



CHAPTER 2 – ADMINISTRATION OPERATIONS Table of Contents

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2.	Administrative operations.....	1
2.1	RULES OF OPERATION	1
2.5	STATE REGENTS' COMMITTEES.....	13
2.6	ELECTION OF STATE REGENTS' OFFICERS	18
2.7	ORIENTATION OF NEW BOARD MEMBERS.....	19
2.8	DELEGATION OF AUTHORITY TO CHANCELLOR.....	19
2.9	POLICY STATEMENT ON INDEMNIFICATION.....	25
2.10	STATE REGENTS' ETHICS POLICY	27
2.11	REASONABLE ACCOMMODATION POLICY	30
2.12	COMPLIANCE POLICY	33
2.13	REGENTS EDUCATION PROGRAM.....	35
2.14	STUDENT ADVISORY BOARD	40
2.15	FACULTY ADVISORY COUNCIL.....	44
2.15	COUNCIL ON INSTRUCTION	48
2.16	COUNCIL ON STUDENT AFFAIRS.....	50
2.17	COUNCIL OF BUSINESS OFFICERS	53
2.18	COMMUNICATORS COUNCIL	55
2.19	ECONOMIC DEVELOPMENT COUNCIL	59
2.20	COUNCIL ON INFORMATION TECHNOLOGY	62
2.21	CONSTITUTION OF THE COUNCIL OF PRESIDENTS	65
2.22	FACULTY RESEARCH FELLOW PROGRAM	68
2.23	USE OF TOWERS, FACILITIES AND COMMUNICATIONS SERVICES.....	70
2.24	ONENET ACCEPTABLE USE POLICY	72
2.25	ONENET RATE SCHEDULE	76
2.26	ROBERT S. KERR CONFERENCE CENTER	82
2.27	PRIVACY, DATA ACCESS AND MANAGEMENT	86
2.28	INSTITUTIONS' AFFIRMATIVE ACTION PLANS.....	92
2.29	E. T. DUNLAP MEDAL AND LECTURESHIP PROGRAM	93

2. ADMINISTRATIVE OPERATIONS

Administrative Rule Title 610 Chapter 1 Subchapter 7 (610:1-7)

2.1 RULES OF OPERATION

2.1.1 Purpose (610:1-7-1)

The Oklahoma State Regents for Higher Education is the coordinating board of control for The Oklahoma State System of Higher Education with powers, duties, and responsibilities defined by Article XIII-A of the Oklahoma Constitution and State Statute (specifically 70 O.S., §§ 3202 through 3206). As an arm of state government, State Regents' operations are subject to such statutory regulation and requirements as the Open Meeting Act [25 O.S., § 301 et. seq.], the Open Records Act [51 O.S., § 24A.1 et seq.], the Administrative Procedures Act [75 O.S., § 250 et seq.], etc. Although some state statutes relating to operational procedures specifically exempt higher education entities, these rules and regulations are nevertheless followed in some measure and where possible because of the State Regents' desire to operate in a manner consistent with safeguards of individual rights and freedoms and because of their desire to provide appropriate leadership for the State System in its inextricably linked relationship to the health and well-being of the State of Oklahoma.

The operational procedures for the coordinating board are set forth in this Subchapter within the above constitutional and statutory framework and are for the information and guidance of the State Regents and their staff, institutional officials, governing board members, legislators, and other state officials, the press, and citizens generally who may be interested in and concerned with business transacted by the board.

2.1.2 Definitions (610:1-7-2)

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Emergency" means "a situation involving injury to persons or injury and damage to public and personal property or immediate financial loss when the time requirement for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss." [25 O.S., § 304(5)]

2.1.3 Regular meetings (610:1-7-3)

A. Schedule.

Regular meetings of the State Regents are generally held at six-week intervals on Fridays.

B. Notice.

Notice in writing is given to the Secretary of State by December 15 of each calendar year of the schedule showing the date, time, and place of the regularly scheduled meetings for the following calendar year.

C. Posting.

In addition, advance public notice is displayed in prominent public view at the office of the State Regents at least 24 hours prior to such meetings setting forth thereon the date, time, place, and agenda for said meeting. This 24 hours prior public posting excludes Saturdays and Sundays and holidays legally declared by the State of Oklahoma. However, the posting of an agenda does not preclude the State Regents from considering at its regularly scheduled meeting any new business.

D. Meeting change.

If any change is to be made of the date, time, or place of regularly scheduled meetings, then notice in writing will be given to the Secretary of State not less than 10 days prior to the implementation of any such change.

2.1.4 Special meetings (610:1-7-4)

A. Schedule.

Special meetings of the State Regents are held as necessary and upon call of the Chairman.

B. Notice.

Written notice will be given to all Regents accordingly at least five days in advance of the meeting, or each Regent will be notified by personal telephone call. Public notice will be given at least 48 hours prior to special meetings. Such public notice of date, time, and place shall be given in writing, in person, or by telephonic means to the Secretary of State.

C. Posting.

Public notice will be displayed in prominent public view at the office of the State Regents at least 24 hours prior to such special meetings, setting thereon the date, time, place, and agenda for said meeting. Only matters appearing on the posted agenda may be considered at said special meeting. The 24-hours prior public posting shall exclude Saturdays and Sundays and holidays legally declared by the State of Oklahoma.

2.1.5 Emergency meetings (610:1-7-5)

A. Schedule.

Emergency meetings of the State Regents may be called for the purpose of dealing with an emergency.

B. Notice.

An emergency meeting of the State Regents as defined by the Open Meetings Act may be held without the public notice heretofore required. Should an emergency meeting be necessary, as much advance public notice as is reasonable and possible under the circumstances existing must be given, in person or by telephonic or electronic means.

2.1.6 Continued or reconvened meetings (610:1-7-6)

A. Schedule.

In order to finish business appearing on an agenda of a previous meeting, the State Regents may continue or reconvene that meeting at another time. Only matters on the agenda of the previous meeting at which the announcement of the continuance is made may be discussed at a continued or reconvened meeting.

B. Notice.

Public notice of continuation or reconvening of a meeting, including date, time, and place of continued meeting, shall be given by announcement at the original meeting.

2.1.7 Committee meetings or study sessions (610:1-7-7)

A. State Regents' study sessions may be held on call by the Chairman. Committee meetings will generally be held two weeks before the regular meeting.

B. State Regents' committees are non-action groups and as such are not subject to the provisions of the Open Meeting Act. [25 O.S., § 301 et seq.] Although provisions of the Open Meeting Act apply to "all committees or subcommittees of any public body," [25 O.S., § 304] the Act's coverage has nevertheless been judicially constrained to committees or subcommittees which exercise some power normally vested with the larger group.

C. All Regents will be notified of committee meetings. Noncommittee members electing to attend the meetings must take the responsibility for notifying the Chancellor's Office no later than 48 hours in advance of the meeting in order that proper notice and posting requirements can be met under the Open Meeting Act. In the event that five or more Regents are present for the committee meeting without the accomplishment of proper notice and posting requirements, the committee chairman will be authorized to reduce the number of Regents in attendance to a number that will not violate the Open Meeting Act.

2.1.8 Informal, electronic, or telephonic meetings (610:1-7-8)

The State Regents will not hold meetings electronically or by telephone to decide any action or vote on any matter except as provided by the Open Meeting Act. The State Regents may hold meetings by teleconferencing as defined by state law. Advance notice will be given of all meetings to be held by teleconference, identifying all the meeting sites. All meeting sites will be fully accessible to the public. Any written material provided at one site will be provided at all sites. In the event of an interruption in the telecommunications link, the meeting will recess while efforts are made to restore service. If the link cannot be reestablished, the meeting may continue at whichever site has a quorum of Regents.

2.1.9 Cancelled meetings (610:1-7-9)

The State Regents shall utilize quorum calls in advance of meetings as needed to determine possible attendance at regular and special meetings. Should it be found that a majority of members will not be present for a meeting, the Chairman will be notified and will declare the meeting canceled due to an anticipated lack of quorum. Notice of the cancellation will immediately be filed with the Office of Secretary of State, and individuals receiving agenda listings will be notified to the extent possible.

2.2 OPERATIONAL PROCEDURES FOR MEETINGS

2.2.1 Meetings open to public (610:1-7-10)

All meetings of the State Regents are open to the press and the public pursuant to state law [25 O.S., § 301 et seq.].

2.2.2 Agenda preparation (610:1-7-11)

A. Submission of items by institutions.

Institutional items of a routine or reporting nature to be included on the agenda of a meeting of the State Regents must be received in the Chancellor's office at least 12 calendar days prior to the meeting. Items of a policy nature requiring staff research and study should be received in the office at least 21 calendar days prior to the meeting.

Communications and recommendations from colleges and universities, including appropriate approval from the institutional governing board when necessary, must be sent in writing by the president of the institution to the Chancellor for State Regents' consideration. All official mail sent by an institution to the State Regents' office should be transmitted over the signature of the president and addressed to the Chancellor. Official mail from the State Regents' office will be transmitted over the Chancellor's signature to the president of the institution.

Presidents are invited to assist the Chancellor in presenting institutional business to the State Regents as they desire. Presidents desiring to meet with the Regents in connection with institutional business should schedule time for their appearance with the Chancellor at least five days in advance of the meeting. While it is not necessary that presidents meet with the State Regents on matters not requiring their presence, presidents, governing board members, faculty, students, or other citizens are always welcome to visit and observe at State Regents' meetings.

B. Submission of items by other constituencies.

Items submitted by students, federal and state governmental entities or representatives, and citizens generally must be submitted in writing 12 days prior to the meeting and must relate to the responsibilities of the coordinating board.

C. Submission of items by the State Regents.

The agenda is prepared by the Chancellor at the direction of the

Chairman. Regents wishing to place an item on the agenda must submit that item to the Chairman or the Chancellor.

2.2.3 Agenda Schedule (610:1-7-12)

- A. Agendas for regular and special State Regents' meetings will be sent to the Regents one week in advance. Agendas for emergency or committee meetings will be available for Regents at the time of the meeting or sooner if possible.
- B. Agenda listings of State Regents' regular meetings will be mailed to State System presidents 48 hours prior to the meeting.
- C. Agenda listings of State Regents' regular meetings containing the date, time, and place of regular meetings shall be mailed 48 hours prior to the meeting to each individual or entity who has made a written request according to the following guidelines:

The agenda book will be mailed or made available to those making a written request.

The mailing of an agenda book will generally be limited to one book per institution or agency.

With the exception of state and federal agencies, the State Regents reserve the right to make an annual charge for the agenda mailing service sufficient to cover costs.

Requests in writing for agenda listings and the agenda book must be renewed annually by calendar year with the Chancellor's office.

2.2.4 Items for consideration at meeting. (610:1-7-13)

All matters to be considered at a State Regents' meeting shall appear on the agenda and may include:

- A. New business.
An item called New Business shall be listed on each regular meeting agenda under which only matters not known about or which could not have been reasonably foreseen prior to the time of posting may be considered.
- B. Executive session.
A proposal for an Executive Session must be listed on the agenda and must contain sufficient information to advise the public that an executive session will be proposed, what matters are proposed to be discussed in the executive session, and what action, if any, is contemplated to be taken on matters proposed for discussion in an executive session. State Regents may hold executive sessions only as provided by the Open Meeting Act. Any vote or action taken thereon will be taken in public meeting with the vote of each member publicly cast and recorded.
- C. Hearings.
The State Regents will provide notice at the time of their public

meeting of:

- a. hearings on proposed policy adoptions or changes to be considered at the next regular meeting and
- b. Appeals of State Regents' actions which will be scheduled on the following regular agenda for further review.

The proceedings described in (A)(i) and (A)(ii) of this paragraph will be conducted in a manner analogous to those of the Administrative Procedures Act.

2.2.5 Organization of agenda (610:1-7-14)

- A. The agenda for a State Regents' meeting will contain items of business categorized under the following topics:
 - Academic Affairs
 - Fiscal Affairs
 - Executive
 - Consent Docket
 - Reports
- B. The order in which the items of business are listed may vary although academic items are normally considered first.
- C. Items requiring State Regents' action will generally be scheduled at the first of the agenda.
- D. Items of a routine nature that require State Regents' action and that are consistent with State Regents' policies and previous action will be placed on a Consent Docket. These items normally will be handled with one vote and little, if any, discussion.
- E. Items of a reporting nature requiring only general acceptance by the State Regents will generally be listed under "Reports" and scheduled at the end of the agenda for one general acceptance action by the Regents unless, for instance, their consideration is essential to the understanding of subsequent action items. The "Reports" section shall include such items as:
 - matters for study and consideration with action to be taken at some future meeting,
 - routine periodic program/activity reports,
 - special informational reports to the State Regents,
 - published reports, and
 - communications.
- F. The Chairman may elect to receive oral presentations on all or selected reports prior to their general acceptance or may elect to

proceed with acceptance and forego oral reports should additional clarification not be needed.

2.2.6 Disposition of business (610:1-7-15)

A. General guidelines.

Unless otherwise specified in their operations policy or unless contrary to state law, the State Regents will adhere to "Robert's Rules of Order, Newly Revised Edition."

B. Quorum.

Meetings of the State Regents will be conducted only with a majority quorum of members present.

C. Voting guidelines.

Guidelines for voting are as follows:

The vote of each member will be publicly cast and recorded.

Aye votes may be made by group acclamation.

Any nay votes will necessitate an individual roll call. The roll will commence with Position No. 1 and alternate through Position No. 9.

A simple majority vote of those present for the meeting is required for action on an agenda item.

Items on the agenda may be advanced by unanimous consent. If objection is voiced, the Chairman will call for a vote on the advancement motion which will require a two-thirds majority for passage.

A majority vote of the quorum present is required to go into executive session. No vote or action may be taken in executive session; and action, if any, must be taken after returning to open meeting in the usual manner.

2.2.7 Record of proceedings (610:1-7-16)

A. Regular meetings.

The proceedings of State Regents' meetings will be kept by a designated record keeper in the form of written minutes which shall be an official summary of the proceedings showing clearly those members present and absent, all matters considered and all actions taken by the State Regents.

The minutes of each meeting will be open to public inspection and will reflect the manner and time of notice required by the Oklahoma Open Meeting Act [25 O.S., § 301 et seq.].

B. Emergency meetings.

In the written minutes of an emergency meeting, the nature of the emergency and the proceedings occurring at such meeting, including reasons for declaring such emergency meeting, shall be included.

C. Committee meetings.

A record of committee meetings will be kept by a designated record keeper and made available to all State Regents. The Chairman of the Committee will attest to the accuracy of the record.

D. Executive sessions.

Written minutes shall be kept of all executive sessions held by the State Regents.

Such minutes shall be prepared by the designated record keeper and transmitted in confidence to the State Regents for their review.

Minutes of executive sessions shall be approved in the same manner as the minutes of open sessions of the State Regents, except that minutes of executive sessions shall not be made available for general public review.

Written minutes of executive sessions are not public records and will not be made available for public review except as specifically authorized by the State Regents through the adoption of a formal resolution approving of such disclosure, or as ordered by a court of competent jurisdiction.

Written minutes of the State Regents shall be maintained by the Chancellor in a separate location from the minutes of the open sessions of the State Regents and in such manner so as to ensure their security and confidentiality.

2.2.8 Review and approval of proceedings (610:1-7-17)

A. The summary of State Regents' meetings shall be transmitted to all Regents for their review as soon as possible following the meeting.

B. Should any Regent upon preliminary review of the minutes note the need for any factual correction, such shall immediately be called to the attention of the Chancellor or the individual designated by the Regents as official record keeper.

C. Minutes of all open meetings shall be included in the bound agenda sent to the State Regents prior to their next meeting.

D. State Regents, at their regular meeting, shall move approval, approval with amendment, or tabling of open meeting minutes for acceptance into the official records of the State Regents.

E. The Chairman and the Secretary shall attest pursuant to the Board's action regarding the true and accurate recording as these documents become part of the official records of the Oklahoma State Regents for Higher Education. In the absence, disqualification, or disability of the Chairman or Secretary, the Vice Chairman and Assistant Secretary shall so attest for such

respective officers.

2.2.9 Request for records (610:1-7-18)

- A. In accordance with the Open Records Act [51 O.S., § 24A.1 et seq.], certain public records of the State Regents must be kept and maintained and open to any person for inspection, copying, and/or mechanical reproduction during business hours. Guidelines for requesting records are as follows:

Requests for copies of materials from the official records of the State Regents may be made either in writing or by oral request to the Office of Chancellor.

Requests may be received between the hours of 7:30 a.m. and 5:00 p.m. and will be met at the time of the request or within a reasonable period.

If material requested is located at a remote storage location or would involve additional research time, an additional reasonable period of time will be required to meet the request.

Where it does not conflict with other provisions outlined herein, requests for copies of materials, actions, reports, etc., presented for State Regents' action will be met only after these materials are made official by State Regents' action.

Individuals wishing to be placed on the list to receive agenda listings or agendas for the State Regents' meetings must so notify the Office of the Chancellor in writing. These requests must be renewed at the beginning of each calendar year as such mailing lists are reformulated. The Office of the Chancellor will so notify each requester of the annual need for request renewal.

- B. Because of the State Regents' desire to maintain a spirit of openness, to assist the public in its understanding of the workings of the higher education system, and to work cooperatively with its many constituencies, a no-charge policy will generally be observed with the following exceptions and clarifications:

No charge will be assessed for the cost or postage expense incurred in mailing a single copy of publications in print prepared by the State Regents.

A charge will be assessed for additional publications in print reflective of the actual document cost as posted in the inside front cover of the document as required by 70 O.S., § 3206.

The charge for out-of-print publications will be assessed as in (4) of this Paragraph.

No copying charge will be assessed for the first 50 pages of any material requested from the official records. A copying charge of 25 cents per single page will be assessed beyond that amount.

No search fee shall be charged when the release of said documents is in the public interest, including, but not limited to,

release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

No copying or search fee will be assessed state and federal agencies.

The schedule of copying charges and procedures shall be posted in accordance with 51 O.S., § 24A.5.

- C. Materials exempt from the Open Records Act under 51 O.S., §§ 24A.5 and 24A.7 and under the Family Educational Rights and Privacy Act will not be provided.

2.3 PETITION REQUESTING PROMULGATION, AMENDMENT, OR REPEAL OF RULES; FORM AND PROCEDURE

- 2.3.1 (a) Any interested persons may petition the OSRHE to request the promulgation, amendment, or repeal of an OSRHE rule. When filing such petition, the following requirements apply:
 - A. (1) All petitions must be filed with OSRHE in typewritten form or in legible printed form and must be presented or delivered to the Chancellor's office of the OSRHE;
 - B. (2) All petitions must clearly identify the party(s) submitting such petition and must include a statement reflecting the interest of the party(s) in submitting such petition, i.e., a showing that such petition is being submitted by an "interested person";
 - C. (3) All petitions must clearly state that the petition is for the promulgation of a new rule, for the amendment of an existing rule, or separately, any combination of the above. In the instance of a requested promulgation of a new rule, a complete text of the requested rules(s) must be submitted. In the instance of a requested amendment to an existing rule(s), a complete text of the existing rule(s) requested for amendment must be submitted reflecting the existing rule language requested for change or deletion and/or such language as may be requested to be added. In the instance of a requested repeal of any rule(s) the petition must state the complete rule(s) requested for repeal;
 - D. (4) All petitions must clearly and separately state the submitted basis, reason, grounds, or justification for each requested rule promulgation, amendment or repeal. Any and all supporting documents, records, statistics, studies, or information must be submitted with the petition, and the legality for such requested action, where deemed necessary or appropriate, shall be submitted by the petitioning party;

- E. (5) All petitions must be duly signed and endorsed by all petitioning parties or their designated representative(s); and the representative(s) must endorse and have notarized said petition representing such signatures;
- F. (6) Petitions will be reviewed within a reasonable time period, by staff assigned by the Chancellor
 - a. (A) to determine if they satisfy the requirements as set forth in this chapter;
 - b. (B) for substantive review of petitioner's request including consideration of any argument, written and/or oral, and any documentation included in support of the petition;
 - c. (C) and such review shall form the basis of a written recommendation to the Board.
- G. (7) Valid petitions, defined as those that satisfy the requirements, shall appear on the agenda for consideration of the recommendation at the next regularly scheduled Board meeting following the conclusion of the staff investigation and review.
- H. (8) The petitioning party shall be given notification of the recommended action and disposition prior to the matter of the petition being presented to the Board for its action and at the Board meeting, the petitioning party may appear and be heard concerning the action and disposition recommended.
- I. (9) Petitions that do not satisfy the requirements shall be duly noted in writing and be returned to the petitioner. Returned petitions must be brought into compliance with the requirements set forth in this chapter and resubmitted.
 - a. (b) Should any petition be granted by the OSRHE, in whole, or in part, the petition as granted shall thereafter be treated as in the case of all rule-making and the procedures of the Administrative Procedures Act shall thereupon become applicable in the further adoption of such rule promulgation, amendment, or repeal.
 - b. (c) For purposes of 75 O.S. §305, petitioner's "submission of a petition" shall mean submission of the petition to the Board via its appearance on the regularly scheduled meeting agenda. If within 30 calendar days

after submission of a petition, the agency has not initiated rulemaking proceedings in accordance with the Administrative Procedures Act, the petition shall be deemed to have been denied.

- c. (d) If the petition is denied, the petitioner retains the right to proper Judicial Review under 75 O.S. §318.

2.4 610:1-7-24. PETITIONS FOR DECLARATORY RULINGS; FORM AND PROCEDURE

2.4.1 Any interested persons may petition the OSRHE for a declaratory ruling as authorized by 75 O.S., § 307 as to the applicability of any administrative rule of the OSRHE.

- A. All petitions must be filed with OSRHE in typewritten form or in legible printed form and must be presented or delivered to the Chancellor's office of the OSRHE;
- B. All petitions must clearly identify the party(s) submitting such petition and must include a statement reflecting the interest of the party(s) in submitting such petition, i.e., a showing that such petition is being submitted by an "interested person";
- C. All petitions must clearly state that the petition is for a declaratory ruling and cite the rule involved;
- D. All petitions must contain a brief statement of facts to which the ruling shall apply. Any and all supporting documents, records, statistics, studies, or information must be submitted with the petition, and the legality for such requested action, where deemed necessary or appropriate, shall be submitted by the petitioning party;
- E. All petitions must be duly signed and endorsed by all petitioning parties or their designated representative(s); and the representative(s) must endorse and have notarized said petition representing such signatures;
- F. Petitions will be reviewed, within a reasonable time period, by staff assigned by the Chancellor:
 - a. (A) to determine if they satisfy the requirements as set forth in this chapter;
 - b. (B) for substantive review of petitioner's request including consideration of any argument, written and/or oral, and any documentation included in support of the petition;
 - c. (C) and such review shall form the basis of a written recommendation to the Board.
- G. Valid petitions, defined as those that satisfy the requirements,

shall appear on the agenda for consideration of the recommendation at the next regularly scheduled Board meeting following the conclusion of the investigation and review.

- H. The petitioning party shall be given notification of the recommended action and disposition prior to the matter of the petition being presented to the Board for its action and at the Board meeting, the petitioning party may appear and be heard concerning the action and disposition recommended.
- I. Petitions that do not satisfy the requirements shall be duly noted in writing and be returned to the petitioner. Returned petitions must be brought into compliance with the requirements set forth in this chapter and resubmitted.
- J. Declaratory rulings shall be available for review by the public at the OSRHE office.

2.5 STATE REGENTS' COMMITTEES

2.5.1 Authority

State Regents' committees will serve as focus tools of the State Regents and a constructive resource to the Chancellor. All action will be taken by the full board. The committees will take no action.

2.5.2 Standing Committees

The chairman and members of standing committees will be appointed annually by the Chairman with recognition of both continuity and new member factors. Standing committees will consist of four members: a chairman, and three members. The State Regents' Chairman holds ex officio status on all committees. Current standing committees and their responsibilities are:

A. Strategic Planning and Personnel and Technology Committee

This committee will provide guidance for the State Regents and the Chancellor:

1. Long-range planning for the State Regents and the State System, in planning of retreats, and in formulating strategies to implement goals and programs of the State Regents;
2. Personnel and organizational matters and annual performance evaluations; and
3. Review the Administrative Policies and Procedures Manual and recommend changes as necessary.

This committee will also provide guidance for the State Regents and the Chancellor:

1. The operation and strategic use of OneNet. The Committee will review and guide the development of an

annual OneNet business plan and the setting of annual strategic goals. The committee will review the annual OneNet budget and its quarterly reports to ensure consistency of goals and expenditures. The Committee will receive and recommend appropriate Regents' action on recommendations from the Chancellor and the OneNet Advisory Committee. The Committee will monitor OneNet operations and applications and receive regular reports.

2. Enhancement of academic offerings and student services. The Committee will monitor and guide the development of plans and strategies for using technology to enhance academic and student services for students. The committee will recommend assistance (policy; financial; staff assistance for statewide licenses, consortia formation, benchmarking/best practices, grant writing, etc.) to institutions and students, as appropriate.
3. Administrative and financial issues. The Committee will review and forward recommendations on administrative and financial issues relating to OneNet and to institutional initiatives. This will include such issues as developing a comprehensive plan for technology equipment replacement and "merger" of administrative and other functions (computing and systems support, personnel management, purchasing, financial aid, and other student services).
4. Enhancing higher education quality, efficiency, effectiveness, and flexibility through the use of technology. The Committee will monitor and recommend technology standards, policy, and practices to improve the competitiveness of Oklahoma higher education programs and services delivered via technology.
 - a. Linking technology investment to state economic development priorities. The committee will monitor and recommend strategies and initiatives that will use OneNet to drive state economic development.

B. Budget and Audit Committee

This committee will provide guidance for the State Regents and the Chancellor:

1. Development of budget needs of the State System for presentation to the Governor, the Legislature, and the general public;
2. Determination of budget needs for each institution and program in the State System;

3. Allocation of appropriated and revolving funds for each institution and program in the State System.
4. Administration of fiscal aspects of the endowment program, academic scholars program, and other student financial aid programs.
5. Administration of the Guaranteed Student Loan Program.
6. Fiscal and resource management of the State Regents' agency operations, including review of agency financial reports.
7. Development and implementation of systemwide fiscal policies.
8. Determination of appropriate rates of tuition and fees.
9. Review of Campus Master Plan and capital priorities for the system.
10. Establish the scope of work in issuing requests for proposals from auditing firms.
11. Review proposals for independent audit services and make recommendations to the Regents for the employment of an auditor.
12. Review annual audits of the State Regents' office as well as annual and/or special audits of all components of the State System as appropriate, and make reports and recommendations to the State Regents. The review should include timely discussions with the independent auditor regarding
 - a. all critical accounting polices and practices;
 - b. all alternative treatments of financial information with the Generally Accepted Accounting Principles that have been discussed with management, ramifications of the use of such alternative disclosure and treatments, and the treatment preferred by the independent auditor;
 - c. other material written communications between the independent auditor and management, including the management letter.
 - d. Review performance of independent auditor and recommend continuation or removal, if appropriate.
 - e. Resolve any disagreements between the independent auditor and State Regents' staff and review any audit problems or difficulties and staff's response.

- f. Establish and maintain procedures for the receipt, retention and treatment of complaints regarding accounting, internal accounting, or auditing matters.
- g. Establish and maintain procedures for the submission by employees regarding questionable accounting or auditing matters that will assure protection of the employee in accordance with the provisions of 74 O.S. §840-2.5 (2001).
- h. Facilitate coordination with the State Auditor and Inspector as appropriate.

C. Investment Committee

The Investment Committee's responsibilities are as follows:

1. Review and recommend to the Regents an appropriate Investment Policy.
2. Ensure that the Investment Policy is being implemented.
3. Recommend to the Board appropriate Investment Policy guidelines, to include:

The spending rate and calculation thereof.

 - a. The Endowment's real return need (i.e. sum of spending rate, management costs and desired growth rate, if any.)
 - b. New guidelines as appropriate.
4. Establish appropriate implementation guidelines, to include:
 - a. The time horizon for the portfolio.
 - b. The acceptable level of volatility for the portfolio.
 - c. The acceptable asset classes for investment (e.g. U.S. large-cap stocks, U.S. small-cap stocks, emerging markets stocks, etc.)
 - d. The allocation of assets among the available asset classes (e.g. 15% to U.S. large-cap stocks, 10% to U.S. small-cap stocks, etc.)
5. Recommend and evaluate the Investment Consultant.
6. Establish investment practices, including:
 - a. Determine criteria for hiring and terminating investment managers (e.g. past performance relative to benchmark, within allowable tracking error, etc.)
 - b. Determine the portfolio's rebalancing rules.

7. Monitor, review and evaluate investment results in the context of predetermined performance standards.
8. Monitor the performance of the individual fund managers, recommend manager changes to the Regents as appropriate.
9. Ensure that adequate and appropriate research is being conducted concerning the future performance of the portfolio and its investments.
10. Confer at least quarterly to review the performance of the portfolio and the managers, interface with the administration and Consultant to address current issues, and develop recommendations for policy changes to be reviewed and presented for adoption to the Regents.
11. Report regularly on the status of the Endowment to the Regents.

D. Academic Affairs and Social Justice and Student Services Committee

This committee will provide guidance for the Regents and the Chancellor on matters of policy and procedures relating to the agency's constitutional and statutory responsibilities in the area of academic affairs. The following academically related matters will be included (among others) within the purview of the Academic Affairs Committee:

1. Standards for admission to, retention in, and graduation from institutions of the State System,
2. Functions of institutions,
3. Program review and approval, including both degree and non-degree programs of instruction, research, and outreach,
4. Degrees and other forms of academic recognition,
5. Accreditation and authorization to offer college-level courses, programs, and degrees in the State of Oklahoma,
6. Coordination of academic calendars,
7. Cooperative academic ventures, including ventures between public colleges and universities and between public institutions and other entities,
8. Review of quality initiative proposals,
9. Coordinating of teacher education and other special programs,
10. Matters related to the Academic Common Market,

11. Coordination of comprehensive academic planning with financial and fiscal planning

This committee will also provide guidance for the Regents and the Chancellor on all matters relating to student services and with social justice implications with the goal of enhancing both individual well-being and the common good.

1. Matters within the purview of the committee are:
 - a. Enhancing participation of all academically able persons at the highest attainable level of academic life regardless of their race, ethnic background, sex, age, religion, disability, income level, or geographic location
 - b. Fair and equitable treatment of all individuals and systematic positive adjustments until equity is attained.
 - c. Promoting multicultural diversity throughout all State Regents' actions, particularly those relating to teaching, academic programs, preparation of teachers, and other standards of education.
 - d. Periodic review of existing social justice programs and efforts to determine if they are achieving desired results.
 - e. Design and review of student services programs operated by the State Regents such as scholarship and grant programs, Summer Academies, and Welfare-to-Work programs.
 - f. Advancing the Regents' "student success" theme through special projects, studies, and initiatives that will improve services, opportunities, and awareness for students.

E. Special Committees

Committees may be established as needed by the Chairman which will be dissolved when their purpose is accomplished.

Approved August 28, 1989. Revised May 27, 1994, February 8, 1995, January 26, 1996, September 5, 1997 and October 21, 2010.

2.6 ELECTION OF STATE REGENTS' OFFICERS

Officers of the State Regents are chairman, vice chairman, secretary, and assistant secretary; and their respective duties are set out by law.

Officers will be elected by the State Regents at the last regular meeting of the fiscal year to begin service effective July 1 for a period of one

year. With the vacancy of an officer position, election of officers will be scheduled on the State Regents' agenda at the earliest possible time. State Regents' policy on election of officers will be based on a method designed to provide the highest quality and excellence of leadership available. Selection of the chairman will be based on such primary factors as commitment to higher education, knowledge of Oklahoma's higher education system and academic issues in general, available time and resources to adequately serve, previously exhibited leadership traits, ability to be an articulate spokesman, and interest in serving in a leadership capacity. Seniority as a Regent will be utilized to distinguish between candidates equally qualified in all primary factors. The chairman will normally be elected for the fiscal year but will, however, along with the Chancellor, serve at the pleasure of the board. The chairman can be reelected based on the above selection process as well as providing value of continuity, but will not serve more than three successive fiscal years. Other officers (vice chairman, secretary, and assistant secretary) will be elected based on the above selection process also, and there will not necessarily be automatic progression.

2.7 ORIENTATION OF NEW BOARD MEMBERS.

The Chancellor will schedule and conduct a briefing for new State Regents within two weeks of the member's confirmation as provided by state law.

2.8 DELEGATION OF AUTHORITY TO CHANCELLOR.

2.8.1 Purpose

For purposes of achieving greater efficiencies and more timely interactions with institutions and providing more public meeting time for the discussion of broader public policy issues, the State Regents have delegated authority to the Chancellor as detailed in this section. The State Regents have set objective guidelines and standards for the delegated authority as indicated.

With respect to contracts entered into by the State Regents, specific authority is delegated as set out in section 2.8.2. The Chancellor is authorized to establish internal office procedures for sub-delegation of this authority and for insuring that all State Regents' contracts conform to applicable legal requirements.

2.8.2 Authority delegated to Chancellor

Item	Restrictions/Provisions
<p>ACADEMIC CALENDAR</p> <ul style="list-style-type: none"> - Approval of annual and interim academic calendar requests from institutions 	<p>Must be consistent with policy. Must be ratified on consent docket at next State Regents' meeting.</p>
<p>ACADEMIC COMMON MARKET</p> <ul style="list-style-type: none"> - Approval of institutions requests to offer programs in Common Market 	<p>Must be an approved, quality program. Must be ratified on consent docket at next State Regents' meeting.</p>
<p>ADVISORY BODIES</p> <ul style="list-style-type: none"> - Establishing, structuring, and operating advisory bodies to the State Regents 	<p>Establishment of advisory groups should be reported to the State Regents. Annual reports of the work of the advisory body should be reported to the Regents.</p>
<p>CAPITAL IMPROVEMENTS</p> <ul style="list-style-type: none"> - Approval of requests for campus master plan changes - Approval of allotments of funds - Approval of requests for capital projects to be included for funding through the Master Lease Purchase Program. 	<p>Changes must be of a routine nature (generally not representing more than the lower of a 25% change or \$750,000 in cost). Changes must be consistent with the institution's mission and academic plan. Must be ratified on consent docket at next State Regents' meeting</p> <p>Allocation and allotment of funds must be consistent with any State Regents' funding designation and approved campus master plan. An annual report on allotment of state funds and Section 13 and New College Funds must be accepted by the State Regents.</p> <p>The projects to be included must be emergency in nature and must meet the requirements as outlined in Oklahoma Statutes as acceptable for funding through the Master Lease Purchase Program. Must be ratified on consent docket at next State Regents' Meeting.</p>
<p>CONTRACTS</p> <ul style="list-style-type: none"> - Contracts for an amount less than \$100,000; all routine renewal and extension contracts 	<p>All contracts for amounts in excess of \$25,000 must be reported to the Budget & Audit Committee which may choose to forward them to the full board for action.</p> <p>Must be ratified on consent docket at next State</p>

<p>COOPERATIVE AGREEMENTS</p> <ul style="list-style-type: none"> - Approval of cooperative agreements <p>DEGREES (Nonacademic--Posthumous and Honorary)</p> <ul style="list-style-type: none"> - Approval of nonacademic awards <p>ENTRY-YEAR ASSISTANCE PROGRAM</p> <ul style="list-style-type: none"> - Approve allocations to private institutions <p>EISENHOWER PROGRAM</p> <ul style="list-style-type: none"> - Approval of projects and allocation of federal funds to institutions <p>INTERAGENCY AGREEMENTS</p> <ul style="list-style-type: none"> - Approve agreements <p>OUTREACH</p> <ul style="list-style-type: none"> - Approval of existing courses/programs through off-campus, electronic, or other nontraditional media <p>PERSONNEL/OFFICE BUDGET</p> <ul style="list-style-type: none"> - Approval of any personnel action below the Director's level. Approval of routine expenditures. Approval of routine funding transfers between office functions/programs 	<p>Regents' meeting.</p> <p>Must be consistent with policy. Must be ratified by State Regents on consent docket at next meeting.</p> <p>Must be consistent with policy and with State Regents' allocation decisions. Must be ratified by State Regents on consent docket at next meeting.</p> <p>Must be consistent with policy. Must be ratified by State Regents on consent docket at next meeting.</p> <p>Must be consistent with policy. Must be ratified by State Regents on consent docket at next meeting.</p> <p>Must be existing programs/courses and actions must be consistent with policy. Must be ratified by State Regents on consent docket at next meeting. Conflict or unusual situations should be taken to the State Regents.</p> <p>Must not expand FTE or enlarge the salary/benefit portion of the budget approved for the fiscal year. A quarterly report must be made to the B&A Committee on the office budget, and an annual report must be presented to the State Regents for acceptance.</p>
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Item	Restrictions/Provisions
<p>POLICY EXCEPTIONS</p> <ul style="list-style-type: none"> - Approval of minor exceptions/clarifications to State Regents' policy that will not result in a broad-scale circumvention of policy 	<p>All policy exceptions/clarifications must be reported quarterly to the State Regents.</p>
<p>PROGRAMS</p> <ul style="list-style-type: none"> - Approval of all routine program modifications and name changes 	<p>Must be ratified on consent docket at next State Regents' meeting</p>
<p>REGENTS EDUCATION PROGRAM</p> <ul style="list-style-type: none"> - Approval of REP credit events 	<p>Must be consistent with policy. Subject to Regents' ratification on consent docket at next meeting</p>
<p>REMEDIATION</p> <ul style="list-style-type: none"> - Approval of individual institution's instruments for remediation of curricular deficiencies 	<p>Must be consistent with policy. An annual report to the State Regents is required.</p>
<p>RESEARCH MATCHING PROGRAM</p> <ul style="list-style-type: none"> - Approval of allocation of funds to institutions 	<p>Must be consistent with policy. Subject to Regents' ratification on consent docket at next meeting.</p>
<p>SCHOLARSHIP/MINORITY INCENTIVE GRANT PROGRAMS</p> <ul style="list-style-type: none"> - Approval of awards for all scholarship programs. 	<p>Must be consistent with policy or previous board action, otherwise State Regents approval is required. Awards are subject to Regents' ratification on consent docket at next meeting.</p>
<p>SUMMER ACADEMIES</p> <ul style="list-style-type: none"> - Approval of summer academies and allocation of funds to institutions. 	<p>Must be consistent with policy. Subject to Regents' ratification on consent docket at next meeting.</p>
<p>SUPPLEMENTAL ALLOCATIONS</p> <ul style="list-style-type: none"> - Approval of supplemental allocations 	<p>Subject to Regents' ratification on consent docket at next meeting</p>

- 2.8.2 Authority not delegated to the Chancellor is reserved for the State Regents, including but not limited to:
- A. ACCREDITATION. Regents must take all action accrediting/reaccrediting/denying accreditation to an institution.
 - B. ADMINISTRATIVE PROCEDURES ACT. Regents must take all action relating to APA matters as required by law. Action will generally be taken, however, on the consent docket.
 - C. AUDITS. Regents will take all action to accept audit reports of State Regents' accounts. Regents will take initial action to employ an audit firm not to exceed the limits provided by law.
 - D. BUDGET NEEDS/ALLOCATION & PRINCIPLES/BUDGET APPROVALS. Regents will take all action relating to determining budget needs of the System and each institution, determining the allocation for each institution and each special program, and approving the budgets of each institution. (Authority for budget modifications throughout the year has already been delegated to the Chancellor)
 - E. BYLAWS. State Regents will take all action relating to their Rules of Operation.
 - F. CAPITAL IMPROVEMENTS. Regents will take action relating to the prioritization of capital improvement projects for institutions and designation of state funds for the projects. (Allocation and allotment of funds has been delegated to the Chancellor as indicated above.)
 - G. CONTRACTS. All contracts not delegated to the Chancellor.
 - H. ELECTION OF OFFICERS. Regents will take all action relating to Election of Officers. (However, the Chancellor may act, subject to board ratification, designating a regent to serve as officer for the explicit purpose of signing a degree)
 - I. ENDOWMENT PROGRAM. Regents must take all action establishing or modifying endowment accounts.
 - J. EVALUATIONS. Regents must take all action relating to authorizing the operation of English Proficiency Schools and operation of technical-occupational programs under federal requirements.
 - K. GRANTS/ASSIGNMENTS. Regents will take first-time action accepting all grants/assignments. The Chancellor may accept subsequent grants and will notify the board in the event of a substantial grant amount change or cessation.
 - L. FEES AND TUITION. Regents will take all action relating to fees and tuition (although charges will not be specified for the "at cost" types of fees.
 - M. FUNCTION. Regents will take all action relating to the

function/mission of every institution and constituency agency. Academic Plans will also be reviewed and acknowledged by the Regents because of their relationship to the institution's mission and goals of the System.

- N. GOALS. Regents will take all action relating to "goals for the Chancellor" or other goals/vision for the System.
 - O. MEETING DATES (ANNUAL ANNOUNCEMENT). State Regents will announce annual meeting dates for the coming year at their October or November meeting for public purposes. The Chancellor is authorized to make modifications in consultation with the board chairman and with appropriate legal notice.
 - P. OFFICE BUDGET. Regents must take all action to approve the fiscal year budget for the State Regents' operations and the allocation of funds for each special program operated by the State Regents. Authority for personnel decisions and routine budget modification throughout the year is already been delegated to the Chancellor as indicated above.
 - Q. POLICY. Regents must take all action relating to any change in the State System Policy Book.
 - R. PROGRAMS. Regents will approve all new programs, deletion of programs, and major program modifications, and academic restructuring. Routine issues relating to programs are delegated to the Chancellor as described above.
 - S. GRANTS. State Regents will approve all Grants, e.g., (Quality initiative, Economic Development). The Chancellor may allocate funds consistent with State Regents' action.
 - T. REVENUE BONDS. State Regents will approve Statements of Essential Facts as required by state law.
 - U. STUDIES/PROJECTS. State Regents will take action to initiate and authorize all substantive studies/projects and approve the use of external consultants for such studies/projects.
- 2.8.3 Compliance With the ADMINISTRATIVE PROCEDURES Act (610:1-7-19).
 - 2.8.4 State Regents shall follow all applicable portions of the Administrative Procedures Act.
 - 2.8.5 AMENDMENT OF RULES OF OPERATION.
 - 2.8.6 These rules of operation may be amended at any regular meeting of the State Regents by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting.

Approved August 28, 1989. Revised May 27, 1994, February 8, 1995, January 26, 1996, and September 5, 1997.

2.9 POLICY STATEMENT ON INDEMNIFICATION

2.9.1 Purpose

The Oklahoma State Regents for Higher Education (herein “OSRHE”) recognizes that its goals can be achieved only through the willingness of the members of the Board of Regents, the Chancellor, and the staff to act on behalf of the OSRHE, unencumbered by fear of personal liability or the expense of having to defend against claims alleged against them as a result of their efforts on behalf of the OSRHE. Therefore, it is in the best interest of the OSRHE to indemnify current and former members of the Board of Regents, the Chancellor, and the OSRHE staff, named either officially or individually, (collectively referred to herein as “OSRHE Staff”), under the circumstances and conditions set forth in this Policy Statement.

2.9.2 Indemnity Provisions for OSRHE Staff

- A. The OSRHE recognizes that the statutes of the State of Oklahoma provide indemnity provision for State employees. (See, generally, the Governmental Tort Claims Act, 51 O.S. §§ 151 et seq., (2001) as amended.) To the extent that those statutory indemnity provisions apply, and to the further extent that they establish mandatory procedures for OSRHE Staff in order to obtain indemnification, they are adopted and incorporated in this policy.
- B. The OSRHE further recognizes that the State of Oklahoma or OSRHE may provide insurance coverage for adverse claims, judgments, or settlements resulting from violations of rights or privileges secured by the Constitution or laws of the United States, or the State of Oklahoma. To the extent that policies of insurance purchased by the State of Oklahoma or the OSRHE provide such coverage, and to the extent that such policies establish requirements for the insured OSRHE or OSRHE staff, those seeking indemnification from the insurance policy or the OSRHE are expected to comply with such requirements.
- C. The amount of any indemnity paid by the OSRHE shall be limited to amounts not otherwise covered by any applicable insurance and to amounts allowed by applicable statute.
- D. This indemnification policy is specifically intended to include, but not be limited to, claims or actions challenging policies adopted by the OSRHE or other official actions of the OSRHE.
- E. In addition, the OSRHE staff seeking indemnification (herein “Indemnitee”) shall meet the following general requirements.

The Indemnitee must reasonably cooperate in good faith in the investigation and defense of the alleged claim upon which the judgment or settlement was awarded or entered into with the Board of Regents’ approval and for which indemnification is sought;

The actions or omissions upon which such a judgment has been rendered or settlement entered into with the Board of Regents' approval were not the result of fraudulent conduct or corruption by the Indemnitee;

The Indemnitee, in committing or allegedly committing the acts or omissions upon which a judgment has been rendered or settlement entered into with the Board of Regents' approval, must have been acting in good faith and within any applicable written administrative policies known to the Indemnitee at the time of the omission or acts alleged; and,

The Indemnitee was acting within the scope of their employment at the time that the alleged acts or omissions upon which a judgment has been rendered or a settlement has been entered into with the Board of Regents' approval were committed by the employee;

- F. Normally, the defense of claims or actions against the OSRHE and OSRHE Staff is conducted by the Oklahoma Attorney General, supported by the OSRHE's General Counsel. OSRHE Staff seeking indemnification for expenses involving legal representation by private counsel must have the approval of the Board of Regents before such costs are incurred. In addition, OSRHE Staff must comply with the statutory requirements, if any, for the approval of private counsel. The request for approval for private counsel shall be supported by an evaluation provided by the OSRHE's General Counsel and the recommendation of the Chancellor. This requirement may be waived in instances involving a request by a majority of the members of the Board of Regents.

Approved by the State Regents on January 29, 1999. Amended October 26, 2001.

2.10 STATE REGENTS' ETHICS POLICY

2.10.1 Purpose

- A. The State Regents embrace, as part of their ongoing agenda for exerting strong State System leadership, the goal of exemplifying the highest standards of ethical conduct.
- B. The State Regents recognize that while ethics rules have an important proscriptive role to play, the conduct of State Regents and State Regents' employees should also be shaped by a positive vision of ethics.

2.10.2 Relationship to Oklahoma Ethics Commission Rules

- A. The State Regents herewith acknowledge the Oklahoma Ethics Commission Rules and incorporate them by reference into this policy. Conduct that is prohibited by the Oklahoma Ethics Commission Rules is likewise prohibited by this policy. Conduct permitted by the Rules of the Oklahoma Ethics Commission is permitted by this policy unless expressly prohibited by another part of this policy.
- B. In addition to the sanctions provided by law for the violation of the Rules of the Ethics Commission, the State Regents expressly reserve the right to take any additional disciplinary action, when it is warranted by the facts, for violations of the Rules of the Oklahoma Ethics Commission or such other ethics policies as may be adopted by the State Regents.

2.10.3 Relations with Institutions and Institutional Representatives

- A. Each and every segment of The Oklahoma State System of Higher Education is entitled to objective, impartial, fair, and equitable treatment by the officers and employees of the State Regents. The State Regents are determined that those attributes of fundamental fairness should not be compromised, in fact or in appearance, by inappropriate interactions between officers and/or employees of the State Regents and institutional representatives. Regents or employees should not accept any direct or indirect gift or personal benefit from any institution, board or office in the State System.
- B. This does not prohibit the occasional acceptance, unless otherwise prohibited by the Ethics Commission Rules, of items of nominal value (generally less than \$50.00), which are not intended to influence the officer or employee in the conduct of the public's business.
- C. Conversely, the receipt of gifts of nominal value is improper if taken with knowledge of an improper motivation on the part of the giver.
- D. State Regents' employees are expected to be especially sensitive to issues that may arise with respect to their ability to conduct a particular job assignment with the requisite appearance of impartiality. Employees are expected to bring any such

circumstances to the attention of the Chancellor in a timely manner.

- E. In addition to any disclosures required by the Oklahoma Ethics Commission Rules, Regents and employees at the Director level and above will, upon their initial appointment or employment, and annually thereafter, disclose the following information, in the following form:

I, the undersigned member/employee of the Oklahoma State Regents for Higher Education, in order to assure that any appearance of conflict of interest is avoided, and in order to assure that any indirect interests are publicly acknowledged, hereby make the following statements and assurances:

- a. I am related to the following officers or employees of institutions within The Oklahoma State System of Higher Education:
- b. I have an ownership interest in or serve on the Board of the following corporations, partnerships, sole proprietorships, associations, institutions of higher education, or any other entities, which either do business with the State Regents or, to my knowledge, do business with postsecondary institutions coordinated or licensed by the State Regents:
- c. In my household and among my dependents, to my knowledge, the following have an ownership interest as stated in 3.above.

By my signature below, I affirm that all of the above statements are true and correct to the best of my knowledge and belief.

Signature

Date

The annual disclosure statements required by this Section, will be reviewed annually by the Strategic Planning and Personnel Committee of the State Regents.

2.10.4 Outside Employment or Compensation

- A. No Regent or employee may receive or ask for any outside employment or compensation that would impair the independence of judgment of the officer or employee in rendering service to the State Regents. Nor should employees accept outside employment that would impair their ability to meet their work-related obligations to the State Regents.
- B. Neither Regents nor employees may accept employment from institutions within the State System except and only to the extent permitted by Section, Outside Employment/Consultation, of the State Regents Personnel Policies.

- C. This prohibition also extends to service as an officer or director of a higher education-related foundation of institutions for which the State Regents have regulatory authority. This prohibition does not extend to ordinary membership in alumni associations or institution-related foundations; nor does it prohibit donations or bequests to institutions within the State System.
- D. Regents and the Chancellor shall not hold any other public office unless expressly permitted by law.
- E. Regents and employees who are licensed professionals shall not accept professional engagements with State System institutions. Regents may accept professional engagements with entities doing business with State System institutions, subject to the disclosure rules of Section 2.5.3.

2.10.5 Use of State Titles/Political Activities

- A. While higher education officers and employees have significant political rights under applicable state and federal statutory and constitutional law, an individual's political activities must not be represented or implied to represent that the individual is speaking on behalf of the State Regents, the State System, or any of its institutions.
- B. In exercising these rights, Regents and employees should act in a manner, which does not compromise the neutrality, efficiency, or integrity of their official duties.

- C. Regents and employees may not, at any time:

Imply, directly or indirectly, that the State System, or any of its governing boards or institutions, endorses the individual's personal political beliefs or activities, or any political party candidate, cause, or partisan or nonpartisan activity.

However, it is recognized that public officers in the State System have a duty to advise the Legislature and citizenry as to the needs of higher education in Oklahoma. Such activities are permitted where they are directly related to fulfilling the duties and obligations set forth under the Oklahoma Constitution, or the statutes of the State, and as they may be specifically authorized by the State Regents for Higher Education.

Notwithstanding any of the foregoing, the Chancellor shall not endorse any candidate nor shall the Chancellor contribute to a political campaign.

Regents and employees may not attempt to influence, directly or indirectly, the employment status of persons at State System institutions. Such activities are also prohibited by law.

Adopted in 1988. Revised August 16, 1991, June 28, 1995, September 13, 2002 and October 30, 2003.

2.11 REASONABLE ACCOMMODATION POLICY FOR STATE REGENTS' PROGRAMS, SERVICES, AND ACTIVITIES

2.11.1 Purposes

- A. The Oklahoma State Regents for Higher Education are devoted to ensuring equal access to education. The purpose of this policy is to define the State Regents policy regarding equal opportunity including, but not limited to admissions, employment, financial aid, and educational services for the state system of higher education. In addition, the policy defines rules regarding the access, nondiscrimination, and reasonable accommodations of disabled students in the state system of higher education.
- B. It is the intent of the State Regents that all of its policies be applied in a manner consistent with the requirements of state and federal law regarding equal opportunity, nondiscrimination, and reasonable accommodations. It is recognized that institutions within the State System are covered by these laws and thus, have an independent duty to comply. This policy is intended to provide a basis for addressing those few issues that cannot be resolved at the institution level and for those programs, services, and facilities operated directly by the State Regents. In addition, the policy sets forth guidelines for institutions to use regarding equal access and nondiscrimination of disabled students in the State System of Higher Education.

2.11.2 Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the concept clearly indicates otherwise:

"Disability" shall be those currently defined in federal law.

2.11.3 Equal opportunity

The Oklahoma State System for Higher Education in compliance with Titles VI and VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Americans with Disabilities Act of 1990, and other federal or state laws and regulations, will not discriminate on the basis of race, color, national origin, sex, age, religion, disability, 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.

2.11.4 Equal access and nondiscrimination of disabled students in the Oklahoma State System of Higher Education

- A. Qualified current or prospective or disabled persons may not, on the basis of disability, be denied access to or be subjected to discrimination in the Oklahoma State System of Higher Education.
- B. In administering this policy, the State Regents and the institutions within the Oklahoma State System of Higher Education will use the following guidelines:

Limitation may not be made on the number or proportion of disabled persons admitted to the institutions within the State System or to a program administered in the State System.

The qualified disabled person must self-identify his/her disability before he/she may request accommodation for assessment for admission, retention, transfer or award within the State System.

The assessment criteria or admissions tests used for disabled students shall have been validated as a predictor of academic success and shall not have a disproportionately adverse effect in excluding persons based on disability status. Such tests shall be administered in ways and in facilities that assure reasonable accommodation and accessibility.

2.11.5 Complaint policies for alleged discrimination

- A. Any persons who believe they, or any specific class of persons, have been subjected to discrimination in a State Regents administered program subject to Titles VI and VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Americans with Disabilities Act of 1990, and other federal or state laws and regulations may make a complaint of discrimination in person, by representation, by telephone, or by written communications. The complainant has a right to file a complaint of the alleged discriminatory action(s) with the State Regents General Counsel's Office at 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104, (405) 225-9100.
- B. Any person who expresses an interest in filing a complaint may do so without fear of retaliation, intimidation, coercion, or threats.
- C. No person will be adversely affected because they made a complaint, testified, assisted, or participated in any manner in an investigation, review, proceeding, or hearing under this policy.
- D. The State Regents will conduct a prompt and thorough investigation of the complaint. The General Counsel's office will determine whether or not discrimination did in fact occur. If discrimination occurred, the State Regents will take all necessary action to correct the discriminatory practice(s). The complainant will be advised, in a timely fashion, of the findings of the State Regents regarding his or her complaint.

2.11.6 Reasonable accommodations

If a State Regents' policy, program, service, or facility is implicated by a request for reasonable accommodation, the following procedure shall be utilized.

An individual's request for reasonable accommodation should be submitted in writing to the State Regents' General Counsel's Office acting as the ADA coordinator at 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104, (405) 225-9100. Making the request in

writing is not a pre-requisite to acquiring an accommodation. If an individual wishes to make his/her request orally, the ADA Coordinator will memorialize the request in writing and send a copy to the individual making the request. The request should include the following:

- a. The State Regents' policy that is at issue
- b. The institution(s) to which the requesting party is either an applicant for admission or an enrolled student
- c. If the requesting party is not an applicant for admission or an enrolled student, the requesting party shall identify the State Regents' program, service, or facility at issue
- d. The individual's disability
- e. An explanation of how the policy acts as a barrier to the individual due to his/her disability
- f. The accommodations that can be made that would alleviate the barrier

The State Regents will notify an institution when it has been implicated by a request for reasonable accommodation. Within five (5) working days from the day the State Regents receive the request, the institution involved must inform the State Regents' ADA Coordinator that it is unable to accommodate the student without violating State Regents' policy.

Once it is clear that a State Regents' policy, program, service, or facility has been implicated by the request, the State Regents' ADA coordinator will obtain a response from the State Regents' staff member who is most familiar with the policy, program, service or facility at issue. The staff member should identify and justify the essential eligibility and participation requirements of the program, policy, or service. The response should also state specifically whether or not the requested accommodation is reasonable, whether there are alternative accommodations available, select an accommodation that may be given, or recommend that the request for accommodation be denied.

If a request for accommodation is denied, or if the requesting party does not accept alternative accommodations presented by the ADA coordinator and State Regents' staff member, the request for reasonable accommodation and the response shall be presented to the Chancellor.

2.12 COMPLIANCE POLICY

2.12.1 Introduction

The Oklahoma State Regents for Higher Education have adopted State System policies and procedures regulating the following coordinating responsibilities: administration, academic affairs, educational outreach, fiscal affairs, planning and policy research, and student affairs. The authority for enacting, and insuring compliance with, these policies is derived from the Oklahoma Constitution, Article XIII-A, Section 2 and 70 O.S. §3206 (2001), especially subsection(o), which confers upon the State Regents all powers necessary or convenient to accomplish their constitutional purposes and objectives.

2.12.2 Compliance Review: Standards and Process

A. General Standards

Institutional reviews will be conducted in the most effective and efficient manner possible. Such reviews are intended to be positive and productive and will be conducted in that spirit. Additionally, compliance reviews are to be performed with due professional care in both the examination of the institutional records as well as in the preparation of the final report.

B. Review Process

Institutional policies and practices will be reviewed for compliance with State Regents' policies. Appropriate institutional publications will be used to ascertain institutional policy compliance. Institutional practices will be evaluated through discussions with institutional staff and examination of institutional records and data, including the data provided through the Unitized Data System.

To help ensure the accuracy of the final report, a summary of the preliminary findings will be provided to each institution for purposes of review and comment. For those findings of noncompliance, which may be included in the final report, the institution is expected to submit its plan for achieving full compliance with the relevant State Regents' policies.

C. Final Report

The final report will include a full disclosure of all findings as well as, if applicable, the institution's plan for achieving full compliance. The final report will be received by the State Regents at a regularly scheduled meeting. Following the State Regents' formal receipt of the final report, a copy will be provided to the institution.

2.12.3 Compliance Report Follow-up Procedure

State System's Auditor will monitor the respective institutional activities planned to bring the institution into full policy compliance. Should the institution continue practices which are in violation of policy, the Chancellor will notify the institutional president of those violations in writing, requiring a written statement from the institution asserting that it is in compliance or setting forth any unforeseen circumstances which

have rendered full compliance impossible. Upon receipt of the institutional response, the Chancellor will provide a formal report and recommendations to the State Regents for obtaining full compliance.

2.12.4 Compliance Expectations

In general, it is expected that institutions will comply with State Regents' policy, and in particular that institutions will implement the compliance plans included in the final compliance report received by the State Regents. Failure to implement the compliance plan fully and faithfully is regarded by the State Regents as unacceptable. Should such circumstances occur, the State Regents reserve the right, without further notice to the institution, to take whatever actions may be necessary, consistent with their constitutional and statutory authority, to bring about full institution compliance.

2.12.5 Compliance Enforcement

In determining the budget allocation to any institution for the forthcoming fiscal year, the State Regents will consider, as one element of the allocation decision, any advantage, financial or otherwise, inuring to the benefit or advantage of the institution which would not have occurred but for the institution's violation(s) of State Regents' Policies and Procedures, as noted in an audit report of the State System Auditor officially received by the State Regents. The State Regents further reserve the right to reduce the institution's final allocation for the forthcoming fiscal year in a manner proportionate to any financial or other advantage obtained by the institution.

Adopted April 19, 1991.

2.13 REGENTS EDUCATION PROGRAM

American higher education has thrived under the unique concept of lay governance. If that tradition is to continue, qualified men and women must be selected to serve as regents, and they must also be educated to govern in situations of increased complexity and accelerating change.

A series of legislation was passed in Oklahoma during the late 1980s to improve Oklahoma higher education and increase its accountability. That activity was capped by the passage of bills in 1990 calling for a regents' education program. The purpose of the program is to educate Oklahoma regents and trustees about the nature of their responsibilities and the seriousness with which they should be undertaken. More specifically, the program is to provide information and understandings that will allow regents and trustees to perform their public responsibilities and to govern successfully in the face of greater calls for wider programs and services, mandates for greater accountability, changing clientele and demands, and resource scarcity.

2.13.1 AUTHORIZATION.

Oklahoma law (70 O.S. §§3228 and 3228.1 (2001)) establishes a program to educate Oklahoma regents and trustees about the nature of their responsibilities and seriousness with which they should be undertaken.

2.13.2 PROGRAM NAME.

The name of the program will be the "Regents Education Program."

2.13.3 DEFINITIONS.

- A. Regents Education Courses: Courses, seminars, lectures, videotapes, and orientations approved by the State Regents as part of the Regents Education Program and offered for credit.
- B. Credit. Credit referenced in the context of the Regents Education Program refers to clock hour credit earned to satisfy requirements of this program only. It does not refer to "collegiate" credit, which can be applied to college/university transcripts.
- C. Hours. The unit of credit assigned by the State Regents to Regents Education Courses. The unit of credit will indicate the relative importance and value of the offering but will not exceed the actual hours and minutes of course duration.
- D. Date of Taking Office. The date on which a qualified person (one who meets the age requirements and other qualifications set out in 70 O.S. §3202(b) (2001)) "takes office" thus triggering the continuing education requirements. It is the first date on which one of the following sets of criteria is satisfied.

The appointment has been confirmed by the Senate, the appointee has taken the oath provided by law, and the predecessor's term has expired, or

The individual's nomination has been submitted to the Senate (but has not yet been confirmed), the current Regent has resigned (or otherwise vacated the office as provided in 51 O.S. §8 (2001)), the Governor has appointed the individual to hold the office on an interim basis pending Senate confirmation (74 O.S. §2.2 (2001)) and the appointee has taken the oath provided by law.

2.13.4 ADMINISTRATION.

- A. The Oklahoma State Regents for Higher Education are charged with responsibility for developing and operating the program in consultation with the State Attorney General's office.
- B. A "Regents Education Program Advisory Committee" shall be formed to assist, advise, develop, and react to proposals.

Duties. The advisory committee will provide counsel to the Chancellor in (a) designing, implementing, and refining the program and (b) in developing an annual curriculum.

Membership/Terms. The advisory committee will be comprised of 8-10 individuals representing the faculty, administration, and board staff of two-year, four-year, and comprehensive institutions. A current or former regent with service experience preferably on two of the three types of higher education boards (coordinating, governing, administrative) may also be selected to serve on the committee. Members of the committee will be appointed by the Chancellor. Ex officio members of the committee will include the Assistant Attorney General serving as the higher education liaison, the individual representing the Chancellor for board relations, and the Executive Secretaries of the three multi-institution governing boards.

2.13.5 ELIGIBILITY.

- A. All regents and trustees for Oklahoma's 20 higher education boards will complete the Regents Education Program as required by law.
- B. All regents and trustees will generally be notified and given the opportunity to participate in the Regents Education Program even after the 15-clock hour requirement is satisfied.
- C. Opportunity to participate in portions of the program may be made available and announced to others in the higher education community, common and vocational-technical education, other sectors of state government, the public at large, and regional/national education organizations.

2.13.6 DELIVERY.

- A. Regents education courses will be offered at various locations within the state with at least one-half of the offerings to be offered outside the major population centers.
- B. Courses will be offered through (1) classroom settings on

campuses, (2) seminar settings in various locations, and (3) electronic media including audiotapes, satellite, compressed video, OneNet, videotapes, etc.

- C. Courses may be hosted and offered by the following: The State Regents, colleges/universities, other government agencies, civic groups, national education or other professional organizations, and others. All such courses and their credit must be approved in advance by the State Regents' office. The State Regents will maintain an official "Regents Education Course Inventory" and will provide official notice of credit opportunities to the states' regents and trustees and college/university presidents.
- D. Education sessions offered by institutions and board offices for their respective boards of regents may qualify for credit with advance approval.

2.13.7 PROGRAM.

Each appointed or reappointed Regent/Trustee, must complete 15 hours of continuing education within two years of the date on which the Regent/Trustee takes office. Individuals appointed to a board for a term of less than two years are expected to participate in the Regents Education Program. For purposes of the Regents Education Program, an initial term of less than two years and a successive appointment to the same or another board in The Oklahoma State System of Higher Education will be treated as a single term and the Regent/Trustee will have two years from the date he/she takes office for the initial appointment in which to complete the continuing education requirement.

Two of the 15 hours must be in ethics as required by law. The remainder of the Regents Education Program curriculum may be comprised of:

A. ORIENTATION

All boards are currently required (74 O.S.§3101 (2001)) to brief new members on the duties of their office within two weeks of appointment. Orientations are offered at the campus or system board site and conducted by the board secretary, president, and/or other executive officer familiar with the responsibilities of the board.

Board orientation sessions may qualify for up to four hours of Regents Education Program upon submission to and approval by the State Regents' office.

B. CORE PROGRAMS.

Purpose. There is a standard, base-line knowledge necessary for the successful service of Regents/Trustees. Many members are successful business people and many have considerable experience in serving on boards of some type. While bringing these valuable perspectives to higher education lay governance, a familiarity with specific responsibilities of regents will be beneficial to understand and provide effective leadership for the higher education operation.

Issues for the Core Programs would relate to the history and traditions of higher education and lay governance in America and would include such issues as:

- academic freedom and tenure,
- institutional autonomy/central control, State System policies, State Regents/governing board regents responsibilities,
- development of the three-tiered system of two-year colleges, regional universities, and research universities,
- governance systems in higher education and the role of lay governance,
- the distinction between policy development and day-to-day management,
- faculty and student roles in the governance process,
- politics and higher education,
- higher education finance (sources of support as well as accounting practices and principles),
- legal aspects of higher education and legal responsibilities of regents, and
- ethics issues facing individual regents, boards, and institutions (two clock hours required by law)

C. HIGHER EDUCATION ISSUES.

Purpose. Courses in this part of the curriculum will be designed to keep Oklahoma Regents and Trustees apprised of state and national issues that impact the operation of their colleges/universities and higher education generally. This curriculum will acquaint board members with the issues and provide information that will allow better planning for the future. Some of the issues may be a take-off or expansion of issues more generally addressed in the core Regents' Responsibilities section.

Issues Courses may be unrelated to institutional type or institutional-type specific, such as:

Students--Yesterday, Today, and Tomorrow. A workshop concerning changing American college student body and the effects of those changes on the nature of the institution, student support services, and long-range planning; student retention and graduation; advising and counseling, the multicultural, multiethnic campus; the non-traditional student, the differing roles of the different types of institutions.

Workshop on Higher Education Finance. Presentations on capital projects, foundations, state laws governing different kinds of money, different kinds of funding methods used in different states.

Assessment and accountability in Higher Education. One of the hottest national issues today, concerning the assessment of student learning, evaluation of programs, faculty evaluation and merit pay, strategic planning as a way of focusing resources and maximizing opportunities.

Fundraising. Presentations on alternative sources and methods of funding.

Other current issues such as the role of athletics, fraternities and sororities, racism on campus, general education versus professional education.

2.13.8 NOTIFICATION/CERTIFICATION

The offerings will be announced via periodic Regents education program bulletins and postcard alerts.

Class instructors or board offices will certify course completion to the State Regents' office.

The State Regents will issue "Certificates of Achievement" following completion of 15 hours of credit.

The State Regents will provide notification and alerts for Regents and Trustees regarding final opportunities to satisfy education requirements.

2.13.9 CHARGES

Insofar as state-appropriated funds or external private funds are available, the State Regents will incur costs of speakers, materials, printing, postage, copying, and meeting room charges. Regents and Trustees will incur the cost of meals, lodging, and travel and will be reimbursed in the usual manner according to the State Travel Law.

2.13.10 CONTRACTING

The State Regents will be responsible for arrangements for the offering of course work and may contract or coordinate for assistance in one or more of the following:

- A. mailing of class schedules,
- B. printing of class schedules and bulletins,
- C. registration/certification activities,
- D. development of courses,
- E. utilization of faculty expertise,
- F. securing of meeting sites,
- G. meal arrangements,
- H. purchase and shipping of course materials.

Adopted May 24, 1991. Revised October 31, 1997 and June 30, 2003.

2.14 STUDENT ADVISORY BOARD

Administrative Rule Title 610 Chapter 1 Subchapter 3 (610:1-3)

2.14.1 Purpose (610:1-3-1)

(a) The Oklahoma State Regents for Higher Education recognize the value of a formal structure for student input and a strengthened linkage to its most important constituency--students. Consequently, the State Regents have created a Student Advisory Board to assist the State Regents in enhancing their relationship with students. The creation of this board is consistent with provisions of House Bill No. 1801 of the 1988 Oklahoma Legislature [70 O.S., § 3205.5] which became effective November 1, 1988.

(b) The purpose of the Student Advisory Board is to communicate to the State Regents the views and interests of all Oklahoma college and university students on those issues that relate to the constitutional and statutory responsibilities of the State Regents. In representing students, the Student Advisory Board shall combine the opinions of students with good sound research to develop the best proposals and recommendations for the State System of Higher Education.

2.14.2 Membership (610:1-3-2)

- A. The Student Advisory Board consists of seven members elected by delegates to the Oklahoma Student Government Association (O.S.G.A.) at its annual meeting.
- B. Board members will be selected as follows:
 - Two members will be elected at large to represent the comprehensive universities in The Oklahoma State System of Higher Education.
 - Two members will be elected at large to represent the regional universities in the State System.
 - Two members will be elected at large to represent the junior colleges in the State System.
 - One member will be elected at large to represent the accredited independent colleges and universities in the state.
- C. The term of office of the Student Advisory Board is one year. A member may serve a maximum of three terms.
- D. A member must be enrolled in at least 12 semester credit hours at an Oklahoma college or university and must have a minimum cumulative grade-point average of 2.8 on a 4.0 scale. A member must attend the type of institution that he/she is elected to represent.
- E. Members will take office each year at the State Regents' May meeting.
- F. A member who wishes to resign before his/her term expires must notify in writing the State Regents and the Oklahoma Student Government Association.

- G. A member may be removed from office if he/she does not continue to meet the requirements as set forth in (D.) of this Section during the term of office.
- H. The Student Advisory Board members shall have the powers to recommend to the Board of Directors of the O.S.G.A. removal of a fellow Student Advisory Board member for violations of duties set forth in 610:1-3-3.
- I. The Board of Directors of the O.S.G.A. shall by majority vote have the power to remove a Student Advisory Board member congruent to any such recommendation made from the Student Advisory Board.

2.14.3 Duties (610:1-3-3)

- A. So that members of the Student Advisory Board may adequately represent the views of other state students, each member will visit at least two other schools within the State System during his/her term of office. These other schools may not be under the same governing board as the institution that the member is attending. During these visits, the member should speak with student government leaders on important issues of student concern.
- B. The Student Advisory Board will serve as an avenue for the student community to express its opinions and interests to the State Regents.
- C. The Student Advisory Board will elect a chairman at its first meeting following election to serve as its liaison to the State Regents' office.
- D. The chairman will work with the State Regents' office through a staff liaison designated by the Chancellor.
- E. The Student Advisory Board will elect a reporter at its first meeting following election to take official minutes of the Student Advisory Board meetings and maintain a file of Student Advisory Board actions.
- F. Members of the Student Advisory Board will be called upon by the Chancellor to provide informal counsel and advice and to make presentations at public hearings, legislative meetings, etc.
- G. The Student Advisory Board, by a majority vote of its members, may submit recommendations to the State Regents on matters relating to the duties and responsibilities of the State Regents.
- H. Members of the Student Advisory Board are encouraged to attend all regularly scheduled meetings of the State Regents. The board's elected representative has speaking privileges at such meetings in accordance with State Regents' operating policy.
- I. The representative at the State Regents' meetings will be responsible for recognizing other members of the Student

Advisory Board for the purposes of:

Speaking on issues that concern students and relate to the State Regents' duties and responsibilities.

Presenting recommendations that relate to the State Regents' duties and responsibilities.

- J. The Student Advisory Board will work with the Chancellor and the designated liaison in developing an annual list of priorities and goals for rendering advice to the State Regents.
- K. The chairman or other designated spokesman of the Student Advisory Board shall have a place on the agenda of regular State Regents' meetings for the purpose of making a report.
- L. The Student Advisory Board will submit an annual written report of its activities to the State Regents and the Oklahoma Student Government Association and will also maintain regular contact with the Association to apprise it of significant developments.
- M. The Student Advisory Board will follow the requirements of the Oklahoma Open Meeting Act [25 O.S., § 301 et seq.].
- N. Members of the Student Advisory Board shall be reimbursed for travel expenses incurred in the official performance of their duties as members of the Student Advisory Board in accordance with the State Travel Law [74 O.S., § 500.1 et seq.]. Reimbursements will be paid from the operating budget of the State Regents and must have the prior approval of the Chancellor's office and the Student Advisory Board chairman. Clerical and administrative assistance to the Student Advisory Board will be provided by the Chancellor's office and the designated liaison in the conduct of the Student Advisory Board business.

2.14.4 Guidelines for operation (610:1-3-4)

- A. The Student Advisory Board will operate under the provisions of 70 O.S., §§ 3205.5 and 3205.6.
- B. The Student Advisory Board will also operate under guidelines established by the Student Advisory Board and approved by the State Regents.

2.14.5 Meetings (610:1-3-5)

- A. A schedule of regular meetings of the Student Advisory Board will be filed annually with the Secretary of State and with the State Regents' office.
- B. A record of the Student Advisory Board meetings shall be kept on official file in the office of the State Regents.
- C. An individual designated by the Chancellor shall be invited to attend official meetings of the Student Advisory Board.

2.14.6 Amendments (610:1-3-6)

The provisions in this Subchapter may be amended by a majority vote of the Student Advisory Board and approval of the State Regents.

2.15 FACULTY ADVISORY COUNCIL

The Oklahoma State Regents for Higher Education recognize the value of a formal structure for faculty input and a strengthened linkage to an important constituency-faculty. Consequently, the State Regents have created a Faculty Advisory Council (FAC) to assist the State Regents.

2.15.1 ARTICLE I - NAME

The name of this group is the Faculty Advisory Council (FAC) to the Oklahoma State Regents for Higher Education.

2.15.2 ARTICLE II - PURPOSE

The purpose of the FAC is to communicate to the Chancellor and the State Regents the views and interests of all Oklahoma college and university faculty on those issues that relate to the constitutional and statutory responsibilities of the State Regents. In representing faculty, the FAC shall attempt to accurately represent the positions of faculty and develop the best proposals and recommendations to the State Regents.

2.15.3 ARTICLE III - MEMBERSHIP

- A. The FAC consists of 14 members elected by tier by the State Faculty Assembly at its fall annual meeting and appointed by the Chancellor.
- B. Member of the FAC must be a faculty member at a college or university within the state of Oklahoma and should, at the time of election, be the president or designee of his/her institution's faculty organization. In the event an institution does not have an official faculty organization, an individual receiving the consent and support of the faculty of that institution will be eligible for election to the FAC.
- C. The term of office of the FAC member is two years, beginning January 1 in the year following election.
- D. The membership of the FAC is elected from delegates attending the General Faculty Assembly and is comprised of:
 - Four members elected at large from delegates representing the two research universities in The Oklahoma State System of Higher Education: two from the University of Oklahoma and two from Oklahoma State University.
 - Four members elected at large from delegates representing the regional universities in the State System.
 - Four members elected at large from delegates representing the community colleges in the State System and the OSU Technical Branches in Oklahoma City and Okmulgee. Representation will reflect a balance of two members from the metropolitan institutions (Oklahoma City Community College, Tulsa Community College, Rose State College, and OSU-Oklahoma City) and two members from the remaining community colleges.
- E. Two members elected at large from delegates representing the

regionally accredited independent colleges and universities in the state.

- F. Delegates to the annual General Faculty Assembly will be the current president/chairman or designee of the faculty organization from each of the colleges and universities in Oklahoma.
- G. During the Assembly, elections for FAC membership shall be held for:
 - two research university positions;
 - two regional university positions;
 - two community college positions; and
 - one independent colleges/universities position.
- H. In the event a tie vote occurs in an election for a membership position, the delegate from the institution which has not been previously represented on the FAC or which has the longest time gap in representation shall be declared the new member. If this method does not identify a new member, the new member will be chosen by the toss of a coin.
- I. A member of the FAC who wishes to resign before his/her term expires must notify the Chancellor and the FAC in writing in a timely fashion.
- J. A member who will be unable to attend meetings for an extended period of time but does not wish to resign from the FAC may be granted a leave-of-absence by the Chairman of the FAC if it is determined the work of the FAC would not be seriously hindered by the action.
- K. A member will be removed from office if he/she does not continue to meet the requirements listed in this Article and/or fails to perform the duties described in Article IV. Proof of deficiencies warranting removal will be conclusively established by eight FAC members voting in favor of removal and with the concurrence of the Chancellor. The member subject to removal shall have the opportunity to respond to a motion for removal in person and/or in writing prior to a removal vote being taken.
- L. Replacement appointments to fill leave-of-absence, resignation, or removal vacancies will be made by the Chancellor consistent with the membership requirements in this Article and with the advice of the FAC. Alumni members who may not be the president/chairman of a faculty organization will be eligible for selection as a replacement FAC member. If a resignation or removal replacement occurs during a member's first year of service, the appointee will serve until the next General Faculty Assembly is convened, at which time the service tier represented will vote to continue or replace the appointment for the remainder of the term.

2.15.4 ARTICLE IV - DUTIES

- A. Members are encouraged to visit and become familiar with other institutions in the state.
- B. The FAC will serve as an avenue for the faculty community to express input to the State Regents.
- C. The FAC will elect an individual to serve as chair according to the following guidelines:
 - Two elections will take place each calendar year, one in December and one in May, where a chair and chair-elect will be elected;
 - The chair and chair-elect will be selected from the representing tiers and cannot succeed themselves or serve twice in one calendar year;
 - Terms of office are three months beginning in January of the election year;
 - In the absence of the chair, the chair-elect will represent the FAC; and in the absence of the chair-elect, the former chair will represent the FAC.
- D. The chair will work with the State Regents' office through a staff liaison designated by the Chancellor.
- E. The Chancellor shall, with the advice of the FAC, appoint a reporter from his/her staff to take official minutes of the FAC meetings and maintain a file of FAC actions.
- F. Members of the FAC will be called upon by the Chancellor to provide informal counsel and advice and to make presentations at public hearings, legislative meetings, etc.
- G. The FAC, by a majority vote of its members, may submit recommendations to the Chancellor on matters relating to the duties and responsibilities of the State Regents.
- H. Members of the FAC are encouraged to attend regularly scheduled meetings of the State Regents.
- I. The FAC will work with the Chancellor and the designated liaison in developing an annual list of priorities and goals for rendering advice to the State Regents.
- J. The FAC will submit an annual written report of its activities to the Chancellor and will also maintain regular contact with the state's faculty organizations to apprise them of significant developments.
- K. Clerical and administrative assistance to the FAC will be provided by the Chancellor's office and the designated liaison in the conduct of the FAC business.
- L. The Chair or designated spokesman for the FAC may develop a written and oral presentation to the State Regents on at least a

quarterly basis or more frequently as needed. Written reports will be submitted in timely fashion to the Chancellor for inclusion in the official bound agenda for the Regents. For purposes of compliance with the state's Open Meeting Act, reports and recommendations for Regents' action should be submitted to the Chancellor at least three weeks prior to State Regents' meetings.

2.15.5 ARTICLE V - AUTHORIZATION

The FAC will operate under guidelines established by the FAC with the concurrence of the Chancellor.

2.15.6 ARTICLE VI - MEETINGS

- A. A schedule of regular meetings of the FAC will be filed annually with the State Regents' office.
- B. A record of the FAC meetings shall be kept on official file in the office of the State Regents.
- C. An individual designated by the Chancellor shall be invited to attend official meetings of the FAC.

2.15.7 ARTICLE VII - AMENDMENTS

This document may be amended by a majority vote of the FAC and concurrence of the Chancellor.

2.15.8 ARTICLE VIII - ALUMNI MEMBERS

Alumni members of the FAC are entitled to receive the minutes of the FAC upon request.

Alumni members are encouraged to offer their input to the FAC for the continued improvement of higher education in Oklahoma.

Alumni members are encouraged to attend the General Faculty Assembly and/or the regular December meeting of the FAC.

Alumni members, particularly those whose terms have recently expired, are encouraged to visit state faculty organizations for the purpose of explaining actions taken by the FAC relative to key higher education issues.

Alumni members, provided they are currently members of a college or university faculty, are eligible for appointment by the Chancellor to fill temporary vacancies or un-expired terms on the FAC in the manner provided by Article III, Section 8.

Approved by State Regents December 17, 1990; amended April 28, 1995, June 27, 2002, November 1, 2002 and February 7, 2008.

2.15 COUNCIL ON INSTRUCTION

The Council on Instruction (COI) considers academic and related issues affecting Oklahoma higher education, proposes academic and related policy and procedures, and serves as the principal statewide advisory council rendering advice and counsel to the Chancellor in the review of current and recommended academic and related policy and procedures. In performing these responsibilities, the COI renders service to the whole State System, including communicating with various bodies such as the Council of Presidents.

2.15.1 MEMBERSHIP AND VOTING PRIVILEGES

The chief academic officer as designated by the President of the institution of each of the twenty-five institutions in The Oklahoma State System of Higher Education shall be eligible for membership. Members shall have equal standing. Only COI members are eligible to vote.

2.15.2 OFFICERS

Officers of the COI shall be the Chairperson and Chairperson-Elect. The officers shall serve for one academic year (September through August), and the annual transfer of leadership will take place in September.

A. Duties of the Chairperson include:

Preside at COI meetings.

In concert with State Regents' Staff, prepare the agenda for COI meetings.

Appoint committees to study issues affecting higher education.

B. The Chairperson-Elect shall serve in the capacity of chairperson during the absence of the chair.

2.15.3 COMMITTEES

The Chairperson may appoint ad-hoc committees to study issues affecting higher education. Non-COI members may be named to committees as deemed necessary to aid in the work of the committee. Unless invited by the COI Chairperson or the Executive Vice Chancellor for Academic Affairs, only officially named committee members may attend committee meetings and have voting privileges. Generally, official committee members are COI members. On some occasions, substitutes for COI members may be officially named to committees by the COI Chairperson and shall attend committee meetings and have voting privileges. Resource persons may also be named to committees by the COI Chairperson but shall be non-voting members of the committee.

In addition to ad-hoc committees formed as needed, one standing committee is named as follows:

A. Nominating Committee

Composition: Three members, one from each higher education tier.

Terms: Each member will serve a three-year term with the terms

being staggered so that one term expires each year. At the beginning of each year the new Chair of the COI will appoint a replacement for the committee member whose term has expired. Members of the first Nominating Committee will serve one-, two-, or three-year terms with the term of each member being determined by lot.

Duties: At the July meeting each year, the Nominating Committee will present to the COI one or more candidates for the position of Chairperson-Elect. If for any reason the Chairperson-Elect for the previous year is unable to succeed the Chair, then the Nominating Committee will also select and present to the COI one or more candidates for the position of Chair.

2.16 COUNCIL ON STUDENT AFFAIRS

2.16.1 Mission

The Council on Student Affairs, a statewide panel of principal student affairs officers, serves as a key advisory council to the Chancellor, Regents' staff, and other state officials regarding issues and policies affecting the welfare and development of students enrolled in the Oklahoma higher education system. The Council also serves as a forum where student affairs officers meet to discuss matters of common interest and, when appropriate, conducts studies and issues reports designed to strengthen co-curricular programs and student support services at Oklahoma higher education institutions.

2.16.2 Membership

Members of the Council on Student Affairs shall be comprised of principal student affairs officers from each institutional campus and higher education centers (as appropriate) in the State System. A representative from the independent sector will be invited to serve on the Council and shall be selected by the Council from nominations provided by the Independent College Association.

2.16.3 Voting Privileges

Members will have equal standing for purposes of voting, however, no voting privileges will transfer to an assigned delegate should the principal student affairs officer be unable to attend Council meetings.

2.16.4 Meetings

Meetings of the Council shall be held on the first Thursday of each month (except August), at 10:00 a.m. in the State Regents' Conference Room, Oliver Hodge Education Building, State Capitol Complex.

As deemed necessary and appropriate, the Council may hold meetings at other places and locations as recommended by the Chair of the Council and with consent of Council members.

2.16.5 Officers of the Council

Officers of the Council on Student Affairs shall consist of a Chairperson and a Vice Chairperson. The Chair and the Vice Chair of the Council shall serve for one year. The Chair will preside at Council meetings; in the Chair's absence, the Vice Chair shall preside.

2.16.6 Selection of Officers/Executive Committee

On a rotating basis, and by tier (comprehensive, 4-year/regional and 2-year), the Vice Chair shall come from the nominations received from the tier whose term it is to serve as Chair the following year (the Vice Chair will automatically become Chair the following year and will also be considered as chair-elect). For purposes of this section, UCT is included in the 4-year/regional institutional tier and OSU Technical Branch-Okmulgee and OSU Technical Branch-Oklahoma City are included in the 2-year institutional tier. The election process shall take place during the June Council meeting each year.

Once the Vice Chair is confirmed by a majority of the Council during the June meeting, two members from each tier shall be designated (by tier) to serve on the Executive Committee. The tier whose term it is to have a member serve as chair or vice chair shall only designate one additional member since the Chair of the Council also serves as Chair of the Executive Committee and the Vice Chair will also serve on the executive committee as chair-elect for the next year.

The Chair and Vice Chair shall be seated at the July meeting of the Council.

Duties of the Chairperson include:

- A. In concert with State Regents' staff, prepare agenda for Council meetings;
- B. Appoint members to committees as necessary; and,
- C. Preside at Executive Committee meetings.

2.16.7 Chair/Vice Chair/Executive Committee Vacancies

Should the Chair of the Council be unable to serve for a full term, the Vice Chair will preside. Should the Vice Chair be unable to serve for a full term, the Council shall use the procedure presented in the *Selection of Officers* to replace the Vice Chair.

2.16.8 Committees

- A. Executive Committee – Shall develop a slate of issues to be discussed and/or addressed by the Council during the year to insure timely management of matters affecting student welfare.

Standing committees shall consist of:

- Executive Committee
- Bylaws and Procedures Committee
- Research Committee
- Legislative Issues Committee
- Programming Committee

Each standing committee will be chaired by a member of the Executive Committee. Committee responsibilities are as follows:

- A. Bylaws and Procedures Committee – Is responsible for assessing the adequacy for the Council's operating procedures and proposing, when warranted, amendments to the Bylaws and Operating Procedures.

Research Committee – Shall, as required, develop and present reports and/or studies pertaining to issues affecting support services in the State System.

Legislative Issues Committee – Shall identify student related matters

which have legislative oversight or legislative implications. When needed, the committee, along with State Regents' staff will provide appropriate advice and counsel.

Programming Committee – Shall, in coordination with Council members, present topics and/or issues the Council would like to know more about or discuss during monthly meetings.

Ad-Hoc Committees – From time to time the Chair of the Council in coordination with the Executive Committee may establish an ad-hoc committee(s) as warranted.

The Chair of the Council will review annually the responsibilities and operations of each Standing Committee. When warranted, the Chair, with input and advice from the Executive Committee, will propose changes in the responsibilities of Committees and, with the consent of the Council, appoint new committees as needed.

2.16.9 Parliamentary Procedure

The generally accepted rules of parliamentary procedure for small legislative bodies shall govern in the deliberation of the Council and, unless specifically altered in these procedures, the latest edition of *Roberts Rules of Order* shall be the controlling guide in such practice.

Amendments – Any members of the Council may propose changes to these Bylaws. Proposed changes become effective when approved by two-thirds of the Council in attendance.

2.17 COUNCIL OF BUSINESS OFFICERS

2.17.1 Function of the Council of Business Officers

The Council of Business Officers (CBO) considers financial and business related issues affecting Oklahoma higher educational institutions. The Council shall serve in an advisory capacity to the Chancellor, the Regents' staff, the Presidents' Council and serve the State System as a whole on issues and policies affecting the best practices of the state system institutions.

2.17.2 By-Laws and Operational Procedures

A. ARTICLE I – NAME

The name of this organization shall be the Council of Business Officers of the Oklahoma State System of Higher Education.

B. ARTICLE II – PURPOSE

The Council of Business Officers (COBO) purpose shall include, but not be limited to the following:

Serve as an advisory council to the, Chancellor, OSRHE staff, the Council of Presidents and any other advisory councils as requested.

Consider business and related issues affecting Oklahoma higher education.

Conduct studies and issue reports in the review of business affairs.

Provide support and guidance to other OSRHE Councils in rendering advice for matters of business affairs.

Propose business and related policy and procedures.

C. ARTICLE III – MEMBERSHIP

The Chief Business officer* of each of the twenty-five (25) institutions in The Oklahoma State System of Higher Education shall be eligible for voting membership. Members shall have equal standing.

**As designated by the President of the institution.*

The Chief Business Officers and the OSRHE staff may invite non-voting members to meetings.

D. ARTICLE IV – MEETINGS

Meetings of the Council shall be held on the first Thursday of each month, at 10:00 a.m. in the OSRHE Conference Room. Review of the scheduled meetings will be made every December for the remainder of the academic year.

E. ARTICLE V – GOVERNANCE AND OFFICERS

COBO shall consist of an Executive Committee which will include five institutional representatives. Membership on the Executive Committee will be allotted as follows:

- a. Two representatives from the Regional Universities.
- b. Two representatives from the Community Colleges.
- c. One representative from the Research Universities.

The representatives of the Executive Committee will select the Chairperson and Chairperson-Elect. Each of these officers will serve for one academic year (August through July), and the annual transfer of leadership will take place in August. An officer may serve no more than two consecutive terms in the same position.

- d. Duties of the Chairperson include:
 - i. Preside at COBO meetings.
 - ii. In concert with State Regents' Staff, prepare the agenda for COBO meetings.
 - iii. Appoint committees to study issues affecting higher education.
 - iv. The Chairperson-Elect shall serve in the capacity of chairperson during the absence of the chair.

F. ARTICLE VI – COMMITTEES

The Chairperson may appoint ad-hoc committees to study issues affecting higher education. The Chairperson of these appointed committees must be voting COBO members. Non-COBO members may be named to committees as deemed necessary to aid in the work of the committee. Only officially named committee members may have voting privileges others may attend committee meetings, though have no voting rights they may voice an opinion.

G. ARTICLE VII – AMENDMENTS AND BY-LAWS

Amendments to these by-laws will be made by a majority vote of the members; By-Laws may be added or deleted. COBO may, by majority vote, add rules or other provisions under which its affairs are to be conducted.

Adopted by the Council in December 2005 and the State Regents on September 14, 2006.

2.18 COMMUNICATORS COUNCIL

2.18.1 PURPOSE

The Communicators Council, a statewide panel of chief public relations professionals from Oklahoma colleges, universities, technical branches and higher education programs, serves as a key advisory council to the Chancellor, Oklahoma State Regents' for Higher Education staff and other state officials. The council serves as a forum where higher education public relations professionals meet to discuss matters of common interest and implement strategies designed to communicate the benefits Oklahoma and Oklahomans receive from the state's investment in its higher education system.

The council shall develop and implement strategies that convey the value, quality, efficiency, diversity and unity of the state system of higher education. Strategies should express the benefits of higher education to Oklahoma and Oklahomans; the quality of higher education programs and services; the system's efficient use of resources; and the benefits of diversity (multiculturalism, nontraditional students and diverse institutions).

2.18.2 MEMBERSHIP

The Communicators Council shall be comprised of chief public relations professionals or official institutional designees from colleges, universities, technical branches and higher education programs in the state system of higher education, the State Regents Director of Communications, and the Higher Education Alumni Council of Oklahoma (HEACO) Executive Director.

2.18.3 VOTING PRIVILEGES AND QUORUM

Members shall have equal standing for purposes of voting. No voting privileges may be transferred to another council member or to an assigned delegate should the institution's official representative be unable to attend a council meeting. However, the Director of Communications may transfer his or her voting to an assigned delegate should the Director be unable to attend.

The Director of Communications for the State Regents will serve as a voting member of the council. The Executive Director for the Higher Education Alumni Council of Oklahoma (HEACO) will serve as an ex-officio (non-voting) member.

Guests are welcome, but discussion of issues before the council will be limited to council members.

A quorum shall consist of the voting members present.

2.18.4 MEETINGS

The Executive Committee will present an annual calendar of meeting

dates at each September meeting for approval by the full council. Meetings will be held in the State Regents Conference Room, 655 Research Parkway, Oklahoma City.

When deemed necessary and appropriate, the council may hold meetings at other locations as recommended by the chair and approved by the council.

2.18.5 OFFICERS OF THE COUNCIL

Officers of the council shall consist of a chair and vice chair, who shall serve for one academic year (July through June).

Duties of the chair include presiding at Executive Committee meetings and full council meetings; appointing members to ad hoc committees as necessary; and, in concert with the State Regents' staff, preparing agenda for council meetings. The chair, or a representative appointed by the chair, will serve as the council's representative at various meetings and functions.

In the chair's absence, the vice chair shall preside at council meetings.

2.18.6 ELECTION OF OFFICERS

The position of chair and the position of vice chair will alternate between the tiers so that the chair and vice chair for any one year are not from the same tier. The position of vice chair and the position of past chair shall be from the same tier.

The vice chair will automatically assume the office of chair the following year.

For purposes of electing the vice chair and representation on Executive Committee, the research universities, regional universities and health sciences centers will be considered as the four-year tier, and the community colleges, technical branches and higher education programs will be considered as the two-year tier.

The tier whose term it is to have a member serve as vice chair shall designate one less member to the Executive Committee.

The chair shall appoint a Nominating Committee in April. The committee will present a nominee for the position of vice-chair and a slate of six nominees for the Executive Committee to the full council for a vote in June. The Nominating Committee shall be comprised of two members from each tier, with the chair of the council as the fifth member of the Nominating Committee.

Elections will be held during the June council meeting, and officers will assume their positions at the July meeting.

2.18.7 VACANCIES OF OFFICES

Should the chair be unable to serve a full term, the vice chair will assume the position of chair for the remainder of the term. Should the vice chair be unable to serve a full term or should both positions become vacant, the council shall use the nominating procedure outlined in "Election of officers" to replace the officer(s). Should an Executive Committee

member be unable to serve a full term, the chair shall appoint a new member to the committee from the respective tier.

2.18.8 EXECUTIVE COMMITTEE

The Executive Committee provides leadership for the Communicators Council. Executive Committee members also serve as liaisons to standing and ad-hoc committees.

The Executive Committee is composed of nine voting members:

- four members from the four-year tier;
- four members from the two-year tier; and
- the chair of the council, who votes only to break ties.

The vice chair and the past chair will be two of the voting members of the Executive Committee. The Director of Communications for the State Regents and the Executive Director of the Higher Education Alumni Council (HEACO) will serve as ex-officio members (non-voting) of the Executive Committee.

The tier whose term it is to have a member serve as vice chair shall designate one less member to the Executive Committee. The vice chair will be a voting member of the Executive Committee. The tier whose term it is to have a member serve as past chair shall designate one less member to the Executive Committee. The past chair will be a voting member of the Executive Committee.

Voting members of the Executive Committee shall be selected as outlined in “Election of officers.”

A quorum of five Executive Committee members shall be required to vote on issues to be presented to the full council.

2.18.9 COMMITTEES

The council may form or dissolve standing committees by a two-thirds vote of the members who are present. Ad-hoc committees may be formed by the chair of the council and must be approved by the full council.

Council members will volunteer for committees at the June meeting or will be appointed to committees by the council chair. Executive Committee members may review and approve the committees. Committees will announce a chair by the September meeting. Committees will present projects to the full council in September for inclusion in the council's annual plan of work.

Standing committee responsibilities are as follows:

A. General Awareness Committee

The General Awareness Committee develops strategies to convey the value, quality, efficiency, diversity and unity of the state system of higher education. Internal awareness strategies include projects such as the online newsletter, *Campus E-clips*. The committee also recommends topics to the full council for statewide news releases that each campus can localize.

B. Economic Development Committee

The Economic Development Committee identifies strategies to promote and to increase awareness of higher education's role in economic development, updates the Oklahoma higher education business services directory, conducts business development programs for institutional leadership and economic development staff, and supports the efforts of OSRHE's economic development staff. The committee's proposals are processed through the Economic Development Committee of the Council of Presidents.

C. Education and Career Awareness Committee

The Education and Career Awareness Committee recommends strategies to better inform Oklahoma students in grades 5-12, their parents and adult learners about education and career opportunities after high school.

2.18.10 ANNUAL PLAN

The Communicators Council shall approve an annual plan of work submitted by the committees for the current fiscal year.

2.18.11 PARLIMENTARY PROCEDURE

The generally accepted rules of parliamentary procedure for small legislative bodies shall govern in the deliberation of the council and, unless specifically altered in these procedures, the latest edition of *Roberts Rules of Order* shall be the controlling guide in such practice.

2.18.12 AMENDMENTS

Any member of the council may propose changes to these bylaws. Proposed changes shall be presented to the council one meeting prior to the scheduled vote. Changes become effective when approved by a two-thirds vote of council members in attendance provided those members constitute a quorum.

2.19 ECONOMIC DEVELOPMENT COUNCIL

2.19.1 Purpose

The purpose of this policy is to establish the Economic Development Council (EDC) as an advisory council to the Chancellor, State Regents' staff, State Regents' Presidents Council and other state officials. The EDC is a statewide panel of economic development professionals from each institution in The State System of Higher Education.

2.19.2 Mission of the Economic Development Council

The EDC identifies and prioritizes specific actions that create a high quality environment to retain college graduates, attract business to Oklahoma, grow existing Oklahoma businesses, and develop new Oklahoma businesses through the efficient use of resources.

2.19.3 Bylaws

The EDC are organized through the following rules governing:

A. Membership and Voting Privileges.

The EDC shall be comprised of the principal economic development person, as designated by the President, from each of the 25 higher education institutions within The State System of Higher Education. Representatives from each of the other State Regents' councils consisting of the Council on Instruction, the Council on Student Affairs, the Communicators Council, the Council of Business Officers, and a distance education professional can participate as ex officio (non-voting) members.

Members will have one vote per institution, and only EDC members are eligible to vote. Voting privileges cannot be transferred to an assigned delegate should the principal member be unable to attend EDC meetings.

A quorum at EDC meetings will consist of the 51% of the voting membership of EDC.

Guests are welcome to attend EDC meetings, but discussion of issues before the council will be limited to council members.

B. Selection of Officers/Executive Committee.

Officers of the Economic Development Council shall consist of a Chairperson and Vice Chairperson. The positions of Chairperson and Vice Chairperson will alternate between the two-year tier institutions and the comprehensive/ regional tier institutions so that the Chairperson and the Vice Chairperson for any one year are not from the same tier. The Vice Chairperson shall come from the nominations received from the voting members of council at the May meeting.

Once the Vice Chairperson is confirmed by a majority of the voting members of the Council during the June meeting, the remaining members from each tier shall be designated by their tier to serve on the Executive Committee.

C. Executive Committee.

The Executive Committee provides leadership for the Economic Development Council. The Executive Committee is composed of seven members: three members from the comprehensive/regional tier (one of which will be the Vice Chairperson if that person is from this tier); three members from the two-year tier (one of which will be the Vice Chairperson if that person is from this tier); and the Chairperson of the EDC.

The officers shall serve for one year (September through August) with the annual transfer of leadership taking place in September of each year. The Vice Chairperson will automatically become Chairperson.

Election of officers shall be at the last regular EDC meeting of the year (September to August).

Duties of the Chairperson include:

- preside at EDC meetings;
- in concert with the State Regents' staff, prepare agenda for Council meetings; and
- appoint working committees to study issues affecting economic development.
- Duties of the Vice Chairperson include:
 - A. serve in the capacity of Chairperson during the absence of the Chair, and
 - B. assist the Chairperson and/or other duties deemed appropriate and necessary.

D. Committees.

The Chairperson shall appoint ad-hoc committees to study issues affecting economic development. Each working committee will be chaired by a member of the Executive Committee. Membership on committees may be members of EDC, as well as non-members deemed necessary to aid the work of the committee.

E. Meetings.

The Executive Committee shall present an annual calendar of meeting dates and places for the EDC at each September meeting for approval by the full council. EDC Meetings may be attended via video conference and teleconference.

When deemed necessary and appropriate, the EDC may hold meetings at other locations as recommended by the Chairperson and approved by the Executive Committee. When deemed necessary and appropriate, special EDC meetings can be called by the Executive Committee.

Executive Committee meeting dates and locations will be determined by the Officers and presented to the Executive Committee for approval no later than each September. A quorum at Executive Committee meetings will consist of the 51% of the voting membership of the Executive Committee. When deemed necessary and appropriate, a special Executive Committee meeting can be called by the Officers.

Official business of EDC Meetings and Executive Committee Meetings can only be conducted if a quorum is present at the meeting.

F. Parliamentary Procedures.

The generally accepted rules of parliamentary procedures for small legislative bodies shall govern in the deliberation of the council and, unless specifically altered in these procedures, the latest edition of Roberts Rules of Order shall be the controlling guide in such practice.

G. Amendments.

Any member of the EDC may propose changes to these bylaws. Proposed changes shall be presented to the EDC one meeting prior to the scheduled vote. Changes become effective when approved by a two-thirds voting members of the council in attendance, assuming quorum is present.

2.20 COUNCIL ON INFORMATION TECHNOLOGY

The Council on Information Technology (CoIT) considers technology and related issues affecting Oklahoma higher education, proposes technology and related policy and procedures, and serves as the principal statewide advisory council rendering advice and counsel to the Chancellor in the review of current and recommended technology and related policy and procedures. In performing these responsibilities, the CoIT renders service to the whole State System, including communicating with various bodies such as the Council on Instruction, the Council on Student Affairs, and others.

The CoIT also serves as a forum when information technology officers meet to discuss matters of common interest and, when appropriate, conducts studies and issues reports designed to strengthen the mission of Oklahoma higher education institutions.

2.20.1 Membership

Members of the Council on Information Technology shall be comprised of principal information technology officers (or the “top-most” information technology position) from each institutional campus and higher education center (as appropriate) in the State System. A representative from the independent sector will be invited by the Council’s Executive Committee to serve on the Council and shall be selected from nominations provided by the Independent College Association.

2.20.2 Voting Privileges

Members shall have equal standing. No voting privileges will transfer to an assigned delegate should the principal officer be unable to attend Council meetings. Only CoIT members are eligible to vote.

2.20.3 Officers

Officers of the CoIT shall consist of a Chairperson and Chairperson-Elect. Each officer shall serve a term of one fiscal year beginning July 1st and ending June 30th.

Duties of the Chairperson include:

- Preside at the CoIT meetings.
- In concert with State Regents’ Staff, prepare the agenda for the CoIT meetings.
- Appoint committees to study issues as needed.

The Chairperson-Elect shall serve in the capacity of chairperson during the absence of the chair. On a rotating basis, and by tier (comprehensive, four-year/regional and two-year), the Chair Elect shall come from the nominations received from the tier whose term it is to serve as Chair the following year. Elections will occur during the June Council meeting.

Once the Chair Elect is confirmed by a majority of the Council present at the June meeting, two members from each tier shall be designated (by tier) to serve on the Executive Committee. The tier whose term it is to have member serve as chair or chair elect shall designate only one additional member.

2.20.4 Committees

Committees shall be chaired by a member of the Executive Committee and shall meet on an as-needed or pre-defined basis.

Standing committees shall consist of:

- Executive Committee
- Bylaws and Procedures Committee
- Research Committee
- Policy and Legislative Issues Committee
- Technology Committee
- Cross-Institutional Policies and Partnerships Committee

A. Executive Committee

Shall develop a slate of issues to be discussed and/or addressed by the council during the year to ensure timely management of matters affecting technology and related university welfare. Executive committee will meet prior to each Council meeting either in person or via teleconference or videoconference.

B. Bylaws and Procedures Committee

Responsible for assessing the adequacy for the Council's operating procedures and proposing, when warranted, amendments to the bylaws and Operating Procedures.

C. Research Committee

As required shall develop and present reports and/or studies pertaining to issues affecting information technology in the State System.

D. Policy and Legislative Issues Committee

Shall identify technology-related matters which have legislative oversight or legislative implications. When needed, the committee, along with the State Regents' staff will provide appropriate advice and counsel.

E. Technology Committee

Shall present topics and/or issues the council would like to know more about or discuss during monthly meetings. These will included, but not be limited to, hardware, equipment, software, networking, personnel, policies, and procedures as related to technology for the State System or that may be of interest to Council members and their respective institutions.

Cross-Institutional Policies and Partnerships Committee

Shall identify topics and/or areas of potential collaboration with regard to system IT functions and responsibilities. In addition, the committee will research and investigate relevant policies that could either facilitate the expansion of institutional partnerships or hinder their formation.

2.20.5 Meetings

Meetings of the Council shall be held bi-monthly in conjunction with State Regents' meetings and other councils. Meeting dates shall be announced on the CoIT Website at the beginning of each fiscal year.

As deemed necessary and appropriate, the Council may hold meetings at other places and locations as recommended by the chair of the Council and with consent of Council members.

2.20.6 Parliamentary Procedure

The generally accepted rules of parliamentary procedure for small legislative bodies shall govern in the deliberation of the Council, and unless specifically altered in these procedures, the latest edition of *Roberts Rules of Order* shall be the controlling guide in such practice.

Amendments - Any members of the Council may propose changes to these Bylaws. Proposed changes become effective when approved by two-thirds of the Council in attendance.

Approved by CoIT Membership May 4, 2006

2.21 CONSTITUTION OF THE COUNCIL OF PRESIDENTS

2.21.1 Article I – Name

The name of this organization shall be the Council of Presidents of the Oklahoma State System of Higher Education

2.21.2 Article II – Purposes

The purposes of this organization shall include, but not be limited to, the following:

1. To promote and encourage harmonious and productive working relationships among state system institutions of various types and levels.
2. To provide a forum for the discussion of issues confronting Oklahoma higher education or any of its components.
3. To provide an opportunity for a coordinated approach to the identification and solution of common problems.
4. To foster an economic, social, and political climate favorable to the development and proper functioning of the state higher education system and its individual units.
5. To promote public understanding of the significance of higher education to the quality of life in Oklahoma.

2.21.3 Article III – Membership and Governance

A. Membership.

The President of each college or university in the Oklahoma State System of Higher Education shall be eligible for membership. Members shall have equal standing.

B. Powers of the Council of Presidents.

The power of the Council of Presidents shall include, but may not be limited to, the following.

1. Set dues and assessments.
2. Set meeting dates, schedules, activities, and events.
3. Define duties of officers and delegate authority for specific actions.
4. Authorize and define the functions of committees.
5. Adopt position papers, statements, resolutions, or take other actions as appropriate.
6. Initiate proposals for the improvement of the state system and its services to the public.
7. Provide for release of information and the promotion of positions taken through any appropriate methods.

8. Provide for seminars and/or other educative and social activities for its membership and for others significant to organizational purposes.
9. Take any appropriate measure, which may be agreed upon to foster the welfare of the state system and its members.
10. Adopt budgets, authorize expenditures, employ staff, and do all things necessary to provide for the orderly conduct of Council business.

C. Advisory Role to Chancellor.

When called into session by the Chancellor, the Council of Presidents acts in an advisory capacity to the Chancellor, giving advice and counsel regarding projects, problems, and policies of the State System.

During such sessions the Chancellor participates fully, with the exception of motions and voting. The Chancellor participates with the Chairman in setting the agenda for that meeting. Minutes of the meeting are kept by a designated member of the Chancellor's staff. Senior members of the Chancellor's staff may attend.

D. Partitioned Meetings.

The Council of Presidents may choose to have partitioned meetings, acting in one segment in its advisory role to the Chancellor and in the other segment as an autonomous body. In such cases, the agenda shall be separated and records kept independently.

2.21.4 Article IV – Officers

Officers of the Council shall be a Chairman, a Vice-Chairman (Chairman-elect), and Secretary Treasurer. Each of these officers will serve terms of one calendar year. An officer may serve no more than two consecutive terms in the same position. Elections shall be held in December or as soon thereafter as the Council meets. An Executive Committee of the Council may perform duties as assigned by the Council. The Executive Committee shall consist of the three officers normally associated with each office or as otherwise prescribed by the Council of Presidents.

2.21.5 Article V – Meetings

- A. Meetings of the Council of Presidents shall be in the frequency and at the times and places set by that body, or as arranged by those officers to whom such decisions may be delegated within proscribed limits.
- B. A quorum for official business at meetings is a majority of the membership.
- C. Meetings of the Council of Presidents serving in an advisory role, as described in Article III C, may be called by the Chancellor.

2.21.6 Article VI – Institutional Dues

Institutional dues and assessments shall be as adopted by the Council of Presidents by a two-thirds majority. Designation of funds and accounting procedures shall be directed by the Council.

2.21.7 Article VII – Amendments and By-Laws.

A. Amendments.

Amendments to this Constitution may be made by a two-thirds majority with proposed amendments mailed to each member at least five days prior to the meeting. With unanimous consent, the mailed notice requirement may be waived.

B. By-Laws.

By a majority vote of members, By-Laws may be added or deleted. The Council may, by majority vote, add rules or other provisions under which its affairs are to be conducted simply by recording these actions in its minutes.

Approved October 11, 1988.

2.22 FACULTY RESEARCH FELLOW PROGRAM

The general purpose of the Faculty Research Fellow Program is to provide readily accessible faculty research expertise to the Chancellor, State Regents, and staff on matters of a systemwide nature. The program outlined herein is also expected to strengthen Oklahoma faculty both by recognizing their value as a research resource and their role in Oklahoma higher education.

2.22.1 FACULTY POSITION

The Chancellor may contract as needed with a public or independent college or university in Oklahoma for services of a faculty member. The position will not constitute a regular, full-time, or permanent position on the staff of the State Regents, but rather shall be classified as part-time and temporary. The faculty contract will generally be for a one-year period, but may also be for a shorter duration consistent with the needs of the office and the availability of the faculty member. The faculty assignment shall be called "Faculty Research Fellow," and the individual in this position shall report directly to the Chancellor and work with appropriate executive staff members depending on the area of work.

2.22.2 NOMINATION PROCESS

The Chancellor shall solicit nominations/applications for the Faculty Research Fellow through a notification of heads of faculty organizations, Oklahoma college and university presidents, academic vice presidents, and campus newspapers. The notice shall contain a general overview of pending higher education issues and priorities and describe particular areas of expertise beneficial for the liaison assignment. Nominations/applications must be submitted on forms provided by the State Regents. Faculty will generally serve for a period beginning on July 1 and ending June 30.

2.22.3 SELECTION CRITERIA/PROCESS

To qualify, an individual must be a full-time faculty member at an Oklahoma public or independent college or university.

The Faculty Advisory Committee to the Chancellor will be responsible for reviewing all nominations for the faculty research fellow. The Faculty Advisory Committee will make recommendations on top candidates to the Chancellor for his action.

2.22.4 CONTRACTING/FUNDING

The faculty research fellow will serve by virtue of a contract between the State Regents and the institution. The administration and governing board may authorize the temporary faculty assignment through such mechanisms as sabbaticals, public service arrangements, or other mechanisms that meet the needs of the state, the campus, and the faculty member. In all cases, the faculty member will maintain employment with the institution while the State Regents will contract with and make monthly payments to the institution for the services to be provided. The State Regents will pay one-half of the faculty member's annual base salary pro-rated according to months worked for the State Regents.

2.22.5 POSITION DESCRIPTION

The faculty research fellow will have major areas of responsibility including, but not limited to:

- A. Contributing to academic excellence by research, analysis, and recommendations concerning both State Regents' studies, policies, and the actual student-faculty learning environment such as:

Policy - admission/retention standards, core course requirements, articulation, assessment, extra institutional learning, remediation, grading, etc.

Learning Environment - faculty load, adjunct faculty, individual faculty development, scholarly activity, academic support materials and services, etc.

Enhancing the faculty role in institutional governance as the means to academic excellence by providing faculty access to information, strengthening commitments to academic freedom and expression, promoting the value of faculty organizations, contributing to Regents Education programs, and enhancing campus administration/faculty and State Regents/faculty communication.

Developing fairness and equity in The Oklahoma State System of Higher Education in matters of faculty salaries, benefits, and workloads in accordance with the statutory charge to the State Regents (70 O.S. §3215 (2001)) and personnel policies consistent with SJR 33 of the 1977 Oklahoma Legislature.

2.22.6 EFFECTIVE DATE

The program will become effective immediately upon State Regents' ratification, and its operation will be subject to budget constraints.

Approved by State Regents on February 5, 1993.

2.23 USE OF TOWERS, FACILITIES AND COMMUNICATIONS SERVICES

Administrative Rule Title 610 Chapter 15 Subchapter 1 (610:15-1)

2.23.1 Purpose (610:15-1-1)

The Oklahoma State Regents for Higher Education will make available the use of the towers and facilities of the OneNet, the State of Oklahoma's official telecommunications and information network, to institutions of higher education, federal, state, and local government agencies and to private business. The towers and facilities will be made available primarily for educational purposes in accordance with 70 O.S., §§ 2166 and 2167 and only to the extent that the proposed use does not interfere with the normal maintenance and operation of the OneNet. Requests to utilize the towers and facilities will be reviewed on a case-by-case basis consistent with state and federal laws and regulations.

2.23.2 Towers and facilities use (610:15-1-2)

- A. All proposed installations shall be in accordance with good engineering practices and shall be subject to the approval of the OneNet engineering staff. Requests for installation of microwave antennas on the OneNet towers shall be approved only after a tower wind load study is performed by an approved and qualified registered professional engineer. Costs of the study are to be paid for by the proposed user. Any structural modifications required to the tower resulting from the proposed antenna installation will be at the expense of the proposer. Generally, 2-way radio antenna installations will not require a tower analysis to be performed; however, it shall be at the discretion of the ETN engineering staff as to whether or not an analysis is required.

- B. The Oklahoma State Regents for Higher Education will make the OneNet towers and facilities available on a monthly basis at the following rates:
 - A. Two-way radio antenna \$1.00 per foot of tower height (subject to increase if transmission lines are greater than .500" in diameter)
 - B. Microwave antennas \$200.00 per antenna and \$1.00 per foot of tower height
 - C. Building space \$10.00 per sq. foot
 - D. A.C. electrical power (2-way radio) \$10 per month
 - E. D.C. electrical power \$12/Amp.
 - F. Land \$2.00 per sq. foot

2.23.3 Communications services use (610:15-1-3)

- A. The Oklahoma State Regents for Higher Education will make available the use of voice, data and video communications circuits via the fiber optics and microwave network of OneNet to institutions of higher education, federal, state, and local government agencies and private business as long as the proposed use is of excess system capacity and it does not interfere with the regular activities of OneNet. The voice, data and video circuits will be made available primarily for educational

purposes in accordance with 70 O.S., §§ 2166 and 2167 and only to the extent that the proposed use does not interfere with the normal maintenance and operation of OneNet. Requests to utilize the voice, data and video circuits will be reviewed on a case-by-case basis consistent with state and federal laws and regulations. (In consideration for use of the telecommunications network of OneNet, the State Regents will develop a schedule of rates based on a case-by-case basis upon the discounted fair commercial value of the service to be provided.

- B. The State Regents reserve the right to change the rates or cancel service with a 90-day advance notice to the user.

Effective July 11, 2005

2.24 ONENET ACCEPTABLE USE POLICY

OneNet® provides access to resources originating within its network, resources provided by its clients, and resources provided by entities NOT ASSOCIATED WITH ONENET (external networks); through its connections to the commodity Internet (11) and the Abilene Research Network (12). Therefore, this policy is intended to provide Clients with a framework as to the acceptable and unacceptable use of OneNet. These policies are non-exclusive, and are provided for the Client's benefit and guidance. If Client is uncertain whether any contemplated use or action is permitted, Client should inquire of OneNet via e-mail to info@onenet.net.

In general, it is the responsibility of external networks to enforce their own acceptable use policies. Nevertheless, when such information is available, OneNet® will inform its clients of any restrictions on use of networks to which it is directly connected. OneNet cannot control the information that a Client might receive while using its services. OneNet does not monitor data that is transmitted to clients. It is up to the client to control its use of this service. Further, the client is solely responsible for obtaining appropriate monitoring software (available from many third party vendors or from OneNet) for the filtering of offensive material.

The Oklahoma State Regents for Higher Education (State Regents), as operators of OneNet, or their designee will review violations of this Acceptable Use Policy on a case-by-case basis. Clear violations of the policy, which are not promptly resolved by the client organization, may result in disciplinary action by OneNet, up to and including termination of OneNet network services and/or forfeiture of all monies paid to date. OneNet also cooperates fully with all duly constituted law enforcement agencies in cases of violation of applicable law.

OneNet reserves the right to change or amend this policy when appropriate circumstances warrant modifications. Use of OneNet services constitutes FULL agreement and understanding of this AUP and/or any future AUP modifications.

2.24.1 Policy Guidelines

Institutions and organizations that are eligible for a direct connection to OneNet are identified by its Client Connection Policy.

- A. Except as is specifically provided herein, OneNet services may not be resold or provided without charge or otherwise shared with institutions or organizations whether or not that organization or institution is eligible for a direct connection as described in its Client Connection Policy.
- B. Use of OneNet® must be consistent with its mission and with its goals, which include facilitating and disseminating knowledge providing public service, aiding technology transfer to Oklahoma businesses for educational purposes promoting economic development, conducting the affairs of government, and building broader infrastructure in support of education and research.
- C. The telecommunications services provided by OneNet pursuant to tariff are provided at special government and educational rates and may not be used by, resold to, or otherwise shared with, commercial entities except as provided herein.
- D. When telecommunications services are provided by OneNet pursuant to tariff, OneNet Clients must adhere to all provisions, restrictions, and

limitations of the applicable tariff.

E. It is acceptable for a OneNet Educational Client to enter into a “Distance Learning” partnership with a commercial “for-profit” entity in Oklahoma for the purpose of providing education to the employees of that entity. Such Distance Learning Partnerships are acceptable under the following conditions:

- the sponsoring OneNet educational client must sign the Client Agreement with OneNet and process a purchase order for the service,
- the sponsoring educational client must accept responsibility to ensure the connection is not abused by the “for-profit” corporation, and that all conditions and requirements of the Act are satisfied with regard to the Incubator, and
- the sponsoring educational client will be held responsible for payment for the service.

F. It is acceptable for a OneNet Client that has entered into a written agreement with the Oklahoma Department of Commerce to “sponsor” a small business incubator facility, pursuant to the Small Business Incubators Incentives Act (Act), Title 74 O.S. §5071 et seq., to share OneNet services with a “tenant” of such incubator, so long as the sponsor and the tenant remain qualified under the Act and all applicable rules and regulations. Such arrangements are acceptable under the following conditions:

- the sponsoring OneNet Client must sign the client Agreement with OneNet and process a purchase order for the service;
- the sponsoring educational client must accept responsibility to ensure the connection is not abused by the “for-profit” corporation, and that all conditions and requirements of the Act are satisfied with regard to the Incubator; and
- the sponsoring educational client will be held responsible for payment for the service.

G. It is acceptable for a OneNet Client engaged in telemedicine, to share OneNet services with certain private healthcare facilities and associated physicians. Under this exception, use by the private commercial healthcare facilities and associated physicians is limited to those uses, which are consistent with the mission and goals of OneNet, as described in this section. Service sharing with or reselling to individual physician’s offices is prohibited. Such arrangements are acceptable under the following conditions;

- the sponsoring OneNet client must sign the Client Agreement with OneNet and process a purchase order for the service,
- the sponsoring client must accept responsibility to ensure the connection is not abused by the private or “for-profit” entity, but rather is used exclusively for telemedicine, and

- the sponsoring OneNet client will be held responsible for payment for the service.

2.24.2 Unacceptable uses of OneNet

- A. It is not acceptable to use OneNet for commercial activities that are inconsistent with the mission and goals of OneNet or of the OneNet client. Activities recognized by the State Regents as economic development initiatives are permissible users of OneNet.
- B. It is not acceptable to use OneNet® for illegal purposes. Use of OneNet must be consistent with all applicable federal, state, and local laws. Transmission of any material in violation of federal, state, local law, or regulation is prohibited. This includes, but is not limited to: Copyrighted material, libelous or defamatory material, material protected by some right of privacy or material protected by trade secret.
- C. It is not acceptable to use OneNet® to willfully transmit threatening, obscene, or harassing materials or to knowingly cause such materials to be transmitted.
- D. It is not acceptable to use OneNet® so as to interfere with or disrupt network users, services, or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer viruses or worms, and use of the network to make unauthorized entry to any other machine accessible via the network.
- E. It is not acceptable to use OneNet® to post a single article or advertisement to more than ten (10) Usenet or other news groups, forums, e-mail mailing lists or other similar groups or lists; to post to any Usenet or other news group, forum, e-mail mailing list or other similar group or list articles which are off-topic according to the charter or other owner-published FAQ or description of the group or list; or to send unsolicited mass e-mails to more than twenty-five (25) e-mail users, if such unsolicited e-mails provoke complaints from recipients.
- F. It is assumed that information and resources available through OneNet® are private to those individuals and organizations that own or hold rights to those resources and information and unless specifically stated otherwise by the owners or holders of rights. It is therefore not acceptable for an individual to use OneNet® to access information or resources unless permission to do so has been granted by the owners or holders of rights to those resources and information

2.24.3 Early termination policy:

All OneNet circuits are contracted for one year in advance. Therefore, if service is disconnected prior to the expiration of that contract term, OneNet will bill for the balance of that contract period.

2.24.4 Linking policy:

- A. Links from OneNet's Web page to other sites are provided for convenience of the site user or visitor. OneNet has no control over such sites and resources.
- B. OneNet is not responsible for the availability of such external sites and resources; does not endorse, recommend or certify and is not responsible or liable for any content, advertising, products or other materials on or available from such sites or resources. OneNet shall not be responsible or liable, directly or indirectly, for any damage or loss caused or alleged to be caused by or in connection with use of or reliance on any such content, goods or services available on or through any such site or resource.
- C. Copyright, trademark, or other applicable federal or state laws may protect sites that are linked to OneNet's Web site. A link from OneNet's Web site does not preclude enforcement of those laws by the other site owner should a violation of law occur with respect to use of material on that site. Further, the existence of a link on a OneNet site does not operate as an indemnification of user misuse of the information contained on that site.
- D. OneNet's logo is a registered mark. Use of the OneNet domain name and graphic banner for purposes other than linking to <http://www.OneNet.net> is expressly forbidden. The State Regents retains and reserves all rights in and to its trade names, trademarks, and logo, copyrights and all other intellectual property with respect to the domain name and graphic banner.

Approved May 31, 1996. Revised January 24, 1997, October 26, 2001 and December 7, 2001.

2.25 ONENET RATE SCHEDULE

OneNet's fee structure is based upon the bandwidth, or network capacity, that a client requires. The required bandwidth, or network capacity, is driven by the kind of data and/or video application(s) the client desires to transmit throughout the network.

OneNet rates include all of OneNet's access to the Internet and other services outlined below. Therefore, only clients paying for OneNet connections are eligible to utilize any of OneNet's value-added services.

OneNet will acquire the "tail circuit" for clients requesting a 56K, T-1 or DS-3 circuits and connect the agency to the nearest hubsite for network access. Clients desiring Ethernet, Fast Ethernet or GigE connections will be responsible for the provisioning and related charges of the intermediate circuit and for providing equipment on their premises beyond the termination of the "tail circuit." 56K, T-1 and DS-3 dedicated connections, however, include line charges in the rate.

OneNet's computer systems provide Domain Name Services (DNS), Lotus Notes host services, World Wide Web hosting services, and Internet news and mail services. In addition, OneNet can provide H.323 multi-conferencing and video streaming applications. OneNet also provides video-on-demand services through a Sun Microsystems media server. OneNet also provides ListServ and other group collaboration capabilities.

Clients who purchase dedicated OneNet circuits, such as 56K or T-1 circuits, will have 2GB of disk storage capacity on OneNet's computer systems. Dial-up accounts are limited to 10MB of storage capacity.

NOTE:

All rates and conditions are subject to change annually. The following published rates are effective July 1, 2003. Should new rates and/or categories be established, they will be announced in the fall of the current state fiscal year. All rate changes will then become effective July 1 of the subsequent state fiscal year.

*These rates apply on to (1) "hospitals" which are defined as an institution, place, building or agency in Oklahoma, public or private, whether organized for profit or not, devoted primarily to the maintenance and operations of facilities for the diagnosis, treatment or care of patients admitted for overnight stay or longer in order to obtain medical care, surgical care and obstetrical care and (2) "clinics" which are defined as a polyclinical facility located in Oklahoma, public or private, whether organized for profit or not, where physicians work cooperatively for medical diagnosis and treatment of outpatients.

2.25.1 RATE SCHEDULE

A. Access Rates for Education, State and Local Governmental Entities

Single User Dial-Up

Service Establishment Fee	\$ 15.00
Monthly Rate	N/A
Semi-Annual Rate	\$ 90.00
Annual Rate	\$180.00

Single User Dial-Up occurs when a single, qualified agency employee dials into a OneNet modem bank, using any type of analog modem up to v.34 (33.6Kbps) capacity, and utilizing any of the following communications protocols: async, SLIP, PPP, or ARAP. Dial-up connections are limited to a maximum of four (4) hours per session and may be disconnected after that time interval. Users will be assigned E-mail account names under the OneNet domain. Disk storage using OneNet's servers will be limited to 10 MB.

Although the customer's cost of the dial-up is \$15 per month, the cost must be paid by a qualified agency purchase order on either a semiannual or annual basis. Personal checks will not be accepted.

B. Dedicated Analog Access

Service Establishment Fee	\$ 75.00
Monthly Rate	\$ 100.00
Semi-Annual Rate	\$ 600.00
Annual Rate	\$1,200.00

Dedicated Analog Access occurs when a single, qualified site connects to a OneNet modem bank, using any type of analog modem up to v.34 (33.6Kbps), and any of the following protocols: PPP or IPX/SPX. This rate applies to a site that desires a dedicated connection using analog modem technology.

C. 56K Digital Circuit Dedicated Access

Service Establishment Fee	ICB*
Monthly Rate	\$ 263.00
Semi-Annual Rate	\$1,578.00
Annual Rate	\$3,156.00

56K Digital Circuit Dedicated Access rates apply to any dedicated serial connection to a OneNet router. This all-inclusive price includes the cost of the "tail circuit." The client's end of this connection must have a CSU/DSU unit and a router which are compatible with OneNet's equipment. Purchase of these units is the client's responsibility. OneNet recommends Cisco routers for full compatibility, including network

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management and security, and has a contract for Cisco equipment which offers OneNet clients a 35% discount on Cisco's list prices. OneNet also has contracts for CSU/DSU units. Prices for the combination of these two units, router and CSU/DSU, start at around \$2,000.

D. ISDN or Digiline Access

Service Establishment Fee	ICB*
Monthly Rate	ICB*
Semi-Annual Rate	ICB*
Annual Rate	ICB*

Southwestern Bell Telephone has introduced ISDN service throughout the state under the label "Digiline." This allows for digital dial-up access, typically at 64kbps or 128kbps rates. For the remainder of the fiscal year, rates for this service will be determined on an individual case basis (ICB). Based on experience, a fixed and/or variable ISDN rate will be established effective July 1, 1997.

E. T-1 or DS-1 (1.54Mbps) Digital Circuit Dedicated Access

Service Establishment Fee	\$1,100.00
Monthly Rate	\$ 514.00
Semi-Annual Rate	\$3,084.00
Annual Rate	\$6,168.00

T-1 or DS-1 Digital Circuit Dedicated Access rates apply to any dedicated serial connection to a OneNet router. This all-inclusive price includes the cost of the "tail circuit." The client's end of this connection must have a CSU/DSU unit and a router which are compatible with OneNet's equipment. Purchase of these units is the client's responsibility. OneNet recommends Cisco routers for full compatibility, including network management and security, and has a contract for Cisco equipment which offers OneNet clients a 35% discount on Cisco's list prices. OneNet also has contracts for CSU/DSU units. Prices for the combination of these two units, router and CSU/DSU, start at around \$2,000.

F. DS-3 or T-3 (45Mbps) Digital Circuit Dedicated Access

Service Establishment Fee	\$22,000.00
Monthly Rate	\$ 3,510.00
Semi-Annual Rate	\$21,060.00
Annual Rate	\$42,120.00

DS-3 or T-3 Digital Circuit Dedicated Access rates apply to any dedicated serial connection to a OneNet router. This price includes both the telephone company circuit and OneNet fees. The client end of this connection must have a CSU/DSU unit and a router which are compatible with OneNet's equipment. Purchase of these units is the

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client's responsibility. OneNet recommends Cisco routers for full compatibility, including network management and security and has a contract for Cisco equipment which offers OneNet clients a 35% discount on Cisco's list prices. OneNet also has contracts for CSU/DSU units. DS-3 or T-3 Digital Circuit Dedicated Access is subject to availability of service from a telecommunications provider.

G. Ethernet (10Mbps) Dedicated Access

Service Establishment Fee	\$ 1,600.00
Monthly Rate	\$ 2,033.00
Semi-Annual Rate	\$12,198.00
Annual Rate	\$24,396.00

Ethernet (10Mbps) rates apply for connections of a client's network directly to a OneNet router. It is the client's responsibility for any intermediate connections required through a telecommunications provider. Note that if an intermediate circuit, such as a T-1 circuit, connects the client's network to OneNet, the intermediate circuit speed would be the billable charge. Ethernet Access is subject to availability of service from a telecommunications provider.

H. Token Ring (4Mbps or 16Mbps) Dedicated Access

Service Establishment Rate	\$3,000.00
Monthly Rate	\$ 600.00
Semi-Annual Rate	\$3,600.00
Annual Rate	\$7,200.00

Token Ring (16Mbps) rates apply for connection of a client's network directly to a OneNet router. It is the client's responsibility for any intermediate connections required through a telecommunications provider. Note that if an intermediate circuit, such as a T-1 circuit, connects the client's network to OneNet, the intermediate circuit speed would be the billable charge. Token Ring (16Mbps) is subject to availability of service from a telecommunications provider.

I. Fast Ethernet (100Mbps) Dedicated Access

Service Establishment Fee	\$ 6,600.00
Monthly Rate	\$ 2,300.00
Semi-Annual Rate	\$13,800.00
Annual Rate	\$27,600.00

Fast Ethernet rates apply for connection of a client's network directly to a OneNet router or ATM switch. It is the client's responsibility for any intermediate connections required through a telecommunications provider. These high-speed circuits require OneNet to bill a one-time charge for installation of the circuit. Fast Ethernet (100Mbps) Dedicated

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Access is subject to availability of service from a telecommunications provider.

J. GigE (1000Mbps)

Service Establishment Fee	ICB*
Monthly Rate	ICB*
Semi-Annual Rate	ICB*
Annual Rate	ICB*

It is the intent to provide a flexible pricing model for GigE and allow clients to choose the level of commodity Internet they feel is adequate. Further, the pricing of GigE will also enable OneNet to provide dynamic pricing in terms of the fluctuations in commodity Internet costs.

K. OC-3 (155Mbps) Dedicated Access

Service Establishment Fee	*ICB
Monthly Rate	\$5,000.00
Semi-Annual Rate	\$30,000.00
Annual Rate	\$60,000.00

OC-3 Dedicated Access rates apply for connection of a client's network directly to a OneNet router. It is the client's responsibility for any intermediate connections required through a telecommunications provider. These high-speed circuits require that OneNet bill a one-time charge for installation of the circuit. OC-3 Dedicated Access is subject to availability of service from a telecommunications provider.

2.25.2 Data Access Rates* for Telemedicine

A. T-1 or DS-1 (1.54Mbps) Digital Circuit Dedicated Access

Service Establishment Fee	\$2,100.00
Monthly Rate	\$ 800.00
Semi-Annual Rate	\$4,800.00
Annual Rate	\$9,600.00

T-1 or DS-1 Digital Circuit Dedicated Access rates apply to any dedicated serial connection to a OneNet router. This all-inclusive price includes the cost of the "tail circuit." The client end of this connection just has a CSU/DSU unit and a router which are compatible with OneNet's equipment. Purchase of these units is the client's responsibility. OneNet recommends Cisco routers for full compatibility, including network management and security, and has a contract for Cisco equipment which offers OneNet clients a 35% discount on Cisco's list prices. OneNet also has contracts for CSU/DSU units. Prices for the

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combination of these two units, router and CSU/DSU, start at around \$2,000.

B. Fractionalized or Channelized T-1 or DS-1 (1.54 Mbps) Digital Circuit Dedicated Access

	Government	Private
Service Establishment Fee	\$3,000.00.	\$ 4,100.00
Monthly Rate	\$ 700.00.	\$ 1,100.00
Semi-Annual Rate	\$4,200.00.	\$ 6,600.00
Annual Rate	\$8,500.00.	\$13,200.00

Fractionalized or Channelized T-1 or DS-1 (1.54 Mbps) Digital Circuit Dedicated Access breaks a single T-1 circuit into multiple channels. This would be used, for example, in remote cardiac monitoring situations. These rates apply to any dedicated serial connection to a OneNet router. This all-inclusive price includes the cost of the "tail circuit." The client end of this connection must have a CSU/DSU unit, a router and multiplexing equipment which are compatible with OneNet's equipment. Purchase of these units is the client's responsibility. OneNet recommends Cisco routers for full compatibility, including network management and security, and has a contract for Cisco equipment which offers OneNet clients a 25% discount on Cisco's list prices. OneNet also has contracts for CSU/DSU units. Prices for the combination of these two units, router and CSU/DSU, start at around \$2,000.

Compressed Video is delivered over a single T-1 circuit. Internet/data access is provided through the same T-1.

NOTE: All these rates only apply to (1) "hospitals," which are defined as an institution, place, building or agency, in Oklahoma, public or private, whether organized for profit or not, devoted primarily to the maintenance and operations of facilities for the diagnosis, treatment or care of patients admitted for overnight stay or longer in order to obtain medical care, surgical care and obstetrical care and (2) "clinics," which are defined as a poly-clinical facility located in Oklahoma, public or private, whether organized for profit or not, where physicians work cooperatively for medical diagnosis and treatment of outpatients. "Telemedicine" is defined as use of a telecommunications system for diagnostic, clinical, consultative, data and educational services for the delivery of health care services or related healthcare activities b licensed health care professionals, licensed medical professionals and staff who function under the direction of a physician, a licensed health care professional or hospital.

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2.26 ROBERT S. KERR CONFERENCE CENTER

Administrative Rule Title 610 Chapter 15 Subchapter 3 (610:15-3)

2.26.1 Purpose (610:15-3-1)

- A. On February 27, 1978, the Kerr Foundation, Inc., presented a deed conveying the title to the Robert S. Kerr home and approximately 40 acres of real estate situated in LeFlore County, Poteau, Oklahoma, to the state. The Declaration of Gift stated the intent of the Foundation as being that said property would be used by the Oklahoma State Regents for Higher Education for education purposes--conferences, symposiums, retreats, seminars, meetings, museums, and other educational and cultural activities.
- B. The improvements on the approximately 40 acres of land have been completely renovated with the specific object being to convert this facility into space suitable for use as a conference center and museum. A secondary purpose of renovating the facility was to make the space totally energy efficient.

The facility and property is to be designated as the Kerr Conference Center.

2.26.2 Utilization Policy (610: 15-3-2)

The following policy is provided for the efficient operation of the Kerr Conference Center:

The staff of the Oklahoma State Regents for Higher Education in conjunction with Carl Albert State College will provide leadership for the planning of programs and services that are conducted at the Kerr Conference Center.

Although the primary purpose is to use the Kerr Conference Center for educational purposes, such as conferences, symposiums, retreats, seminars and meetings, another important usage will be for cultural activities and special events which promote and call attention to the history of the Kerr Conference Center. For these purposes, the Kerr Conference Center may be used by local and state government, civic groups, church organizations, business organizations and individuals.

Carl Albert State College will be permitted to utilize the Kerr Conference Center in conjunction with operation of their academic program dealing with hotel, tourism and restaurant management.

It is the express intent of the Oklahoma State Regents for Higher Education that all policies and procedures for administration of the Kerr Conference Center be stated in a manner to encourage cooperation with all lodging and restaurant services in the area surrounding Poteau, Oklahoma.

2.26.3 Administration and management of Center (610:15-3-3)

Management. A full-time manager will continuously be employed to manage and oversee all aspects of the Kerr Conference Center and to assure that the Kerr Conference Center is appropriately marketed. Unless specifically approved by the State Regents, the manager will not have responsibility for Carl Albert State

College's academic program dealing with hotel and restaurant management nor shall the director of the academic program have any responsibility for management of the Kerr Conference Center.

Security. The safety and well-being of the participants utilizing the Kerr Conference Center and the property belonging to the State of Oklahoma will be the responsibility of Carl Albert State College, Poteau, Oklahoma, by assignment from the Oklahoma State Regents for Higher Education. It is the intent of the State Regents that Carl Albert State College provide an individual on-site, either security guard or management personnel, 24 hours a day, 7 days a week.

Janitorial service, maintenance, and grounds keeping. The responsibilities for maintaining the Center grounds are as follows:

- A. The cleanliness and upkeep of the buildings, including the museum space and grounds, will be the responsibility of Carl Albert State College, Poteau, Oklahoma. All janitorial services, including the necessary materials, supplies, and equipment will be provided by Carl Albert State College. This service will include cleaning and providing clean linens for all bedrooms, cleaning conference rooms, hallways, entry vestibules, and all other space by the terms of the annual agreement.
- B. The parking lots and all of the land area surrounding the Robert S. Kerr Conference Center will be kept clean and clear of trash and debris by the terms of the annual agreement. All grass will be kept mowed, and shrubs and trees will receive proper care.
- C. In addition, the swimming pool and the area surrounding the swimming pool will be the responsibility of Carl Albert State College and will be maintained and inspected according to standards required by the Oklahoma State Department of Health.

Utilities. All utilities, including gas, electricity, water, and garbage, will be the financial responsibility of Carl Albert State College.

Food services/dining area. It will be the responsibility of Carl Albert State College to manage and provide food services at the Kerr Conference Center and to obtain the necessary permits and Oklahoma State Health Department licensure to operate a restaurant.

Hotel services. Sleeping accommodations are available at the Kerr Conference Center for approximately 20 individuals in 10 large bedrooms and 4 rooms in the guest house. The administration and use of these hotel accommodations will be the responsibility of Carl Albert State College. Reservations and the renting of these rooms, as well as maid service, will be provided by personnel employed by Carl Albert State College.

Any permits or licensure requirements for the operations of a hotel will be the responsibility of Carl Albert State College.

Conference scheduling and coordination of services. Administration and use of the Kerr Conference Center will be the responsibility of Carl Albert State College. Scheduling and coordination of center facilities will be provided by personnel of Carl Albert State College.

Museum space. Approximately 2,500 square feet have been specifically *Oklahoma State Regents for Higher Education*

designed for use as a museum. This space will be leased to the Eastern Oklahoma Historical Society on an annual basis with the total cost to be negotiated effective July 1 of each fiscal year. The negotiated price will include the use of the approximately 2,500 square feet, all utilities, janitorial services, maintenance, and security. The occupants of the museum space will be provided privacy for this space and will be responsible for housing furniture and equipment in the space within the museum that is known as the Robert S. Kerr Senatorial Office.

2.26.4 Operating budget (610:15-3-4)

A detailed annual operating budget will be developed for the Kerr Conference Center and will be utilized for management purposes in addition to providing the basis for contracting with Carl Albert State College for services. The annual operating budget will be developed by Carl Albert State College officials in conjunction with the Executive Vice Chancellor. The annual operating budget will be approved by the State Regents for Higher Education.

2.26.5 Financial and program reports(610:15-3-5)

The Executive Vice Chancellor will work with officials at Carl Albert State College to develop a financial reporting format for the Kerr Conference Center which will include a monthly statement of income and expense, reflecting cost of sales. Other reports will be developed as deemed necessary. The external audit firm engaged by the State Regents will on an annual basis perform audit tests and procedures as defined in the scope of the audit.

2.26.6 Internal control and accounting procedures (610:15-3-6)

An effective system of internal accounting controls for the Kerr Conference Center must be maintained to guard against irregularities. The following policies must be periodically reviewed with center personnel to assure the efficiency and effectiveness of center operations:

Cash receipts. Cash receipts recorded by the Kerr Conference Center, Carl Albert State College, and the Oklahoma State Regents for Higher Education should be reconciled periodically to enable errors to be detected and corrected and to improve the accuracy of financial information. When the State Regents deposit money to the center's account, a copy of the deposit slip will be promptly mailed to the center to facilitate cash reconciliation between the center and the State Regents' staff.

Meal tickets/guest account sheets. Source documents, specifically guest account sheets and meal tickets, must be controlled by numerical sequence throughout the year. Kerr Conference Center personnel must review all account sheets and meal tickets to ensure all necessary information is included for billing purposes. All services provided at the Kerr Conference Center must be accounted for by the Kerr Conference Center manager.

Cash disbursements. Reconciliation of cash disbursements reflected in the records of Carl Albert State College and the State Regents must be prepared monthly for the purpose of accuracy.

Inventories. The Kerr Conference Center must maintain an inventory system which includes all furniture, equipment, and supplies. Inventory records must be updated monthly for purchases, changes, and disposals. An actual physical

inventory must be conducted at the end of the fiscal year.

Accounts receivable aging schedule. The accounts receivable aging schedule must include not only the guest name and total amount of charges, aged according to number of days past due, but also include the source of guest charges, the date charges were incurred, and progress made in collection procedures. Kerr Conference Center personnel will monitor the accounts receivable and be responsible for collections and any required follow-up.

Food inventory and cost control. In order to prevent the unauthorized use and waste of food products, a regular inventory procedure will be established and maintained to track both purchases and use of food products.

Payroll records. Payroll records for Carl Albert State College personnel that are assigned to the Kerr Conference Center will be maintained in accordance with State Regents' policies and procedures. This includes approval of employee's time sheets by a supervisor before including in a payroll.

2.26.7 Changes in policy and procedures (610:15-3-7)

No changes in the Policy and Procedures for Administration of the Kerr Conference Center will be made without express written consent of the Oklahoma State Regents for Higher Education. All requests for such changes should be presented to the Chancellor, 500 Education Building, State Capitol Complex, Oklahoma City, Oklahoma 73105-4503.

Revised May 24, 1991

2.27 PRIVACY, DATA ACCESS AND MANAGEMENT

2.27.1 Purpose

This policy establishes the principles governing access to and the dissemination of information gathered and maintained by the Oklahoma State Regents for Higher Education (OSRHE) with regard to applicable privacy laws and regulations.

2.27.2 Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the concept clearly indicates otherwise:

“Confidentiality” consists of how personally identifiable information collected by an authorized agency is protected and when consent by the individual is required.

“Legitimate educational interest”, for purposes of this policy, is an endeavor meant to further the understanding of educational practices, methods, and/or theory that is expected to be analyzed through formal, accepted research practice and the results of which, consistent with the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. 1232g (2002), will be disseminated in such a manner as to benefit the educational community and/or public in general.

“Oklahoma Education Information System (OEIS)” is a unit record database used by public and private higher education institutions for data submission to the state. The system is used by the OSRHE for state and federal reporting, policy analysis, and decision-making.

“Personally identifiable information” consists of information such as personal identifier, characteristic, or other information that would make the person's identity easily traceable.

“Privacy” is the right of individuals to have the information about them adequately protected to avoid the potential for substantial harm, embarrassment, inconvenience, or unfairness.

2.27.3 Scope and Applicability

This policy shall apply to all data and information, collected and maintained by or for the OSRHE, whether in electronic, paper, or other format. When access to information, as it is collected or maintained, is restricted by federal or state laws for confidentiality, privacy, or other authorized purpose, the information shall be processed (e.g., aggregated, summarized or characterized) as appropriate to provide access while meeting the requirements for restriction. This policy will adhere to restrictions on the releases of confidential information identified in

- A. the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g (2002)
- B. 15 USC §§6801-6827 (1999) Gramm-Leach-Bliley Act (GLB), Title V (“Financial Modernization Services Act”),

- C. 5 U.S.C. § 552a (1999), The Privacy Act of 1974
 - D. Any other federal or state law regarding privacy that applies to OSHRE business.
- 2.27.4 Access to data is restricted by the OSHRE and significantly limits who can view data and for what purposes.
- A. OSRHE employees are granted access to those data and information resources required to carry out the responsibilities of their position. No OSHRE employee will knowingly damage or misuse computing resources or data.
 - B. Access capabilities/restrictions apply to all administrative computing resources owned by the OSHRE. Safeguards are taken to ensure the security of the resources and to maximize the integrity of the information.
 - C. Access privileges are determined based on the duties and responsibilities of each position. Users with access privileges are assigned an access Identification Number (ID). Use of another person's access ID is prohibited.
 - D. Access to Data in OEIS

Every record and field in OEIS is assigned an access level between 1 and 4, with Level 1 being the most restricted access level. Access levels are assigned to maximize public usage without risking disclosure of personally identifiable information.

- a. Level 1 access allows authorized OSHRE staff to read and write to all the records and fields in the database. This access level is only permitted to a minimal number of authorized staff members who operate or manage OEIS or are responsible for maintaining the accuracy and security in the performance of their duties.
- b. Level 2 access places limits on individual records but not fields. Specifically, institutional representatives will have read-and-resubmit access to records of their own students or their own personnel. Institutions will not have access to student or personnel records outside of their institutions. The purpose is to allow institutions to verify their own data. Institutions are the originators of the data and are allowed read-and-resubmit privileges in OEIS Warehouse to change the records they have already submitted.
- c. Level 3 places limits on fields. The most sensitive fields are excluded from access at this level, such as names and social security numbers. This read-only access level is limited primarily for the purposes of audits, operations, accreditation, and reporting to state and federal

government agencies. Professionals may obtain authorization at this level for research purposes. Authorization at this level is for the sole purpose of increasing the existing body of knowledge about Oklahoma education and not for vending. Researchers must submit a restricted access form that explains the purpose of the research and how the researchers will ensure data confidentiality and security.

- d. Level 4 applies to state government agencies other than the OSHRE, as well as state legislators, legislative aides, and the executive branch. Data on individual students or staff will not be accessed by anyone at this read-only level. However, it will be possible to perform limited data mining of the core data sets to produce aggregate reports containing averages or totals that relate to groups of students and professionals. It is possible that some of the searches described at level 4 would be based on a very small population of students or educational personnel, which could reveal information about the individuals in that group. The OSHRE will block any aggregate results with a statistical cutoff in which five or fewer students or educational personnel might be disclosed.

Data access provisions may change if mandated by federal statute, state law, or administrative rules.

Requests for OEIS Data Access

- e. Pursuant to the State Regents' Data Access and Management Policy, researchers, education groups, and other parties who express legitimate education interests in the data, as defined in this policy and consistent with FERPA, may submit requests for access to OSHRE data system. In reviewing requests for data, consideration is given to access permitted by statute, federal law, privacy concerns, security procedures, availability of staff to monitor the data release, and the perceived benefits of the research. Entities seeking access to the OSRHE data system are required to submit a Data Request Form stating how the data will be used, and a description of the data needed. Release of data is subject to approval by and at the discretion of the Chancellor or designee.

- f. Upon request of individuals under 20 U.S.C. 552a(f)(1) (1999) the Privacy Act of 1974 or 34 C.F.R 99.20 (2000) of FERPA to gain access to their records contained in the OSRHE data system, OSHRE will provide a copy of all or any portion in a comprehensible form and will consider requests to amend the record.
- g. Processing Request
Completed requests will be reviewed and a response provided in an appropriate manner. In the event a request is rejected, specific reasons shall be given and if appropriate, may include information concerning possible alternatives. Requests may be rejected if information on the application form is incomplete.

2.27.5 Security

Security includes the measures in place to ensure that records are not lost, stolen, vandalized, illegally accessed, or otherwise rendered useless. Since the data are stored on computers, it is essential that there be a high level of protection that provides integrity and availability commensurate with the level of risk and magnitude of harm.

A. Data Security

While recognizing the OSRHE responsibility toward data security, the procedures established to protect those data must not unduly interfere with the efficient conduct of OSHRE business or be unnecessarily expensive to implement.

All OSHRE employees with an access ID have inquiry access to core data (i.e., data used by multiple departments or by a single department across multiple business functions) on a need to know basis, without restriction or prior authorization, for use in conducting OSRHE business, except in those instances where legal, ethical, internally or externally imposed constraints require restricting access to certain specific data. Employees requiring access to restricted data are assigned specific access codes, which they are responsible for protecting from misuse.

The employee's need to access data does not equate to casual viewing. It is the employee's obligation, and his/her supervisor's responsibility, to ensure that access to data is only to complete assigned functions.

Some OSHRE employees have update access to certain data based on their duties and responsibilities. These privileges are granted by those stewards responsible for the data.

B. Physical Security

Centralized computer facilities that house core data will be

protected in a physically secure location with controlled access. Computer facilities that process departmental data may require physical security depending on the value and sensitivity of the data they process, the resources they access, and their cost. This security is the responsibility of the department.

2.27.6 Disclosure of Information Private or confidential data on an individual shall not be created, collected, stored, used, maintained, or disseminated by the OSRHE in violation of federal or state law and shall not be used for any purpose other than those stated. If the State Regents enter into a contract with a private person or third party to perform any OSRHE functions, that agreement shall require that the data be protected in the same fashion.

A. Under this policy, no private or confidential data will be released except under the following circumstances:

To staff of the higher education institutions who have released the data to OSRHE when the determination has been made that there are legitimate educational interests, under 34 C.F.R. 99.36(b)(2) (2000).

To comply with a subpoena or court order, under 34 C.F.R. 99.31(a)(9)(A) (2000).

To honor a request from a judicial order, or an authorized law enforcement unit, or lawfully issued subpoena, under 34 C.F.R. 99.31(a)(9)(i) (2000). A law enforcement unit refers to all state and local prosecution authorities, all state and local law enforcement agencies, the Department of Corrections, and probation officers who are part of the Judiciary.

To educational officials in connection with an audit or evaluation of a federal or state supported education program, under 34 C.F.R. 99.32(c)(3) (2000).

To appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the student or other individuals, under 34 C.F.R. 99.36(a) (2000). In cases of health or safety emergency, the request for release must first be directed to the school district that owns the data. The Director, under 34 C.F.R. 99.36(a) (2000), may also convene a committee to evaluate the request to determine whether or not the person who would receive the information is in a position to deal with the emergency and the extent to which time is of the essence.

To research proposals approved by the Chancellor or designee, when a requestor demonstrates a clear legitimate educational interest, provided that personally identifiable information if discovered is not disclosed to anyone other than the initiator of the request. At the discretion of the Chancellor or designee, any request may be denied.

B. If it is determined that personally identifiable information was

disclosed in violation of this policy appropriate actions will be taken to revoke access to any OSRHE data as necessary. In addition, all violations will be reported to the appropriate federal and state enforcement agencies.

2.27.7 Privacy Notices

The OSRHE will provide privacy notices that are required by law as well as for public informational purposes on the OSHRE web site, applications for scholarships, grants, and other related programs administered by the OSHRE, as well as required disclosures to student loan borrowers.

2.28 INSTITUTIONS' AFFIRMATIVE ACTION PLANS

2.28.1 Purpose

The purpose of this policy is to establish standards for institutions within the Oklahoma State System of Higher Education for preparing and submitting affirmative actions plans (AAP) in accordance with 74 OS §840-2.1 (A).

2.28.2 Standards for affirmative action plan contents

- A. Each affirmative action plan should include the following elements:
- Equal employment opportunity (EEO) policy statement,
 - Description of the dissemination of the EEO policy internally and externally,
 - Designated AAP coordinator including coordinator's specific responsibilities,
 - Statement of compliance with state and federal sex discrimination guidelines including but not limited to recruitment and advertising; job policies and practices; seniority systems; and discriminatory wages,
 - Employment procedures for staff and faculty,
 - Description of programs that promote affirmative action activities,
 - Full-time workforce data,
 - Any other institution related information or policies (i.e. Discrimination policy, Sexual Harassment/Sexual Assault policy, Racial and Ethnic Harassment policy, Reduction in workforce policy, Reasonable Accommodation policy).

2.28.3 Standards for submission of affirmative action plans

Each institution within the Oklahoma State System of Higher Education must submit an affirmative action plan to the State Regent's General Counsel's office annually no later than October 1 following the end of the fiscal year ending June 30.

2.29 E. T. DUNLAP MEDAL AND LECTURESHIP PROGRAM

There is hereby created a program to be known as "The E. T. Dunlap Medal and Lectureship Program." The program will provide for the selection of a distinguished scholar or outstanding public official, who will then be presented with the E. T. Dunlap Medal, and who will present "The E. T. Dunlap Lecture on Public Policy in Higher Education." The award and lecture will be presented annually, or so often as the selection committee to be created herein shall determine.

- 2.29.1 The E. T. Dunlap Medal and Lectureship Program shall be carried out through one or more institutions in The Oklahoma State System of Higher Education selected by the Oklahoma State Regents for Higher Education. The program shall be financed with private money through interest earned on a fund created by friends of E. T. Dunlap, together with any additional contributions which may be paid into the fund to be expended at the direction of a donor for expenses incurred in connection with a given annual award or lecture.
- 2.29.2 The E. T. Dunlap Medal and Lectureship Program shall be supervised and managed by a committee of three consisting of E. T. Dunlap, the Chancellor of the Oklahoma State Regents for Higher Education, and the Chairman of the Oklahoma State Regents for Higher Education. The committee shall be self-perpetuating in the sense that any vacancy occurring on the committee for any reason shall be filled by the remaining members of the committee. The committee shall have complete authority over the program, including but not confined to such matters as selection of recipients of the award, design of the medal, frequency of lectures, remuneration and approval of other expenses involved in offering the lectures, and arrangements with the sponsoring institution.
- 2.29.3 The E. T. Dunlap Medal and Lectureship Committee shall meet annually for the purpose of selecting the recipient of the E. T. Dunlap Medal, who shall then be notified of his or her selection and shall agree to provide the host institution with a written manuscript of The E. T. Dunlap Lecture on Higher Education and Public Policy by the date selected for the lecture. The host institution shall make arrangements for publication of the lecture in an appropriate form suitable to the committee. The host institution shall be responsible for the provision of an appropriate forum for the delivery of the lecture. The host institution, through its president, shall be responsible for recommending two or more higher education scholars or outstanding public officials as possible recipients of the E. T. Dunlap Medal, and the committee shall select from among those recommended a recipient to receive the medal and deliver the lecture on public policy and higher education. In the event that the committee is unable to agree upon a nominee from the list submitted, the committee may either request the submission of a new list by the host institution, or determine not to make a selection until the following year.
- 2.29.4 The Oklahoma State Regents for Higher Education shall make a selection of the host institution to carry out the terms of The E. T. Dunlap Medal and Lectureship Program. The host institution shall be

recommended by The E. T. Dunlap Medal and Lectureship Committee. Upon the State Regents' selection of the host institution, the State Regents shall have the option of transferring the E. T. Dunlap Trust Fund currently held in The Oklahoma Higher Education System Foundation to the host institution or its foundation or of retaining custody of the fund and transferring only the interest from investment of the corpus to the host institution or its foundation for meeting the annual expense of the program. In the event that the trust fund is transferred to the institution or its foundation for management and investment purposes, the host institution or its foundation shall make an annual report to the State Regents on the status of the fund, including the amount of the corpus, the annual interest earnings, and other such vital information. In no instance shall the corpus of the trust fund be diminished or the interest used for any purpose other than to further the basic goals of the program without express action of the Oklahoma State Regents for Higher Education in the manner set forth below.

- 2.29.5 The provisions of this program may be changed or amended only upon approval by a two-thirds majority of the Oklahoma State Regents for Higher Education.

Approved October 17, 1988 Amended February 20, 1989