

Charges Withdrawn [12.3]

Student Admits Charges and Meet with Dean [12.3(b)]

Academic Misconduct Board (AMB) Hearing [12.4]

Student Found Not Guilty, Charges Dismissed [12.4.5(a)]

Student Found Guilty, Disciplinary Sanction may be Recommended [12.5.1]

Grade Penalty, if any, Imposed [12.2.4.1]

Student’s Dean Recommends Disciplinary Sanction [12.5.2]

End

*VPAA = Vice Provost for Academic Affairs
For specific details and procedures see Appendix C
13. APPENDIX D

INTELLECTUAL PROPERTY POLICY

13.1 PREAMBLE

The people of the State of Oklahoma may reasonably expect that their investments in the University will create new industry and enhance existing industry within the State and Nation. Such new industry creates greater employment opportunities for citizens of the State and the Nation and an improvement in their standard of living.

The creation and development of intellectual property at the University encourages new business and is key to creating strong University and industry partnerships. It is the responsibility of University employees to disclose intellectual property and to foster an entrepreneurial attitude within the work force by involving students in the creation of intellectual property. Intellectual property development shall be pursued in concert with, but subject to, the University’s principal responsibilities of education and knowledge creation.

Therefore, it is in the best interest of the University to adopt a policy that encourages disclosure of discoveries and inventions and rewards such creative activity. To do so, the University policy must insure that creators of copyrightable works or trademarks and inventors share in any financial success enjoyed by the University through the creation and commercialization of intellectual property. The basic objectives of the University’s policy concerning creative works, trademarks, discoveries, and inventions (i.e., intellectual property) include the following:

(a) To maintain the University’s academic policy of encouraging research, publication, and scholarship independent of potential gain from royalties or other income.

(b) To make patented materials created pursuant to University objectives available in the public interest under conditions that will promote their effective utilization and commercialization.

(c) To provide adequate incentive and recognition to faculty and staff through proceeds derived from their creative works, trademarks, discoveries, and inventions.

13.1A PATENTS

1. OWNERSHIP

1.1 All discoveries and inventions, whether patentable or unpatentable, and including any and all patents (domestic and foreign) based thereon and applications for such patents, which are made or conceived by any member of the faculty, staff, or student body of the University, either in the course and/or scope of employment for the University or substantially through the use of facilities or funds provided by or through the University shall be owned by and be the property of the Board of Regents except as described below. Lab notebooks, records, drawings, sketches, photographs or other images, models, biological specimens or materials, chemical samples, or any other materials needed to support the preparation, submission, prosecution, defense, or enforcement of a patent in the United States or other applicable
jurisdiction, whether or not the University takes such action, shall also be owned by the Board of Regents.

1.2 Faculty, staff, and students having rights to discoveries/inventions prior to employment at the University of Oklahoma should notify the Office of Technology Development of such intellectual property so that ownership to any further development of that same intellectual property at the University of Oklahoma may be established, by written agreement, with the University Vice President for Technology Development. The Vice President for Technology Development shall consult with the Senior Vice President and Provost of the Health Sciences Center or his designee before entering a contract with faculty, staff, or students at the Health Sciences Center.

1.3 In the event faculty or staff make discoveries or inventions outside the course of and/or scope of employment and using no University facilities, equipment, or supplies, or if using such reimburses the University for this use in accordance with a prior written agreement with the University; in accordance with University policy, title to such discoveries or inventions shall remain in the inventor, provided the University Vice President for Technology Development determines that the discovery or invention was made under these conditions. The inventor shall nonetheless submit a disclosure form to the Office of Technology Development. This disclosure shall contain sufficient information to enable the University Vice President for Technology Development to make a determination. If confidential information is required, the University will sign a nondisclosure agreement for purposes of this review. Should the University Vice President for Technology Development determine that the University does have a proprietary interest, a more complete disclosure may be required before making a decision in regard to title, the University Vice President for Technology Development shall consult with the Senior Vice President and Provost of the Health Sciences Center when the faculty member is based at the Health Sciences Center. If it is determined that the University has an interest, the provisions of this policy shall then be applicable. Appeals of such determinations may be made to the Faculty Appeals Board and then to the President.

1.4 All rights in and to discoveries and inventions described above shall be disclosed to and assigned to the Board of Regents as a specific condition of employment with the University and admission to and/or attendance at the University. Faculty, staff, and students shall execute any and all documents the University deems reasonably necessary to evidence such ownership, meet its legal obligations and effect patent protection, domestic and foreign, for the University or its nominee. All costs involved in obtaining and maintaining patent protection shall be borne by the University or its nominee.

1.5 The University agrees to act in good faith with respect to the determination of ownership.
2. REVENUE

2.1 The gross revenues (which shall include but not be limited to, cash and equity) received by the University from the licensing, sale, or commercialization of a University discovery or invention as described in Section 1, will be distributed among the discoverer(s)/inventor(s), his/her/their primary department(s), and the University, in accordance with the following formula:

- 35% of gross revenues to the discoverer(s)/inventor(s) (as submitted on the Invention Disclosure Form);
- The remaining 65% to be used to reimburse the University for out-of-pocket expenses that it has or shall incur in connection with, but not limited to, patent filing, prosecution, maintenance, and defense;

After such expenses have been recouped, the balance will be distributed as follows:

- 31% to originating college(s), half of which to goes to the originating department
- 7% to President’s discretionary fund
- 7% to the campus Vice President for Research
- 25% to OTD to apply to operational expenses with a pro rata share to go to the originating campus
- 30% to the Growth Fund maintained for each originating campus

Stock certificates issued to the University shall be held by the Controller’s Office of the Norman Campus.

The right to receive such royalty revenue shall be extended to the inventor(s) in the event that the inventor is no longer an employee or student of the University. Such right shall also accrue to the estate of the inventor(s). Inventor(s) and/or their successors or assigns shall have the responsibility to provide the Office of Technology Development of the respective campuses with all the necessary information to make payments to the appropriate parties, including without limitation, current addresses; provided, failure to keep the University so informed shall permit the University to hold all such revenue for such parties for a reasonable time or until the lawful beneficiaries make claim thereto.

The University Vice President for Technology Development shall establish and maintain a “Growth Fund” for each originating campus to be used to stimulate general intellectual property disclosures as well as technology development and transfer. The fund will be used to further stimulate researchers on each campus to make proposals when there is a need for
additional funding to provide prototypes, additional research results, and/or "gap" funding to keep a program in place during transition. Those accessing the Growth Fund will be expected to repay the Growth Fund at a target rate of two times the amount awarded from the Growth Fund. This fund will be administered under guidelines consistent with the research and scholarly missions of the University in consultation with the University Patent Committee. The Health Sciences Center Senior Vice President and Provost will confer with the University Vice President for Technology Development prior to the Senior Vice President and Provost’s allocation of funds. If the University Vice President for Technology Development does not approve of the proposed allocation, the proposed allocation will be submitted to the President for final approval or disapproval.

2.2 When there are two or more discoverers/inventors, each shall share equally in the inventor’s share unless all discoverers/inventors agree in writing to a different distribution of such share. Such originally-signed agreement shall be filed with the Office of Technology Development of the respective campuses of the discoverer(s)/inventor(s). No distribution of cash revenues will be made until this issue is resolved by the discoverer(s)/inventor(s) or their successors in interest.

2.3 The discoverer(s)/inventor(s) and his or her college shall be paid their share of the cash revenues upon receipt by the University and will be furnished with a statement of revenue derived from the commercialization of the invention at the time of payment. In the event of any litigation, actual or imminent, regarding patent rights, the University may withhold distribution until resolution of the particular matter.

2.4 The University does not act as a fiduciary for any person relating to consideration received under the terms of this policy.

3. ASSET MANAGEMENT COMMITTEE AND POLICY

3.1 The Asset Management Committee shall determine the disposition of equity assets obtained through the commercialization of University technology which is valued under $100,000.00; e.g., whether to sell, trade, or hold the assets, as it deems to be in the best interests of the University, considering, among other factors, the requirements of the University and risks associated with holding the particular equity/stock asset. For assets values $100,000.00 and above, the Committee shall make recommendations to the Board of Regents with regard to their disposition. Provided in such cases, should the Committee determine that University interests require a decision regarding the disposition of such assets prior to the next regularly scheduled meeting of the Board of Regents, it shall be authorized to do so, upon the approval of the President, and the results shall be reported at the next meeting of the Board of Regents.

3.2 At the call of the University Vice President for Technology Development, the Committee shall meet together in person, by teleconference or other
acceptable means on an “as needed” basis in order to make decisions in a timely fashion regarding equity/stock as it is received by the University. However, such meetings shall take place not less than once each fiscal year. The Committee shall meet to review current assets, previous management actions taken and for any other purpose related to management of the equity assets.

3.3 The Committee shall consist of two current members of the Board of Regents (to be appointed by the Board of Regents), the University Vice President for Technology Development, University, General Counsel, a knowledgeable University employee who shall be appointed by the President, and two extra-mural members familiar with such matters by education, training, and/or experience. From recommendations by the President, the Board of Regents shall appoint the two-non-employee members of the Committee, who shall serve at the convenience of the Board of Regents. Appointments shall be made on an annual basis, at the time of the Board of Regents’ officer elections.

4. ADMINISTRATION

4.1 The President, after consultation with the University Vice President for Technology Development and appropriate campus officials, shall determine the disposition of University discoveries and inventions described in Section 1.1 as deemed prudent and consistent with the University’s mission to ultimately convey the benefits of its research to the public for the general welfare of the State and Nation. In determining the proper disposition of University discoveries and inventions, the President shall consult as necessary with scientific and/or technical and/or business subject matter experts in fields appropriate to the discovery or invention under consideration. Among other choices, the President may:

(A) License the discovery and/or invention to third parties to provide for the further development and/or commercialization of the property;

(B) Transfer the discovery and/or invention for commercialization by entering into commission agreements with third parties to identify potential licensees to further develop and commercialize the property;

(C) Transfer rights to the property to a patent service organization to further develop and commercialize the property;

(D) Allow rights (U. S. and/or foreign) to the discovery or invention to revert back to the federal agency that funded the development of the discovery;

(E) Transfer rights (U. S. and/or foreign) to the discoverer(s)/inventor(s) if requested by the discoverer(s)/inventor(s), and the President determines that the discovery/invention will not be pursued further by the Office of Technology Development.
1) If federal funds were used in the development of the discovery/invention, such transfer of rights is subject to a reversionary right in the Federal government as described in 37 CFR 401.

2) Such transfer also shall be subject to an irrevocable, non-exclusive, royalty-free, and world-wide right and license in the University to make, use, and/or practice the discovery or invention for University education, research, and/or service purposes. The University also reserves the right to publish and or present information and data obtained in the research project resulting in the discovery or invention being transferred, assuming such rights do not jeopardize the discoverer’s/inventor’s patent rights. Faculty, staff, and students shall execute any and all documents, as the University deems reasonably necessary to confirm or enforce such reserved right and license.

3) Such transfer shall be limited to the discovery or invention duly disclosed to the University, in writing, as of the time the transfer is requested by the discoverer/inventor;

(F) Transfer rights to the discovery and/or invention to the person(s) or entity sponsoring the research in the course of which the discovery or invention was made if such action is required under the terms of the research agreement or is required by law; or

(G) Transfer the discovery and/or invention into the public domain through publication of the invention by the discoverer/inventor.

4.2 All transfers of University discoveries or inventions shall be subject to and contingent upon any rights in third parties as may be governed and/or required by, among other things, sponsored research agreements, other third-party contracts, or law.

4.3 The University Vice President for Technology Development shall be responsible for administering the patent affairs of the University in a manner consistent with this policy. The University Vice President for Technology Development shall cooperate with the appropriate campus officers to establish written policies to be approved by the President and distributed to the faculty, staff, and students of the University, governing procedures to be followed in processing discoveries and inventions generated within the University. The Office of Technology Development shall provide information regarding disposition of specific discoveries/inventions to the inventor(s) no later than six months from the date the discovery/invention is marketed by the Office of Technology Development. If the Office of Technology Development is not going to pursue marketing and/or protecting the
invention, rights in and to the discovery/invention shall revert to the inventor(s) upon his/her request.

4.4 When it is in the best interest of the University to get its technology into the marketplace, when the longer term opportunity for returns to the University and the State exceed the short-term value of not taking equity, then the President will approve taking equity. As a matter of principle, some equity is desirable in all transactions to create the best opportunity for the University and the State of Oklahoma to get a fair return on the technologies transferred from the University to the marketplace.

5. DISCLOSURE

5.1 It is the responsibility of faculty, staff, or students of the University to report all inventions they may develop during their term of employment or registration as a student.

5.2 Any discovery/invention, whether or not patentable, must be reported to the University by filing an Invention Disclosure Form with the appropriate technology development office. Such Invention Disclosure Form shall provide sufficient information so that the Office of Technology Development, in conjunction with others, can determine its commercial potential and patentability. Although the maintenance of the laboratory notebooks that describe the discovery/invention is the responsibility of the discoverer/inventor, the Office of Technology Development may require access to such notebooks at any time throughout the prosecution and maintenance stage of patenting the discovery/invention.

6. APPLICATION

The provisions of this Patent Policy, as may be amended from time to time, shall apply to all faculty, staff, and students. Any licensing revenues received throughout the duration of such license shall be distributed in accordance with the distribution policy in effect at the time of the signing of such license and can only be changed through mutual agreement of the parties receiving portions of such revenue.

7. UNIVERSITY PATENT COMMITTEES

The University shall have a Patent Committee (for each campus) that shall consider and investigate disputes among administrators, faculty, or staff, and students and shall recommend appropriate solutions to the President. This committee shall be convened as needed and will consist of one student member appointed by the Graduate Student Senate for one year; two staff members, one appointed by the President and one appointed by the Staff Senate; and five faculty members, three appointed by Faculty Senate and one each by the President and the University Vice President for Technology Development. All staff and faculty appointments are for three-year terms. This Committee will assist the University Vice President for Technology Development in setting policy and procedures that will be implemented
on a daily basis by the Office of Technology Development staff. The Committee will provide a forum for faculty, staff, and students to present any issues such as, but not limited to, revenue sharing, ownership, etc. The Committee will make recommendations to the University Vice President for Technology Development for the handling of these issues. The Director of the respective campus’ Office of Technology Development, the respective campus’ Vice Presidents for Research, and University Legal Counsel shall serve as *ex-officio* members of the Committee.

8. **USE OF FACILITIES**

As outlined in the Oklahoma Technology Transfer Act of 1998, use of the facilities of the University by a business enterprise or private business entity is allowed when that project involves the research or development of a University technology, whether or not the technology is protected pursuant to federal or state law governing intellectual property, the results of which have potential economic and academic value for the University. Such use of University facilities must be on a "space-available" arrangement in which normal University activities are not displaced. The use of such facilities by a business enterprise or private business will be done on a fee-for-service contract and in conjunction with projects where the University has a vested interest in the outcome of the transfer of University technology, through research and development of a discovery/invention for commercialization purposes, or scholarly rewards, or where it furthers the University's teaching research and creative/scholarly activity, and professional and University service and public outreach missions.

The University may acquire an equity stake in such business enterprises or private businesses in consideration for the use of such facilities and/or the development of University discoveries/inventions which shall be managed in accordance with the University's policies on stock acquisition and management. Any cash revenues received from the sale or trade of such equity stocks shall be distributed as if received as royalty income. If the equity interest is acquired through an exchange of value other than money and the exchange of value is made in connection with the development of technology by the private business enterprise through the use of the facilities or resources or both of an institution within the Oklahoma State System of Higher Education, acquisition of an equity interest shall be permissible through the use of the facilities, premises, or assets of an institution within the Oklahoma State System of Higher Education through the use of faculty or staff expertise or student expertise, including the value of time expended by faculty, staff, or students upon developing a technology in connection with a private business enterprise or private business entity. No State-appropriated monies shall be used or obligated to acquire an ownership interest in a private business enterprise except as authorized by the provisions of this section.

9. **BACKGROUND**

9.1 A patent is a grant issued by the U. S. Patent and Trademark Office (PTO) that provides the assignee of the patent the right to keep others from practicing or using its patented invention. Patents are issued for inventions that are novel (not published, sold, or utilized for more than one year), useful, and non-obvious to others equally skilled in the art. (In almost all foreign countries, to
be patentable, an invention requires complete novelty. In others words, it
cannot have been published, used, sold, or bartered publicly prior to the filing
of a patent application either in the country itself or in the United States
PTO).

9.2 U.S. Patent Law has maintained the first-to-invent rule. What this means is
that the first person to conceive and reduce to practice the invention shall be
entitled to the patent. Foreign countries rely on the first-to-file concept in
issuing patent rights. In the case of U.S. law, the laboratory notebooks of the
discoverer(s)/inventor(s) may be crucial to the overall outcome of to whom the
patent is issued. Laboratory notebooks should be bound notebooks where
corrections are readily identifiable. The pages of the notebooks should be
signed, dated, and witnessed on a daily basis and stored in a secure location.
The term of patent applications filed in recent years is twenty years from the
date of application. The laboratory notebooks should be maintained by the
University researcher at least for that period of time. Such notebooks shall be
owned by and be the property of the Board of Regents. (Regents, 12-9-99).

13.1B TRADEMARKS

A trademark identifies an item of intellectual property or an educational or training
service. The University owns all right and title to any trademarks related to any item of
intellectual property owned by the University. Any cash revenues received in exchange
for the commercial use or sale of such trademark shall be distributed as those cash
revenues received for discoveries/inventions.

13.1C COPYRIGHT

1. PREFACE

Copyrights are created by the Constitution and the laws of the United States to
promote the progress of science and the useful arts by securing for limited times to
authors the exclusive rights to their works and writings. The basic objectives of the
University's policy concerning copyright include the following:

(A) To maintain the University's academic policy of encouraging research and
    scholarship as such without regard to potential gain from royalties or other
    income.

(B) To make copyrightable materials created pursuant to University objectives
    available in the public interest under conditions that will promote their
effective utilization.

(C) To provide adequate incentive and recognition to faculty and staff through
    proceeds derived from their works.

(D) To stimulate creativity across all media.
2. POLICY

It is the policy of the Board of Regents that all rights in copyright shall remain with the creator of the work unless the work is created with substantial use of University resources, is specifically assigned or commissioned by the University, is subject to non-University contractual or legal obligations, or is a “work made for hire” as that term is defined by U.S. Copyright Law.

3. OWNERSHIP

Copyrights are created by the Constitution and the laws of the United States to promote the progress of science and the useful arts by securing for limited times to authors the exclusive rights to their works and writings. The basic objectives of the University’s policy concerning copyright include the following:

3.1 Scholarly/Aesthetic Works.

In keeping with traditional academic practice and policy, ownership of copyrights to works of artistry or scholarship in the creator’s professional field such as textbooks, course materials, scholarly papers and articles, software and other computer materials when they are works of artistry or scholarship, novels, poems, paintings, musical compositions, or other such works of artistic imagination produced by University employees who have a general obligation to produce such works where the specific choice, content, course, and direction of the effort is determined by the employee without direct assignment or supervision by the University shall reside in the creators and the works shall not be deemed "works made for hire" under this policy unless they are also sponsored/contracted works or specifically assigned by the University. Copyrighted courseware and/or software that are not associated with traditional works as described above shall fall under and are subject to the Intellectual Property Policy. The general obligation of faculty to produce scholarly works does not constitute specific assignment. Upon request by the University, the creator(s) will grant the University a nonexclusive, free of cost, world-wide right and license to exercise all copyright rights in and to the work, except the right to commercially display, use, perform, or distribute copies of the work, unless to do so would impair the ability of the creator to have the work published or distributed. If a use of the work by University is reasonably determined by the creator to impair the exercise of such rights, the University shall discontinue the impeding use but otherwise shall remain free to use the work as provided in this Paragraph 3.1. Subject to the approval of the University Vice President for Technology Development, the University will assist any University employee wishing to commercially exploit a scholarly/aesthetic work falling under this paragraph, through the Office of Technology Development and its respective campus officers. In such cases, the University will normally own the work and the provisions of the Intellectual Property Policy shall apply.
3.2 Personal Works.

Ownership of copyrights to works prepared outside the course and scope of University employment and without the substantial use of University resources (equipment, facilities, services, or funds (regardless of source) administered by and/or under the control of the University) shall reside with the creators; provided, the provision of office facilities, limited secretarial assistance, library facilities for which special charges are not normally made, or other resources which are made available to the public without charge, shall not be considered substantial use of University resources.

3.3 Sponsored Works.

Ownership of copyrights to works produced by or through the University in the performance of a written agreement between the University and a third-party/sponsor shall be governed in accordance with the agreement. If the agreement is silent in that regard, ownership shall be governed by the other provisions of this policy.

3.4 Commissioned Works.

Ownership of copyrights to works produced for University purposes by persons not employed by the University or by University employees outside their regular University employment (commissioned works) normally shall reside with the University. In all cases, copyright ownership shall be specified in a written agreement approved by University Legal Counsel signed by the parties. Any commissioned work agreement which provides for ownership by other than the University shall also provide, to the fullest extent possible, that the University will have an irrevocable, free-of-cost, non-exclusive, world-wide license to exercise all copyright rights in and to the work, except the right to commercially display, use, perform or distribute copies of the work unless to do so would impair the ability of the University employee creator to commercially or professionally exploit the work. If a use of the work by University is reasonably determined by the University employee creator to impair the exercise of such rights, the University shall discontinue the impeding use but otherwise shall remain free to use the work as provided in this paragraph.

3.5 University Works.

Except as otherwise provided in this policy, the University shall own all copyrights to works made by University employees in the course and scope of their employment and shall own all copyrights to works made with the substantial use of University resources. Provided, the University shall give due regard to the creator's interests in the quality and integrity of the work and, where appropriate, shall grant recognition for creation of the work. To the extent consistent with University rights under the U.S. copyright law, nothing herein shall be construed to prevent the creator from using his or her knowledge, expertise, research, and creative achievement in other employment.
3.6 Student Works.

Ownership of copyrights to works produced by enrolled students without the use of University funds (other than Student Financial Aid) or resources that are produced outside any University employment and are not sponsored or commissioned works, shall reside with the student creator(s). Provided, however, in all cases a student’s graduate thesis or dissertation shall be deemed a student work under this policy. As a condition of enrollment and awarding a degree, the University reserves an irrevocable, non-exclusive, free-of-cost and world-wide right to reproduce in any media and distribute to the public, on a non-commercial basis, copies of said theses and dissertations, unless to do so would impair the ability of the creator to commercially or professionally exploit the work. If a use of the work by University is reasonably determined by the creator to impair the exercise of such rights, the University shall discontinue the impeding use but otherwise shall remain free to use the work as provided in this paragraph.

3.7 Jointly Originated Works.

Ownership of copyrights to jointly originated works shall be determined by separately assessing the category of work of each creator under this Section 3. Rights between joint owners of a copyright shall be determined pursuant to copyright law or by agreement between the owners of the work.

4. REVENUE SHARING

4.1 The University may assign or license its copyrights to others. The University shall share royalty revenue derived from such assignment or license (excepting commissioned works and sponsored research funding) which it receives through copyrights with the creators, as provided for in the Patents section above.

4.2 Notwithstanding the above or anything else to the contrary herein, staff employees are not eligible to share revenues received from University-owned copyrights where such employees create copyrightable works as a part of their normal responsibilities of University employment. Provided, a staff employee may apply to the appropriate Senior Vice President and Provost to be treated as a faculty member for purposes of revenue sharing for a work resulting from a specific project upon a showing that his/her duties and responsibilities in that project are, in practical effect, substantially the same as those of a faculty member.

5. ADMINISTRATION

5.1 Release to the Creator. An individual creator of a University-owned work may seek transfer of the University-owned copyright to him/herself by making written request to the appropriate Senior Vice President and Provost. If the University decides not to exploit such work, then it may transfer the copyright, by written agreement, to the individual creator to the extent
consistent with any applicable third-party agreement or law. Provided, such transfer shall be subject to an irrevocable, non-exclusive, free-of-cost and world-wide license in the University to exercise all rights under the copyright in the work except the right to publicly distribute copies for commercial purposes or such other conditions as may be agreed upon in writing between the individual creator(s) and the Senior Vice President and Provost, unless to do so would impair the ability of the creator to have the work published or distributed. If a use of the work by the University is reasonably determined by the creator to impair the exercise of such rights as transferred in the agreement, the University shall discontinue the impeding use but otherwise shall remain free to use the work as provided in this paragraph.

5.2 Disclosure and Protection. An individual creator of a University-owned copyrightable work shall protect the work by placing the following statutory copyright notice on all copies thereof ("Copyright [insert year produced, e.g., 2000], the Board of Regents of the University of Oklahoma."). If the creator believes the work may have commercial value, he or she shall promptly provide written disclosure of the work to the appropriate Senior Vice President and Provost.

5.3 Legal Compliance - Any work created by a University employee or student shall not, to the best of the creator's knowledge and informed belief, infringe on any existing copyright.

Creators of copyrightable works subject to this policy and the University shall cooperate as reasonably necessary to effect the terms of this policy. For example, if copyright to a work of scholarship vests in the University by law, the University will, upon request and to the extent consistent with its legal obligations to third parties, promptly execute such documents as will transfer copyright to the faculty creator(s).

The Senior Vice President and Provosts shall be responsible for administering the copyright affairs of the University in a manner consistent with this policy. They shall cooperate in consultation with the Copyright Committee on each campus to establish written directives to be approved by the President and distributed to the employees and students of the University, which shall govern the procedures to be followed in processing copyrighted works created within the University.

The University does not act as a fiduciary for any person concerning consideration received under the terms of this policy.

The University Vice President for Technology Development may negotiate ownership of copyrighted works with research sponsors when it is in the best interest of the University to do so. Otherwise, all rights are as described above.

Faculty having rights to copyrighted works prior to employment at the University should notify the Office of Technology Development of such
intellectual property so that ownership to any further development of that same intellectual property at the University may be established, in a written agreement with the University.

6. APPLICATION

The provisions of this copyright policy, as may be amended from time to time, shall apply to all faculty, staff, and students.

7. RESOLUTION OF CONFLICT

Should disputes arise relative to the ownership of copyright between the creator and the University, the matter will be referred to the Copyright Committee, which will make recommendations to the President for proper resolution of the disputes. Either the University or creator may contact the Senior Vice President and Provost to arrange to have the Copyright Committee meet to consider such disputes.

8. UNIVERSITY COPYRIGHT COMMITTEES

(A) The University shall have a Copyright Committee for each campus that shall consider and investigate disputes among administrators, faculty, staff, or students and shall recommend appropriate solutions to the President. The Committee’s responsibilities shall include, but not be limited to, disputes concerning:

1) Ownership of copyright; and

2) Terms of commissions.

(B) The Copyright Committee of each campus shall have as its members:

1) One member appointed by the President for a four-year term;

2) One student member appointed by the Graduate Student Senate for one year;

3) Two staff members, one appointed by the President, one appointed by the Staff Senate, all appointments are for three years; and

4) Three faculty members, two appointed by the Faculty Senate and one by the President. All appointments are for three-year terms. Tie votes will be settled by chair of Faculty Senate, who shall be an ex-officio member of the Committee.

Each member of the Copyright Committee shall have one vote. The Copyright Committee shall keep its own records, determine its own procedures, and elect its own chair, who shall report to the President. The Copyright Committee also may review this policy from time to time and may recommend changes to the President.

14. APPENDIX E

- HEALTH SCIENCES CENTER CONFLICTS OF INTEREST ..................14-3
- INSTITUTIONAL CONFLICT OF INTEREST IN RESEARCH ACTIVITIES ................................................................. 14-41
POLICY REGARDING CONFLICTS OF INTEREST  
HEALTH SCIENCES CENTER

I. STATEMENT OF GENERAL POLICY

The University of Oklahoma Health Sciences Center is a public institution committed to the mission of teaching; research and creative/scholarly activity; professional and University service; and public outreach. To these ends, the University strives to maintain an atmosphere that promotes free, open, and objective scholarly inquiry and compatible professional interactions while recognizing its obligations and limitations as an arm of the public.

Conflicts of interest are not uncommon in a modern university. The University actively recruits and recognizes individuals with creative abilities who can contribute to interactions not only in the classroom and laboratory but also in the business community. There are many opportunities to develop relationships with outside companies that enhance one's professional competency, render valuable service to the community, and benefit the individual and University. Such interactions and relationships can create conflicts of commitment or interest that must be governed in a manner consistent with institutional and public values. The existence of a conflict is often not clear-cut; however, an undisclosed or unmanaged conflict can irreparably damage reputations that may have taken a lifetime to establish and impair the University's standing. Accordingly, University Employees must be watchful that their relationships and activities do not create, or appear to create, such conflicts.

A Conflict of Interest refers to situations in which financial or other personal considerations may compromise an Employee’s professional judgment in carrying out his/her University responsibilities such as teaching, research, contract administration, or purchasing. When used in this policy, the term Conflict of Interest (“Conflict”) means (1) an actual conflict of interest exists, or (2) the potential exists for a conflict of interest to occur, or (3) there appears to be a conflict of interest; i.e., if made public, it could discredit the Employee or the University. The term also includes a Conflict of Commitment. Employees are expected to know and comply with the applicable laws and policies related to their appointment as University/State Employees.

The purpose of this policy is to provide procedures and guidance for identifying, disclosing, and managing Conflicts of Interest to assure that such Conflicts do not improperly affect the activities or professional conduct of the University or its Employees. Appropriate disclosure, review, and management provide protection from legal liability and ethical criticism for Employees and the University.

See Appendix A for Definitions (capitalized terms) used throughout this policy.

II. GOVERNING AUTHORITY

Governing authority for this policy is derived from state and federal laws, rules, and regulations. This policy overlaps with, but does not replace, University Employee responsibilities, under such governing authority which, in some instances, will include additional prohibitions, penalties, and
reporting duties. Compliance with state and federal laws, rules, and regulations does not necessarily eliminate a Conflict, which still must be addressed in accordance with this policy.

Unless otherwise permitted by law or University policy, University Employees may not:

A. Disclose confidential and/or proprietary information acquired through their University employment to anyone not entitled to receive it, nor use such information for personal gain or benefit; e.g., providing a Company with early or exclusive access to Research results, except in compliance with a sponsored research agreement or grant;

B. Use their University position to obtain special privileges or compensation;

C. Knowingly seek or accept anything of value intended to or that may be perceived to affect their judgment in the performance of their University responsibilities;

D. Have any interests, engage in any business or professional activities, or incur any obligations that conflict, appear to conflict, or have the potential to conflict with the performance of their University duties;

E. Influence or appear to influence University financial, Research, or other decisions for procuring materials or services from Companies in ways that lead or may lead to personal gain for themselves or their Families;

F. Use their University position to market or endorse the goods or services of a Company; or

G. Participate in Research or technology transfer activities that compromise or appear to compromise objectivity and judgment in the design, conduct, or reporting of the Research.

Nothing in this policy prohibits any academic or administrative unit from establishing supplementary Conflicts of Interest policies and/or procedures that are more restrictive than those included in this policy.

See Appendices A, B, C, D, and H for select references to governing authority and policies.

III. IDENTIFYING CONFLICTS OF INTEREST

Identification and disclosure of Conflicts of Interest can protect the Employee and the University from damage to reputations and professional activities. Employees may contact their supervisor, Appropriate Vice President, or the Office of Legal Counsel with questions regarding Conflicts.

The conditions, circumstances, and relationships described in this section could result in Conflicts. Each Employee is required to identify and disclose all Conflicts relating to, but not limited to, each of the categories below.

A. FINANCIAL CONFLICTS OF INTEREST

While most disclosures of Financial Interests will probably be deemed de minimus Conflicts, Financial Interests above certain thresholds will automatically be deemed by law
or regulation to be Significant Financial Interests and will require closer scrutiny, and possible elimination, mitigation, and/or management. The thresholds are as follows:

1. Interests that when aggregated over the next twelve months for the Employee and the Employee’s spouse/domestic partner and children, meet both of the following tests:

   (a) Exceeds $10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, or

   (b) Represents more than a five percent ownership interest in any single entity.

2. Interests that exceed $1,000 in dividends or similar interests derived during the preceding calendar year.

3. Interests that involve the ownership or promise of stock or stock options or similar interests of any amount in a privately-held or Spin-Off Company.

4. Annual income for professional or consulting activity from a Company in excess of 25% of the Employee’s Institutional Base Salary.

B. USE OF UNIVERSITY RESOURCES

University Resources are acquired and maintained to carry out the education, research, and public service missions of the University. Except for insignificant and incidental use, an Employee may not use University Resources for non-University purposes.

1. Facilities, Equipment, Real and Personal Property. Employees using University facilities are required to comply with the University’s Facility Use policy (http://admin-scb.ouhsc.edu/policy/#124). See also Section III. F. 7 of this policy.

2. Intellectual Property. Except as otherwise provided by the University’s Intellectual Property Policy, all intellectual property (i.e., creative works, trademarks, discoveries, technology, and inventions) made or conceived either in the course and/or scope of employment for the University or substantially through the use of facilities or funds provided by or through the University is owned by the University and managed by the University’s Office of Technology Development.

3. Human Resources. Human resources must not be exploited in the course of an Employee’s activities. Human resources include students, postdoctoral fellows, residents, faculty, and staff. It is especially important to be alert for the misuse of human resources since it often results from innocent or unconscious action.

C. USE OF OFFICIAL POSITION

State law prohibits any state officers or state Employees from using their official positions to obtain private benefits or to solicit or secure special privileges, exemptions, or compensation for themselves or others, except as allowed by law. For example, University Employees may not:
1. Consult, serve on advisory boards, or participate in speaking engagements except under written agreement between the Company and University. Employees must ensure that time and effort spent on such activities is approved by their Unit Head and/or Dean and do not conflict with or affect the performance of their University responsibilities. See Conflict of Commitment (Section III.D).

2. Use their official University position or the University’s name for personal gain or private purposes for themselves or their Families.

3. Use their official position to market, promote, or endorse the goods or services of any Company.

4. Market, promote, or endorse goods or services in a manner that could be perceived by the public as the University’s marketing, promoting, or endorsing those goods or services.

5. Contract for services or purchases with their Families or with companies owned in whole or in part by themselves or their Families. Provided, however, exceptions may be granted in unusual circumstances if approved in advance by the Appropriate Vice President and are subject to University Purchasing rules. Requests for an exception must contain a detailed description of the proposed activity and a compelling justification for the provision of services or products by the Employee’s Family or related Company. The relationship between the Employee and Family or Company must clearly be disclosed.

D. CONFLICT OF COMMITMENT

University Employees owe their primary commitment of time and intellectual energies to the University.

University faculty and staff may not have combined commitments (sponsored and non-sponsored) in excess of 100% professional effort. Faculty or staff who have University responsibilities in addition to those committed on sponsored programs, including but not limited to teaching, administration, or clinical activities, must reserve the appropriate amount of effort as agreed upon with the Unit Head and/or Dean for those commitments and, therefore, may not commit 100% paid or unpaid effort to sponsored grants and/or contracts.


Employees must not allow professional activities to detract from their primary allegiance to the University. Employees must maintain a significant presence on campus consistent with the scope of their appointment. Full-time employees must not have significant non-University responsibilities and may not act as the principal investigator on sponsored projects outside the University, except as provided in this policy.

Employees with less than full-time appointments may engage in individual consulting relationships and other employment, to the degree that those activities do not interfere or
conflict with their obligations to the University and occur outside their University appointment.

Each employee must disclose any Conflict of Commitment as each new activity arises and on an annual basis in accordance with this policy. An employee intending to engage in an activity that may present a Conflict of Commitment must submit a written request to the Unit Head, Dean, and/or the Appropriate Vice President, as appropriate, for review of the activity, approval, and implementation of a Management Plan as appropriate.

E. INSTITUTIONAL CONFLICTS OF INTEREST

Institutional Conflicts of Interest are managed under the University’s Institutional Conflicts of Interest Policy. See www.ou.edu.

F. RELATIONSHIPS WITH COMPANIES

Generally, while employees may accept positions and hold Financial Interests in privately held, for-profit Companies, relationships with (a) Companies that are doing business with the University or (b) Companies in which Employees have a direct financial stake create Conflicts that require disclosure, assessment, and management. Employees may also be prohibited from involvement in particular business arrangements by governing law.

Employees with an ownership interest in Companies should be aware of the following state ethics rule: No Employee shall sell, offer to sell, or cause to be sold; rent; or lease (either as an individual or through any Company in which the Employee holds a Financial Interest) goods, services, buildings or property to the University. Exceptions to this rule are: 1) contracts for goods or services valued at less than five thousand dollars ($5,000), and 2) contracts entered into after public notice and in response to a University bid or request for proposal (RFP).

1. Equity and Other Financial Interests

Employees who propose to become involved with a Company in which they have a Financial Interest, including but not limited to Equity, must promptly disclose the interest to the University. Employees having income from or Equity in such Companies should recognize that their ability to conduct Research sponsored by that Company may be restricted because of a Conflicts created by their income from or Equity in the Company.

When intellectual property is produced by an Employee in the performance of his/her official University duties or through the use of University Resources, the Employee may receive income or Equity under contract through the University from a Company commercializing the intellectual property.

2. Membership on Boards

Service on a Company’s Board of Directors or Advisory Board is normally acceptable; however, when the Company proposes to do or is doing business with the University, Conflicts arise because fiduciary obligations to the Company may
conflict with primary obligations to the University to act in its best interests. Notice to and approval of Board membership by the Appropriate Vice President and recusal from Board matters involving University interests or resignation from the Board are required.

Employees may be permitted to serve on the Board of a Company that has licensed University technology if the service is disclosed in advance to and with approval of the Appropriate Vice President. An employee who is allowed to assume a Board position should recognize that his or her ability to conduct Research that is sponsored by the Company may be restricted because of the Conflict created by the Board position. Employees who assume Board positions must recuse themselves from all Board decisions that involve the University.

3. **Service as an Operating Officer**

An Employee cannot serve as an Operating Officer of any Company in which the University owns a Financial Interest or with which there is a Conflict with the Employee’s University position. If an Employee wishes to serve as an Operating Officer, under such circumstances, he/she may request a leave of absence from the University for a specified period of time, in accordance with policies in the Faculty Handbook.

4. **Service as a Scientific Officer**

An Employee may serve as a Scientific Officer for a Company with the prior written permission of the Unit Head, Dean, and Appropriate Vice President. Such service must be through a written agreement between the University and the Company. The term of service as a Scientific Officer should ordinarily be for one year, renewable with written approval of the Employee’s Unit Head, Dean, and the Appropriate Vice President.

5. **Consulting Relationships and Multiple Activities**

All consulting activities of Employees must be conducted through written agreements between the University and the Company. Where such activities are performed for a Company in which the Employee holds Equity; receives compensation; serves as a Scientific Officer; has a Board seat; has multiple professional relationships with the Company (e.g., consulting and research agreements); or, as permitted under this policy, serves as an Operating Officer; any consulting relationship with the Company must be disclosed and receive prior review and written approval from the Employee’s Unit Head, Dean, and the Appropriate Vice President.

6. **Support of Students and Trainees by Companies**

The progress and academic standing of students and trainees must never be compromised. Employees supervising students and trainees must inform them in writing of the source(s) of their funding support, disposition of intellectual property, management of proprietary information, and handling of publication
rights prior to assigning the students or trainees to a Research or training project supported by a Company.

A student’s academic program cannot be supported by a Company in which the supervising Employee has Equity, serves on a Board, or serves as an Operating Officer or Scientific Officer, unless specifically approved in writing by the Dean of the Graduate College and the Senior Vice President and Provost. If approved, support (e.g., stipends, tuition, salary, scholarships) for students and trainees provided by Companies must comply with all of the following provisions:

(a) The College department, program, or unit approves the recipient;
(b) The funds are provided to the University;
(c) The recipient is not subject to any implicit or explicit expectation of providing or foregoing something in return for the support; i.e., a “quid pro quo”; and
(d) The Company does not withhold or unreasonably limit publication of the student’s research.

University trainees and students may not be employed by any Company to conduct Research that overlaps with their University training or academic program. In addition, Graduate College policy does not allow a faculty member with supervisory responsibility for an Employee to serve as mentor for the same individual as a student; therefore, any proposed employment of a trainee or student by a Company to work on Company Research that does not overlap with their training or academic program in which the mentor has Equity, serves on a Board, or serves as an Operating Officer or Scientific Officer of the Company must be approved in advance by the Dean of the Graduate College and the Senior Vice President and Provost.

7. **Company Use of University Equipment and Space**

An Employee may not use or allocate University equipment or space for personal or non-University purposes, except as provided by University policy.

Limited use of University space and designated equipment by a Company may be permitted in accordance with governing law following review and approval by the Appropriate Vice President. The terms and conditions of such use shall be reduced to writing and signed by the Appropriate Vice President and the Company in accordance with University policy.

8. **Funding for Sponsored Research and Service Activities**

Employees may not act as a principal investigator on sponsored projects outside the University, except as allowed by Board of Regents’ policy.
There is a presumption against accepting funding from a Company in which (i) the University or the Employee has a Financial Interest, (ii) the Employee serves on the Board of the Company, or (iii) the Employee serves as an Operating Officer or Scientific Officer.

The presumption is applied as follows:

When a Company proposes to contract for Research or services to be conducted by such an Employee or anyone under the direction of that Employee and the Research or services involve neither human research participants nor validation testing, the presumption against accepting funding may be rebutted if, in the judgment of the Appropriate Vice President, one of the following is met and a Management Plan is in place:

(a) The Employee’s influence over the Company’s decisions and the possible commercial or private benefit from the Research or services are negligible.

(b) The Research or service is essential to maintain the continuity of an effort related to University licensed intellectual property during a short interval of time, normally not greater than one year.

(c) The Employee’s relationship with the Company does not involve additional relationships with the Company such as consulting or service agreements or Board membership, so that the likelihood of any distortion of the Research or service outcome is minimal.

Employees supervising students and trainees shall inform them in writing of the source(s) of funds, disposition of intellectual property, management of proprietary information, and handling of publication rights prior to assigning the students or trainees to a Research or training project.

The University may not conduct testing to validate to the public an invention created at or by the University.

9. **SBIR / STTR Programs**

Under Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs, small businesses are encouraged to partner with a research university to perform innovative research and/or to assist in technology transfer from the university. A University Employee may participate in the SBIR/STTR project only through a contract between the University and the Company that outlines the Employee’s responsibilities and/or University benefits or with written authorization by the Dean and Vice President for Research.

SBIR/STTR programs can produce a variety of complex situations with regard to Conflicts issues. Therefore, Employees are required to comply with the following:

1. A University Employee with any role on an SBIR/STTR project must submit the entire grant application (University’s portion and small business’s
portion) to the Office of Research Administration (ORA) to enable the appropriate reviews to take place before submission of the application to the funding agency.

2. The principal investigator for the small business SBIR/STTR application and the principal investigator for the subcontract to the University must be different individuals.

3. If a University Employee or his/her Family has a Financial Interest in a Company, that individual may not bring Research into his/her University laboratory through an SBIR or STTR contract involving that Company, except through a contract between the Company and the University.

4. The Company must provide evidence of availability of functioning space in which Research activities can and will take place prior to submission of the grant application.

5. The Employee must notify the Vice President for Research and/or ORA in writing upon receipt of an SBIR/STTR award. If the Employee is serving as the principal investigator of the small business concern on an SBIR grant he/she must also provide documentation of approval from the appropriate Dean to reduce his/her University appointment to commit the required minimum 51% effort as the SBIR principal investigator of the small business concern.

6. Prior to start of the project, a contract between the University and the Company must be executed outlining the Employee’s responsibilities and/or University benefits or the Employee must obtain written authorization by the Dean and the Vice President for Research to proceed. There must be a clear distinction between the work done by or on behalf of the Company and the work performed by or on behalf of the University.

7. The Employee must work through his/her college/department to reduce his/her appointment if serving as the principal investigator on an SBIR award.

G. FINANCIAL INTERESTS INVOLVING HUMAN RESEARCH PARTICIPANTS

All Financial Interests of an Employee serving as an investigator in Research involving human research participants must be disclosed and managed under this policy and the University’s Human Research Participant Protection (HRPP) policy See http://www.ouhsc.edu/irb.

An investigator with a Conflict in Research involving human research participants may conduct that Research only with an HRPP-approved Management Plan. However, the Vice President for Research has final authority to disallow Research determined to be contrary to the best interests of the University.
IV. DISCLOSING CONFLICTS OF INTEREST

Employees must disclose a Conflict whenever a new activity or relationship arises and also on an annual basis in accordance with this policy. To ensure all required disclosures are made under this policy Employees should contact the Unit Head, Dean, or Appropriate Vice President if there is any question whether an activity or relationship requires disclosure. All disclosures will be forwarded to Internal Audit by ORA or the Employee’s supervisor. Failure to disclose Conflicts can result in administrative sanctions, severe sanctions, and/or civil and criminal penalties.

A. WHAT TO DISCLOSE

When used in this policy, the term Conflict of Interest (“Conflict”) means (1) an actual conflict of interest exists, or (2) the potential exists for a conflict of interest to occur, or (3) there appears to be a conflict of interest; i.e., if made public, it could discredit the Employee or the University. Disclosure of Conflicts is required for the following in accordance with this policy.

1. Financial Conflicts of Interest above the specified thresholds
2. Conflicts of Commitment
3. Relationships with Companies
   (a) Equity and other Financial Interests
   (b) Board membership
   (c) Service as an Operating Officer
   (d) Service as a Scientific Officer
   (e) Consulting relationships with Companies
   (f) Multiple professional relationships with Companies
   (g) Company support of students and trainees
   (h) Company use of University equipment and/or space
   (i) Sponsored research support from Companies in which the Employee or University has a Significant Financial Interest
   (j) Compensation for professional services to a Company
   (k) Financial Interests involving human subjects research

Although all possible required scenarios cannot be itemized here, the following are examples of circumstances that do require disclosure under this policy:

1. Participating in University Research on a technology owned, licensed, or contractually obligated to a Company with which the Employee or his/her Family has a Financial Interest.
2. Receipt of University Research support (whether in dollars or in kind) from a Company with which the Employee or his/her Family has a Financial Interest.
3. Receipt of royalties on products undergoing Research or testing under the supervision or control of the Employee.
4. Service on a board of directors or scientific advisory board of, or executive position with, a Company from which the Employee, Employee’s Family, or a Company associated with the Employee or his/her Family receives sponsored research support.

5. Receiving funds, gifts, or any compensation from a Company that is sponsoring an Employee’s Research, for activities or purposes unrelated to the actual costs of performing that Research.

6. Assigning to fellows and/or students, tasks related to an Employee’s involvement with a Company.

7. Purchasing equipment, services, or supplies for Research from a Company with which the Employee, the Employee’s Family, or a Company associated with the Employee or his/her Family has a Financial Interest.

8. Receipt of any non-royalty payments or entitlements to payments in connection with the Research that are not directly related to the reasonable costs of the Research (as specified in a research agreement between the sponsor and the University).

In addition, in all publications and presentations Employees must always disclose Financial Interests in any Company that supports Research being reported.

**B. WHEN TO DISCLOSE**

Disclosure is required with:

1. Each new and renewal proposal, grant application, and contract submitted to the Office of Research Administration (ORA).

2. Each new or modified activity or relationship with a Company (i.e., license agreement with Spin-Off Company).

3. Each new circumstance, situation, or activity that is not associated with an ORA submission and is a Conflict of Interest.

The Employee’s Unit Head and Dean shall review and discuss the disclosure with the Employee as necessary. In those instances in which the Expanded Disclosure Form is required, the Unit Head and Dean will forward the Expanded Disclosure Form and written recommendations regarding the elimination, mitigation, and/or management of any identified Conflict(s) to the Appropriate Vice President for review and final decision on how to proceed. The Appropriate Vice President may consult with others, such as a committee appointed for that purpose.

The Employee shall be notified in writing of the decision, including any requirements for immediate action and plans for continued monitoring of the Conflict.
C. **HOW TO DISCLOSE**

All disclosures are to be made on the “Conflicts of Interest Disclosure Form” and if required per the disclosure form instruction on the “Expanded Conflicts of Interest Disclosure Form”. The Conflicts of Interest Disclosure Form is incorporated into the Office of Research Administration Routing Forms for all submissions to ORA. Non-ORA related disclosures are made on these forms and submitted to the Appropriate Vice President.

See Appendix G and the Office of Research Administration website [http://w3.ouhsc.edu/OR](http://w3.ouhsc.edu/OR) for both disclosure forms which contain specific instructions.

V. **ELIMINATING, MITIGATING, OR MANAGING CONFLICTS OF INTEREST**

After a Conflict has been identified and disclosed, the Appropriate Vice President shall develop a written Management Plan for eliminating, mitigating, or managing the Conflict, which may include, but is not limited to:

A. Full internal disclosure and annual updates on University disclosure forms;

B. Public disclosure;

C. Disclosure to individuals or entities with relevant interests such as institutional committees, research participants, journals, and data safety monitoring boards;

D. Modification of the activity;

E. Divestiture of financial interests of the Employee and/or his/her Family;

F. Reduction of involvement or severance of relationships that create the Conflict;

G. Alteration of participation in all or a portion of the activity;

H. Transferring securities to an independent financial manager or blind trust or limiting the timing of sales or distributions;

I. Oversight of activity by an appropriate supervisor or independent reviewer;

J. Termination of student or post-doctoral fellow involvement in the activity;

K. Independent clinical review of the appropriateness of clinical care given to research participants, if applicable;

L. Monitoring the informed consent process.

After implementation of a Management Plan and commencement of the activity or relationship, the Appropriate Vice President will review the effectiveness of the Plan as often as deemed necessary, but not less frequently than every twelve months. If, during the conduct of the activity, the Appropriate Vice President determines that the Conflict has not been properly managed or has become unmanageable under the Plan, he/she will then, among other options, review the activity...
and, as necessary, refine the Plan accordingly and/or require a new disclosure. If an outside funding agency requires notification of the Conflict, the Appropriate Vice President will notify the agency in accordance with agency requirements.

For activities with Companies in which the Employee has Equity or serves as an Officer or on the Board, the Management Plan must comply with Section III. F., Relationships with Companies, of this policy.

VI. SANCTIONS

University sanctions may include, without restriction, reprimand, restitution, loss of pay, suspension, or dismissal. Persons who violate this policy also may be subject to civil and criminal penalties for violations of state or federal law; e.g., civil penalties for willful violations of state laws may reach $50,000 or more per violation.

Allegations against an Employee for breach of this policy should be reported to the Appropriate Vice President for review and action. In the event a violation of this policy also constitutes a breach of any other University policy, the Senior Vice President and Provost, in consultation with the Appropriate Vice President, shall determine which policy shall govern.

(Regents, 9-26-95, 3-25-10)

VII. APPENDICES

A. Definitions

B. Federal Regulations and Guidance Regarding Financial Conflicts of Interest

C. State Government Ethics Commission Rules Governing the Ethics and Conflicts of Interest for the Conduct of State Officers and Employees

D. Provost’s Memo Regarding Promotional Agreements for Private Industry (11-11-04)

E. Tips for Avoiding Conflicts of Interest

F. Questions and Answers

G. Forms

H. Other University Policies Which May Relate to Conflicts of Interests
APPENDIX A

DEFINITIONS

Appropriate Vice President: The vice president with authority over the unit or activity in which the Conflict of Interest has been identified or his/her designee. For example, if the disclosure regards a research activity, the Vice President for Research will provide oversight, regardless of where the individual is employed within the University. If the activity is not research-related, the vice president with authority over the unit or activity will provide oversight.

Board: Board of Directors or Advisory Board.

Company: Any entity, including a Spin-Off Company, other than the Board of Regents of the University of Oklahoma.

Compensation: All remuneration or other things of value received in payment for services rendered, such as salary, gifts, stocks, favors, or other items of value.

Conflict of Commitment: Time or effort devoted to professional activities that may adversely affect or interfere with an Employee’s primary University responsibilities and obligations.

Conflict(s) of Interest (Conflict): Refers to situations in which financial or other personal considerations may compromise an Employee’s professional judgment in carrying out his/her University responsibilities such as teaching, research, contract administration, or purchasing. When used in this policy, the term Conflict of Interest means (1) an actual conflict of interest exists, or (2) the potential exists for a conflict of interest to occur, or (3) there appears to be a conflict of interest; i.e., if made public, it could discredit the Employee or the University. The term also includes a Conflict of Commitment.

Employee: Any person possessing a full- or part-time faculty or staff appointment at the University. For the purposes of this policy, Employee also includes adjunct faculty, postdoctoral fellows, residents, and volunteers. In addition, graduate and undergraduate students, whether or not paid, who work on grants or contracts are considered Employees for the purposes of this policy.

Equity: Ownership interest in a Company, such as stock and stock options.

Family: Includes any individual who is a spouse/domestic partner, parent, child, stepparent, stepchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, or grandchild of an Employee or a member of the Employee’s household.

Financial Interest: Anything of monetary value including, but not limited to, Equity.

Gift: Anything of value to the extent that consideration of equal or greater value is not received in exchange, as set forth in the State Ethics Commission Rules Governing the Ethical Conduct of State Officers and Employees.

Institutional Base Salary: The annual guaranteed compensation paid by the University for an Employee’s appointment, whether that individual’s time is spent on research, teaching, patient care, and/or other University activities.
**Investigator:** Any person who is responsible for the design, conduct, or reporting of Research.

**Management Plan:** Written plan to manage, mitigate, or eliminate a disclosed Conflict of Interest.

**Operating Officer:** An executive of a Company (with or without salary); e.g., Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, President, Vice-President.

**Public Health Service (PHS):** An operating division of the U.S. Department of Health and Human Services, and any components of the PHS to which the authority involved may be delegated.

**Research:** A systematic, intensive study intended to increase knowledge or understanding of the subject studied, a systematic study specifically directed toward applying new knowledge to meet a recognized need, or a systematic application of knowledge to the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements. Also termed “research and development.”

**Scientific Officer:** The person responsible for conceiving, evaluating, and/or executing Research for a Company (with or without salary).

**Senior Vice President and Provost:** The chief executive academic and administrative officer of the University or his/her designee.

**Significant Financial Interest:** Financial interests above a certain threshold:

A. Interests that when aggregated over the next twelve months for the Employee and the Employee’s spouse/domestic partner and children, meet either of the following tests:

   (i) Exceeds $10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, or

   (ii) Represents more than a five percent ownership interest in any single entity.

B. Interests that exceed $1,000 in dividends derived during the preceding calendar year.

C. Interests that involve the ownership or promise of stock or stock options of any amount in a privately-held or Spin-Off Company.

D. Annual income for professional or consulting service from a Company in excess of 25% of the Employee’s Institutional Base Salary.

**Spin-Off Company:** A Company that is organized to develop and/or commercialize specific University intellectual property. Spin-Off Companies are typically privately held, for-profit Companies with licenses to develop and/or commercialize University intellectual property created by University Employees and in which those Employees often own some or all of the Company.

**Unit Head:** An Employee’s supervisor, such as his/her Department Chair, Center Director, or Dean. Section Chief is not considered Unit Head.
**University:** The University of Oklahoma Health Sciences Center.

**University Resources:** All University facilities, equipment, real and personal property, intellectual property, and human resources.
APPENDIX B

FEDERAL REGULATIONS AND GUIDANCE REGARDING
FINANCIAL CONFLICTS OF INTEREST

42 CFR Part 50.601-607, Subpart F - Responsibility of Applicants for Promoting Objectivity in Research for which PHS Funding is Sought

45 CFR Part 94.1 - Responsible Prospective Contractors

21 CFR Part 54 – Financial Disclosure by Clinical Investigators

NIH Guide – Objectivity in Research

FDA “Guidance: Financial Disclosure by Clinical Investigators” (March 20, 2001)
http://www.fda.gov/oc/guidance/financialdis.html


http://www.hhs.gov/ohrp/nhrpac/mtg12-00/finguid.htm

NIH Guide Notice (12/06/2004) - Reminder of Financial Conflict of Interest Requirements for All NIH-Supported Institutions.

This first report of the AAMC Task Force on Financial Conflicts of Interest in Clinical Research provides guidance related to individual financial interests in human subjects research.

Protecting Subjects, Preserving Trust, Promoting Progress II: Principles and Recommendations for Oversight of an Institution’s Financial Interests in Human Subjects Research.
This second report of the AAMC Task Force offers a conceptual framework for assessing institutional conflicts of interest and a set of specific recommendations for the oversight of certain financial interest in human subjects research. The guidelines highlight areas that, in the view of the AAMC’s Task Force, are especially problematic and must therefore receive close scrutiny.
APPENDIX C

STATE GOVERNMENT ETHICS COMMISSION RULES GOVERNING THE ETHICS AND CONFLICTS OF INTEREST FOR THE CONDUCT OF STATE OFFICERS AND EMPLOYEES


The following rules and standards may be amended by the Legislature from time to time so to find the latest version you should either consult the latest copy of the Oklahoma State Statutes or contact the University Office of Legal Counsel.

Oklahoma Statutes Citationized
Title 74. State Government
Chapter 62 Appendix - Title 257. Ethics Commission
Article Chapter 20

Standard 257:20-1-1
General Purpose and Authority

(a) The rules of this chapter have been adopted for the purpose of complying with the provisions of the Oklahoma Constitution, Article XXIX, Section 3 (B). The Ethics Commission finds that the proper operation of state government requires:

(1) that a state officer or state employee be independent and impartial;
(2) that government policy and decisions be made through the established processes of state government;
(3) that a state officer or state employee not use state office to obtain private benefits;
(4) that a state officer or state employee avoid action which creates the appearance of using state office to obtain a private or inappropriate benefit; and
(5) that the public have confidence in the integrity of its government and state officers and state employees.

(b) It is the intent of the Ethics Commission:

(1) to protect against conflicts of interest and establish standards of conduct of elective officers and state employees in situations where conflicts may exist;
(2) to attract those citizens best qualified to serve. Thus the rules against conflicts of interest must be so designed as not to impede unreasonably or unnecessarily the recruitment and retention by government of those best qualified to serve. State officers should not be denied the opportunity, available to all other citizens, to

Appendix E
HSC CONFLICTS OF INTEREST POLICY

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acquire and retain private economic interests except when such interests conflict with the responsibility of such officers to the public;

(3) to discourage state officers and state employees from acting upon a private or business interest in the performance of a public duty;

(4) to develop public confidence in persons seeking or holding state office or employment, to enhance the dignity of state government, and to make it attractive to citizens who are motivated to public service;

(5) that state officers and state employees shall exercise their powers and prerogatives without prejudice or favoritism.

**Standard 257:20-1-2**

**Buying or Selling State Employment or Appointments to State Office**

(a) Candidates for state office, state officers, and state employees shall not, directly or indirectly, solicit, receive or agree to receive anything of value, or campaign contributions, for agreeing to appoint, appointing or procuring the appointment of another person to any state office or agreeing to employ, employing or procuring the employment of another person in any position as a state employee.

(b) Nothing in Subsection (a) of this section shall be construed to include matters within the purview of the Oklahoma Personnel Act, Sections 840 et seq. and 841 et seq. of Title 74 of the Oklahoma Statutes.

**Standard 257:20-1-3**

**Accountability**

(a) All state officers and all state employees:

(1) shall support, obey, and defend the Constitution and laws of the State of Oklahoma; and

(2) shall not knowingly receive, directly or indirectly, any money or other valuable thing, for the performance or nonperformance of any act or duty pertaining to his or her office, other than the compensation allowed by law.

(b) Nothing in Subsection (a) of this section shall be construed to include matters within the purview of the Oklahoma Personnel Act, Sections 840 et seq. and 841 et seq. of Title 74 of the Oklahoma Statutes.

**Standard 257:20-1-4**

**Misuse of Office**

(a) No state officer or state employee shall use his or her official position to solicit or secure special privileges, exemptions or compensation for himself, herself or others, except in the performance of his or her duties or as may be allowed by law. Such prohibited activity, except as provided by statute, shall not include:
(1) writing letters or orally communicating recommendations for hiring, reclassifying, terminating or promoting a state employee; or

(2) an employee of an institution within The Oklahoma State System of Higher Education receiving income from ownership interest in a technology or other intellectual property or in a business enterprise commercializing the technology or other intellectual property, or receiving income as a consultant, adviser, or employee of such business enterprise, when such technology or other intellectual property is the result of research conducted by the employee in the performance of his or her duties on behalf of the institution or involving the authorized use of the facilities, equipment, or services of the institution.

(b) No state officer or state employee, except in the performance of his or her duties, shall disclose or offer to disclose confidential information acquired by reason of his or her official position to any person, group or others not entitled to receive such confidential information, nor shall he or she use such information for his or her personal gain or benefit.

(c) No state officer or state employee shall:

(1) receive or solicit any compensation that would impair his or her independence of judgment for his or her services as an officer or employee of any state agency, from any source other than the state, unless otherwise provided by law; or

(2) accept or solicit other employment which would impair his or her independence of judgment in the performance of his or her public duties.

Provided, the activities prohibited by this subsection shall not include an employee of an institution within The Oklahoma State System of Higher Education receiving income from ownership interest in a technology or other intellectual property or in a business enterprise commercializing the technology or other intellectual property, or receiving income as a consultant, adviser, or employee of such business enterprise, when such technology or other intellectual property is the result of research conducted by the employee in the performance of his or her duties on behalf of the institution or the authorized use of the facilities or services of the institution.

(d) No legislator or statewide elective officer shall be employed by or receive any commission, fee, or other compensation from the state, except:

(1) the compensation and allowance for expenses provided by law to such legislator or statewide elective officer;

(2) compensation from serving in the Oklahoma National Guard or the Oklahoma State Guard; or

(3) income from government pension or retirement plans.
Standard 257:20-1-5
Ownership Prohibited by Certain State Officers in Certain Government Securities

No state officer of a governmental entity shall own any interest in any bond, obligation or security issued by or in the name of such governmental entity, unless such interest is a part of a mutual fund or similar security.

Standard 257:20-1-6
Representation by State Officers and State Employees

(a) A statewide elective officer shall not receive or agree to receive compensation for representing or assisting any person or business in any transaction involving the state; or represent another person for a fee before any state department, agency, board or commission. The provisions of this subsection shall not:

1. apply to the practice of law before any court; or

2. preclude a statewide elective officer from acting on behalf of a constituent to determine the status of a matter before a state department, agency, board, commission, institution or instrumentality without accepting compensation therefor.

(b) A legislator shall not receive or agree to receive compensation for representing or assisting any person or business in any transaction involving the state; or represent another person, firm, corporation or entity for a fee before any state department, agency, board or commission. The provisions of this subsection shall not:

1. apply to the practice of law before any court; or

2. preclude a member of the Legislature from acting on behalf of a constituent to determine the status of a matter before a state department, agency, board, commission, institution or instrumentality without accepting compensation therefor.

(c) A state officer or state employee shall not represent another person as an attorney in any matter before the Commission.

(d) A state officer or state employee shall not represent another person before the governmental entity the state officer or state employee serves.

(e) These restrictions shall not apply to the following:

1. purely ministerial matters which do not require discretion on the part of the entity;

2. representation by a state officer or state employee in the course of the officer’s or employee’s official duties;

3. self-representation by the state officer or state employee;

4. representation by the state officer or state employee in matters arising out of or rules promulgated pursuant to the Oklahoma Personnel Act; or
5. representation by the state officer or state employee in a grievance before an institution of the Oklahoma State System of Higher Education so long as such representation is consistent with the rules relating to such grievances.

(f) The restrictions set forth in this section do not apply if the state officer or state employee is testifying under oath to facts that are within the individual’s knowledge, or as an expert witness who does not accept compensation other than regularly provided for by law or rule for subpoenaed witnesses.

Standard 257:20-1-7
Votes, Deliberations, and Discussions by Legislators or Statewide Elective Officers

(a) A legislator or statewide elective officer shall not introduce or cause to have introduced, request the introduction of, promote, or vote on any legislation if the statewide elective officer or legislator or a child, adopted child, step-child or spouse of the officer or legislator or a business or entity with which the legislator or officer or a member of the immediate family of the legislator or officer is associated has:

(1) a pecuniary interest in; or

(2) a reasonably foreseeable benefit from;

the legislation. A reasonably foreseeable benefit includes detriment to a business competitor to the legislator or statewide elective officer, to a business competitor of a member of the immediate family of the legislator or officer, or to a business competitor of a business or entity with which the legislator or officer or child, adopted child, step-child or spouse of the legislator or officer is associated.

(b) A legislator or statewide elective officer may introduce or cause to have introduced, request the introduction of, promote, or vote on legislation if the only pecuniary interest or reasonably foreseeable benefit that may accrue to the legislator or officer, child, adopted child, step-child or spouse of the legislator or officer, or business or entity with which a legislator or officer or a child, adopted child, step-child or spouse of a legislator or officer is associated is incidental to the legislator’s or officer’s, child’s, adopted child’s, step-child’s, or spouse’s or business or entity’s position, or which accrues to the legislator or officer, child, adopted child, step-child or spouse, of the legislator or officer, or business or entity as a member of a profession, occupation, or large class, whichever is applicable, to no significantly greater extent than the pecuniary interest or potential benefit could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.

(c) Nothing in this subsection shall allow a legislator or a member of the immediate family of a legislator, a statewide elective officer, or a business or entity with which the legislator or statewide elective officer is associated to contract with a governmental entity except as provided in Subsection (b) of Section 10 of this chapter.
Standard 257:20-1-8

Votes, Deliberations, and Discussions by Public Members

(a) A public member shall not participate in the discussion on, vote on, influence, or attempt to influence an official action of the governmental entity the public member serves on if the public member or a member of the immediate family of the public member or a business or entity with which the public member or a member of the immediate family of the public member is associated, has:

(1) a pecuniary interest in; or

(2) a reasonably foreseeable benefit from;

the matter under consideration by the governmental entity of which the public member is a member. A reasonably foreseeable benefit includes detriment to a business competitor of the public member, to a business competitor of a member of the immediate family of a public member or to a business competitor of a business or entity with which the public member or a member of the immediate family of the public member is associated. The public member’s abstention must be recorded in the governmental entity’s minutes.

(b) A public member may participate in the discussion on, vote on, or influence or attempt to influence an official action if the only pecuniary interest or reasonably foreseeable benefit that may accrue to the public member or a member of the immediate family of a public member or business or entity with which the public member or member of the immediate family of the public member is associated is incidental to the public member’s, immediate family member’s or business or entity’s position, or which accrues to the public member, immediate family member or business or entity as a member of a profession, occupation, or large class, whichever is applicable, to no significantly greater extent than the pecuniary interest or potential benefit could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.

(c) Nothing in this section shall allow a public member or a member of the immediate family of the public member or a business or entity with which the public member or a member of the immediate family of the public member is associated to contract with the governmental entity over which the public member has jurisdiction.

Standard 257:20-1-9

Restraints on Solicitation or Acceptance of Anything of Value – Disclosure

(a) Influence of official act, fraud or official duty. No state officer and no state employee shall, directly or indirectly, ask, demand, exact, solicit, seek, accept, assign, receive, or agree to receive anything of value for the state officer or employee or for any other person or entity, in return for being:

(1) influenced in the performance of an official act;

(2) influenced to commit, aid in committing, collude in, or allow fraud, or make an opportunity for the commission of fraud on a governmental entity; or
(3) induced to perform or fail to perform an act in violation of the state officer’s or state employee’s official duty.

(b) Soliciting individually or on behalf of a regulatory governmental entity prohibited. No state officer and no state employee shall, directly or indirectly, ask, demand, exact, solicit, seek, accept, assign, receive or agree to receive anything of value individually or for or on behalf of a governmental entity from a business entity, its employees, officers or board members, or a person who has greater than a ten percent (10%) interest in such entity if the rates, charges, prices or fees charged by the business entity are subject to regulation by the governmental entity which the officer or employee serves. This provision does not apply to a campaign contribution properly received and reported, which is exempt from the definition of anything of value in Section 2 of Chapter 1 of this title, or to anything of value accepted on behalf of the state of Oklahoma pursuant to Subsection (e) of this section.

(c) Calendar year limits on things of value.

(1) Elective officers. No elective officer, or an immediate family member of an elective officer shall, directly or indirectly, ask, demand, exact, solicit, seek, accept, assign, receive, or agree to receive things of value in a calendar year which, in the aggregate, are valued at more than three hundred dollars ($300); and

(2) Other state officers and state employees. Except for an elective officer, no state officer, state employee or an immediate family member of such state officer or state employee shall, directly or indirectly, ask, demand, exact, solicit, seek, accept, assign, receive or agree to receive things of value in a calendar year which, in the aggregate, are valued at more than one hundred dollars ($100):

from a person who the state officer or state employee knows or should know:

(A) is a lobbyist or lobbyist principal, provided that the following shall not be subject to this subsection:

   (i) things of value received as a result of or arising out of employment by, or doing business with, a lobbyist or lobbyist principal; and

   (ii) things of value received from any director, stockholder, partner, agent, affiliate, member, employee or officer of a lobbyist principal if the donor is excepted in subparagraph (D) of Paragraph (2) from the definition of “anything of value” in Section 2 of Chapter 1 of this title, or if there exists between the recipient and the donor a close personal relationship of long standing in which the mutual exchange of gifts on special occasions, such as holidays or anniversaries, has become customary;

(B) is seeking to do business or doing business with the governmental entity of which the state officer’s or state employee’s office or employment is a part; or

(C) has an economic interest in actions or matters before or affecting the governmental entity of which the state officer’s or state employee’s office or employment is a part.
A thing or things of value given by a lobbyist; the lobbyist principal or lobbyist principals by whom the lobbyist is employed or retained; or a stockholder, partner, agent, affiliate, member, employee or officer of the lobbyist principal or lobbyist principals by whom the lobbyist is employed or retained are aggregated for purposes of the disclosure threshold and calendar year limits, regardless of how the thing or things of value are funded. If more than one lobbyist is retained or employed by a lobbyist principal, the disclosure and calendar year limits of the first lobbyist to register on behalf of the lobbyist principal for a calendar year are aggregated with each additional lobbyist employed or retained by the same lobbyist principal.

(d) Prohibition versus limit--Exception. Nothing in Subsection (c) shall allow a state officer or state employee to accept anything of value in violation of Subsection (a) of this section. Subsection (c) shall not apply to public members when things of value are received but are not given as a result of the public member's status as a public member.

(e) Exceptions for state officers and employees of judicial branch and corporations. Nothing in this section shall allow:

(1) a judicial officer, juror, referee, arbitrator or umpire to accept anything of value from a corporation or any other person, knowing that person to be a party in interest or the attorney or counsel of a party in interest to any action or proceeding then pending or about to be brought before him or her pursuant to Section 386 of Title 21 of the Oklahoma Statutes; or

(2) a corporation to influence elections or official duty by contributions of money or anything of value pursuant to Section 40 of Article IX of the Oklahoma Constitution.

(f) Exceptions for forms of compensation, gifts to state, and officers/directors of organizations. Nothing in this section shall prohibit the acceptance or require the disclosure of:

(1) compensation, bonuses, dividends, interest payments, employee benefits, expense reimbursements or other forms of compensation or earnings on investments;

(2) anything of value which is accepted by the Governor on behalf of the state of Oklahoma or a governmental entity pursuant to Section 381 et seq. of Title 60 of the Oklahoma Statutes. Section 381 et seq. of Title 60 of the Oklahoma Statutes. In order to be deemed accepted, the Governor must be notified in writing of any gift received by a governmental entity, or person on behalf of a governmental entity, within ten (10) days of receipt of the gift. Notice of acceptance must be received from the Governor within the next thirty (30) days. Upon lack of a response from the Governor within thirty (30) days of receipt of notice, the gift is deemed rejected and must be returned to the donor; or

(3) the solicitation or acceptance of anything of value for or from either:

(A) a charitable organization or an organization described in Section 501 (c) of Title 26 of the United States Code, 26 U.S.C., Section 501 (c), as it currently exists or as it may be amended; or
(B) a tax-exempt professional organization established by state statute or rules passed by the Oklahoma Supreme Court,

by a member, state officer or state employee, who is a member, officer or director of the organization, when receipt of anything of value results from the member, state officer or state employee attending a function, meeting or seminar on behalf of, or as a representative of, the organization.

(g) No state officer or state employee shall directly or indirectly borrow money from a lobbyist, or an immediate family member of a lobbyist, or an entity controlled by or employing a lobbyist. This subsection shall not apply to:

(1) a loan of money made by a commercial lending institution, in the regular course of business, on the same terms ordinarily available to members of the public, and which is not secured or guaranteed by a lobbyist or lobbyist principal or any other person on behalf of a lobbyist or lobbyist principal; or

(2) a loan from a father, stepfather, father-in-law, mother, stepmother, mother-in-law, sister, step sister, brother, step brother, child, step child, adopted child or their spouses.

(h) Except for the compensation an elective officer is entitled to by law for the performance of official duties, no elective officer shall solicit or accept cash, check or cash equivalent compensation for an article, appearance or speech, or for participation at an event, unless the article, appearance or participation is made as part of the normal course of business in the member’s private occupation.

**Standard 257:20-1-10**

**State Officers’ and State Employees’ Private Interests in Public Contracts**

(a) Prohibition on contracting with state - Exceptions.

(1) State officers and state employees. No state officer or state employee, except a public member, shall sell, offer to sell or cause to be sold, rent or lease either as an individual or through any business enterprise in which he holds a substantial financial interest, goods, services, buildings or property to the governmental entity with which the officer or employee is associated or to any business entity licensed or regulated by the governmental entity which the officer or employee serves. This section shall not apply to students who are engaged in bona fide work-study programs at institutions of higher education within the Oklahoma State System of Higher Education.

(2) Limited exceptions. Paragraph (1) of this subsection shall not apply to

(A) a state officer if real property is acquired from the state officer by condemnation proceedings; or
(B) a state employee if real property is acquired from the state employee either by condemnation proceedings or the price to be paid for such property is approved in writing by the appointing authority of the agency acquiring such property and by the Governor.

(b) Contracting with current or former legislators and statewide elective officers-Exceptions. No legislator or statewide elective officer shall sell or cause to be sold, rent or lease either as an individual or through any business enterprise in which he holds a substantial financial interest, goods, services, buildings or property to any governmental entity. No state officer or state employee, acting in his or her official capacity, shall enter into any contract in which the state officer or state employee knows that a person who is then or has been a legislator within the previous year, or a member of such person's immediate family, has a substantial financial interest. The provisions of this subsection shall not apply to a contract of employment with an immediate family member of a legislator, together with any renewal, promotion or lateral transfer of such employment contract to another governmental entity, which is:

(1) in existence on July 1, 1994;

(2) in existence prior to the legislator's term of office;

(3) in existence prior to marriage to the legislator; or

(4) with a student employed on a part-time basis, which shall be seventy-five percent (75%) of a normal forty-hour work week or thirty (30) hours per week, or less, and who is regularly enrolled, as defined in Paragraph 11 of Section 840.8 of Title 74 of the Oklahoma Statutes, in an institution of higher education comprising the Oklahoma State System of Higher Education.

No legislator or statewide elective officer shall attempt to influence or perform an official function requiring the exercise of discretion relating to a contract with any governmental entity if a member of the legislator's or statewide elective officer's immediate family has a substantial financial interest in such contract.

(c) Exceptions. Subsections (a) and (b), except as prohibited by law, shall not apply to:

(1) contracts with state employees for goods or services valued at less than five thousand dollars ($5,000);

(2) contracts with state employees entered into after public notice by the governmental entity and compliance with competitive bidding procedures; and

(3) employment contracts entered into with former legislators.

(d) Exceptions for care of DHS clients only.

(1) Care of children in need of treatment. Employees of the Department of Human Services are authorized to contract with qualified former state employees, or the spouses of state employees, or other relatives of state employees, for the purpose of
providing direct care or treatment services to clients of the Department who are mentally retarded or have other developmental disabilities or are delinquent, children in need of supervision, or in need of treatment, or deprived. Provided, however, that rates of payment and other terms and conditions of contracts entered into pursuant to this section shall be established by the Commission for Human Services and shall be no more favorable than contracts for such services with persons who were not employed by the Department of Human Services nor related to an individual employed by the Department of Human Services.

(2) Limitations on return to state employment. A state employee terminating state employment to provide direct care or treatment services to clients of the Department of Human Services who are mentally retarded or have developmental disabilities, are delinquent, children in need of supervision, or in need of treatment, or deprived may not return to state employment for a period of one hundred eighty (180) days after date of termination from contracts with the Department of Human Services for direct care or treatment services to clients of the Department of Human Services who are mentally retarded or have developmental disabilities or are delinquent, children in need of supervision, or in need of treatment, or deprived.

(3) Exceptions for contracting with employees of OU Health Sciences Center. Notwithstanding Subsection (a) of this section, employees of the Department of Human Services are authorized to employ or contract with personnel of the University of Oklahoma Health Sciences Center, directly or indirectly, to obtain professional services for the Oklahoma Medical Center or clients of other programs administered by the Department of Human Services.

(4) Exceptions for Foster care, respite care, or services to children. Notwithstanding Subsection (a) of this section, employees of the Department of Human Services are authorized to contract with qualified state employees, or the spouses of state employees, or other relatives of state employees, for the purpose of providing foster care, respite care, and attendant services to children in the custody of the Department.

Standard 257:20-1-11
Actions Taken while Negotiating for Employment

A state officer or a state employee shall promptly disqualify prior to recommending or taking any official action in a matter affecting a person with whom the state officer or state employee is negotiating for employment.
APPENDIX D

PROVOST'S MEMO REGARDING PROMOTIONAL AGREEMENTS FOR PRIVATE INDUSTRY (11-11-04)

TO: All Health Sciences Center Faculty and Staff, OKC and Tulsa

FROM: Joseph J. Ferretti, Senior Vice President and Provost
       Joseph L. Waner, Vice President for Research

DATE: November 11, 2004

SUBJECT: Service as Promotional Speaker for Private Industry

Over the past few months, the Office of Research Administration (ORA) has received several proposed contracts for University employees to serve as promotional speakers for private companies, most often pharmaceutical companies. Please keep in mind that University employees may serve as educational speakers - speakers who discuss products or services generally - but not as promotional speakers - speakers who promote a particular product or service.

University Regents’ policy prohibits the use of University resources, including employee time, and the University name for the promotion of goods or services. In addition, any use of the University’s name or symbols in advertising or promotional materials may be made only with special permission of the Vice President for Public Affairs. Employees who agree to or do promote goods or services in their professional capacity are in violation of University policy.

In addition, University employees are state employees and, as such, are governed by the State’s conflict of interest rules. Those rules do not permit the use of state funds to promote private industry, nor do they allow state employees to use their positions for private gain. Violations of state conflicts of interest rules can result in fines, payable by the individual, and/or jail time.

Given the University’s status as a public institution and the importance of presenting an image that is unbiased, professional, and respectful of its role as a steward of the resources entrusted to it, it is important that University employees not agree to provide any professional services that compromise, appear to compromise, or have the potential to compromise their professional judgment, research results, or the like. Any action otherwise is a violation of University policy and state conflicts of interest rules.

Employees serving in educational speaking roles provide an important service to the community and their professions, and we encourage them to continue this service. University policy requires that contracts for employees to serve as educational speakers be routed through ORA for negotiation and authorized signature. Please contact ORA if you have questions regarding that process.
APPENDIX E

TIPS FOR AVOIDING CONFLICTS OF INTEREST

Employees should conduct their activities so as to avoid Conflicts of Interest and must respond appropriately when Conflicts arise. You are required to keep your Financial Interests separate from your Research and University obligations in order to protect your students, trainees, and others for whom you are responsible; preserve the integrity of your Research; and cause no harm to human research participants. In addition, relationships with Companies must not compromise academic freedom or delay or prohibit publication arising from your University activities.

These tips are meant to serve as a guide to Employees about issues that need to be considered when engaging in activities that may involve a Conflict.

HOW IS A CONFLICT OF INTEREST ASSESSED?

One way to assess the potential for a Conflict of Interest is to ask, “How would this look on the 6:00 news?” You should note that perceived bias can be just as damaging as actual bias. So, you should ask the following questions about the proposed activity:

A. Are basic academic values upheld? For example,
   1. Is an open academic environment maintained?
   2. Are there prohibitions on publications or dissemination of Research?
   3. Are University licensing practices addressed?
   4. Is the use of University resources and facilities appropriate?
   5. Are students used for private gain of the Company or their mentors, and are they free to choose and publish their Research?

B. What is the nature of the activity?
   1. Does it overlap with the University’s interests?
   2. Is the activity appropriate to the mission of the University?

C. Could personal Financial Interests have a direct and significant effect on the activity? For example,
   1. How much income or Equity is involved and what are the sources?
   2. Could the Financial Interests be a significant incentive for the individual with the Conflict?
   3. Could the Financial Interest pose a direct Conflict with the activity?
   4. Could the Financial Interest compromise the objectivity of the activity including its evaluation and presentation?

D. Could human research participants involved in the Research be harmed by the Conflict?

If you CONSULT for a Company

A. Your primary commitment is to the University and your consulting arrangement may not conflict with that obligation or conflict with any other University rules or regulations.
B. The scope of your consulting responsibilities needs to be very specific so that it does not interfere with University responsibilities or publications resulting from your academic work.

C. You must not provide the Company with early or exclusive access to results of your University Research, except in compliance with a separate sponsored research agreement with the Company and the University.

D. You must disclose this relationship with the Company in publications and public discussions of any of your Research that is sponsored by the Company or related to the Company.

If you serve on a BOARD OF DIRECTORS OR ADVISORY BOARD

A. You are normally permitted to sit on scientific or medical advisory boards, subject to prior approval; however, your primary commitment is to the University and your service must not conflict with that obligation or with any University rules or regulations.

B. You may serve on a Board, only through a formal agreement between the University and the Company.

C. The Company may not pay the University for your service on a Board with stock or stock options.

D. You must recuse yourself from Board decisions affecting University interests or resign your Board position.

E. You must not provide the Company with early or exclusive access to results of your Research, except in compliance with a separate sponsored research agreement between the Company and the University.

F. You must keep your Financial Interests arising from service on Boards separate from your Research and University obligations.

G. You must disclose this relationship in publications and public discussions of any of your Research that is sponsored by the Company or related to the Company.

If you perform a PROFESSIONAL ACTIVITY for a Company in which you have a FINANCIAL INTEREST

A. You must report the value of the interest on the Expanded Conflicts of Interests Disclosure Form.

B. The more significant the interest is financially, or the more likely the Research may benefit the Company (and thus your interest—particularly in the case of stock options), the greater the risk of the appearance of biased Research or Research results.

C. You must disclose this Financial Interest in publications and public discussions of any of your Research that is sponsored by the Company or related to the Company.
D. Financial Interests can raise the issue of such incentives compromising objectivity, particularly where human research participants are involved.

**If the University has a LICENSING AGREEMENT with a Company for technology you developed**

A. All discoveries and inventions, whether patentable or unpatentable, and including any and all patents (domestic and foreign) based thereon and applications for such patents, which are made or conceived by any member of the faculty, staff, or student body of the University, either in the course and/or scope of employment for the University or substantially through the use of facilities or funds provided by or through the University shall be owned by and be the property of the Board of Regents except as otherwise provided in the University Intellectual Property Policy.

B. You may have a sponsored research agreement through the University with the Company in which you have a Financial Interest upon approval of the Appropriate Vice President.

C. You may have a consulting agreement through the University with the Company in which you have a Financial Interest upon approval of the Appropriate Vice President.

D. Be aware that if you have federal funding for Research related to the licensed technology, the federal government retains rights to the results of the Research and inventions or discoveries arising from such Research.

**If you give TALKS for a Company**

A. You cannot be a spokesperson for a Company or its product(s)

B. You cannot promote, endorse, or market any Company or its product(s).

C. You must ensure there is an agreement between the University and Company, signed by a University official, prior to the talk or speaking engagement.

**If you receive GIFTS from a Company**

A. Gifts are often used as incentives to engender loyalty or support to a Company or its products and as a means of securing some commercial advantage. They may include such things as clinical trial enrollment incentives, equipment or reagents and supplies, travel, or unrestricted Research support.

B. Corporate gifts for educational activities should not create a venue for access to Research results, an opportunity for promoting a Company's product or products, or provide the Company with preferential treatment.

C. Unrestricted gifts for Research support are donations and, as such, the Company receives no intellectual property rights or access to Research results. Such gifts should not be accepted when specific Research activities are targeted for the gift money by the donor.

D. Employees should be aware of limits on accepting gifts imposed by the State Ethics Rules.
APPENDIX F

QUESTIONS AND ANSWERS

F.1 What is the purpose of the disclosure requirements under this policy?

Disclosure is required whenever there is a Conflict of Interest so that a management strategy can be developed to assure that the Conflict does not interfere with the Employee's performance of his/her University responsibilities. Disclosure can be beneficial to both the University and the Employee in order to protect them against unfounded claims of impropriety. Disclosure does not necessarily mean that the Employee may not engage in the disclosed activity.

F.2 I am a faculty member who has received a grant to support my research. A member of my household recently completed his Ph.D. and I would like to hire him as a post-doctoral fellow on my grant. Can I do this?

Because of the personal relationship and inasmuch as the person is a member of your household it would not be appropriate for you to hire, supervise or evaluate this person. See the University’s Nepotism Policy for additional guidance.

F.3 I am a faculty member with a Spin-Off Company and want to hire a graduate student I am advising to do some Research for this Company. Is this ok?

This represents a Conflict of Interest which probably may be managed if the Research does not overlap with the student's academic program. It is important that both you and the student understand that engaging (or even a decision to not engage) in this activity can in no way influence the student's academic relationship with the advisor and the University. In order to insure this, any arrangement should be disclosed and reviewed periodically for a continuing relationship.

F.4 I am a faculty member and wish to test some samples for a Company for which I am also consulting. How can I do this?

Since you wish to have two professional relationships with the Company, this represents a Conflict of Interest which may be manageable through contracts with the University (fee-for service and consulting). You may submit a proposal for the testing services through the Office of Research Administration (ORA) and use the appropriate forms to disclose your relationship to the Company. If there are no intellectual property issues, the primary issue is deciding on a fair value for the services to be performed.

F.5 I am a faculty member and the technology that I developed was licensed to a Spin-Off Company. Can I be the Principal Investigator for an SBIR NIH grant application the Company is submitting?

This represents a Conflict of Interest that may be managed and must be disclosed prior to submission of the grant application. The PI of an SBIR grant must be employed by the "small business concern" for a minimum of 51% FTE. Therefore, the PI must obtain the approval of his/her Unit Head to commit this level of effort to the Company.
F.6 I am a faculty member working with a Company that will submit a "Small Business Innovative Research" (SBIR) project to the federal government for which the Company would subcontract the experimental work to the University. How can this be done?

If you will serve as the University's Principal Investigator on the subcontract, the University will work with the Company on the subcontract after the SBIR is awarded to the Company. Additionally, an intellectual property agreement will likely need to be executed between the Company and the University, unless there is already one in place.

F.7 I am a faculty member with a Spin-Off Company that is submitting an STTR NIH grant application. Can I be the Principal Investigator of the grant?

This represents a Conflict of Interest that may be managed and must be disclosed prior to the submission of the grant application. The PI of an STTR grant must commit a minimum of 10% effort to the grant. Therefore, the PI must obtain the approval of his/her Unit Head to commit this level of effort to the grant.

F.8 I am a faculty member who, with my spouse and children, owns ten percent interest in a small biotechnology Company. The combined value of the stock we hold in this Company is $25,000. I am writing a research proposal which I plan to submit to the National Institutes of Health to support a project that is related to the business interests of the Company. Can I do this?

You may be able to do so. To comply with University policy and National Institutes of Health rules, you will need to disclose your involvement in the Company by disclosing your involvement in the Company in the completing the appropriate Conflicts of Interest Disclosure forms at the time you are submitting your proposal. Your involvement in the Company and project will be reviewed at that time. If you receive funding from NIH, agency rules and University policy may require further review and restrictions or conditions may be imposed to manage, reduce, or eliminate the possibility that your research project could be influenced by your business interests. The NIH rule requires that the University certify that such issues have been resolved before you start spending any funds for your research project.

F.7 I have a consulting arrangement with Pharmaceutical Company X which markets drugs related to my medical specialty. I do not have an active research program and do not receive any research funding from Company X or any of its competitors. Is this a Conflict of Interest?

It could be, especially if you prescribe Company X's products to your patients, evaluate the results and report those results to Company X.

F.8 I am a participant in a national protocol developed by Pharmaceutical Company Q. They provide the medication in a blinded protocol and patients are selected at random for the medication. I collect the designated patient data and forward it to the Company and they reimburse me for each completed patient. This includes a physician's fee which I receive through my PPP. Do I have a Conflict of Interest?
If you administer the medication blinded and to random patients and forward the patient data to the Company, there is no Conflict. However, if the study is not blinded and you select the patients, gather the patient data and forward the information to the Company, there could be a Conflict in that a bias could be used in selecting the patients, especially if you provide any evaluation of the patient data.

F.9 I have a business arrangement (e.g., a consulting or executive position) with a biotech Company and they pay me to review research data and provide them with my evaluation. They do not support any of my research. I do have support from other sources for my research which is related to the area of the biotech. Is this a Conflict?

Yes, this is a potential Conflict of Interest as it may bias your research evaluations or otherwise affect your research results.

F.10 My spouse is a member of the Board of Directors of a Company which competes with a Company for which I do research. Is there a Conflict in this situation?

Yes, this situation represents a potential Conflict of Interest. Due to relationships within Families, there could exist the potential of a bias in the research you conduct.

F.11 I am doing research funded by a pharmaceutical Company in which I have not purchased stock. My father-in-law recently died and left in his estate to my wife stock in this Company. Am I in violation of the Conflict of Interest policy?

If the value of the stock is at least $10,000 there is a Conflict of Interest which must be reported. It is for circumstances such as these that an annual evaluation is required by NSF and NIH as Conflicts may not be present at the beginning of funded research but may surface sometime during the research period.

F.12 I am currently employed as an accountant in one of the college offices. A vendor from whom the college frequently orders supplies has asked whether I would be interested in working for him either in the evening or on weekends. I have no responsibility for placing orders. Can I do this?

You probably will be able to do this so long as it does not interfere with your University responsibilities and you do not use University Resources. Discuss this with your immediate supervisor.

F.13 I am a member of the University’s professional staff. One of my hobbies is photography, and I have started a part-time business taking wedding pictures on weekends. Do I need to disclose this activity to my supervisor?

Since your outside business is neither related to nor does it interfere with your University responsibilities, it is not necessary for you to disclose this activity.

F.14 I am the manager of an office on campus. We are getting ready to replace our office copy machine. My brother-in-law owns a business machine store in town, and he has offered to sell us a new copy machine at his cost. Can I buy the machine from him?
The purchase of a new copier for your office would come under University purchasing policy and the Purchasing Department will obtain competitive bids before a purchase can be made. You would have to remove yourself from the bidding process. If your brother-in-law’s store submits the low bid, they could be awarded the contract. Since you would not be involved in review and acceptance of the bids, this process would not present a Conflict of Interest for you.

F.15 I am a faculty member who receives a royalty payment for a diagnostic test. May I test a competitive technology?

This represents a Conflict which probably can be managed. You must disclose this relationship pursuant to this policy.
APPENDIX G

FORMS

Contact the Office of Research Administration for information.
APPENDIX H

OTHER UNIVERSITY POLICIES WHICH MAY RELATE TO CONFLICTS OF INTERESTS

Conflicts of Interest may take various forms but exist when there is contradiction between the private interests and professional obligations of a University employee. In addition to being addressed directly in this policy, such Conflicts are addressed in other University policies which govern conduct of employees’ professional activities. A listing of such policies follows. This list is not presented as comprehensive of all references to Conflicts that may occur in the University environment. A University employee should consult specific University policies as presented in the Faculty Handbook, Staff Handbook, and Administrative Policies for guidance and information regarding specific situations which may relate to Conflicts of Interest.

1. General Purchasing Policies
2. Academic Freedom and Responsibility
3. Sabbatical Leave
4. Ethics in Research
5. Intellectual Property Policy
6. Professional Practice Plan
7. Nepotism
8. Use of State Vehicles for Private Purposes
9. Off-Campus Use of University Property
10. Conducting Private Business from State-Owned Facility
UNIVERSITY OF OKLAHOMA
INSTITUTIONAL CONFLICT OF INTEREST
IN RESEARCH ACTIVITIES

I. STATEMENT OF GENERAL POLICY

The University of Oklahoma is responsible for handling public funds in a manner that ensures that all University activities reflect its mission of providing the best possible educational experience through excellence in teaching, research, creative activity and service to the state and society. As the University's collaboration and interaction with the private sector increases, so does the potential for institutional conflicts of interest. These conflicts involve situations in which the integrity of research, the University's educational mission, and/or the University's reputation may be compromised, or may appear to be compromised, by the University's financial interests.

Institutional conflicts of interest can occur whenever the external financial interests or business relationships of the University or of one of its officials are such that their actions could affect, or could reasonably appear to affect, the conduct, review or oversight of the University's research.

It is the policy of the University of Oklahoma that all institutional conflicts of interest, whether real or perceived, must be fully disclosed. The reported conflict must be properly identified and either managed or eliminated prior to initiating any contract, sponsored project, dedicated gift or transaction that might appear to be influenced by the conflict. This policy can be implemented by using a three-step approach:

1. Disclose always
2. Assess the potential for institutional conflicts of interest
3. Manage the conflict in most cases, and prohibit the activity when necessary to preserve the University's mission or protect the public's interests

This policy has been developed to protect the integrity of the research and development process at the University of Oklahoma. It is not intended to supersede or modify other Conflict of Interest policies, including those found in the Norman Campus Faculty Handbook (Sections 3.6, 3.83, 4.20.2, and 5.10) and those found in OU Health Sciences Center's Faculty Handbook Appendix E.

II. DISCLOSING AND IDENTIFYING INSTITUTIONAL CONFLICTS OF INTEREST

What to disclose

All institutional conflicts of interest, whether perceived, potential, or actual must be disclosed. Institutional conflicts of interest may occur when the institution, any of its senior management or regents, or a college, department, school, or other sub-unit, has an external relationship with, or financial interest in, a company that itself has an interest in a University research project.

Information to disclose

- Financial interests of all Board of Regents members and executive officers
- Single corporate or private donations exceeding $1 million or cumulative gifts of $5 million
Changes in University equity or royalty holdings
New University-held licenses

Who must disclose

Individual disclosures of financial interests should be filed by:
  o Executive officers
  o Members of the Board of Regents

Other disclosures are event-based, and include:
  o New licenses and royalty or equity holdings, which should be disclosed by the Office of Technology Development
  o Business contracts for goods or services in which the University generates revenue in excess of $1 million, which should be disclosed by the college or department generating such revenue
  All single donations to the University exceeding $1 million or cumulative donations exceeding $5 million in value, which should be disclosed by the Office of University Development

How to disclose

Annual disclosures of Significant Financial Interests (as defined in the University's Individual Conflict of Interest policies) must be filed by executive officers, vice presidents and members of the Board of Regents. Disclosure forms required of those individuals by the state ethics commission should also be submitted to the respective campus Provost by June 18th of each year. The Provost for each campus is responsible for collecting and maintaining records of such disclosures.

Event-based disclosures such as corporate donations exceeding $1 million in value, contracts by which the University generates in excess of $1 million in revenue and new licenses or equity holdings should be reported by the appropriate Dean or Vice President in sufficient detail to the appropriate Provost. Such disclosures should be made within a reasonable time after their occurrence, but in no event later than sixty (60) days following the acceptance of funds or change in equity or royalty status. The Provost for each campus is responsible for maintaining records of such disclosures.

Identifying Institutional Conflicts of Interest

Institutional conflicts of interest may be identified by cross referencing potential research engagements against the conflict of interest information disclosed. The Vice Presidents for Research on each University campus are responsible for cross referencing University research opportunities against the institutional conflict of interest information maintained by their respective Provost. If a potential institutional conflict of interest is identified, the Vice President(s) for Research shall notify the appropriate Provost, who shall evaluate and act upon the potential conflict in accordance with this policy.

All other employees shall promptly disclose any perceived, potential, or actual institutional conflict of interest of which he or she becomes aware to his/her unit head(s) (chair, center director and/or dean) or supervisor in writing. The unit head(s) will notify the Provost, who will evaluate and act upon the potential conflict in accordance with this policy.
III. MANAGING INSTITUTIONAL CONFLICTS OF INTEREST

While there should be a presumption against allowing research to proceed when an institutional conflict of interest exists, such a presumption can be overcome if a management plan is developed that can appropriately address the conflict. The following steps are recommended for developing a management plan, and are described in greater detail below:

- Factual inquiry performed by Provost
- Factual report and recommendation to either eliminate or manage the conflict made by Provost to an ad hoc committee
- Ad hoc committee review of Provost’s report and recommendation
- Ad hoc committee’s adoption of a management plan that allows for complete elimination of the conflict, or acceptable management of it
- Implementation of the management plan

Upon receipt of a notice of a potential institutional conflict of interest, the Provost shall oversee an initial inquiry as to the facts of the situation. The inquiry shall include information regarding related individual conflicts of interest, if any. A report containing these facts as well as a recommendation to either eliminate or manage the institutional conflict of interest shall then be made to an ad hoc committee.

The ad hoc committee should be comprised of two executive officers of the University of Oklahoma appointed to serve by the President, a representative from the Office of Legal Counsel, from each campus office of the University Senior Vice President and Provost, and two members from outside organizations appointed to serve by the Chair of the Board of Regents. The ad hoc committee shall be called to meet by either the Norman Campus or Health Sciences Center Provost as needed.

Upon receipt of the factual report and recommendation from a Provost, the committee shall consider the recommended plan to either eliminate or manage the institutional conflict of interest with the following considerations in mind:

- The welfare of any human participants involved in the research
- The integrity of any research process involved
- The effect of the institutional conflict of interest on the University’s reputation
- The effect of the institutional conflict of interest on the individual researcher’s reputation

Additional considerations may be provided for the ad hoc committee’s perusal, such as those articulated in Appendix B for management plans involving intellectual property. The ad hoc committee shall review all considerations when developing the management plan.

The committee’s adopted plan should provide sufficient detail to allow for complete elimination of the conflict, or acceptable management of it. Such a management plan may include, but is not limited to, potential actions set forth in the University’s Individual Conflicts of Interest Policies.

Plans for elimination of the conflict should be provided to the Provost for implementation. If the Provost disagrees with the ad hoc committee’s recommendations, the Provost may, after
consultation with the President, appeal the committee decision to a subcommittee of the Board of Regents for the University, which shall be specifically formed for this purpose.

The subcommittee of the Board of Regents may review the written materials associated with the potential institutional conflict of interest and make any investigation that it deems necessary. After considering all the facts and circumstances presented, the subcommittee may take any action that it believes necessary to preserve the integrity of the University, including an outright prohibition of the proposed research.

Plans for management of the conflict should be implemented in the following manner:
After development of a final, acceptable management plan and commencement of the activity, the appropriate individuals with oversight responsibility will regularly report, in writing, to the appropriate Provost on the effectiveness of the plan. The frequency of such reports shall be determined by the ad hoc committee, but generally shall be made at least annually.

If, during the conduct of the activity, the appropriate Provost determines that the conflict has not been properly managed or has become unmanageable, he/she will then determine if the activity should cease, require further modification, or require employee divestment of the conflict. If outside agencies require notification of conflict resolution and management, they will be notified in accordance with their requirements.

IV. ADDITIONAL CONSIDERATIONS

Representing the University as a whole

Any individual representing the University as a whole in any activity shall make reasonable efforts to avoid institutional conflicts of interest. This includes identifying, acknowledging, and mitigating any institutional conflicts of interest that may arise when representing the University's interests.

Institutional conflict of interest database

The respective Office of the Provost should compile all event-based disclosures into a searchable database. This database should be made available to the respective campus office(s) of research administration, the College of Continuing Education and other offices at the discretion of the respective Senior Vice President and Provost. The database should be referenced and used when considering any new sponsored research agreement.

V. SANCTIONS

Disclosure of institutional conflicts of interest-apparent, potential, and actual-. is required for all persons who engage in activities that may involve such conflicts. Among other acts or omissions, failure to fully disclose conflicting relationships and/or interests or to follow a prescribed management plan may be a serious breach of this policy and may be itself considered research or ethical misconduct.

Persons who violate this policy shall be subject to applicable University policies relating to research or professional misconduct by faculty and staff. With due regard to inadvertent violations, University sanctions may include, without restriction: reprimand, restitution, loss of pay, suspension or dismissal.
Furthermore, persons who violate this policy also may be subject to civil and criminal penalties for violations of state or federal law, e.g., civil penalties for willful violations of state laws may reach $50,000.00 or more per violation. Allegations against an employee for breach of this policy should be reported in a confidential writing to the appropriate Provost and, if against a staff employee, the appropriate executive officer.

VI. APPENDIX A

For all management plans involving intellectual property developed at the University, the following considerations, if applicable to the situation, should be addressed by the ad hoc committee:

• Any research agreement with a company may not contain any restrictions on publication, including student theses or dissertations, other than those sanctioned by the Faculty Handbook;

• All individuals working on a research project should be provided prior written notice that the research is being sponsored by a company in which a faculty member has an ownership interest, fiduciary relationship, and/or serves as a scientific officer or is on the board;

• Faculty members should provide the Provost and any other appropriate committee or University office a written description of the proposed research and a written assurance of his/her compliance with the restrictions set forth above;

• Faculty members should provide the Provost and any other appropriate committee or University office written reports on the progress of the research, listing related peer-reviewed publications and grants at least annually;

• Faculty members shall follow all management measures required under the management plan and as deemed appropriate by the Provost.
15. APPENDIX F

FINANCIAL EMERGENCY POLICY

While it is assumed that the administration of the University has a continuing responsibility for maintaining a sound budget and it is assumed that through responsible financial management and appropriate retrenchment policies, all approaches for averting a financial crisis will be utilized. It is possible that a financial emergency might become inevitable. The following statement outlines the administrative policies and the procedures for such an eventuality.

The Board of Regents has ultimate responsibility for financial integrity of the University. Decisions resulting from these policies and procedures are subject to the approval of the Board of Regents which may take into consideration such factors as it deems appropriate.

15.1 DEFINITION

The University includes four budgetary agencies; Norman Campus; Law Center; the Health Sciences Center, including the College of Medicine, Tulsa; and the Professional Practice Plan. A financial emergency is an imminent fiscal crisis that threatens any one of these agencies. A state of financial emergency will be declared whenever the Educational and General Part I budget allocation to the agency necessitates reductions in faculty or staff or reductions in operational budgets that would seriously erode program quality.

The President will decide and declare when any agency of the University is in a state of financial emergency. Based upon information received, the President will submit a plan of action to the Board of Regents for approval.

15.2 PROCEDURE

When the possibility of a financial emergency exists, the Senior Vice President and Provost will confer immediately with the deans of the affected colleges. The Senior Vice President and Provost will make a preliminary determination, based on all available information, regarding the possible financial emergency. If the preliminary determination is that such emergency does exist, the Senior Vice President and Provost shall so recommend to the President. The President shall decide and declare when any program of the University is in a state of financial emergency. In response to the declaration, the Senior Vice President and Provost shall prepare a general plan to relieve the emergency condition. This general plan shall not identify specific faculty or personnel for termination of employment but shall review the financial status of the Health Sciences Center and identify general areas in which reductions are proposed. The plan shall be submitted for advisory review to the Health Sciences Center deans and to a Review Committee.

15.2.1 Review Committee

The Review Committee will be formed to evaluate the general plan. The Senior Vice President and Provost will convene the Review Committee and charge it to review the general plan with regard to the principle that every reduction must have an effect substantially less detrimental to the institution’s ability to fulfill its mission than would other forms of budgetary curtailment available.
to the Health Sciences Center. The Review Committee will elect a chair from among its voting members and determine its rules of procedure.

The dean(s) of college(s) which might be directly affected will be given the opportunity to appear before the Review Committee and to present written statements and documents. This opportunity also may be extended to other faculty and administrators. The Review Committee may call any University personnel who might have pertinent information or advice.

The Review Committee, within six weeks of the time it receives its charge, will submit a final report to the Senior Vice President and Provost which summarizes all pertinent information and all written documents will be attached. In addition, the report will include findings of fact and recommendations and the rationale underlying the recommendations. Items of disagreement between the Review Committee and the Senior Vice President and Provost shall be resolved by the President. Final approval of the general plan will be by the President and the Board of Regents.

(a) Committee Composition

1) Oklahoma City Campus

The committee that shall review the general plan for the Oklahoma City Campus of the Health Sciences Center shall be composed of:

(a) Six faculty members, one representing each of the six colleges on the campus, appointed by the Senior Vice President and Provost from a list of twelve nominees submitted by the Health Sciences Center Faculty Senate.

(b) The Chair of the Health Sciences Center Staff Senate.

(c) The University Equal Opportunity Officer who shall serve ex officio without vote.

(d) The Senior Vice President and Provost or his/her designee who shall serve ex officio without vote.

(e) One or two students, depending on whether or not both undergraduate and graduate programs are involved, will be appointed. The student(s) will be appointed by the Senior Vice President and Provost from a list of four nominees submitted by the appropriate student organization(s) in the affected college(s).

2) Tulsa Campus

The University of Oklahoma Health Sciences Center constitutes a single budgetary agency which includes the College of Medicine, Tulsa. While the financial emergency policy developed for the Health Sciences Center will apply with equal force to the College of Medicine, Tulsa, certain unique budgetary and programmatic differences require some differences in procedure.

The Committee that shall review the general plan for the College of Medicine, Tulsa shall be composed of:

Appendix F
(a) Six faculty member appointed by the Senior Vice President and Provost from a list of twelve nominees elected by the faculty of the College of Medicine, Tulsa acting as a committee of the whole. No more than three members selected will hold administrative appointments.

(b) The Chair of the OU-Tulsa Staff Senate.

(c) The University Equal Opportunity Officer who shall serve *ex officio* without vote.

(d) The Senior Vice President and Provost or his/her designee who shall serve *ex officio* without vote.

### 15.2.2 Program Discontinuance

In the event that program discontinuance is proposed, the Review Committee will be convened by its chair to review and evaluate all matters relating to the proposed discontinuance and to make recommendations.

The dean of the affected college and all faculty members of the affected department will be given the opportunity to appear before the Review Committee and to present written statements and documents. This opportunity also may be extended to the faculty and administration of programs that might be indirectly affected. The Review Committee may call upon any University personnel who might have pertinent information or advice.

Prior to completing its deliberations, the Review Committee will conduct an open hearing. At the hearing, oral and written comments from all interested persons will be accepted.

The Review Committee will submit a final report to the Senior Vice President and Provost within one month of the time it is charged by the Senior Vice President and Provost to review discontinuance of a program. This report will summarize all pertinent information and all written documents will be attached. In addition, the report will contain the Committee’s findings of fact and recommendations and the rationale underlying its findings and recommendations.

The Senior Vice President and Provost will distribute copies of the report to the dean of the affected college and to all directly affected faculty members. Copies of the report also will be made available to other faculty, staff members and students upon request.

Any person may submit a written response to the Review Committee’s report within ten days following its distribution. The Committee may modify its report after considering this material. Any modifications must be forwarded to the Senior Vice President and Provost within ten days following the distribution of the report.

After reviewing all relevant information, the Senior Vice President and Provost will forward his or her recommendation to the President. The report of the Review Committee, together with all attachments, also will be forwarded to the President. Copies of the Senior Vice President and Provost’s recommendation will be distributed to the dean of the affected college and all directly affected faculty members. Items of disagreement between the Review Committee and the Senior Vice President and Provost will be resolved by the President. Final approval of the report will be by the President and the Board of Regents.
15.2.3 Terminations

(a) Faculty

If, after consideration of all possible ways of reducing expenditures, the general plan approved by
the President necessitates the termination of faculty or staff, either selectively or as a result of
program discontinuance, the dean of each college in consultation with the faculty of that college
shall develop a specific plan for terminating employment of faculty in that college which shall be
transmitted to the Senior Vice President and Provost. The Senior Vice President and Provost, in
consultation with the deans, shall review the individual college plans and develop the overall plan
for termination of faculty employment for the Health Sciences Center. Every termination of faculty
employment must be justified on the basis that it will have an effect substantially less detrimental
to the institution’s ability to fulfill its mission than would other terminations.

The plan for the termination of faculty employment shall be submitted to the Review Committee
except that the representative of the Staff Senate shall no longer serve. The members of the
committee will elect a chair.

The Review Committee shall make recommendations to the Senior Vice President and Provost and
the Health Sciences Center deans. When there are unresolved differences, all recommendations
shall be submitted to the President.

The plan for terminating faculty employment shall be in accordance with the following guidelines:

1) To the extent possible, alternatives other than termination of employment should be
explored. Examples of such alternatives are early retirement, fractional appointments and
reduction of salaries, including annual base salary.

2) Unless a substantial and serious imbalance in the quality within a given program would
result:

   (a) Employment of untenured faculty should be terminated before that of tenured faculty.

   (b) Performance, promise, seniority and affirmative action guidelines should be
       considered in decisions concerning termination of untenured faculty.

   (c) Equitable reinstatement procedures should be established if the program is
       reinstated.

3) Where termination of employment is required:

   (a) Where termination of employment of faculty with tenure track or consecutive term
       appointments is required, procedures in regard to non-reappointment stated in the
       Faculty Handbook (see Section 3.3.8) should be observed, if possible. All
       notifications of non-reappointment shall be given in writing by the Senior Vice
       President and Provost.
(b) Tenured faculty must be notified by the President of termination by May 31 of the year preceding the final year of appointment and at least 12 months before the end of the appointment period. The dismissal of tenured faculty must be approved by the Board of Regents (see *Faculty Handbook* Section 3.18).

4) Where employment of a tenured faculty member has been terminated or where he/she has accepted alternative employment with the University, the faculty member has a three-year priority to return to his/her original position or be employed in another position for which he/she is qualified. Qualification for employment in another position within the University shall be determined by the head of the academic unit with a position vacancy. Within the three-year period someone else shall not be employed to fill the faculty member’s position or any other position for which the faculty member is qualified until the faculty member has been offered reinstatement or re-employment and has been given a reasonable time (not to exceed 45 days) within which to accept. It is the responsibility of the faculty member to keep the University informed of his/her address and availability for re-employment. The right of a faculty member to be employed in another position is subject, in accordance with paragraph 2. a-c, to the rights of other faculty members who have also been terminated or transferred.

A faculty member whose salary or FTE has been reduced shall have the same priority for restoration of his/her former status as the faculty member, described above, whose employment has been terminated.

5) Each faculty member whose employment has been terminated has the right to have his/her termination of employment reviewed by the Faculty Appeals Board to determine if these guidelines have been followed, but the circumstances of the financial emergency shall not be reviewed.

(b) Student

If a program is discontinued, students in the program shall be notified and every effort shall be made to allow them to finish their program. If it is not possible for students to complete their respective programs, the University may be obliged to make special allowances for such students. Special allowances might include, but not be limited to, the following: permitting the student to complete his/her program by taking work in related departments; accepting more than the usual number of transfer hours; and accepting major work taken by correspondence from the University or other schools.

(c) Staff

If the general plan approved by the President entails the termination of employment of staff, the Provost, in consultation with the Health Sciences Center deans and the Directors of Health Sciences Center service areas, and representative(s) of the Staff Senate, shall suggest a more specific plan for termination of staff employment. Staff terminations will be handled in a manner which is consistent with the current Policy and Procedures for Reduction of Work Force at The University of Oklahoma.

(Regents, 9-6-78, 11-10-83, 1-26-99, 1-27-04)
16. APPENDIX G

PROGRAM DISCONTINUANCE POLICY

The success of any university in a free society rests in a large measure on the degree to which it is responsive to the needs of its students and the citizens who provide the financial support to sustain it. Responsiveness is an essential element of the fabric of a successful university. It does not assure excellence, but its absence assures failure.

Because of changes in the needs of society and the rapidity with which new knowledge is accumulated and disseminated, the relevance and cost effectiveness, of academic programs must be constantly reviewed. This does not suggest, however, that there are no other meaningful dimensions to the purposes of a university. A university also serves as a repository of knowledge, societal traditions, and cultural heritage and some programs may have a more direct relevance than others.

Viewed in this light, the evaluation of programs on the Health Sciences Center campus is a positive approach to help ensure that University programs are responsive to the needs of society, the students, and the goals of the University.

The discontinuance of a program is the legitimate concern of the students, faculty and administration of the University. The purpose of this policy is to establish procedure which provides an opportunity for input from all interested groups prior to a final decision by the Board of Regents.

While these procedures are established by action of the University Board of Regents and will be implemented as University policy, extraordinary circumstances might arise in which the Board of Regents feels compelled to suspend these procedures after obtaining reasonable faculty input.

16.1 PROGRAM

The term "program" as used in this document ordinarily refers to a college, department or degree program established by the Regents. The discontinuance of a program need not entail the elimination of a degree program or the dismissal of faculty members.

16.2 CRITERIA FOR DISCONTINUANCE

Criteria for determining whether a program should be discontinued ought to place the greatest emphasis on meeting the goals and objectives of the University. This requires a judicious assessment of the program. A formula which addresses all contingencies cannot be established.

Many factors are pertinent when evaluating a program's contribution to the overall mission of the University. Among these factors are quality, cost effectiveness, current and projected demands for the program and societal needs. When program discontinuance is based on financial emergency, the Financial Emergency Policy shall apply.
16.3 PROCEDURE

16.3.1 Initial Steps

When the possibility of program discontinuance is raised, the Senior Vice President and Provost will confer immediately with the dean of the affected college and the chairperson of the affected department. The Senior Vice President and Provost will make a preliminary determination, based on all available information, regarding the discontinuance. In the event the Senior Vice President and Provost decides not to proceed, the matter will be reported to the President and the Board of Regents prior to any announcement. If the Senior Vice President and Provost decides to proceed, he/she will do so in accordance with the following procedure.

16.3.2 Ad Hoc Committee for Evaluation and Recommendations

If the Senior Vice President and Provost decides to proceed with the program discontinuance, an ad hoc committee will be formed to evaluate all information and to make recommendations. The ad hoc committee will be composed of seven or eight members as follows:

(a) Four committee members, including two from the affected college will be appointed by the Senior Vice President and Provost as follows: The Senior Vice President and Provost will request the governing body of the affected college to submit eight nominees to the Faculty Senate. The Faculty Senate will select four of these nominees, add four more nominees from outside the affected college, and submit the list of eight nominees to the Senior Vice President and Provost. Nominees will hold non-administrative appointments except for the dean of the affected college, who may be nominated.

(b) Two faculty members, appointed by the Senior Vice President and Provost, who may hold administrative or non-administrative appointments.

(c) One or two students, depending on whether or not both undergraduate and graduate programs are involved, will be appointed. The student(s) will be appointed by the Senior Vice President and Provost from a list of four nominees submitted by the appropriate student organization(s) in the affected college.

16.3.3 Proceedings of the Ad Hoc Committee

The Senior Vice President and Provost will convene the ad hoc Committee and charge it to review and evaluate all matters relating to the proposed discontinuance and to make recommendations. The ad hoc Committee will elect a chair from among its members and determine its rules of procedure. The dean of the affected college and all faculty members of the affected department will be given the opportunity to appear before the ad hoc Committee and to present written statements and documents. This opportunity also will be extended to the faculty and administration of programs that might be indirectly affected by the discontinuance. The Committee will have access to all University personnel who might have pertinent information or advice.
16.3.4  Open Hearing

The Senior Vice President and Provost will conduct an open hearing before the ad hoc Committee completes its deliberations. At the hearing, the ad hoc Committee and the Senior Vice President and Provost will accept both oral and written comments from all interested persons.

16.3.5  Report of the Ad Hoc Committee

The ad hoc Committee will submit a final report to the Senior Vice President and Provost within two months of its initial meeting. This report will summarize all pertinent information and all written documents will be attached. In addition, the report will contain the ad hoc Committee’s findings of fact and recommendations and the rationale underlying its findings and recommendations.

The Senior Vice President and Provost will distribute copies of the report to the dean of the affected college and to all directly affected faculty members. Copies of the report also will be made available to other faculty, staff members and students upon request.

Any person may submit a written response to the ad hoc Committee report within two weeks following its distribution. The Committee may modify its report after considering this material. Any modification must be forwarded to the Senior Vice President and Provost within one month following the distribution of the report.

16.3.6  Decision of the Senior Vice President and Provost

After reviewing all available information, the Senior Vice President and Provost will forward his/her recommendation to the President. The report of the ad hoc Committee together with all attachments, also will be forwarded to the President. Copies of the Senior Vice President and Provost’s recommendation will be distributed to the dean of the affected college and all directly affected faculty members.

16.3.7  Decision of the President

After reviewing all available information, the President will forward his/her recommendation to the Board of Regents for final action. The Senior Vice President and Provost’s recommendation and the report of the ad hoc Committee also will be forwarded to the Regents. Copies of the President’s recommendation will be distributed to the Senior Vice President and Provost, dean of the affected college and all directly affected faculty members.

16.4  TERMINATIONS AND ALTERNATIVES

16.4.1  Faculty

If a decision is made to discontinue a program, the Senior Vice President and Provost will notify each directly affected faculty member, in writing, of the probable effect of the discontinuance on his/her employment.

Where termination of employment of faculty with tenure track or consecutive term appointments is required, notification provisions in the Faculty Handbook (see Section 3.3.8) shall apply. All
notifications of non-reappointments shall be given in writing by the Senior Vice President and Provost.

Tenured faculty must be notified by the President of termination by May 31 of the year preceding the final year of appointment and at least 12 months before the end of their appointment period. The dismissal of tenured faculty must be approved by the Board of Regents (see Faculty Handbook Section 3.18).

If notification practices are not fulfilled, the faculty member may appeal to the Faculty Appeals Board.

Plans will be developed in accordance with the following guidelines:

(a) The University will make every reasonable effort to eliminate the need for terminating faculty, including transfers to other programs when there are vacancies for which they are qualified. Eligibility for employment in other University programs shall be determined by the head of the academic unit with a position vacancy.

(b) Tenure and seniority will be respected as priority conditions if alternative employment opportunities exist for which the individual is the best qualified candidate.

(c) Employment of untenured faculty should be terminated before that of tenured faculty.

(d) Performance, potential, seniority and affirmative action guidelines should be considered in decisions concerning termination of untenured faculty.

(e) Equitable reinstatement procedures should be established if the program is reinstated.

16.4.2 Students

If a decision is made to discontinue a program, the students in the program shall be notified by the Senior Vice President and Provost and every effort shall be made to allow them to finish their programs within a reasonable length of time. If it is not possible for students to complete their program, the University will make every reasonable effort to facilitate their transfers to other programs or institutions.

16.4.3 Staff

The current Policies and Procedures for Reduction of Workforce at The University of Oklahoma will be followed in case of a reduction of staff.

(Regents, 12-14-78, 5-14-81, 11-10-83, 1-26-99)
17. APPENDIX H

SEXUAL HARASSMENT/SEXUAL ASSAULT POLICY

17.1 STATEMENT

The University explicitly condemns sexual harassment of students, staff, and faculty. Sexual harassment is unlawful and will subject those who engage in it to University sanctions as well as civil and criminal penalties.

When criminal action is pursued in addition to an administrative grievance under this policy, the University Office of Equal Opportunity may coordinate its investigative actions with the University or local law enforcement authorities to ensure that criminal prosecution is not jeopardized. The University Equal Opportunity Officer may defer administrative action at the request of University or local law enforcement authorities pending completion of the criminal investigation. Where review by the University Equal Opportunity Officer or other University executive officer determines that immediate administrative action is necessary for the safety, health, and well being of the University community, such action may be taken in advance of resolution of criminal charges.

Since some members of the University community hold positions of authority that may involve the legitimate exercise of power over others, it is their responsibility to be sensitive to that power. Faculty, and supervisors in particular, in their relationships with students and subordinates, need to be aware of potential conflicts of interest and the possible compromise of their evaluative capacity. Because there is an inherent power difference in these relationships, the potential exists for the less powerful person to perceive a coercive element in suggestions regarding activities outside those appropriate to the professional relationship. It is the responsibility of faculty and staff to behave in such a manner that their words or actions cannot reasonably be perceived as sexually coercive, abusive, or exploitive. Sexual harassment also can involve relationships among equals as when repeated advances, demeaning verbal behavior, or offensive physical contact interfere with an individual's ability to work or study productively.

The University is committed to providing an environment of study and work free from sexual harassment and to ensuring the accessibility of appropriate grievance procedures for addressing all complaints regarding sexual harassment. The University reserves the right, however, to deal administratively with sexual harassment issues whenever becoming aware of their existence. Records of all complaints, except for hearings before the Faculty Appeals Board, shall be transmitted to and maintained by the University Equal Opportunity Officer as confidential records.

The University encourages victims to report instances of sexual assault or other sex offenses, forcible or nonforcible. In addition to internal grievance procedures, victims are encouraged to file complaints or reports with Campus Police or local law enforcement agencies by telephoning 911 as soon as possible after the offense occurs in order to preserve evidence necessary to the proof of criminal offenses. The Campus Police Department is available to assist victims in filing reports with other area law enforcement agencies.
17.2 DEFINITION OF SEXUAL HARASSMENT

Sexual harassment shall be defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following context:

1. when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic standing, or

2. when submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or

3. when such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.

17.2.1 Examples of Prohibited Conduct

Conduct prohibited by this policy may include, but is not limited to:

- Unwelcome sexual flirtation; advances or propositions for sexual activity.
- Continued or repeated verbal abuse of a sexual nature, such as suggestive comments and sexually explicit jokes.
- Sexually degrading language to describe an individual.
- Remarks of a sexual nature to describe a person’s body or clothing.
- Display of sexually demeaning objects or pictures.
- Offensive physical contact, such as unwelcome touching, pinching, brushing against the body.
- Coerced sexual intercourse.
- Sexual assault.
- Rape, date or acquaintance rape, or other sex offenses, forcible or nonforcible.
- Actions indicating that benefits will be gained or lost based on response to sexual advances.

17.2.2 Retaliation

Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of sexual harassment will be treated as a separate and distinct violation of this policy.
17.2.3 Sanctions

Appropriate disciplinary action may include a range of actions up to and including dismissal and/or expulsion.

17.3 COMPLAINT PROCEDURE

Complaints alleging a violation of the Sexual Harassment/Sexual Assault Policy shall be handled in accordance with the Grievance Procedure for Equal Opportunity.

To contact the University Office of Equal Opportunity:

Norman Campus
Room 102, Evans Hall
325-3546

Health Sciences Center Campus
Room 113, Service Center Building
271-2110

(Regents, 6-18-81, 9-17-81, 10-13-83, 6-14-90, 6-13-91, 9-27-95, 1-14-97, 1-27-04, 6-23-04)
18. APPENDIX I

CONSENSUAL SEXUAL RELATIONSHIPS POLICY

18.1 RATIONALE

The University’s educational mission is promoted by professionalism in faculty-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University’s educational mission. Trust and respect are diminished when those in positions of authority abuse, or appear to abuse, their power. Those who abuse, or appear to abuse, their power in such a context violate their duty to the University community.

Faculty members exercise power over students, whether in giving them praise or criticism, evaluating them, making recommendations for their further studies or their future employment, or conferring any other benefits on them. Amorous relationships between faculty members and students are wrong when the faculty member has professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one student’s interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as unethical if faculty members engage in amorous relations with students enrolled in their classes or subject to their supervision, even when both parties appear to have consented to the relationship.

As with faculty, staff may also be in a position to exert authority and control over students. Staff, too, must be conscious of the potential for abuse of power inherent in their relationships with students. Students rely on staff for assistance and guidance in dealing with issues such as scheduling of classes, financial aid, tutoring, housing, meals, employment, educational programs, social activities, and many other aspects of University life. Those who deal with students are expected to provide them with support and positive reinforcement. Staff who would deal with students in a sexual manner abuse, or appear to abuse, their power and violate their duty to the University community.

18.2 DEFINITIONS

As used in this policy, the terms “faculty” and “faculty member” mean all those who teach at the University, and include graduate students with teaching responsibilities and other instructional personnel. The terms “staff” or “staff members” mean all employees who are not faculty, and include academic and non-academic administrators as well as supervisory personnel. The term “consensual sexual relationship” may include amorous or romantic relationships, and is intended to indicate conduct which goes beyond what a person of ordinary sensibilities would believe to be a collegial or professional relationship.
18.3 POLICY

A. Faculty/Student Relationships

1) Within the Instructional Context

It is considered a serious breach of professional ethics for a member of the faculty to initiate or acquiesce in a sexual relationship with a student who is enrolled in a course being taught by the faculty member or whose academic work (including work as a teaching assistant) is being supervised by the faculty member.

2) Outside the Instructional Context

Sexual relationships between faculty members and students occurring outside the instructional context may lead to difficulties. Particularly when the faculty member and student are in the same academic unit or in units that are academically allied, relationships that the parties view as consensual may appear to others to be exploitative. Further, in such situations the faculty member may face serious conflicts of interest and should be careful to distance himself or herself from any decisions that may reward or penalize the student involved. A faculty member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University.

B. Staff/Student Relationships

Consensual sexual relationships between staff and students are prohibited in cases where the staff member has authority or control over the student. A staff member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the staff member has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University.

18.4 COMPLAINT PROCEDURE

Complaints alleging a violation of the Consensual Sexual Relationships Policy shall be handled in accordance with the Grievance Procedure for Equal Opportunity.

To contact the University Office of Equal Opportunity:

Norman Campus
Room 102, Evans Hall
325-3546

Health Sciences Center Campus
Room 113, Service Center Building
271-2110

(Regents, 6-14-90, 6-13-91, 9-27-95, 1-14-97, 1-27-04, 6-23-04)
19. APPENDIX J

RACIAL AND ETHNIC HARASSMENT POLICY

19.1 INTRODUCTION

Diversity is one of the strengths of our society as well as one of the hallmarks of a great university. The University supports diversity and therefore is committed to maintaining employment and educational settings which are multicultural, multiethnic, and multiracial. Respecting cultural differences and promoting dignity among all members of the University community are responsibilities each of us must share.

Racial and ethnic harassment is a growing concern across American college campuses. It has taken various forms, from criminal acts (assault and battery, vandalism, destruction of property) to anonymous, malicious intimidation, most often directed toward persons whose race or ethnicity is readily identifiable. In employment, racial/ethnic harassment is race discrimination which interferes with an employee’s ability to perform his or her duties or creates a hostile or intimidating work environment, prohibited by law under Title VII of the Civil Rights Act of 1964. In the educational context, racial/ethnic harassment is race discrimination which interferes with the students’ opportunities to enjoy the educational program offered by the University, prohibited by law under Title VI of the Civil Rights Act of 1964.

19.2 POLICY STATEMENT

Principles of academic freedom and freedom of expression require tolerance of the expression of ideas and opinions which may be offensive to some, and the University respects and upholds these principles. The University also adheres to the laws prohibiting discrimination in employment and education. The University recognizes that conduct which constitutes racial/ethnic harassment in employment or educational programs and activities shall be prohibited and is subject to remedial or corrective action as set forth in this policy. This policy is premised on the University’s obligation to provide an environment free from unlawful discrimination. The University will vigorously exercise its authority to protect employees and students from harassment by agents or employees of the University, students, visitors, or guests.

1. Agents or employees of the University, acting within the scope of their official duties, shall not treat an individual differently on the basis of race or ethnicity in the context of an employment or educational program or activity without a legitimate nondiscriminatory reason, and,

2. The University shall not subject an individual to different treatment on the basis of race or ethnicity by effectively causing, encouraging, accepting, tolerating, or failing to correct a racially or ethnically hostile environment of which it has notice.

19.3 CORRECTIVE ACTIONS

Violations of this policy shall result in corrective action(s) designed to reestablish an employment or educational environment which is conducive to work or learning. Corrective actions will include disciplinary action directed by the executive officer having responsibility for the offender, where
appropriate. Corrective actions will be tailored to redress the specific problem and may range from apologies, mandatory attendance at specific training programs, reprimands, suspension, or demotion to expulsion or termination. Corrective actions shall be based upon the facts and circumstances of each case and shall be in accordance with the terms and guidelines of the applicable campus grievance procedures.

Violations of this policy by students will be considered as violations of the Student Code and will subject student offenders to the corrective action(s) provided by the Code.

19.4 ADMINISTRATIVE ACTION

1. The University recognizes its obligation to address incidents of racial/ethnic harassment on campus when it becomes aware of their existence, even if no complaints are filed; therefore, in such circumstances, the University reserves the right to take appropriate action unilaterally under this policy.

2. With respect to students, the University Vice President for Student Affairs and Dean of Students or other appropriate persons in authority may take immediate administrative or disciplinary action which is deemed necessary for the welfare or safety of the University community. Any student so affected must be granted due process including a proper hearing. Any hearing involving disciplinary suspension or expulsion shall be conducted by a campus disciplinary council in accordance with the applicable student handbook. Students who receive lesser administrative or disciplinary action may request a review of the action by the University Vice President for Student Affairs and Dean of Students. Such requests must be in writing and filed within seven calendar days following summary action. The University Vice President for Student Affairs and Dean of Students will issue a written determination to the student within three working days following the date the request is received.

3. With respect to employees, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party’s regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence, with or without pay, pending the completion of the investigation or grievance procedure.

19.5 RETALIATION

Threats or other forms of intimidation or retaliation against complaining witnesses, other witnesses, any reviewing officer, or any review panel shall constitute a separate violation of this policy which may be subject to direct administrative action.

19.6 COMPLAINT PROCESS

The complaint procedures delineated herein applies to all students, faculty, staff, guests, or visitors. Complaints alleging violation of the racial and ethnic harassment policy will be reviewed and investigated by the appropriate University office. Complaints may be resolved informally or may proceed through the applicable formal complaint proceedings. Complaints may be filed in the following manner:
1. Complaints against students or student organizations, faculty or staff, or contractors working on University premises shall be filed with the University Office of Equal Opportunity for review and investigation. The University Equal Opportunity Officer, or his or her designee, may assist in the informal resolution of the complaint or in processing a complaint through the applicable campus procedures.

2. Complaints against visitors or guests should be directed to the Campus Police Department on the campus where the incident occurred. The Campus Police will forward informational copies of all reports and inquiries dealing with discrimination, harassment, or hate crimes to the Office of Equal Opportunity.

19.7 RESPONSIBLE OFFICIAL

The University Equal Opportunity Officer is charged with the responsibility for administering this policy. The Office of Equal Opportunity will serve as a repository for all records of complaints, investigative reports, and remedies/corrective actions in connection with this policy. The University Equal Opportunity Officer is the overall coordinator of all University activities dealing with discrimination in employment or education.

To contact the University Equal Opportunity Office:

Norman Campus  Health Sciences Center Campus  
Room 102, Evans Hall  Room 113, Service Center Building  
325-3546  271-2110

(Regents, 12-19-90, 6-13-91, 7-27-95, 1-14-97, 1-26-99, 3-29-00, 1-27-04, 6-23-04)
20. APPENDIX K

OPEN RECORDS POLICY

The Oklahoma Open Records Act, 51 O.S. 24A.1 et seq., requires that public records of the University be open to any person for inspection and copying during business hours. The University is not required, however, to assume additional record keeping responsibilities beyond keeping and maintaining complete records already in the University’s possession. Records may be disposed of as provided by law.

The Act defines record as all documents, including, but not limited to, any book, paper, photograph, microfilm, data files created by or used with computer software, computer tape, disk, record; sound recording, film recording, video record or other material regardless of physical form or characteristic, created by; received by; under the authority of; or coming into the custody, control or possession of public officials, public bodies, or their representatives in connection with the transaction of public business, the expenditure of public funds or the administering of public property. There are a number of statutory exceptions to the definition of “record.” Some public records are required to be kept confidential under the Open Records Act. The Open Records Act sets out specific exceptions based upon a need for confidentiality or privilege.

Requests for records shall be made in writing to the Open Records Office. Requests for records received by a University official outside of the Open Records Office shall be forwarded to the Open Records Office within one (1) business day.

The Open Records Officer shall determine whether any documents exist that are responsive to the request, subject to the confidentiality or privilege exceptions enumerated in the Open Records Act.

The Open Records Officer shall be available at all times during regular business hours to release records subject to the Act. The University shall establish a schedule for costs of reproduction, which shall be reasonably calculated to permit the recovery of the direct costs involved in the reproduction of documents. Areas for review of non-confidential documents shall be established on each campus and be available during regular business hours to those members of the public who desire to examine and review the documents on campus.
21. APPENDIX L

- SHARED LEAVE POLICY ............................................................... 21-3
- FAMILY AND MEDICAL LEAVE ............................................... 21-7
UNIVERSITY OF OKLAHOMA
SHARED LEAVE POLICY

A. Purpose

The Shared Leave Program is a means for a University employee to donate paid leave to a fellow University employee, who is eligible for and requires leave while experiencing a serious health condition as defined, and which has caused, or is likely to cause, the employee to take leave without pay.

B. Definitions

1) Employee Recipient

Twelve (12) month faculty and staff who hold benefits-eligible appointments that accrue paid leave and who have had continuous employment for at least twelve (12) months preceding the serious health condition. The recipient employee must have used all his/her extended sick leave, paid leave hours, and compensatory time hours (if applicable) prior to being eligible to receive shared leave. Shared Leave is not available for employees in off-work status due to workers compensation.

2) Employee Donor

Twelve (12) month faculty and staff who hold benefits-eligible appointments that accrue paid leave and have a paid leave balance greater than 50% of annual accrual. A donating employee can donate paid leave at any time during the budget year.

3) Serious Health Condition

A serious, extreme, catastrophic, or life-threatening medical condition is a period of incapacity requiring the employee to be medically unable to work for a period of seven (7) days or more. The medical condition includes continuing treatment or supervision by a health care provider; or continuing treatment of a chronic or long-term health condition. The employee must be suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused, or is likely to cause, the employee to take leave without pay.

4) Shared Leave Committee

The Shared Leave Committee will monitor the Shared Leave Program, make policy recommendations to administration and employee governance groups, and will approve the distribution of shared leave to the recipient. The Shared Leave Committee will consist of seven (7) University employees, with a term of three (3) years, and shall be recommended by the Faculty and Staff Senates and appointed by the Vice President, Administration and Finance. The Shared Leave Committee will report annually to the Faculty and Staff Senates, the President, Provost, and the Vice President for Administration and Finance, the overall utilization and evaluation of the Shared Leave Program.
5) Shared Leave Pool

The Shared Leave Pool will include both: (1) paid leave hours donated by eligible employees for distribution to a specific employee who has applied for and been approved for receipt of shared leave, and (2) paid leave hours which have previously been donated but not distributed. Hours donated that were not distributed to a specific employee will be maintained in the pool, along with any hours donated for general distribution to eligible employees.

C. General Guidelines

1) Shared leave is meant to cover only the duration of the serious health condition for which it was approved.

2) Donated paid leave is transferable between employees, in different University departments, within each campus with the approval of the Shared Leave Committee.

3) Any unused shared leave that was donated to a specific employee will be maintained in the Shared Leave Pool to be distributed to other qualified employees.

4) All donated leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating paid leave for purposes of the Shared Leave Program.

5) Persons involved in the administration of the Shared Leave Program are responsible for guarding the privacy of leave recipients and donors. Communications with either group must be kept confidential.

6) Employees who are receiving shared leave will not accrue additional paid leave.

D. Eligibility and Participation Requirements for Recipient

1) The employee or his/her personal representative will complete a Shared Leave Request Form and attach documentation from a licensed physician or health care practitioner verifying the need for the leave and expected duration of the condition.

2) The employee must have a current satisfactory performance evaluation on file, or have no positive disciplinary actions on file during the previous twelve (12) month period.

3) The Budget Head will review the application and forward his/her recommendation to the Shared Leave Committee.

4) The Shared Leave Committee will determine eligibility of the employee based on:

   (a) The definitions listed above.

   (b) All paid leave available to the employee has been used or is likely to be used. Absence due to personal illness beyond seven consecutive working days will be deducted from the extended sick leave account if accrued time is available.
Once the extended sick leave account is zero, the employee must also use all available paid leave hours before being eligible to participate in the Shared Leave Program.

(c) The employee has abided by University policies regarding the use of paid leave.

5) If the employee meets the above criteria, the Shared Leave Committee will determine the amount of donated leave an employee may receive and may only authorize an employee to use up to a maximum of four hundred and eighty (480) hours in a twelve (12) month period. An employee cannot exceed two hundred sixty (260) days or two thousand eighty (2,080) hours of donated leave during total university employment.

6) The receiving employee shall be paid his or her regular rate of pay, up to a maximum of two-thousand five hundred ($2,500) dollars per month of approved shared leave. Each hour of approved shared leave will be provided to the recipient on an hour for hour basis. The leave received will be designated as shared leave and be maintained separately from all other leave balances.

E. Eligibility and Participation Requirements for Donor

1) The receiving employee must be eligible under the above criteria.

2) The donating employee will complete a Shared Leave Donation Form. The Shared Leave Donation Form must be sent to the Shared Leave Committee.

3) The donating employee may donate any amount of paid leave provided the donation does not cause the paid leave balance of the employee to fall below 50% of his/her annual accrual.

4) Donations must be made in full-hour increments.

(Regents, 1-1-01)
INTERIM FAMILY AND MEDICAL LEAVE POLICY

The University of Oklahoma’s Interim Family and Medical Leave Policy, which incorporates provisions of existing University policies and the federal Family and Medical Leave Act of 1993, is designed to enable employees to balance their work responsibilities with the demands of caring for family members or in the event of serious personal illness or injury. All regular faculty and staff who hold continuous appointments with an FTE of .50 or greater can access their accrued leave as provided by the University’s Paid Leave and Extended Sick Leave Policy (Section 6.4.2, University Staff Handbook) for such leave. In addition, after one year of employment by the University, they are eligible for up to a total of 12 work weeks of leave (combined paid and unpaid) during a 12-month period in accordance with the following provisions.

A complete copy of the federal law, which contains further definitions that may apply to an employee’s situation, is available from the Office of Human Resources.

I. Family Leave

(A) Purpose

Family leaves of absence may be taken for the following reasons:

1) Birth of a son or daughter of the employee and in order to care for the son or daughter;

2) Placement of a son or daughter with the employee for adoption or foster care;

3) To care for a spouse, son or daughter, or parent who has a serious health condition. A serious health condition is one that requires in-patient care or continuing treatment by a health-care provider.

(B) Terms

1) **Accrued leave**, as provided for in the Paid Leave and Extended Sick Leave Policy, shall be used initially by the employee. When leave with pay is no longer available, the leave may be extended to a total of 12 work weeks during a 12-month period by using leave without pay. During this time, University insurance benefits will continue, but additional leave with pay will not accrue.

2) **Family leaves for birth**, adoption, or placement of a foster child must fall within the term of employment and are to be taken consecutively without interruption ending no later than 12 months after the day of birth or placement of the child.

**Family leaves to care for a seriously ill** spouse, son or daughter, or parent may be taken intermittently or on a reduced time basis (i.e., by working fewer days in a week or fewer hours in a day) if such a schedule is needed for medical reasons. When family leave without pay is taken to care for a spouse, son or daughter, or
parent, acceptable documentation from the health-care provider will be required by the University.

(C) Pregnancy Leave

1) **With Pay.** Leaves with pay for pregnancy are available to eligible employees through utilization of their accrued extended sick leave as provided in the Paid Leave and Extended Sick Leave Policy and Extended Sick Leave Policy for nine- and ten-month faculty. Pregnancy is to be treated as any other short-term disability, with the duration of the disability to be medically determined. An employee may continue normal duties through pregnancy or use available leave while unable to perform regular duties. Employees who utilize leave for pregnancy shall suffer no penalty, retaliation, or other discrimination.

2) **Without Pay.** Leaves for the birth of a child may be extended beyond that granted for the medical disability to a total of 12 weeks through the utilization of accrued paid leave or leave of absence without pay.

3) **Extension of Probation for Tenure-Track Faculty.** If a tenure-track faculty member takes pregnancy leave, the probationary period prior to a tenure decision may be extended for one year at the written request of the faculty member and with approval of the academic unit, dean, and Senior Vice President and Provost. (Section 3.9.3 (i)).

II. Medical Leave

(A) Purpose

Medical leaves of absence are available to eligible employees in the event of serious personal illness or injury.

(B) Terms

1) Accrued leave, as provided for in the Paid Leave and Extended Sick Leave Policy shall be used initially by the employee. When leave with pay is no longer available, the leave may be extended to a total of 12 work weeks in a 12-month period by using leave without pay. During this time, University-paid insurance benefits will continue, but additional benefits will not accrue.

2) Medical leave may be taken intermittently or on a reduced-time basis (e.g., by working fewer days in a week or by fewer hours in a day) if such a schedule is needed for medical reasons. The University will require acceptable medical documentation of illness or disability.

III. Procedures

Requests for family or medical leaves of absence must be in writing and must include the reason for the request and the anticipated time period for the leave. All requests for family and medical leaves of absence shall be made at least 30 days in advance, to the extent
practicable. If the leave is for planned medical treatment, the employee is expected to schedule the treatment so as to create minimum disruption for the employer. When leave is used for the employee’s own serious health condition or to care for a spouse, son or daughter, or parent with a serious health condition, acceptable medical documentation from the health-care provider will be required.

IV. **Return to Work**

Eligible employees who take a family or medical leave of absence from a position within the University will be able to return to the same or equivalent position and employment benefits. In the event of budgetary or organizational changes during the period of absence, the employee shall be treated as if he or she were occupying the same position at the time of the change.

If an employee does not return to work as agreed upon, unless other arrangements are made, he/she shall be considered to have resigned from the University effective the last day worked.

(Regents, 7-27-93)
22. APPENDIX M

PROFESSIONAL PRACTICE PLANS

- College of Allied Health ................................................................. 22-3
- College of Dentistry ................................................................. 22-11
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- College of Medicine Faculty Medical Practice Organization Bylaws .... 22-21
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THE UNIVERSITY OF OKLAHOMA
COLLEGE OF ALLIED HEALTH
PROFESSIONAL PRACTICE PLAN

I. PREAMBLE

Participation in the Professional Practice Plan is a condition of employment as stated in the Faculty Handbook. Faculty are obligated to comply with the Professional Practice Plan of their College. The faculty of the College of Allied Health is composed of professionals in a wide variety of specialties in the health-related fields. Diverse in their nature and scope, these specialties form an integral part of the health care delivery system and are essential to quality patient care and services. Professional services provided by the faculty of the College include, but are not limited to, those relating to health care distribution and delivery, rehabilitation of the sick and the handicapped, maintenance of health and quality of life. Faculty provision of professional services may include direct service delivery, patient care, consultation, and/or education of patients and professionals.

The Professional Practice Plan is a formal grouping of full-time faculty who render services to patients and/or specialized consultative services for a fee or who provide other services directly related to their professional credentials for fee. Patient care services shall be provided only by those faculty who are appropriately credentialed (license, certificate, or registration, where such exist) by the State of Oklahoma and/or by the appropriate national agency.

The Professional Practice Plan shall be governed by the following principles and policies:

It is the prerogative of the faculty member to decide whether or not to engage in professional activity other than as specifically assigned. If the decision is to engage in professional activity, the rules governing the Professional Practice Plan must be strictly observed. Engaging in professional activity other than in accordance with this document violates Regent’s policy and is grounds for severe sanctions.

Fees received for professional activities are generated income governed by this Policy.

When members of the faculty engage in professional practice activities, these faculty members by their personal efforts and presence enhance the stature and reputation of the College of Allied Health and the Health Sciences Center.

Opportunities for professional practice will be delineated initially in the offer of employment letter for each new faculty person. As per the Faculty Handbook, annual work loads are subsequently negotiated between each faculty member and his or her Department Chair. The participation of faculty in professional practice contributes to the educational mission of the College of Allied Health, including the research component of education.

There must be upper limits to the time spent and income delivered from professional practice so that the primary goals of teaching, service, and scholarly activity are achieved.
These limits are negotiated with the Department Chair with the approval of the Dean and within the guidelines articulated herein and in the Department Professional Practice Plan policies. Computation of fringe benefit withholding, FICA, and other payroll deductions shall be in accordance with University policies.

Fundamental differences exist among professional practice circumstances within the College and the Departments that include but are not limited to: (1) the unit of service for which a professional fee is rendered; (2) the amount of the customary fee per unit of service; (3) the status of the patient (ambulatory or hospitalized); and (4) the goal of the services rendered.

Adherence to this policy is a condition of employment for full-time faculty of the College of Allied Health of The University of Oklahoma Health Sciences Center. Under this policy, the lines of authority are from faculty to Chair to Dean to Provost to President to the Regents.

II. OBJECTIVES

1. To provide a mechanism for faculty to supplement income and to enhance recruitment and retention of highly qualified faculty.

2. To provide incentives to the faculty to engage in the practice of their professions, to maintain and improve professional skills, to participate more actively in patient care and/or consultative services, and to enhance faculty scholarship.

3. To define rules governing the amount of time that shall be devoted to patient care and/or consultation for extra remuneration.

4. To provide a uniform procedure by which to account for the total income received by each member of the full-time faculty of the College of Allied Health in remuneration for all academic and other professional services, irrespective of the source of payment or nature of the professional service.

5. To provide a uniform procedure by which to account for all earnings generated by the faculty under the Professional Practice Plan.

III. DEFINITION OF TERMS

1. Membership

   a) Members of the faculty of The University of Oklahoma College of Allied Health who hold a full-time appointment (9, 10, or 12 month appointments) in the College of Allied Health will have the obligation (participation being a condition of employment) to participate and vote in the Professional Practice Plan. For those full-time faculty who hold less than a 12-month appointment, professional activities that are performed outside of the University contracted employment period and that do not involve University resources will not be considered under the Professional Practice Plan.
b) Members of the faculty in phased retirement must participate in the Professional Practice Plan to the extent that income is generated during the agreed-upon work week or using University resources.

2. Department Professional Practice Plan

Each Department will prepare a comprehensive Professional Practice Plan defining policies and procedures for professional practice activities within the Department. The Department Professional Practice Plan shall be consistent with the Professional Practice Plan policies of the Board of Regents and the College. The Department Professional Practice Plan will be developed and approved by those faculty engaged in Professional Practice Plan activities and the Dean. Administration of the Department Professional Practice Plan will be the responsibility of the Department Chair, with the advice of the Department Professional Practice Plan Advisory Committee, elected by and from Department members of the Professional Practice Plan. The Chair shall serve as a member of this committee with vote.

3. Guaranteed Base

This is the specific salary that is guaranteed annually by The University of Oklahoma through appointment to the faculty of the College of Allied Health by the Board of Regents of The University of Oklahoma to compensate the individual faculty member for that portion of his or her time devoted to academic programs and to ensure that the academic programs take precedence over other responsibilities. This guaranteed base salary may change from the date of employment through annual increases for merit pay and/or cost of living.

4. Full-Time Equivalent Salary

The FTE salary figure is a figure negotiated between the faculty member and the Department Chair and approved by the Dean. The FTE salary figure is the total potential salary that may be earned annually by a faculty member. It is the total of the guaranteed base and the Maximum Professional Earnings Potential.

5. Maximum Professional Earnings Potential

This is the difference between the guaranteed base salary and the full-time equivalent salary (the difference between III, 4. and III, 3. above).

6. The full-time equivalent salary will be developed and reviewed annually for each faculty member by the Department Chair. These recommendations from the Chair are transmitted to the Dean of the College of Allied Health and recommended for approval to the President and the Board of Regents of The University of Oklahoma. The only guaranteed salary is that specified in the Guaranteed Base. The total full-time equivalent salary expresses only the potential maximum salary a faculty person may earn in a given year and is dependent on earnings from Professional Practice Plan activities of that individual and the policies and procedures specified in the College and Department Professional Practice Plans.
7. The yearly income for each member from the Professional Practice Plan shall not exceed his/her annual base salary.

8. Each faculty member who participates in the Professional Practice Plan shall be informed in writing, at the beginning of each fiscal year, of his guaranteed annual base and full-time equivalent salary.

IV. OPERATIONAL PROCEDURES

1. Professional practice of faculty should be conducted so as not to interfere with teaching, service, scholarly activities, administration, or other Department activities as determined by the Department Chair.

2. The amount of time and the schedule of time devoted to generation of Professional Practice Plan income must defer to the teaching, service, and scholarly activity needs of the Department.

3. Professional income earned must be deposited to the Professional Practice Plan account. Income earned may or may not be subject to the Professional Practice Plan overhead and/or “tax” rules depending on the policies and procedures expressed herein and in Department Professional Practice Plans.

4. To assure the successful performance of the College's assigned tasks, members of the Professional Practice Plan shall not engage in professional activity which will result in their being unduly diverted from assigned duties. No more than an average of 20% of the work week shall be spent in Professional Practice Plan activities. Should a Department Chair determine it is in the interest of the Department that an exception be made and that other members of the Department can and will assume additional responsibilities, exceptions may be allowed to the 20% rule with approval of the Dean. In no event will an exception be made, nor any individual be absent from the campus more than a week at a time for Professional Practice Plan activities without the prior approval of the Dean. This approval will be given only in the most exceptional circumstances. Reports of time spent in the generation of income under this Professional Practice Plan shall be submitted each semester to the Department Chair and to the Dean of the College.

5. Sources of Generated Income
   a) Patient care fees wherever earned by the faculty member
   b) Professional consultation
   c) Honoraria
   d) Other professional income

6. Income Exclusions
   a) Prizes and awards
   b) Faculty members interests in:
      1. Royalties
2. Copyrights
3. Patent Rights

c) Non-professional income
d) Compensation received as a result of military leave
e) Income earned during leave of absence without pay, and/or sabbatical leave as set out in the Faculty Handbook.

7. Disposition of Gross Generated Income

Generated income described above will be deposited daily by the individual Departments within the College of Allied Health to the designated appropriate accounts through the Office of the Bursar, The University of Oklahoma Health Sciences Center. The distribution of funds is determined by the College and Department Professional Practice Plans and will be administered by the Department Chair. Distribution of these funds will be in the order listed below.

a) To the Department, for expenses and administrative costs as defined in the approved Department Professional Practice Plan.

b) To the Dean’s Office, 5% of all income generated using University facilities and/or other University resources, including time.

c) To that individual faculty member within each Department, to the extent that the individual faculty member has contributed to the generation of income, until any difference between guaranteed base and the full-time equivalent salary is equaled; and thereafter.

d) Any remaining balance will be retained in the Department sub-account to pay for the various expenditures related to Department functions as authorized by The University of Oklahoma Health Sciences Center Professional Practice Plan Expenditure Policy (8/26/97) and/or future amendments thereto.

e) The College of Allied Health will not pay retirement benefits on generated income.

f) Acceptable Categories of Expenditures by Departments include:

1. Visiting consultants and lecturers at the Health Sciences Center.

2. Expenses directly related to faculty and staff recruitment.


4. Personnel training courses and attendance at professional and educational meetings.
5. Maintenance of laboratories and equipment.

6. Office and administrative expenses.

7. Other expenses incurred in support of Department teaching, research, and professional service, including salaries.

8. Professional dues.

9. Other Departmental business expenses directly related to generation of professional fees. Since funds for which the University acts as custodian are commingled with public funds, all expenditures from such funds must be treated as public expenditures. Public policy requires that public monies be expended for public and not private purposes. University administration, in consultation with the Advisory Council, will develop and publish guidelines consistent with public policy.

8. Billing, Collecting, Accounting, Disbursement, and Auditing

   a) All procedures for billing, collecting, accounting, disbursement, and auditing shall be in accordance with controlling State Law in this regard and with current Board of Regents and University/College policies and procedures. Fees relating to professional consultation, honoraria, and the like which are received directly by the individual faculty member shall be deposited by the primary Department of the faculty member. Each faculty member holding an appointment in more than one Department of the College shall have, for purposes of this Professional Practice Plan, a primary Department responsible for depositing and monitoring generated income. Faculty members holding joint appointments in the College of Allied Health and in some other College shall participate in the Professional Practice Plan of the College which has primary responsibility for their promotion and tenure.

   b) All accounts will be handled in accordance with standard accounting principles, the statutes of the State of Oklahoma, and the policies of the Regents of The University of Oklahoma, as they apply to such accounts.

9. Governance of the Professional Practice Plan

   a) The Advisory Council

1. Duties

   The Advisory Council shall represent the full membership of the Professional Practice Plan and shall be responsible for advising the Dean of the College on policy matters reflecting the operations covered by this policy. The members of the Professional Practice Plan will be governed by this policy as amended from time to time by the Board of Regents.
2. Members of the Advisory Council shall consist of:

   a. The Chair of each Department of the College of Allied Health.

   b. One additional faculty member-at-large elected by and from the faculty members of each Department of the College. Terms of members-at-large shall be for two (2) years.

3. Meetings

   The Advisory Council shall meet at least once annually at a time designated by the Chair of the Advisory Council or upon the request of four (4) members of the Advisory Council. Notice of the meeting and an agenda will be distributed to each member at least one week prior to the meeting.

4. Officers

   The officers of the Advisory Council shall be a Chair, a Vice Chair, and a Secretary who shall be elected annually by and from the members of the Advisory Council and serves as the Executive Committee. The Chair shall preside.

5. Ad Hoc Committees

   Ad Hoc committees may be appointed as necessary by the Chair.

6. Quorum and Voting

   A quorum shall consist of a simple majority of voting members of the Advisory Council. Any official action of the Advisory Council requires a majority vote of its members present. Each member shall have one vote.

7. Rules of Order for Advisory Council and its Committees

   a) Agenda

      All items of business not requiring formal action by the Advisory Council, unless an objection is registered, are accepted "for information only". All items of business requiring formal action by the Advisory Council must be in the form of a resolution.

   b) Procedural Motions

      The latest edition of Robert’s Rules of Order Newly Revised will be accepted as final authority for parliamentary procedures.
10. Department Governance and Restrictions

Nothing contained herein shall be construed to prevent members within any Department from suggesting additional Department restrictions as they may wish, but such restrictions shall not conflict with the College Professional Practice Plan.

11. Accountability

Gross and willful withholding of or misrepresentation in reports of income generated and/or time spent under this Professional Practice Plan shall constitute grounds for disciplinary action under the relevant provisions of the Faculty Handbook.

12. Policy Amendments

The policy for operation and governance of the Professional Practice Plan may be amended from time to time by the Regents of The University of Oklahoma. Proposed amendments may also be submitted to the Advisory Council for consideration consistent with the University’s Professional Practice Plan policies and procedures. Amendments shall be considered by the Advisory Council that are:

a) Proposed to the Advisory Council by the Executive Committee, or

b) Proposed by fifteen (15) or more faculty members of the Professional Practice Plan.

13. Ratification

a) Ratification of the proposed amendment requires a 2/3rds affirmative vote of the full voting faculty membership of the Professional Practice Plan.

b) The amended Professional Practice Plan, if ratified, will then be forwarded through the Dean of the College of Allied Health and Provost, Health Sciences Center, to the President for the approval and for submission to the Board of Regents of The University of Oklahoma.

(Regents, 05-10-91, 09-11-03)
THE UNIVERSITY OF OKLAHOMA
COLLEGE OF DENTISTRY
FACULTY PRACTICE BYLAWS

I. The Dental Faculty Practice Group

The dental faculty practice group of The University of Oklahoma College of Dentistry shall be known as OU Dentistry, hereafter referred to as the “Group”.

II. Scope and Objectives

1. Develop and maintain an integrated, multidisciplinary, faculty dental group practice.

2. Promote, market, and provide the dental health care services of the Group to OUHSC employees, the public, and other approved entities.

3. Provide exemplary care, which reflects the mission of The College of Dentistry.

4. Enhance recruitment and retention of highly qualified dental faculty.

5. Enhance communication, cooperation, and collaboration between the College of Dentistry and the dental community.

6. Facilitate the development and training of faculty members.

7. Stimulate, within the local dental health community, a scholarly atmosphere conducive to health sciences education, state-of-the-art health care, and health sciences research.

III. Group Composition

1. All full-time faculty (1.0 FTE) of the College of Dentistry who provide direct patient care shall be Participants in the Group and shall practice exclusively through the Group, in accordance with the requirements specified by these Bylaws and the Operational Policies. Participating full-time faculty shall be voting members of the Group.

2. Part-time faculty who have less than a 1.0 FTE and volunteer faculty who provide direct patient care may be Participants in the Group, upon the recommendation of their respective department chair and with the approval of the Advisory Council and the Dean. Once approved, they shall practice exclusively through the Group, in accordance with the requirements specified by these Bylaws and the Operational Policies. Such Participants shall be voting members of the Group.
3. Clinicians hired solely to provide care, as Participants in the Group, shall practice exclusively through the Group, in accordance with the requirements specified by these Bylaws and the Operational Policies. Such Participants shall be non-voting members of the Group.

4. Exceptions to Group Composition will be considered on a case-by-case basis and must be approved by the Advisory Council and the Dean.

IV. Participant Obligations

Individual Participants shall abide by accepted clinical practice standards, as well as, federal and state regulations governing professional practices and the rights of patients. All Participants shall function as a single entity while fulfilling contractual obligations and providing services as required and agreed upon by the Group. (See VIII – Operational Policies and Procedures)

V. Group Governance

1. The Dean of the College of Dentistry shall have overall responsibility and authority for the management, planning, and operations of the Group. The Dean may delegate any responsibilities for managing, planning, or operating the practice.

2. The governance of the Group applies to the entire range of dental disciplines and specialties within the College. The unique characteristics of these disciplines and specialties should be recognized in the governance and operation of the Group.

3. The Group and its Participants shall comply with all University, Health Sciences Center, and College of Dentistry policies and procedures, including those dealing with management and financial accountability.

4. The governance structure of OU Dentistry shall be as delineated in Section VI, The Advisory Council.

VI. The OU Dentistry Advisory Council

1. The OU Dentistry Advisory Council shall represent all Participants of the Group. The Council is advisory to the Dean.

2. Functions and Responsibilities:

   a) Develop operational policies and procedures for OU Dentistry.

   b) Develop a compensation plan for distribution of clinical revenues to Participants.

   c) Review and recommend approval of the annual OU Dentistry budget.
d) Review and recommend for approval any capital expenditures that exceed limits established by the Associate Dean for Finance.

e) Oversee the operations of OU Dentistry and recommend corrective actions for identified deficiencies.

f) Ensure the Group operates as an integrated multi-disciplinary dental group practice.

g) Request and review operational, financial, and other management reports necessary to facilitate the efficient administration and operation of the Group and to satisfy audit requirements.

h) Establish guidelines for executing group clinical services contracts and service agreements.

i) Create such standing and ad hoc Councils as are required to conduct the business of OU Dentistry in an efficient and effective manner.

j) Establish programs for quality improvement, quality assurance, compliance, marketing, risk management, and other areas, as deemed necessary.

k) Conduct OU Dentistry strategic planning sessions at least every three years.

3. The Advisory Council shall be composed of:

Voting Members:

l) Three at-large general practice Participants
m) Three at-large specialty practice Participants
n) One at-large dental hygiene Participant

Non-Voting Members:

o) Chief Administrator of OU Dentistry
p) Associate Dean for Finance, College of Dentistry

Not all of the at-large specialty practice Participants can be from the same Division/Department.

Each elected member shall serve a three-year term and can be elected for a subsequent term after a period of one year. The original members of the Advisory Council shall be elected for one-, two-, and three-year terms so the terms of the Committee members shall be staggered. Original Council members elected to a one- or two-year term may be re-elected for one contiguous three-year term.

4. Election of Advisory Council Members. At-large members of the Advisory Council will be elected by a vote of the Group Participants during the annual meeting. The
Advisory Council shall solicit nominations prior to the annual meeting. (See VII – Annual Meeting of Participants)

Meetings. The Advisory Council shall meet at least four times annually. Any Participants of OU Dentistry may attend any meeting of the Advisory Council in a non-voting capacity, excluding sessions involving personnel or other closed sessions involving sensitive matters. Minutes of all open session Advisory Council meetings will be distributed in a timely manner to all participants.

5. Officers. The officers of the Advisory Council shall be as follows: The Dean of the College of Dentistry shall be the Chair of OU Dentistry. The members of the Advisory Council shall elect the Vice-Chair. The Chief Administrator of OU Dentistry or designate shall serve as recording secretary.


VII. Annual Meeting of Participants

A meeting of all Participants of OU Dentistry shall be held annually in September. A report of the activities and the current state of the Group shall be given by the OU Dentistry Executive Director or designate to the Participants. New Advisory Council members will be elected during the annual meeting (see V.4 above).

The Dean or the Advisory Council may call special meetings of the membership as needed. All Participants must be notified at least seven days prior to the annual meeting or any special meetings of the membership. Those participating members in attendance at annual or specially called membership meetings will be considered a quorum for taking official action. (See VI.6 above) Minutes of all annual meetings will be distributed in a timely manner to all participants.

VIII. Operational Policies and Procedures

OU Dentistry shall establish such written Operational Policies and Procedures as are necessary to provide accountability and appropriate management of the Group and the Group’s fiscal affairs. These policies and procedures are subject to review and recommendation for approval by the Advisory Council to the Dean as appropriate. These Operational policies and procedures must adhere to the following principles:

1. All direct patient clinical activities of Participants will be managed by the Group and shall follow Group policies and procedures regardless of size or location.

2. Whenever possible and appropriate, patient referrals should be made within the Group.
3. A faculty member’s practice time shall be determined by their respective employment contract.

4. All clinical faculty members shall practice unless granted an exception by the Department Chair and/or Dean.

5. If full-time licensed faculty members (FTE 1.0) are granted an exception from practice, then they will dedicate an equivalent amount of time to teaching, research, and/or scholarly activity.

6. No policy shall violate or supercede University requirements, policies, or procedures.

IX. Participant Compensation

OU Dentistry shall establish a Compensation Plan to govern the distribution of clinical revenues to Participants. This Plan will be established, approved, and reviewed annually by the Advisory Council and the Dean. This Plan must adhere to the following principles:

1. The Group must be financially self-sustaining.

2. The Group must have a model for continued financial growth.

3. All revenues generated by Participants, including, but not limited to, revenue generated by patient care services, patient consultations, and supervision of professional services, will be deposited into Group accounts and be governed by the Compensation Plan.

4. All Group expenses and overhead will be paid prior to revenue distribution.

5. Each Participant must cover his/her respective practice overhead as governed under the terms of the Compensation Plan.

6. Funds shall be distributed in a fiscally responsible manner.

X. Amendment of Faculty Practice Bylaws

Ultimate authority for amendment of these Bylaws rests with The University of Oklahoma Board of Regents.

1. Amendments to the Bylaws may be proposed or initiated for the consideration of the Regents by:

   a) The Advisory Council.

   b) Petition from 20% of the current Group Participants.

   c) The Dean of the College of Dentistry
2. Proposed amendments will be presented to the full membership and require ratification by two-thirds (2/3) of the members present at an annual or special meeting.

3. Ratified amendments will be forwarded through the Dean of the University of Oklahoma College of Dentistry, to the Senior Vice President and Provost of the Health Sciences Center, and to the President for approval for submission to the Board of Regents of the University of Oklahoma.

ADDENDUM: The Group will continue to use the operational and compensation components of the 1996 bylaws (IV (1)-(5)) until the Advisory Council establishes and approves new Operational Procedures and Compensation documents.

Approved by Faculty Practice Participants 1/31/08

(Regents, 9-2-76; 6-15-78; 12-18-80; 10-31-96; 3-27-08)
THE UNIVERSITY OF OKLAHOMA
COLLEGE OF MEDICINE
PROFESSIONAL PRACTICE PLAN

I. PREAMBLE

The College of Medicine faculty are professionals whose education, training, knowledge, skills, and expertise allow them to engage in a wide range of professional practice activities, including clinical practice, clinical consultation, scientific consultation, and other activities of a professional nature.

When members of the College of Medicine faculty deliver care to patients, provide consultation for patient care, or provide scientific consultation, these faculty members by their efforts and presence enhance the stature and reputation of the College of Medicine and the Health Sciences Center. Active involvement by clinical department faculty in health care delivery practices is essential to the maintenance of their professional skills. Likewise, it is appropriate for basic science faculty to provide a reasonable degree of scientific consultation and other services to outside entities for which they may be compensated. Both of these types of activity contribute to the educational, research, and community service missions of the College of Medicine and the University.

The purposes of the faculty professional practice plan are (1) to provide economic support necessary to advance the College’s educational, patient care, and research missions through a College of Medicine Enrichment Fund, also commonly referred to as the “dean’s tax”, (2) to ensure sufficient clinical encounters for the clinical education mission, and (3) to provide for accountability for faculty professional practice activities.

The College of Medicine Professional Practice Plan is subject to the policies and procedures established by the Board of Regents of the University of Oklahoma. The Professional Practice Plan applicable to all faculty of the College of Medicine.

II. SCOPE OF COVERAGE

1. All full-time and part-time faculty of the College of Medicine are encompassed by the professional practice plan, including:

   (a) Physician faculty in clinical departments

   (b) Non-physician faculty in clinical departments

   (c) Basic science departments’ faculty

2. The basic science faculty, including basic scientists whose appointment may be in a clinical department, are not included as members of the faculty medical practice organization described and named in the Bylaws of the faculty medical practice organization, unless special exception has been made by the respective department and approved by the practice group management committee and
the Dean. The Department of Pathology shall be classified as a clinical department for the purpose of the professional practice plan.

3. The basic science faculty shall have no oversight or authority over the faculty medical practice organization.

4. The faculty medical practice organization shall have no oversight or authority over the finances or disposition of revenue from professional practice activities of the basic science faculty. Such oversight and authority rests with the respective department and the College of Medicine.

5. Distribution of faculty professional practice collected revenues is subject to departmental policy within the limits of the policies of the College of Medicine and/or the University.

6. All sources of collected revenue generated by faculty, including but not limited to the following, are included within the scope of the professional practice plan and are subject to assessment for the College of Medicine Enrichment Fund (dean’s tax) and to approved department assessment plans:

   (a) Patient care fees and other clinical practice revenue wherever earned by the faculty

   (b) Professional consultation, including scientific consultation

   (c) Honoraria

   (d) Medical legal consultation

   (e) Compensation for supervision of professional services

7. Revenue Exclusions. The following sources of revenue are not included within the scope of the professional practice plan:

   (a) Prizes and awards

   (b) Faculty members’ interest in royalties, copyrights, and patent rights

   (c) Non-professional income

   (d) Compensation received as a result of military duty

   (e) Income earned while on a sabbatical or leave that has been approved by the Board of Regents

8. All faculty are subject to and must comply with the College of Medicine Faculty Compensation Plan, as approved by the Board of Regents of the University of Oklahoma.
9. The College of Medicine Enrichment Fund (dean’s tax) is established by the Dean of the College of Medicine in consultation with department chairs.

III. BOARD OF REGENTS’ POLICY

Adherence to the Professional Practice Plan policy, as with all Board of Regents’ policies, is a condition of employment for faculty of the College of Medicine. Under this policy, as in all University matters, the members of a Department are responsible to their Chair, as the Chair is responsible to his/her Dean, and the Dean, through the Senior Vice President and Provost of the Health Sciences Center, to the President, and subsequently to the Regents.

The process of exercising their discretion as professionals in matters of patient care or scientific consultation does not diminish the responsibility of faculty members to account to the University for all income earned, nor relieve them of the duty of compliance with policies and procedures of the Board of Regents governing site of practice.

Site of Practice Policy

The purpose of the site of practice policy is to concentrate patient care by the full-time faculty of the College of Medicine in those hospitals and other practice sites in which the major teaching and research programs of the College of Medicine are based. The patient care activities of the faculty may occur in any of the health care entities which comprise the Oklahoma Health Center in Oklahoma City, the Tulsa Medical Education Foundation hospitals in Tulsa, in designated hospitals and clinics in other College of Medicine program locations affiliated with either the Oklahoma City or Tulsa campuses, and in University owned or operated practice sites including those under the organizational structure of OU Medical Center (Oklahoma City) which support the academic programs of the College and which can provide the technical environment necessary for modern, high-quality medical care and teaching.

With approval of the Dean, full-time faculty members shall be permitted to act in a professional capacity in specific instances not covered above. As a condition of employment, faculty members who are employed by the University may not render patient care on a continuing basis except in those hospitals and teaching sites specifically authorized for such continuing patient care by the Regents.

(Regents, 9-13-94, 3-6-96, 3-5-97, 5-7-04)
I. THE FACULTY MEDICAL PRACTICE ORGANIZATION

The faculty medical practice group of The University of Oklahoma College of Medicine shall be organized as, known as, and hereafter referred to as OU Physicians. The name OU Physicians shall be used by both the Oklahoma City and Tulsa operational units of the College of Medicine professional practice plan medical group. Children's health care specialists are an integral part of OU Physicians, but they may use the name “OU Children's Physicians” for marketing and business purposes.

II. SCOPE OF ACTIVITIES OF OU PHYSICIANS

OU Physicians as a medical practice group may engage in activities including, but not limited to:

1. Enhancing communication, cooperation and collaboration among The University of Oklahoma Health Sciences Center College of Medicine and affiliated educational and health care institutions and professionals.

2. Promoting and marketing the health care services of the College of Medicine to the public, industry, and other appropriate groups.

3. Developing new and refining existing clinical care delivery strategies to accommodate the changing health care environment. Such activities include health care services to enhance teaching and clinical research and to enable future practitioners to respond to the needs of the changing and increasingly competitive health care and clinical research environment.

4. Conducting and coordinating medical care among affiliated community health care providers.

5. Enhancing communication, cooperation, and collaboration among The University of Oklahoma College of Medicine and The University of Oklahoma College of Medicine-Tulsa and affiliated educational and health care institutions and professionals.

6. Facilitating the education and training of health care professionals for a wide range of health care settings including rural and other Oklahoma health work force shortage areas.

7. Stimulating within the local health care community a scholarly atmosphere conducive to health sciences education, state-of-the-art health care, and health sciences research.

July, 2008

Appendix M
COLLEGE OF MEDICINE
FACULTY MEDICAL PRACTICE ORGANIZATION BYLAWS
III. COMPOSITION OF OU PHYSICIANS

1. All full-time faculty of clinical departments who provide direct professional patient care services shall be members of OU Physicians and shall practice exclusively under this plan, in accordance with the directions specified by the Bylaws and Operational Policies. Full-time faculty shall be voting members of the group.

2. Part-time faculty of clinical departments who provide direct professional patient care services are members of OU Physicians. Part-time faculty who have a 0.5 FTE or greater appointment shall be voting members of the group.

3. Volunteer faculty physicians may become members of OU Physicians upon the recommendation of their respective department chair and with the approval of the Management Committee and the Dean.

IV. MEDICAL PRACTICE OBLIGATIONS

Individual faculty practitioners shall abide by accepted clinical practice standards and the regulations governing professional practices and the rights of patients. The individual practitioners of OU Physicians will fulfill contractual obligations and provide services as required and agreed upon by OU Physicians.

V. GOVERNANCE OF OU PHYSICIANS

1. OU Physicians includes within its membership the entire range of medical disciplines and specialties. It is understood that there are significant differences among these disciplines, specialties, departments, and the two campuses of the College of Medicine. These differences must be recognized in the governance and operations of OU Physicians.

2. There shall be two geographic operational units of OU Physicians, which are the Oklahoma City campus and the Tulsa campus of the University of Oklahoma College of Medicine. Programs of the College of Medicine that exist in other locations are linked to one of the two major campus units, are subject to this plan and these Bylaws, and shall be included within their respective linked geographic unit.

3. The Executive Dean of the College of Medicine shall have overall responsibility for organizing the management, planning, and operations of both geographic operational units of OU Physicians. The Executive Dean may delegate to the Dean of the College of Medicine-Tulsa the responsibility for organizing the management, planning, and operations of the Tulsa unit of OU Physicians.

4. In the sections on OU Physicians governance, for the purposes of these Bylaws only, the Executive Dean of the College of Medicine and the Dean of the College of Medicine-Tulsa shall each be referred to as “Dean” in order to provide consistent language. Nothing in this language shall be construed to alter the reporting
relationship of these two individuals, as established by the Board of Regents of the University of Oklahoma.

5. The governance structure of OU Physicians shall be as delineated in Section VI, The Advisory Board, and in Section VII, The Management Committee.

6. OU Physicians and all its component parts shall comply with all University, Health Sciences Center, and College of Medicine policy and procedures, including those dealing with management and financial accountability.

VI. THE OU PHYSICIANS ADVISORY BOARD

1. Each geographic operational unit of OU Physicians shall be responsible for creating an Advisory Board. The Advisory Board for each operational unit shall represent the full membership of the OU Physicians in that unit. The Advisory Board is advisory to the Executive Dean and nothing in these bylaws removes the powers, duties and obligations of the Executive Dean.

2. Within its respective operational unit, the functions and responsibilities of the Advisory Board shall include:

   (a) The Advisory Board shall represent the full membership of OU Physicians and shall be advisory to the Dean on professional practice matters.

   (b) The Advisory Board shall recommend for the Dean’s approval and appointment a chief executive officer and a chief medical officer to administer and operate the affairs of OU Physicians.

   (c) The Advisory Board is responsible for developing and/or approving operational policies and procedures for OU Physicians, subject to approval by the Dean.

   (d) The Advisory Board may recommend incentive compensation plans for awarding and distributing clinical revenues.

   (e) The Advisory Board is responsible for review and may recommend approval of the annual OU Physicians budget.

   (f) The Advisory Board shall approve capital expenditures that exceed limits determined periodically by the Advisory Board, subject to approval of the Dean.

   (g) The Advisory Board shall conduct OU Physicians strategic planning sessions at least every three years.
3. The Advisory Board of each operational unit shall be composed of:

(a) The Dean of the College of Medicine.

(b) Each Chair of a clinical department with eligible full-time faculty members. For OU Physicians, Pathology shall be classified as a clinical department.

(c) The Associate Dean for Clinical Affairs.

(d) The chief administrative officer of OU Physicians.

(e) The Medical Director or Chief Medical Officer of OU Physicians.

(f) At least three but no more than seven members-at-large, to be selected on the basis of criteria established in each operating unit’s operational policies and procedures.

4. Meetings. The Advisory Board shall meet four times yearly. Any member of OU Physicians may attend any meeting of the Advisory Board in a non-voting capacity excluding sessions involving personnel or other closed sessions involving sensitive matters.

5. Officers. The officers of the Advisory Board of each operational unit shall be as follows: The Chair on the Oklahoma City campus shall be the Executive Dean of the College of Medicine. The Chair on the Tulsa campus shall be the Dean of the College of Medicine-Tulsa. The Vice Chair on the Oklahoma City campus shall be the Chief Medical Officer. The Vice Chair on the Tulsa campus shall be the Medical Director. The Secretary shall be the chief administrative officer of OU Physicians on each campus. The officers shall perform such duties as naturally appertain to their respective offices and duties assigned by the Advisory Board.


VII. THE MANAGEMENT COMMITTEE

1. Each geographic operational unit of OU Physicians shall establish and maintain a Management Committee. An operational unit may use another name for this committee, but the committee’s function shall be the same. Because of the significant difference in size of faculty practice at Tulsa, the Tulsa campus may use the same group of individuals as the Advisory Board and the Management Committee if desired.

2. The duties of the Management Committee shall include but are not limited to the following:
(a) The Management Committee shall exercise the full power of the Advisory Board between the meetings of the Advisory Board, excluding the rights specifically reserved to the Advisory Board in Article VI.2.

(b) The Management Committee shall be advisory to the Dean for the operation and management of the joint activities and shared programs of OU Physicians.

(c) The Management Committee is responsible for the oversight of the operations of the OU Physicians clinical practice.

(d) The Management Committee shall annually propose an operating budget and assessment necessary for the operation of the plan subject to approval of the Advisory Board and Dean.

(e) The Management Committee shall facilitate the operation of the plan as an integrated multi-specialty medical group practice.

(f) The Management Committee may determine operating, financial, and other management reports necessary to the efficient administration and operation of the plan and to satisfy audit requirements.

(g) The Management Committee may engage outside legal counsel with approval of the University General Counsel. The Management Committee may engage accountants, consultants, and others, as required.

(h) The Management Committee is responsible for establishing guidelines for group contracting for clinical service agreements.

(i) The Management Committee shall have the authority to identify and establish or recommend corrective actions for deficiencies in clinical services.

(j) The Management Committee may establish programs and procedures for quality improvement, quality assurance, compliance, marketing, and risk management, subject to approval of the Dean.

3. The membership of the Management Committee shall consist of the following specific individuals or categories of individuals

(a) The Dean of the College of Medicine

(b) The Associate Dean for Clinical Affairs and/or Chief Medical Officer (Medical Director) of OU Physicians

(c) The chief administrative officer of the operational unit of OU Physicians

(d) Department chairs, the selection of which is to be established by operational procedures developed by each geographic operational unit.
(e) Elected faculty members, the number and method of election of which is to be established by operational procedures developed by each geographic operational unit.

4. Officers: The officers of the Management Committee shall include a Chair, Vice Chair, and Secretary. The Dean, or his designee, shall serve as Chair. The Management Committee shall elect the Vice Chair from its members. The chief administrative officer of the operational unit of OU Physicians shall serve as Secretary.

5. Meetings and Quorum. The Management Committee shall meet at least ten times yearly. The Committee shall also meet upon the call of the Chair or any five voting members of the Management Committee. A quorum shall consist of a simple majority of the members of the Management Committee. Any official action of the Management Committee requires a majority vote of the members present. Any member of OU Physicians may attend any meeting of the Management Committee in a non-voting capacity excluding sessions involving personnel or other closed sessions involving sensitive matters.

VIII. COMMITTEES OF OU PHYSICIANS

The Advisory Board and Management Committee shall have the power to create such standing and ad hoc committees as are required to conduct the business of OU Physicians efficiently and effectively. The standing committees shall be designated in the operational policies of each respective geographic operational unit.

IX. ANNUAL MEETING OF MEMBERS

Annually, at a time to be determined by the Management Committee and/or the Advisory Board, there shall be a meeting of the full membership of each operational unit of OU Physicians, at which the officers shall give a report of the activities of the Management Committee, the Advisory Board, and the plan. Special meetings may be called upon the request of the Management Committee or the Advisory Board or by the Dean. Those members in attendance at annual or specially called membership meetings will be considered a quorum for conducting business.

X. OPERATIONAL POLICIES AND PROCEDURES

Each geographic operational unit of OU Physicians shall establish such written Operational Policies and Procedures as are necessary to provide for accountable and appropriate management of the practice plan and the group’s medical and fiscal affairs. These policies and procedures are subject to review and approval of the Management Committee and/or Advisory Board as appropriate. Operational policies and procedures shall comply with all University requirements, policies, and procedures.
XI. AMENDMENT OF OU PHYSICIANS BYLAWS

1. Ultimate authority for amendment of these Bylaws rests with the Board of Regents of the University of Oklahoma.

2. Proposals for amendments may originate with OU Physicians, the Executive Dean, the Senior Vice President and Provost of the Health Sciences Center, the President, or the Board of Regents.

3. Proposals by OU Physicians to amend the Bylaws shall be brought to the by the Executive Dean of the College of Medicine to the Senior Vice President and Provost (OUHSC) and to the President for consideration.

4. Proposals for amendments originating with OU Physicians may be brought to both operational unit’s Advisory Board by any of three methods:

   (a) Formal recommendation of the Advisory Board of either the Oklahoma City or Tulsa operational unit.

   (b) Formal recommendation of the Management Committee of either the Oklahoma City or Tulsa operational unit.

   (c) Petition from 15% of the current faculty from either the Oklahoma City or Tulsa operational unit.

5. All proposed amendments approved by the Advisory Board of the Tulsa operational unit must be approved by the Dean of the College of Medicine-Tulsa. The Executive Dean of the College of Medicine must approve amendments approved by the Advisory Board of either operational unit.

6. All proposed amendments approved by the Advisory Boards of both campuses and the Executive Dean shall be brought to a vote of the OU Physicians’ membership on both campuses who are present at an annual meeting or a special called meeting. Approval requires a two-thirds majority of those present and voting. Proposed amendments shall be circulated to the voting members at least seven (7) days prior to the membership meeting. Electronic voting by members of OU Physicians may be utilized for voting on amendments if approved by the Advisory Board.

7. Amendments approved by the voting membership shall be forwarded through the Executive Dean of the College of Medicine to the Senior Vice President and Provost of the Health Sciences Center, and to the President of the University for submission to the Board of Regents of the University of Oklahoma.

8. Amendments originating with the Executive Dean, the Senior Vice President and Provost of the Health Sciences Center, the President, or the Board of Regents will be forwarded to the Advisory Board for formal comment to the President prior to
9. Amendments to the Bylaws do not take effect until ratified by the Board of Regents of the University of Oklahoma.

Revision Approved February 2004 by vote of OU Physicians membership.

(Regents, 9-13-94, 3-6-96, 3-5-97, 5-7-04)
COLLEGE OF MEDICINE
FACULTY COMPENSATION PLAN

I. COMPENSATION PLAN PURPOSE AND OBJECTIVES

A. Purpose

The purpose of the plan is to provide a basis for establishing compensation and incentives for the clinical and basic sciences faculty of the University of Oklahoma College of Medicine (COM).

B. Objectives

The Compensation Plan shall strive to achieve the following objectives:

- Be uncomplicated and understandable to participants.
- Provide adequate compensation to attract and retain faculty.
- Ensure fairness among faculty.
- Establish a structure to set compensation.
- Provide incentive to encourage clinical and research productivity.
- Provide for incentives to control expenses, improve quality, and strengthen the fiscal position of the departments, OU Physicians, and the COM.
- Create discretionary funds for program and faculty development.
- Provide funds for support of the COM.
- Be responsive to changes in the market.

II. APPLICABILITY

The Compensation Plan will:

 Apply to all full-time and part-time clinical and basic sciences faculty.

Apply to all sources of collected revenue generated within a faculty member's scope of employment with the college, including, but not limited to, the following:

a. Patient care fees and all other professional practice revenue wherever earned by the faculty members
b. Professional consultation
c. Medical legal consultation
d. Honoraria
e. Compensation for supervision of professional services

The following are not included within the scope of this Compensation Plan:

a. Prizes and awards
b. Faculty members' interest in:
   i. Royalties

July, 2008
ii. Copyrights
iii. Patent rights

c. Nonprofessional income
d. Compensation received as a result of military duty
e. Income earned while on a sabbatical or leave that has been approved by the Regents

III. OVERVIEW OF FACULTY COMPENSATION STRUCTURE

A. Introduction

Faculty compensation will be comprised of four possible components:

University base
Departmental Salary
Departmental Clinical Salary
Incentives

The term “Total Compensation” refers to the aggregate compensation derived from these four components.

Funds available to compensate faculty are derived from several sources:

College of Medicine
Hospital and affiliated agency support
Grant and contract support
Professional and/or medical legal consultation
Professional fee revenues
  Fee-for-service (FFS)
  Capitation and package price contracts.

B. Guaranteed Salary

The Guaranteed Salary (as noted in B1, B2, and B3 below) will be determined annually and will be set forth in the written, annual compensation agreement between the faculty member and the department and approved by the Board of Regents.

The Guaranteed Salary will be guaranteed by the department for the contract year.

For grant proposals to external agencies, the faculty members’ salaries will be based on the annual Guaranteed Salary. For example—the Guaranteed Salary will serve as the basis for calculation of the “direct salary” included on NIH grant or cooperative agreement proposals or applications (as per Notice OD-01-013 from NIH, January 11, 2001, or as it may be subsequently modified).
1. **University Base Compensation (X₁)**

The University base is paid to all full-time faculty as part of employment with the college and to part-time faculty for specific services provided to the college.

The University base will be determined by a salary structure that considers rank and specialty.

The University base will be recommended by the department chair and approved by the COM Dean and University Board of Regents.

The University base for department chairs will be recommended by the COM Dean and approved by the University Board of Regents.

Except as provided in other University policies, the University Base (X₁) will stay the same or increase in subsequent years.

Sources for the University Base component may include the following: state appropriations, hospital support, clinical earnings, grant and contract support, fees from consulting, and affiliated agency support.

2. **Departmental Salary (X₂)**

The departmental salary will be based upon a faculty member’s contributions to the departmental mission.

The Departmental Salary will be proposed by the chair of the department annually, based upon the faculty member’s performance and the department’s fiscal circumstances. The departmental salary will be reviewed and approved by the COM Dean. The departmental salary may increase, decrease or stay the same in subsequent years.

The COM Dean and the University Board of Regents will approve the departmental salary for department chairs.

Sources for the Departmental Salary component may include the following: state appropriations, hospital support, clinical earnings, grant and contract support, and affiliated agency support.

3. **Departmental Clinical Salary (Y)**

The departmental clinical salary will be based upon a faculty member's contributions to the practice plan activities of the department.

The Departmental Clinical Salary will be proposed by the chair of the department annually based upon the faculty member’s performance and the department’s fiscal circumstances. The departmental clinical salary will be
reviewed and approved by the COM Dean. The departmental clinical salary may increase, decrease or stay the same in subsequent years.

The COM Dean and the University Board of Regents will approve the departmental clinical salary for department chairs.

Sources for the Departmental Clinical Salary component may include only clinical earnings.

C. Incentive Compensation (Z)

Faculty may also be eligible for additional compensation in the form of an incentive.

Plans for distributing the incentive and formulas for determining incentives will be set by the department chair and approved by the COM Dean.

The COM Dean and University Board of Regents will approve the incentive component for department chairs.

Sources for the incentive component include the following: salary savings as part of the Sponsored Programs Research Incentive Plan, clinical and consulting earnings.

D. Final Incentive Compensation Payments

The final incentive compensation payment will be paid to a faculty member either within the same month as the termination date or in the month immediately following. This final payment will be calculated in a manner consistent with the applicable departmental compensation plan. This section applies to all faculty whose University service date is after October 31, 2004, and to all faculty whose University Service date is prior to October 31, 2004, unless there is a contrary written agreement entered into between an individual faculty member and the department prior to October 31, 2004.

All Department plans will stipulate the manner in which final incentive compensation payments are calculated. Estimated collections of patient accounts receivable, outstanding revenues (honoraria or consulting fees), and unpaid expenses, including, but not limited to, the faculty member’s portion of the cost of medical malpractice insurance tail coverage, may be considered in this calculation.

E. Review and Approval

All Department compensation plans must adhere to the guidelines in the COM Compensation Plan, and all Department plans will be reviewed and approved by the Dean.
The COM Dean will approve the total compensation for each department chair on an annual basis. Monthly payments to chairs on the departmental salary/supplement and incentive components of total compensation will be approved by the Dean’s Office.

When a faculty member’s total compensation exceeds the 85th percentile of the most current AAMC Survey of Faculty Compensation, the Department will submit to the Dean’s Office for review and approval a justification for the compensation level, including a detailed computation.

(Regents, 6-19-02, 10-27-04)
I. PREAMBLE

The faculty of the College of Nursing is made up of both full-time and part-time faculty. The Faculty Practice Plan (FPP) applies to all nine-, ten-, and twelve-month faculty who hold full-time appointments.

Full-time members of the College of Nursing accept all rights, privileges and obligations of other University faculty as set forth in the University policies. Accordingly, a person who accepts full-time employment in the University of Oklahoma owes his first duty and his first loyalty to the University.

Obligations of a faculty member are not limited to meeting classes but include related activities of teaching, research and creative scholarly activity and professional and University service and public outreach, as well as University governance. Faculty are encouraged to engage, within the limits of the time available to them, in such income-producing activities as consulting work, sponsored research, professional nursing practice and other activities which are closely related to their University work. The decision to engage in such professional activities by the faculty members will be made with the knowledge and understanding that it must be done in accordance with the provisions of this policy.

Faculty who actively participate in professional activities acknowledge that it requires of the faculty a significant commitment in terms of energy, emotional dedication, time and the assumption of personal liabilities in addition to those assumed in carrying out academic programs.

Adherence to this policy, as with all Regents’ policies, is a condition of appointment for full-time faculty in the College of Nursing. Under this policy, the faculty member is responsible to the Dean and the Dean, through the Senior Vice President and Provost, to the President.

II. OBJECTIVES

1. To provide a uniform procedure for professional accountability in matters of professional activities and the income generated by these activities.

2. To improve the patient care and consultative resources of the Health Sciences Center for the benefit of the public health.

3. To promote discussions, seminars, or workshops under the aegis of the College of Nursing for the purpose of exchanging information and furthering the state of art of the profession.

4. To provide exemplary patient care and consultative models to meet the educational, research, and service goals of the College of Nursing.
5. To enhance recruitment and retention of highly qualified faculty by providing a source of funds with which to supplement income.

6. To provide incentives to the faculty to engage in the practice of their professions, to maintain and improve professional skills, and professional credentials.

7. To provide a procedure for accounting, reporting and auditing of all generated income.

8. To provide a procedure for the disbursement of generated income.

9. To provide basic financial data which can be made available and visible to all who have a legal right to examine such information.

### III. DEFINITION OF TERMS

1. Membership

   All full-time faculty of the College of Nursing shall be members of the Faculty Practice Plan.

2. Base Salary

   Base salary is defined as salary paid to the faculty by the College of Nursing or by affiliated institutions as part of the faculty member’s workload within the Oklahoma Health Center. This does not include any paid benefits of employment.

3. Workload/Work Time

   Faculty members will be given workload assignments in accordance with the Workload Policy by the Assistant Dean of Academic Affairs. It is expected that a faculty member’s first priority will be the duties at the College of Nursing.

4. Supplemental Professional Earnings

   Income generated by professional activities such as consulting or professional nursing practice, as discussed with and approved by faculty supervisor.

   a) Sources of Supplemental Professional Earnings

   Sources of supplemental professional earnings include, but are not limited to, the following:

   - Nursing practice fees wherever earned by the faculty member.
   - Professionally related consultation and community services
   - Honoraria including but not limited to invited speaking, grant reviews, and continuing education teaching.
   - Fees received for tutorial services
b) Income Exclusions

- Prizes and awards
- Faculty members interest in:
  1. Royalties
  2. Publication payments
  3. Copyrights
  4. Patent rights
- Nonprofessional income
- Compensation received as a result of military leave
- Income earned during paid leave, leave without pay, winter and spring breaks for nine- and ten-month faculty, and/or sabbatical leave
- Salary included under the definition of base salary.
- Income earned during those hours required to maintain clinical certification.
- Income earned during work for the College of Nursing Case Management Program.
- Income earned by supervising prescriptive authority students until such time that prescriptive authority is incorporated into the curriculum. After that incorporation is completed, monies earned supervising prescriptive authority through continuing education is subject to inclusion under the Faculty Practice Plan.

IV. OPERATIONAL PROCEDURES

All operational procedures for the FPP are addressed in the College of Nursing operational procedures document.

(Regents 06-19-02, 01-25-06)
I. PREAMBLE

The Faculty of the College of Pharmacy is composed of professionals with diverse backgrounds and specialties, each uniquely qualified to contribute to the health care delivery process and thus ultimately improve the level of patient care. Faculty may be involved in the delivery of professional services and this may manifest itself as direct patient care, consultation and/or education of patients and professionals.

When members of the Faculty deliver specialized personal consultative services or patient care, these Faculty members by their personal efforts and presence enhance the stature and reputation of the College of Pharmacy and the Health Sciences Center.

A reasonable degree of active involvement of the Faculty in the delivery of professional services is necessary to provide role-models for students, demonstrate the educational goals of the College of Pharmacy, and maintain professional skills. This contributes to the educational mission of the College of Pharmacy, including the research component of education. Active participation in health care delivery and professional services requires of the participant a significant commitment in terms of energy, emotional dedication, time, and the assumption of personal liabilities in addition to those assumed in carrying out academic programs.

II. OBJECTIVES

A. To improve patient care and consultative resources of the Health Sciences Center for the benefit of the public health. To provide exemplary patient care and consultative models to meet the educational, research, and service goals of the College of Pharmacy.

B. To ensure effective control and administration by the University of Oklahoma and the College of Pharmacy of all PPP monies received and disbursed. To provide reporting and auditing of all monies received and disbursed as a result of Professional Practice of the membership.

C. To enhance recruitment and retention of highly qualified faculty by providing alternate funding sources with which to supplement income. To provide incentives to the Faculty to engage in the practice of their professions. To maintain and improve professional skills, and to enhance Faculty scholarship.
III. DEFINITION OF TERMS

A. Membership

Membership in the Plan applies only to those individuals of The University of Oklahoma College of Pharmacy who hold a greater than 50% appointment in the College of Pharmacy and have a modified or unmodified Faculty appointment.

All members of the Faculty of the University of Oklahoma College of Pharmacy must be appointed members of the plan as individuals and they must exercise their professional capabilities under this policy as individuals. The University will not recognize individual, section, or departmental corporations under this policy.

B. Guaranteed Base Salary

The guaranteed base salary is specified and guaranteed annually by contract with The University of Oklahoma, or one of the affiliated hospitals or clinics or other institutions of the Health Sciences Center, through appointment to the faculty of the College of Pharmacy by The Board of Regents of The University of Oklahoma. The guaranteed base salary compensates the individual faculty member for that portion of his or her time which will be devoted to academic programs and to ensure that the academic programs take precedence over other responsibilities. This also includes amounts paid as a guaranteed salary by the Veterans Affairs Medical Centers and other affiliated hospitals for teaching and/or patient services. It is recognized the faculty member may devote as much of the remainder of his or her time as he or she wishes to professional practice activities and/or other professional involvement.

C. Covered Activities

Covered activities include all pharmacy-related professional and educational activities undertaken by a faculty member that are not assigned or required to support the academic programs of the College of Pharmacy. Examples include, but are not limited to, patient care activities, professional consultation, honoraria, continuing professional education, and all other professional activities not specifically excluded within these policies.

D. Generated PPP Income

All sources of income by College of Pharmacy faculty from activities covered by the PPP which are not compensated by the guaranteed base salary.

IV. OPERATIONAL PROCEDURES

A. It is the prerogative of the individual faculty member to determine whether and to what extent he or she wishes to engage in professional practice activities. Participation in professional practice activities must be approved by the individual faculty member’s department chair prior to commencing such activities.
B. The University shall not possess the right to control or direct faculty member employees regarding the performance of their professional practice activities. The University shall neither control nor direct the faculty member in their chosen PPP activities in such a way that will bias or interfere in the expected outcomes or results to be accomplished through the professional practice activity. Within a Pharmacist-Patient relationship, the right to terminate the Pharmacist-Patient relationship shall be vested only in the Patient and Pharmacist.

C. The decision to engage in such professional practice activities by the faculty members will be made with the knowledge and understanding that the fees received for covered activities and professional services are to be included as generated PPP income governed by this policy. University fringe benefits will be computed on the guaranteed base salary. Amounts paid above these base salary amounts are to compensate faculty members for their professional practice activities. Such amounts will be paid to faculty members as W-2 income and may be included in the calculations of the University fringe benefits.

D. Individuals participating in professional practice activities are required to report these activities to the department chair or other appropriate supervisor prior to initiating the activity and are required to adhere to University policy related to the processing of contracts and grants.

E. Generated PPP income should be paid to the University and deposited directly into the College of Pharmacy Professional Practice Plan account. In those approved instances where payment is made directly to participating individuals, those funds must be deposited in this same PPP account. Sources of Generated PPP Income include:

1) Patient care fees wherever earned by the faculty members
2) Professional consultation
3) Honoraria
4) Continuing Education not sponsored by the OU College of Pharmacy
5) Continuing Education sponsored by the OU College of Pharmacy
6) Salary or hourly payments generated through one of the above covered activities
7) All other professional activities not specified as excluded (below)

F. Some types of income are not considered as generated PPP income and are excluded from these policies. Faculty should contact the department chair or supervisor to determine whether income earned falls into one of the categories of excluded income. Examples of income exclusions include:

1) Prizes and awards
2) Non-professional income
3) Compensation received as a result of military leave
4) Income earned during leave without pay, but only when exclusion is specifically authorized by the Regents
5) Faculty members’ interests in:
   (a) Royalties
   (b) Copyrights
   (c) Patent Rights

G. In the case where compensation has already had FICA, State and Federal Tax paid: The University will withhold employee and employer FICA, State and Federal taxes. To receive employer FICA back from the University, you must wait until the University has fully paid employer portion of FICA and request transfer to your (PPP account) the portion of employer FICA withheld from your PPP income.

H. In the case where compensation has already had FICA, State and Federal Tax paid: inclusion of a copy of check stub and indication on PPP request TAXES PAID will prevent FICA, State and Federal Taxes from being withheld twice.

I. The approved percentage of PPP income to be paid to the Plan will be five (5) percent of OU College of Pharmacy Continuing Education income and ten (10) percent of “Other” income as listed in IV. E. 1-7. The monies paid to the Plan will cover direct and indirect administrative costs of the College and provide for a faculty development fund.

J. Generated PPP income and payments are subject to University policies related to Billing, Collecting, Accounting, Disbursements, and Auditing.

1) The College of Pharmacy Professional Practice Plan account, a Special Agency Account of the University of Oklahoma Health Sciences Center, is the only authorized depository. This account will be the sole depository and expenditure account for generated PPP income and payments under this Plan. This account will be used for this purpose only and no commingling of funds will be permitted. All generated PPP income will pass through this account before being transferred to individual accounts or paid to the Faculty member.

2) All accounts will be handled in accordance with standard accounting principles of the Statutes of the State of Oklahoma, and the Policies of the Regents of The University of Oklahoma, as they apply to Special Agency Accounts. All funds for educational and general purposes will be transferred to the Revolving Fund before being expended.

3) The Dean’s designee will make an annual report available to the PPP membership detailing the expenditures from the College of Pharmacy Professional Practice Plan account each calendar year.

V. DISPOSITION OF GROSS GENERATED INCOME

A. The approved percentage of PPP income paid to the Plan is designated to cover expenses under the Plan (see Item IV. I) and to provide funding for general faculty development activities and opportunities.
B. The balance will be paid to that individual Faculty member or group within the College of Pharmacy, to the extent that the individual Faculty member or Faculty members of the group have contributed to the generation of income.

VI. GOVERNANCE OF THE PROFESSIONAL PRACTICE PLAN

A. The Professional Practice Committee of the College of Pharmacy is established to provide oversight of the Professional Practice Plan.

1. Composition

The Professional Practice Committee shall consist of: three (3) members elected for staggered three-year terms from the participating membership. No elected member shall serve more than two consecutive three-year terms.

2. Charge

The Professional Practice Committee shall be charged with the responsibility of advising the Dean regarding the administration of the Professional Practice Plan on behalf of the College of Pharmacy Faculty. The University administration including the accounting and legal departments, are available to assist the Committee as needed. In addition, the Professional Practice Plan Committee may obtain, at its expense, the advise of legal counsel, accountants, consultants, and others as required. It is expressly understood, however, that only the University legal counsel may prepare legal documents and represent the University and its constituent parts in its external affairs.

3. Meeting and Quorum

(a) The Professional Practice Committee shall meet with the Dean at least once every calendar year or upon call of the Dean. The committee will also meet as necessary to discuss issues communicated to them by faculty or to conduct other business. A quorum shall consist of not less than two (2) committee persons.

(b) Annually, at a time to be determined by the Professional Practice Committee, there shall be a meeting of the full membership of the Professional Practice Plan at which time an Annual Report of the Professional Practice Plan shall be given by the Professional Practice Plan Committee to the faculty. In addition, elections will be held for members of the Professional Practice Plan Committee. Special meetings may be called upon request of the Professional Practice Committee. The Annual Report shall contain a record of funds generated and disbursed retaining confidentiality of source of income and amount of income generated by or disbursed to each individual Faculty member.

(c) Written proxy vote will be accepted contingent upon the proxying member delivering the proxy to a PPP member with a copy to the Chair.
VII. ACCOUNTABILITY

A. The Faculty:

1) Each faculty member holding an appointment in more than one College of the University of Oklahoma shall have, for purposes of this Plan, a primary college or department responsible for depositing and monitoring generated income. Faculty members holding joint appointments in the College of Pharmacy and in some other College shall participate in the Plan of the College which has primary responsibility for their promotion and tenure as defined in the Faculty Handbook. The process of exercising their discretion as professionals regarding matters of patient care and other professional activities, does not diminish their responsibility to account to The University under the plan for all income earned nor relieve them of the duty of compliance with policies and agreements of The Board of Regents governing site of practice. Although no time limitations are placed on faculty involvement in PPP activities, it is each faculty member’s responsibility to insure that primary obligations to The University are above reproach.

2) Adherence to this Policy, as well all The Board of Regents’ policies is a condition of employment for individuals of The University of Oklahoma College of Pharmacy who hold a greater than 50% appointment in the College of Pharmacy and have a modified or unmodified Faculty appointment. Under this policy, as in all University matters, the members of the College of Pharmacy are responsible to the Dean and the Dean through the Senior Vice President and Provost to the President.

B. The Dean:

1) If this policy is to achieve its objectives, the income producing activities of the College must be well managed. Anything less than sound management will hinder the College’s growth and development and damage the potential for Faculty income. It is important that everyone understand who is responsible. The Dean is charged with the responsibility of managing the business affairs of the College, including its income generating activities. At the same time the Faculty has a great interest in the College’s development and in their own incomes. The advise of the Practice Plan Committee should be carefully weighed by the Dean.

2) The Practice Plan Committee cannot advise, however, without sound data; nor can the Faculty evaluate the performance of management or of the Practice Plan Committee without information. It shall, therefore, be the duty of the Dean or designee, in addition to conferring regarding policy and direction, to confer quarterly with the Practice Plan Committee regarding the costs associated with the operation of the College’s income producing activities and at least once each year review with the whole membership the costs of the Plan.

3) The Dean shall also respond to questions posed by the members at the Annual Meeting, address the membership on the state of the College generally and
make specific recommendations as to how the membership can improve the programs or assist in improving the management of the College's income producing activities.

VIII. MISCELLANEOUS PROVISIONS

A. Policy Amendments

1) The policy for operation and governance of the Professional Practice Plan may be amended from time to time in any particular by the Regents of the University of Oklahoma.

2) Proposed amendments will be submitted to the Professional Practice Committee for advice or comment. In addition, amendments to the policy may be proposed or initiated for the consideration of the Regents by:

   (a) Petition by greater than 1/3 of the members followed by

   (b) Presentation by the Professional Practice Plan Committee with recommendation to the full membership, and requiring

   (c) Ratification by written ballot of 2/3 of the full membership, and

   (d) Forwarding the proposed amendment through the Dean of the College of Pharmacy and Senior Vice President and Provost, Health Sciences Center, to the President for approval for submission to the Board of Regents of the University of Oklahoma.

(Regents, 7-29-93, 11-5-09)
THE UNIVERSITY OF OKLAHOMA
COLLEGE OF PUBLIC HEALTH
PROFESSIONAL PRACTICE PLAN

I. PREAMBLE

The faculty of the College of Public Health is composed of professionals of diverse backgrounds and expertise each qualified to contribute to the improvement of the health of the public. Hence, faculty members may be involved in consultative and/or educational activities.

When members of the faculty deliver specialized professional consultative and/or educational services, the stature and reputation of the College of Public Health and The University of Oklahoma Health Sciences Center are enhanced.

A reasonable degree of active involvement of the faculty in the delivery of professional services is necessary to provide role models for students and to maintain professional skills. Each of these contributes to the missions of the College of Public Health. It is recognized that participation in consultative and/or educational activities requires a significant commitment of time and energy as well as the assumption of personal liabilities.

It is understood that the University shall not possess the right to control or direct faculty members in the performance of their professional practice activities, and that whether or not a faculty member conducts professional practice activities shall be within each faculty member’s sole discretion and the university shall neither control nor direct the faculty member as to the results to be accomplished. This understanding, however, does not exempt faculty from conflicts of interest limitations.

It is further understood that the faculty member’s primary professional responsibility is to the academic programs of the University and its affiliated institutions. All outside professional activities must be secondary.

Adherence to this policy, as with all policies of the Board of Regents, is a condition of employment for faculty in the College of Public Health. Under this policy, as in all University matters, the members of a department are responsible to their chairperson, as the chairperson is responsible to his/her Dean, and the Dean, through the Senior Vice President and Provost of the Health Sciences Center, to the President, and subsequently to the Regents.

II. OBJECTIVES

The objectives are:

(a) To enhance the recruitment and retention of highly qualified faculty by providing alternate funding sources with which to supplement income; to provide incentives to the faculty to engage in the practice of their professions; to maintain and improve professional skills; and to enhance faculty scholarship.
(b) To improve the consultative and educational resources of the Health Sciences Center for the benefit of the public health.

(c) To ensure effective administration by The University of Oklahoma and the College of Public Health of all monies received and distributed, and to provide reporting and auditing of all monies received and disbursed as a result of professional practice by the faculty.

III. DEFINITIONS

(a) Those individuals of the College of Public Health who hold at least a 50% appointment in the College and have a modified or unmodified faculty appointment are members of the Professional Practice Plan. For those individuals holding a 9-10 month appointment, those funds earned during the 2-3 months of non-appointment are not included.

(b) All members of the faculty of the College of Public Health are appointed as individuals and they must exercise their professional capabilities under this plan as individuals. The University will not recognize individual, section, or departmental corporations.

(c) The guaranteed base salary is that guaranteed annually by contract with The University of Oklahoma or one of its affiliated institutions. This is to compensate the individual for that portion of his or her time which will be devoted to academic programs and to ensure that the academic programs take precedence over other responsibilities as determined by the Department Chair. It is recognized that individual faculty members may devote as little of the remainder of his or her work week as he or she wishes to professional practice activities and/or other professional involvement.

(d) The maximum amount of the work week that may be devoted to professional practice activities shall be negotiated annually at the time of annual review with the Department Chair or if not affiliated with a Department, with the Director of the Center or Institute. Any agreements are to be in writing. The Chairman of the Department will allow faculty to have a reasonable amount of time for professional practice activities, in keeping with the terms of this plan. In the case of Department Chairs, the amount of the work week devoted to professional practice activities shall be negotiated annually with the Dean, and in turn, the Dean shall negotiate with the Senior Vice President and Provost.

(e) Non-professional income is that income generated by activities outside the professional expertise for which the faculty member is hired by the University or one of its affiliated institutions.

IV. OPERATIONAL PROCEDURES

(a) It is the prerogative of the individual faculty member to determine whether and to what extent he or she wishes to engage in professional practice activities subject to negotiation with the Chair. The decision to engage in such professional practice
activities by the faculty members will be made with the knowledge and understanding that the fees received for professional services, earned during or outside the work week, are to be included as generated income governed by this policy. University fringe benefits will be computed on the guaranteed base salary. Amounts paid above these base salary amounts are to compensate faculty members for their professional practice activities. Such amounts will be paid to faculty members as W-2 income and may be included in the calculations of the University fringe benefits.

(b) Sources of Generated Income

i. Patient care and professional fees whenever or wherever earned by the faculty members
ii. Professional consultation
iii. Honoraria
iv. Continuing and other forms of education
v. Expert legal testimony

(c) Income Exclusions

i. Prizes and awards
ii. Non-professional income
iii. Compensation received as a result of military leave
iv. Income earned during leave without pay, but only when exclusion is specifically authorized by the Regents
v. Faculty members’ interests in:
   (1) Royalties
   (2) Copyrights
   (3) Patent Rights
vi. Reimbursement for travel expenses

(d) In the case where compensation has already had FICA, State and Federal Tax paid: inclusion of a copy of check stub and indication on PPP request TAXES PAID will prevent FICA, State and Federal taxes from being withheld twice.

(e) In the case where compensation has not already had FICA, State and Federal Tax paid, the University will withhold employee and employer FICA, State and Federal taxes and other applicable benefits.

(f) Billing, Collecting, Accounting, Disbursements, and Auditing

i. All revenues generated from faculty practice must be deposited with the HSC College of Public Health Professional Practice Plan.

ii. All receipts and disbursements will be handled in accordance with applicable University of Oklahoma Health Sciences Center, University of Oklahoma Board of Regents, and State of Oklahoma guidelines.
V. DISPOSITION OF GROSS GENERATED INCOME

Funds are to be expended in the following order:

(a) All direct and indirect expenses used to generate income.

(b) One (1) percent to the Dean’s Fund for use in academic development of the College and four (4) percent to departmental funds.

(c) The balance will be paid to that individual faculty member or group within the College of Public Health, to the extent that the individual faculty member or faculty members of the group have contributed to the generation of income.

(d) Any other allocation requires a vote of the members of the professional practice plan.

VI. GOVERNANCE OF THE PROFESSIONAL PRACTICE PLAN

The Professional Practice Committee of the College of Public Health shall be the governing body as outlined below.

Composition

The Professional Practice Committee shall consist of one (1) member elected from each department for staggered three-year terms. No elected member shall serve more than two consecutive three-year terms.

The Professional Practice Committee shall be charged with the responsibility of advising the Dean and other University officials regarding the administration of the Professional Practice Plan on behalf of the College of Public Health Faculty. The University administration, including the accounting and legal departments, are available to assist the Committee as needed. In addition, the Professional Practice Committee may obtain, at its expense, the advice of legal counsel, accountants, consultants, and others as required. It is expressly understood, however, that only the University legal counsel may prepare legal documents and represent the University and its constituent parts in its external affairs.

Meetings and Quorum

The Professional Practice Committee shall meet with the Dean at least annually or on call of the Chair of PPP Committee or the Dean. A quorum shall consist of not less than two (2) committee persons.

Annually, at a time to be determined by the Professional Practice Committee, there shall be a meeting of the full membership of the Professional Practice Plan at which time an Annual Report of the Professional Practice Plan shall be given by the Professional Practice Committee to the faculty. In addition, elections will be held for members of the Professional Practice Committee. Special meetings may be called upon request of the Professional Practice Committee. The Annual Report shall contain a
record of funds generated and disbursed retaining confidentiality of source of income and amount of income generated by or disbursed to each individual faculty member.

Written proxy voting will be accepted contingent upon the proxying member delivering the proxy to a PPP member with a copy to the Chair.

VII. MISCELLANEOUS PROVISIONS

Policy Amendments

The policy for operation and governance of the Professional Practice Plan may be amended from time to time in any particular by the Regents of The University of Oklahoma. It is anticipated that the Regents will notify the members of the plan prior to such amendment with at least 30 days for response.

Proposed amendments will be submitted to the Professional Practice Committee for advice or comment. In addition, amendments to the policy may be proposed or initiated for the consideration of the Regents by:

1. Petition by greater than 1/3 of the members followed by,

2. Presentation by the Professional Practice Committee, with recommendation, to the full membership, and requiring,

3. Ratification by written ballot of 60% of the voting membership, and

4. Forwarding the proposed amendment through the Dean of the College of Public Health and Senior Vice President and Provost, Health Sciences Center, to the President for approval for submission to the Board of Regents of The University of Oklahoma.

(Regents, 9-2-76, 7-22-81, 2-9-84, 9-8-98)
COLLEGE OF PUBLIC HEALTH
FACULTY COMPENSATION PLAN

I. COMPENSATION PLAN PURPOSE AND OBJECTIVES

A. Purpose

The purpose of the plan is to provide a basis for establishing compensation and incentives for the faculty of the University of Oklahoma College of Public Health (COPH).

B. Objectives

The Compensation Plan shall strive to achieve the following objectives:

- Be uncomplicated and understandable to participants.
- Provide adequate compensation to attract and retain excellent faculty.
- Establish a structure to set compensation for faculty in a fair and consistent manner.
- Provide incentive for excellence and outstanding performance in teaching and mentoring, research and scholarly productivity, service, and administrative responsibilities.
- Provide for incentives to control expenses, improve quality, and strengthen the fiscal position of the departments and the COPH.
- Create discretionary funds for program and faculty development.
- Provide funds for support of the COPH.
- Be responsive to changes in the market.

II. APPLICABILITY

The Compensation Plan will:

Apply to all full-time and part-time COPH faculty.

Apply to all sources of collected revenue generated within a faculty member’s scope of employment with the college, including, but not limited to, the following:

a. Salary derived from all sources (state funds, grants, contracts, etc.)
b. Professional consultation
c. Honoraria

The following are not included within the scope of this Compensation Plan:

a. Prizes and awards
b. Faculty members’ interest in:
   i. Royalties
   ii. Copyrights
   iii. Patent rights
c. Nonprofessional income
d. Compensation received as a result of military duty  
e. Income earned while on a sabbatical or leave that has been approved by the Regents

III. OVERVIEW OF FACULTY COMPENSATION STRUCTURE

A. Introduction

Faculty compensation will be comprised of four possible components:

1. University base (X)  
2. Departmental Salary (Y)  
3. Incentive payments (Z)  
   (as defined by the COPH Incentive Plan, see HSC Faculty Handbook, section 8.5, page 8-6, and attached e-mail of 9/13/99)  
4. Professional Practice Plan income (PPP)  
   (as defined by the COPH Professional Practice Plan, see HSC Faculty Handbook, Appendix M, pages 22-45 through 22-49).

The term “Total Compensation” refers to the aggregate compensation derived from these four components (X + Y + Z + PPP).

Funds available to compensate faculty are derived from several sources:

- College of Public Health state funds allocation
- Grant support
- Contract support
- Professional consultation revenues (Fee-for-service)
- Endowed funds
- College discretionary funds

B. Guaranteed Salary

The Guaranteed Salary (as noted in B1 and B2 below) will be determined annually and will be set forth in the written, annual compensation agreement between the faculty member and the department and approved by the Dean and the OU Board of Regents.

The term “Guaranteed Salary” is defined as X + Y and will be guaranteed by the department for the contract (fiscal) year.

For grant proposals to external agencies, the faculty members’ salaries will be based on the annual Guaranteed Salary. For example—the Guaranteed Salary will serve as the basis for calculation of the “direct salary” included on NIH grant or cooperative agreement proposals or applications (as per Notice OD-01-013 from NIH, January 11, 2001, or as it may be subsequently modified).
1. University Base Compensation (X)

The University base is paid to all full-time faculty as part of employment with the college and to part-time faculty for specific services provided to the college.

The University base will be determined by a salary structure that considers academic rank, academic discipline, credentials and market factors.

The University base will be recommended by the department chair and approved by the COPH Dean and University Board of Regents.

The University base for department chairs will be recommended by the COPH Dean and approved by the University Board of Regents.

Except as provided in other University policies, the University Base (X) will stay the same or increase in subsequent years.

Sources for the University Base component may include the following: state appropriations, grant and contract support, and college discretionary funds.

2. Departmental Salary (Y)

The departmental salary, if any, will be based upon a faculty member’s contributions to the departmental mission. Faculty will only be considered for the Departmental Salary (Y) component based upon an appropriate merit rank on their annual evaluation by the Department Chair.

The Departmental Salary will be proposed by the Chair of the department annually, based upon the faculty member’s performance and responsibilities, and the department’s fiscal circumstances. The departmental salary will be reviewed and approved by the COPH Dean. The departmental salary may increase, decrease or stay the same in subsequent years.

The COPH Dean and the University Board of Regents will approve the departmental salary for department chairs.

Sources for the Departmental Salary component may include the following: state appropriations, grant and contract support, agency support, endowed funds and college discretionary funds.

C. Incentive Payments (Z)

Faculty may also be eligible for additional compensation in the form of incentive payments, as defined in the COPH Incentive Plan, (see HSC Faculty Handbook section 8.5, page 8-6, and attached e-mail of 9/13/99).
D. Professional Practice Plan (PPP)

Faculty will also be eligible for additional compensation, as defined in the COPH Professional Practice Plan (see HSC Faculty Handbook, Appendix M, pages 22-45 through 22-49).

Authorization
Reviewed and approved by the COPH Executive Committee, August 2, 2005.
Reviewed and approved by the COPH Faculty Board, October 13, 2005.

(Regents, 12-5-05)
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5. Schusterman Center, Building 5, Maintenance Shop
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9. Schusterman Center, Building 9, Urban Dev. Drafting
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12. Schusterman Center, Building 12, Office Building
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