

No. XII.A.

RECOMMENDED ACTION – Adoption of Governing Policies for Missouri State University

The following resolution was moved by _____ and seconded by _____.

WHEREAS, the Bylaws of the Board of Governors place the responsibility on the Board for adoption of Governing Policies for Missouri State University; and

WHEREAS, the Board of Governors desires to adopt as Governing Policies Exhibits A through AA attached and incorporated herein by reference; and

WHEREAS, the Board of Governors also desires to designate as the official Governing Policies of Missouri State University those polices so designated in Exhibit BB;

NOW, THEREFORE, BE IT RESOLVED that the following new, revised, or previously unapproved policies are adopted as Governing Policies of Missouri State University:

- G1.02 Conflict of Interest and Financial Disclosure Policy
- G1.03 Officers of the University
- G1.04 Long Range Plan Policy
- G1.07 Selective Admissions Policy
- G1.08 Formulation and Approval of Operating Policies
- G1.09 Formulation and Approval of Unit Policies
- G1.10 Faculty Constitution Approval Procedure
- G1.11 Faculty Handbook Approval Procedure
- G1.12 Employee Handbook Approval Procedure
- G1.16 Criminal Background Check Policy
- G1.19 Maintenance of Board Meeting Tapes
- G1.20 International Travel Guidelines of the Board of Governors
- G1.23 Presidential Search Process
- G1.24 West Plains Campus Policies
- G2.01 Campus Law Enforcement Policies
- G2.02 Emergency Response Plan Adoption Procedure
- G2.03 Possession of Firearms Policy
- G3.02 Faculty Governance
- G3.04-3 Copyright Policy
- G5.03 International Partnership Scholarships
- G5.04 Residency Policy
- G5.05 University Housing Policy
- G8.02 Gift Management Policy
- G10.01 Compliance with the Health Insurance Portability and Accountability Act (HIPAA)
- G10.02 Healthcare Principles
- G10.03 Required Insurance (International Students)
- G11.01 Alcohol Delegation Policy

AND, BE IT FURTHER RESOLVED that the governing policies set forth in Exhibit BB be designated as the official governing policies of Missouri State University.

VOTE: **AYE** _____

NAY _____

COMMENTS: The categorization of these policies as governing policies and the contents of the specific new or revised policies attached hereto have been reviewed by the President of the University, Administrative Council, and an ad hoc committee formed by the President to organize University policies (Clif Smart, Penni Groves, John McAlear and Bill Cheek).

Governing Policy: Conflict of Interest and Financial Disclosure

1. Purpose

All Governors, officers, faculty and employees of the University should be well informed about, and carefully adhere to, all laws and all duly promulgated policies regarding conflict of interest and be alert to situations which may have the appearance of a conflict of interest. The purpose of this policy is to set forth the applicable provisions of law and to assist Governors, officers, faculty and employees to avoid improper outside influences on institutionally related decisions and activities, or use their position or the property of the University for their personal financial or political gain.

2. Definitions

Unless the context clearly requires otherwise, the following terms used in this policy shall mean:

Governors

The Board of Governors for Missouri State University.

Business with which he/she is associated

Any sole proprietorship owned by the person, his/her spouse, or any dependent child in his/her custody;

Any partnership or joint venture in which the person, or his/her spouse, is a partner, and any corporation or limited partnership in which he/she is an officer or director or of which the person, his/her spouse, or dependent child in his/her custody, whether singularly or collectively, owns in excess of ten percent (10%) of the outstanding shares of any class of stock or partnership units; or

Any trust in which the person is a trustee or settlor or in which the person, his/her spouse, or dependent child, whether singularly or collectively, is a beneficiary or holder of a reversionary interest of ten percent (10%) or more of the corpus of the trust. [Source: Mo. Rev. Stat. § 105.450(3)]

Decision-making public servant

Any Governor, official, appointee, faculty member or employee of the University who is designated by the Board of Governors, or the President of the University, as a decision-making public servant, and/or who

exercises supervisory authority over the negotiation of contracts, who has the legal authority to adopt or vote on the adoption of rules and regulations with the force of law, or who exercises primary supervisory responsibility over purchasing decisions. [Source: Mo. Rev. Stat. § 105.450(6)]

Dependent child, or dependent child in his/her custody

All children, stepchildren, foster children, and wards, under the age of eighteen (18) residing in his or her household and who receive in excess of fifty percent (50%) of their support from a decision-making public servant. [Source: Mo. Rev. Stat. § 105.452(7)]

Employee

Any person employed by the University on either a full-time, part-time, or temporary basis at a particular time.

Officer

A member of the Board of Governors, the President of the University, the Provost, the Vice President for University Advancement, the Chief Financial Officer, the Vice President of Administrative and Information Services, the Treasurer of the Board of Governors, Purchasing Officer, and any other person holding a position in the University designated by the Governors as "officer."

Substantial interest

Ownership by a decision-making public servant, his/her spouse, or his/her dependent children, whether singularly or collectively, directly or indirectly, of ten percent (10%) or more of any business entity or of an interest having a value of Ten Thousand Dollars (\$10,000.00) or more, or the receipt by such an individual, his/her spouse, or his/her dependent children, whether singularly or collectively, of a salary, gratuity, or other compensation or remuneration of Five Thousand Dollars (\$5,000.00), or more, per year from any individual, partnership, organization, or association within any calendar year. [Source: Mo. Rev. Stat. § 105.470(10)]

Substantial personal or private interest in any measure or action

Any interest in a measure or action which results from a substantial interest in a business entity. [Source: Mo. Rev. Stat. § 105.470(11)]

University

Missouri State University.

3. General Policy

No Governor, officer, faculty member or employee of the University shall:

Outside Interests

Knowingly engage in any outside matters of financial interest incompatible with the impartial, objective, and effective performance of their University duties. They shall not use their decision-making authority to realize personal or political gain in any form or which would influence improperly the conduct of their University duties. They shall not knowingly use University property, funds, position or power for personal or political gain. [Source: University of Missouri Conflict of Interest Policy, § A]

Use of Confidential Information

Use confidential information obtained in the course of or by reason of his/her employment or official capacity in any manner, with intent to result in financial or political gain for himself/herself, his/her spouse, his/her dependent child in his/her custody, or any business with which he/she is associated. [Source: Mo. Rev. Stat. § 105.452(3)]

Disclosure of Confidential Information

Disclose confidential information obtained in the course of or by reason of his/her employment or official capacity in any manner with intent to result in financial or political gain for himself/herself or any other person. [Source: Mo. Rev. Stat. § 105.452(3)]

Financial or Political Gain

Use his/her decision-making authority for the purpose of obtaining a financial or political gain which materially enriches himself/herself, his/her spouse, or dependent children, by acting or refraining from acting for the purpose of coercing or extorting from another anything of actual pecuniary value. [Source: Mo. Rev. Stat. § 105.452(5)]

Selling, Renting, Leasing of Property

Participate in any matter, directly or indirectly, in which he/she attempts to influence any decision of the University, when he/she knows the result of such decision may be the acceptance of the performance of a service, or the sale, rental, or lease of any property to the University for consideration in excess of Five Hundred Dollars (\$500.00) value per annum to him/her, to his/her spouse, to a dependent child in his/her custody, or to any business with which he/she is associated, unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received and in all such cases the person shall abstain from any consideration or decision on any vote taken on any of such matters. [Source: Mo. Rev. Stat. § 105.454(2) and (3)]

Outside Compensation

Perform any services during the time of his/her office, appointment or employment for any consideration from any person, firm or corporation, other than the compensation provided for the performance of his/her official duties, by which service he/she attempts to influence a decision of the University. [Source: Mo. Rev. Stat. § 105.454(4)]

The employees of the University are hired to perform professional and skilled duties. Any outside employment or business interests must be clearly subordinate to and not interfere with the individual's obligations to the University.

Except during the summer when he/she is not under contract to the University, a full-time faculty member who engages in outside activities for which he/she is remunerated must report each such activity to his/her Department Head prior to, when possible, the commencement of the activity. If in the Department Head's judgment the activity will interfere with the faculty member's performance of duties at the University or constitute a conflict of interest, it is the responsibility of the Department Head to discuss and attempt to resolve the problem with the faculty member. The Department Head must identify the specific nature and extent of the faculty member's diminished effectiveness or the conflict of interest. If an agreement cannot be reached, the matter will be taken to the College Dean who will attempt to reach a resolution satisfactory to both the individual and the administration. If resolution is not possible at the college level, the Provost will make a determination.

Because Missouri State University faculty members are hired primarily to teach, outside teaching by full-time faculty members is permitted only with the knowledge of and written consent of the Provost, except during the summer when Missouri State University faculty members are not under contract.

Faculty Consultation Activity

Consultation by the faculty, whether income-producing or otherwise, is the application of professional and scholarly expertise in the external community. It is a significant means of professional improvement as well as a form of community service. However, consultation may, in some instances, also constitute a business interest requiring disclosure and approval when the entity for which the employee consults also transacts business with the University or is in competition with the University, or where the consultation itself competes with the work of the University. It is the policy of the University to permit consulting activities that:

1. are related to the professional interest and development of the faculty member or other exempt person;
2. do not interfere with regular duties;
3. do not utilize University materials, facilities or resources except as specifically authorized by the appropriate dean;
4. do not compete with the work of the University, and are not otherwise contrary to the best interest of the University;
5. do not violate federal or state law; and
6. do not represent a conflict of interest under other policies of the University.

Each department shall make an annual report to the Provost indicating the aggregate time and the nature of the service performed for each individual engaged in consulting. These reports shall be transmitted annually to the President.

Procedure When Contracting

When it is proposed that the University enter into 1) contracts for the sale of goods or services, or 2) research contracts or grants, or 3) other contracts, with private firms or corporations in which a Governor, officer,

faculty member, or employee knows he/she has a direct or indirect financial interest, the following procedure shall be followed.

Before the proposed contract is executed by the University, the University, Governor, officer, faculty member, or employee shall make a full disclosure of such financial interest, in writing, which disclosure shall be forwarded to the official having contract approval authority. This disclosure shall also be filed with the Secretary of the Board of Governors for public scrutiny for a period of at least ten (10) days prior to the approval of the contract.

If there is a change in the financial interests of a Governor, officer, faculty member, or employee during the term of the contract, the change shall be reported immediately, in writing, and forwarded to the official having contract approval authority, and shall also be filed as required above.

If the financial interest of the Governor, officer, faculty member, or employee in the private firm or corporation is such that it could influence the decision-making process of the private firm or corporation, and such person could also influence the decision-making process of the University in entering into or performing the contract:

- a. The University shall not enter into the contract, or shall cancel the contract, if the terms of the contract so permit; or
- b. The Board of Governors, the Governors, officer, faculty member or employee shall take such action as is necessary to remove him/her from a relationship with the private firm or corporation that could influence the decision-making process of the private firm or corporation; or
- c. The University shall establish a procedure to remove any opportunity for the University employee to influence the entering into the contract by the University or the manner in which the contract is performed by the University.

Prohibited Services after Termination of Office or Employment

No Governor, officer, faculty member, or employee shall:

- a. Perform any service for consideration, during one year after termination of his/her office, appointment or employment, by which performance he/she attempts to influence a decision of the University, except that this provision shall not be construed to

prohibit any person from performing such service, and receiving compensation therefore, in any adversary proceeding or in the preparation or filing of any public document or to prohibit an employee of the University from being employed by any other department, division or agency of the executive branch of state government. [Source: Mo. Rev. Stat. § 105.454(5)]

- b. Perform any service for any consideration for any person, firm or corporation after termination of his/her office or employment in relation to any case, decision, proceeding or application with respect to which he/she was directly concerned or in which he/she personally participated during the period of his/her service or employment. [Source: Mo. Rev. Stat. § 105.454(6)]

Receipt of Gifts Policy

No employee should accept any personal gifts or favors exceeding the amount provided in §105.485.2(8) R.S.MO., as amended, (currently \$200) in monetary value in any calendar year from any single person, company, or firm which transacts, or wishes to transact, business with the University. This is not intended to be applicable to meals/functions conducted at the initiative of the University and involving University purposes or business, or to compensation or fringe benefits provided by the University. Any exception to this policy requires the written approval of the employee's supervisor and vice president (if applicable), based on a written explanation for the requested exception.

4. Governor's Disclosure of Conflicts

Duty to Disclose; Timing

Whenever any conflict of interest appears to exist after taking oath of office, the Governor shall immediately fully disclose that conflict to the Board and to the President of the University. In no event shall such disclosure be delayed longer than seventy two (72) hours prior to consideration of the matter by the Board.

Uncertainty as to Conflict

Any Governor who is uncertain whether a conflict of interest may exist in any matter, whether such conflict is his/her own or that of another, may request the disinterested members of the Board who are present to resolve the issues of whether the conflict exists and is material to the

particular matter being considered, by unanimous vote, with the affected member abstaining from voting.

Procedure for Disclosure

The following procedures shall be observed in resolving all disclosures:

- a. The interested Board member shall disclose any significant facts within his/her knowledge which indicate that the matter might adversely affect the University; then briefly state his/her position on the particular matter and answer pertinent questions; and shall refrain from exerting in any manner, his/her personal influence over the decision of such matter; and, if requested by the President of the Board, the interested member shall be absent from all discussions, recommendations, determinations and decisions concerning the particular matter; and, the Board and/or committee shall take no action on the matter unless and until a quorum of disinterested members is present; and, the interested member shall not vote on the particular matter.
- b. The interested Board member may voluntarily recuse himself/herself from Board deliberations or actions if the member believes that a duality or conflict of interest exists with respect to any such deliberations or actions. Any such voluntary refusal shall not release the member from making full disclosure.
- c. If a Governor fails to disclose, or after disclosure and adverse vote of the Board, fails or refuses to refrain from further action, such Governor may, by unanimous vote of the Board, be expelled from the Board meeting, with the affected member abstaining from voting, or from all future Board meetings until the conflict is resolved.
- d. The disclosure of a conflict of interest by a member and inquiry by the Board concerning such matters shall be considered in closed session to the extent that the conflict arises out of matters enumerated in the Open Meetings statute.

5. No Discrimination for Filing Reports

No person with supervisory authority shall discipline, discharge, threaten, retaliate or otherwise discriminate against a person or employee acting on behalf of a person, regarding compensation, terms, conditions, location, or privileges of employment because:

1. The person or employee acting on behalf of the person reports or is about to report, verbally or in writing, a violation or suspected violation of this policy or of law.
2. A person or employee acting on behalf of the person is requested by the Missouri Ethics Commission to participate in an investigation, hearing, or inquiry held by the Commission or any related court action. [Source: Mo. Rev. Stat. § 105.467(1)]

6. Financial Interest Statements

Members of the Board of Governors, the President of the University, the Vice Presidents identified above, the Treasurer, the Purchasing Officer, and any other persons identified in the minutes of the Board of Governors as decision-making public servants, are required to file financial interest statements prescribed by Mo. Rev. Stat. § 105.483. The President of the University may designate additional employees as decision-making public servants. The financial interest statements, as required by law, are to be filed with the Missouri Ethics Commission on an annual basis not later than the first (1st) day of May in each year, after January 1, 1993, and with the Secretary of State prior to that time. [Source: Mo. Rev. Stat. § 105.485]

7. Nepotism

No Governor, officer, faculty member, or employee shall participate, either directly or indirectly, in a decision to appoint or hire an employee of the University, either part-time or full-time, who is related to such person within the fourth degree of consanguinity (blood) or affinity (marriage). It also shall be a violation of this policy for an employee to supervise, either directly or indirectly, the work of another employee who is related within such fourth (4th) degree, unless the supervisory role is specifically approved by the President of the University.

8. Limitation on Gift Acceptance

A Governor shall not accept gifts or benefits from any person holding contracts for supplies or services to the University, or from any bidder on contracts for such services or supplies.

However, this provision shall not apply to acceptance of gifts, benefits, gratuities, amenities, or favors based on obvious family, friendship, or personal relationships where the circumstances make it clear that it is those

relationships rather than the business of the University, which are the motivating factors.

9. Transactions with Students

Instructors

Textbooks, tapes, software and other materials authored by the course instructor may be assigned to be purchased by students for a course taught by the author if the royalties arising from the purchase of the assigned materials are returned to the University, another educational institution, a charitable organization, or a not-for-profit foundation. Any proceeds from other University uses of such materials, such as purchase by the library, shall be the property of the faculty member.

10. Sanctions for Violations

Any person knowingly violating the conflict of interest law is subject to punishment as prescribed by Mo. Rev. Stat. § 105.478. Any employee violating any of the provisions of this policy shall be subject to disciplinary action, including suspension or termination of employment.

The University administration shall establish and inform all employees of the existence and operation of an internal process for receiving employee complaints required by this policy, and to receive complaints or requests for investigation of violations or suspected violations of this policy or the statutes on conflict of interest.

Any employee subject to discipline shall be entitled to full due process rights provided under the appropriate grievance procedure.

11. Stationery

Official University stationery may not be used in outside business, personal and other private or political activities of employees.

12. Logo

It is a violation of University policy to employ the name of the University or any of its graphic identification symbols in printed materials intended to endorse or promote individual enterprises or to otherwise enhance private gain without the written permission of the University President.

13. Statutory Requirements

All Governors, officers, faculty members and employees shall comply with the requirements of Mo. Rev. Stat. Ch. 105 dealing with conflicts of interest, as well as any other state law governing official conduct. Failure to comply with those requirements shall be considered a violation of this policy. (As adopted by the Board of Governors, December 31, 1991, and amended on April 20, 2001.)

Governing Policy: Officers of the University

The administrative organization of Missouri State University shall consist of the following offices and organizations:

President

The President is the chief executive officer of the University, responsible to the Board of Governors for the administration of all policies adopted by the Board and for the execution of all acts of the Board.

Chief of Staff/Assistant to the President for University Relations

The Chief of Staff and Assistant to the President for University Relations assists the President in managing and operations of the President's office and manages the offices of Governmental Relations, University Communications, Photographic Services, Athletics Communication, Publications, and Web and New Media.

General Counsel

The General Counsel serves as the legal advisor to the University.

Equal Opportunity Officer

The Equal Opportunity Officer is responsible for all aspects of the University's affirmative action and equal employment opportunity programs to ensure compliance with applicable laws and regulations.

Director of Athletics

The Director of Athletics is responsible for administering the University's intercollegiate athletics program.

Director of Internal Audit

The Director of Internal Audit is responsible to the Board of Governors for directing the advisory functions on internal auditing and system accounts, which serves as an independent appraisal review regarding the administrative operations and fiscal control systems of the University.

Chancellor of the West Plains Campus

The Chancellor of the West Plains campus is responsible for the overall administration of the West Plains Campus, including the academic programs, faculty and staff personnel matters, financial affairs, student life, athletics, physical plant, and liaison to the various publics of the campus.

Provost/Chancellor of the Research Campus at Mountain Grove

The Provost is the senior academic officer of the University. Responsibilities include the overall direction, development, and administration of academic and student affairs, and the Research Campus at Mountain Grove. Academic Affairs includes all academic and scholarly programs of the University, including the six academic colleges, the Graduate College, Library Services, and the Extended Campus. Student Affairs includes enrollment management and student life (excluding auxiliary units).

Associate Provosts

The Associate Provosts serve as deputies to the Provost in all functions, with special responsibility for faculty relations, undergraduate programs and studies, graduate programs and research, student success and public affairs, and the extended campus.

College Deans

Each of the College Deans is responsible for the administration of one of the six discipline-based colleges. Responsibilities include faculty recruitment and development, faculty evaluation, program development, program review, student advisement, collegiate budgeting and budget control, class schedule planning, fundraising and advancement, and general supervision of the scholarship, research, creative activity, instructional and service activities of the college.

Dean of Library Services

The Dean of Library Services is responsible for administering library facilities, resources, and services within the University. The Dean also serves as Head of the Department of Library Science.

Director of Institutional Research

The Director of Institutional Research provides information that supports institutional planning, policy formulation, and decision-making.

Department Heads and School Directors

Each Department Head is responsible for administering one of the academic departments of the University. Responsibilities include faculty recruitment and development, faculty evaluation, program development, program review, student advisement, departmental budgeting and budget control, class schedule planning, fundraising and advancement, and general supervision of the scholarship, research, and creative activity of the department. The Director of a School is expected to fulfill the same role as a Department Head. The faculty and programs in an academic unit are designated as a School primarily upon the

recommendation of an accrediting agency, and such designation indicates the unit's involvement in and integration into an external professional environment which usually requires specific standards for licensure. A School is a professional unit which in all respects has the same status, responsibilities, and benefits as an academic department.

Vice President for Administrative & Information Services

The Vice President for Administrative & Information Services ensures prompt and effective delivery of essential services to support the University's mission of producing educated persons by developing goals and objectives, establishing priorities, allocating resources, reviewing and approving unit plans, and designing systems of effective control to guide work toward expected outcomes. The Vice President for Administrative & Information Services has administrative responsibility for Facilities Management and Analysis, Campus Planning, Safety and Transportation, Communication Services, Computer Services, Environmental Management, and Human Resources.

University Architect and Director of Campus Planning

The University Architect and Director of Campus Planning is responsible for development of all construction projects undertaken by the University and develops long-range and detailed plans to meet the academic and support needs of the University.

Director of Facilities Management

The Director of Facilities Management is responsible for providing a quality physical environment for the University through effective facilities and grounds planning, service, maintenance, repair, and construction.

University Facilities Analyst

The University Facilities Analyst provides comprehensive facilities planning assistance to all units of the University, ensuring maximum utilization of physical space resources, and serves as the University's facilities database administrator.

Director of Safety and Transportation

The Director of Safety and Transportation coordinates efficient transportation services and the maintenance of a safe and secure campus.

Director of Communication Services

The Director of Communication Services oversees the effective delivery of postal, printing, and telecommunications services.

Chief Information Officer/Director of Computer Services

The Chief Information Officer/Director of Computer Services is responsible for system-wide planning, management, security, and coordination of the computing resources of the Missouri State System, and provides automation support for academic and administrative computing needs.

Director of Environmental Management

The Director of Environmental Management coordinates the acquisition, handling, storage, and disposal of hazardous chemical materials, proper handling of select agents, and monitors radiation safety for all Missouri State University campuses.

Director of Human Resources

The Director of Human Resources provides leadership and direction for recruitment and employment services, benefits management and counseling, salary administration and job evaluation, affirmative action issues, training and development, records management, labor and employee relations, and human resource information systems for the University.

Vice President for Student Affairs/Dean of Students

The Vice President for Student Affairs and Dean of Students is the chief student-personnel officer of the University and advises the Provost and the President (auxiliary units only) on all matters pertaining to non-academic student life. The Vice President serves as the senior executive officer responsible for providing leadership and general management of units in the division: Enrollment Management, Student Life Activities and Assistant to the Vice President, Associate Dean of Students Office, Student Academic Support, Multicultural Affairs, Student Health and Wellness, Student Engagement, Recreation Services, and Student Auxiliary Services. The Dean of Students is responsible for Campus Judicial Affairs, Plaster Student Union, Greek Affairs, Student Support Services, Services for Students with Disabilities, Residence Life, Food Services and the Bookstore.

Associate Dean of Students

The Associate Dean of Students is responsible for the administration of the Office of Student Conduct and of the Code of Student Rights and Responsibilities and provides direction and supervision for the Office of Disability Services and the Parking Appeals Administrator. Under the direction of the Dean of Students, the Associate Dean of Students shares responsibility for the development, implementation, and administration of policies and procedures affecting students.

Associate Vice President for Enrollment Management and Services

The Associate Vice President for Enrollment Management is responsible for the development and implementation of a comprehensive enrollment management plan for both prospective and current students, the delivery of financial aid services, the Registrar's Office research support, and oversees the Directors of Admissions, Student Financial Aid, and Registrar along with other personnel supporting services to students seeking to enroll at the University.

Assistant Vice President for Multicultural Programs and Student Diversity

The primary duty of the Assistant Vice President for Multicultural Programs and Student Diversity is to provide leadership and support for the establishment and achievement of minority student recruiting goals and the development and administration of departments and programs that serve the needs of multicultural and diverse student populations. Responsibilities include direct supervision of Multicultural Student Services, TRIO programs, and Retention Services.

Assistant Vice President for Student Academic Support Services

The Assistant Vice President, Student Academic Support Services is responsible for the coordination of all student academic support services provided by the units of Career Services and the Counseling and Testing Center.

Director, Health and Wellness Services

The Director of Health and Wellness Services exercises full management responsibility for the operation of Taylor Health and Wellness Center and other University health and wellness programs, provides administrative and management support for other University units and clinics, such as the University's Physical Therapy Clinic, and serves as the University's HIPAA privacy officer. The Director's responsibilities include planning, organizing, staffing, budgeting, monitoring, and assessing outcomes and providing strong leadership for the staff of Taylor Health and Wellness Center.

Vice President for University Advancement

The Vice President for University Advancement is the chief advancement officer for the University and advises the President on all matters pertaining to the management and operation of university development, alumni relations, as well as community and donor relations. The Vice President for University Advancement also serves as the Executive Director for the Missouri State University Foundation, a private nonprofit organization which raises funds to benefit the University. The Vice President has responsibility for the following administrative units and functions: Development and Alumni Relations and the Kenneth E. Meyer Alumni Center.

Executive Director of Development

The Executive Director of Development is responsible for the creation of plans, implementation of strategies, and supervision of fund-raising programs of the University. The Executive Director of Development supervises staff in constituent fundraising positions, donor relations, athletics development, annual funds, major and planned gifts, and prospect research.

Executive Director of Alumni Relations

The Executive Director of Alumni Relations is responsible for developing and implementing a comprehensive program of activities designed to inform alumni and keep them involved with the University, serves as chairperson for the Homecoming Committee, plans class reunions and implements special events to recognize outstanding alumni, coordinates the alumni chapter network, and serves as advisor to the Student Alumni Association and as the Class Notes Editor for the alumni magazine.

Executive Director, Athletic/Entertainment Facilities

The primary duty of the Executive Director, Athletic/Entertainment Facilities is management of Juanita K. Hammons Hall for the Performing Arts (JKHHPA) and JQH Arena; however the Executive Director also has administrative oversight responsibilities for Hammons Student Center (HSC) and Plaster Sports Complex (PSC).

Chief Financial Officer

The Chief Financial Officer is the senior executive officer responsible for financial services, which consist of accounting, investing, budgeting, payroll, accounts receivable, accounts payable, credit management, budget control, fiscal planning, financial statement preparation, student loan collection, procurement, and the Bursar's Office. The Chief Financial Officer exercises a major responsibility for the accounting and investing of the Missouri State University Foundation and the Missouri State University Development Corporation and serves as the Treasurer of the Board of Governors.

Bursar

The Bursar is responsible for the collection of all moneys received by the University and provides a check cashing service for currently enrolled students, faculty, and staff.

Controller

Duties of the Controller include assisting with auditing and accounting for the University, the Missouri State University Foundation, and the Missouri State

University Development Corporation. The Controller monitors investment of all funds.

Director of Accounting and Budgeting

The Director of Accounting and Budgeting is responsible for coordinating the preparation of the University internal operating budget and preparation of the operating budget request submitted to the state legislature for appropriation of state funds. The Director maintains the financial information for the University by supervising financial transactions that affect the general ledger and financial statements. The Director performs budget control by approving purchases and monitoring the individual budgets of the University, conducts the processing of accounts payable and accounts receivable transactions, and coordinates the collection of student loans and other accounts receivable items.

Director of Procurement Services

The Director of Procurement Services is the University's agent for acquiring all materials, services, supplies, equipment, and real property; supervises the University's insurance and risk management programs; and provides leadership and direction for central receiving, warehousing, property control, and vending and concessions operations.

Vice President for Research and Economic Development

The Vice President for Research and Economic Development is responsible for the University's research and economic development activities, including the Office of Sponsored Research and Programs, the Roy Blunt Jordan Valley Innovation Center, the Community and Social Issues Institute, China Programs, and Broadcast Services. Each of these programs supports the University's mission in public affairs by creating an environment that encourages, supports and values research, scholarship, creative activity and community and international outreach.

Associate Vice President for Research and Economic Development

The Associate Vice President for Research and Economic Development is responsible for coordinating the resources of the federal, state, and local governments with the resources of Missouri State University to promote business and industrial growth by coupling entrepreneurship with research and innovation. The business development program provides services to emerging entrepreneurs and entrepreneurial companies that lead to economic development in southwest Missouri as well as throughout the state of Missouri. The Associate Vice President for Research and Economic Development serves

as the Chief Executive Officer of Springfield Innovation, Inc. and is also responsible for developing strategic international research and economic development partnerships, primarily in China and Central and Eastern Europe.

Director of Broadcast Services

The Director of Broadcast Services is responsible for strategic planning and visioning for the Missouri State University Public Broadcast Service, establishing operational and budgetary guidelines for the University's radio and television stations, ensuring the stations' support for the University's educational mission, the statewide mission in Public Affairs, and regional themes.

Director of Academic Outreach and Support/Director of the China Campus

The Director of Academic Outreach and Support/Director of the China Campus is responsible for the development and administration of interactive video and classrooms for off-campus credit programs, telecourses, high school dual-credit offerings, and associated student and administrative support services for these courses. The Director of Academic Outreach and Support/Director of the China Campus works closely with the academic officers in maintaining and expanding Academic Outreach programs for the Missouri State University System in China, coordinating campus and community support for China programs with various departments on the Springfield, Mountain Grove, and West Plains campuses, and exploring future collaborative partnerships and educational opportunities in China including developing degree programs at all levels.

Director of Community and Social Issues Institute

The Director of the Community and Social Issues Institute is responsible for all operations of the Institute and ensures that it meets its state mission of serving as a catalyst to organize and apply the research and service capacity of the University to assist public and private organizations as they address significant social issues facing the many communities served by Missouri State University.

Director of Research Compliance

The primary duty of the Director of Research Compliance is to ensure that University-based research, education and service activities are planned and conducted in accordance with federal and state regulations in the areas of human subjects' protection, care and use of animals, biosafety, radiation safety, and export control. The Director of Research Compliance assures that University policies and procedures are consistent with applicable regulations and coordinates committees involved in overseeing activities related to these compliance areas.

Executive Director, Roy Blunt Jordan Valley Innovation Center

The Executive Director, JVIC is responsible for supervision and oversight of the operation of the Jordan Valley Innovation Center, which includes the Center for Applied Science and Engineering and the Center for Biomedical and Life Sciences. Jordan Valley Innovation Center provides support to small and mid-sized emerging technology companies and to high-technology start-up ventures by quickly moving corporate and university-based research and development to commercial products.

Information Security Officer

The Information Security Officer (ISO) ensures the confidentiality, integrity, and availability of University electronic information by communicating risk to senior administration, creating and maintaining enforceable policies and supporting processes, and ensuring compliance with regulatory requirements.

Administrative Council

The Administrative Council is chaired by the President. The Council includes the Provost, the Vice Presidents, the Chancellor of the West Plains campus, the Chief of Staff and Assistant to the President, the Chief Financial Officer, the Internal Auditor, the Secretary to the Board of Governors, one college Dean, the Director of Athletics, and the General Counsel. When appropriate to the agenda for a particular meeting, others may be invited as guests. The Administrative Council discusses items of University-wide interest.

Governing Policy: Long-Range Plan

It is the policy of Missouri State University to have in effect a long-range plan which will be approved by the Board of Governors as recommended by the President of the University. The current long-range plan can be found at: <http://www.missouristate.edu/longrangeplan/default.htm>. (Bd. Min. 9-15-06, Res. Board Policies No. 45-06.)

Governing Policy: Selective Admissions

It is the policy of Missouri State University to adopt selective admission requirements as defined by the Coordinating Board for Higher Education (www.dhe.mo.gov/admissionscriteria.shtml#sel). This process will be accomplished over a number of years. The high school core curriculum and the selection index are published annually in the Undergraduate Catalog www.missouristate.edu/admissions/admpolicy.htm. (Bd. Min. 8-23-93; Res. Board Policies No. 10-93.)

Governing Policy: Formulation and Approval of Operating Policies

Operating Policies are policies that have broad application throughout the University and that provide interpretation and implementation of the Governing Policies of the University that have been adopted by the Board. Governing Policies are controlling if there is conflicting language with an Operating Policy. In formulating Operating Policies, the Administration will develop a process which encourages consultation with those who will be directly affected by the Operating Policy and will have the policy reviewed by Administrative Council prior to its adoption. The President approves all Operating Policies, which will be prepared in a standard format and electronically stored in a policy library.

Governing Policy: Formulation and Approval of Unit Policies

Unit Policies are policies that have application only within a unit of the University. They may provide interpretation and implementation of Governing Policies and Operating Policies or address special needs of the unit. In formulating or revising Unit Policies, the unit will develop a process which encourages consultation with those within the unit who will be directly affected by the Unit Policy and to have the Unit Policy reviewed and approved by the major administrator. Unit Policies will be prepared in a standard format and stored electronically. Governing and Operating Policies are controlling if there is conflicting language between them and a Unit Policy.

Governing Policy: Faculty Constitution Approval Procedure

It is the policy of Missouri State University that a Faculty Constitution be adopted. The Board of Governors shall approve the Constitution and any revisions thereto which shall be submitted for approval by the Faculty Senate. The Faculty Constitution shall be consistent with the Faculty Handbook. If there is a conflict between the Faculty Handbook and the Faculty Constitution, the language of the Faculty Handbook shall prevail.

Governing Policy: Faculty Handbook Approval Procedure

It is the policy of Missouri State University to adopt a handbook which sets out the policies pertaining to faculty employed by the University. The Board of Governors is the approval authority for this publication. Revisions to the Faculty Handbook may be proposed to the Board of Governors as recommended by the President and the Provost of the University after legal review by the General Counsel.

Governing Policy: Employee Handbook Approval Procedure

It is the policy of Missouri State University to adopt an employee handbook which sets out the policies pertaining to University employees. The Board of Governors is the approval authority for this publication. Revisions to the Employee Handbook may be proposed to the Board of Governors as recommended by the President of the University after legal review by the General Counsel.

Governing Policy: Criminal Background Checks

It is the policy of Missouri State University that a criminal background check be undertaken as a condition of employment for all full time faculty and staff positions and for all employees in sensitive positions of employment. The Administration will develop a detailed criminal background check procedure to implement this policy. (Res. Faculty Policies No. 113-05; Bd. Min. 10-28-05)

Governing Policy: Maintenance of Board Meeting Tapes

Copies of Board meeting tapes shall be maintained with the Board Secretary.
(Bd. Min. 10-18-91.)

Governing Policy: International Travel Guidelines for the Board of Governors

The following guidelines are adopted and approved for international travel by members of the University's Board of Governors:

The University will pay/reimburse the travel expenses for any member of the Board of Governors once during a six-year term to travel to international locations where the University maintains official presence, for purposes of representing the University and gaining familiarity with the University's educational purposes abroad, to a maximum of \$2,500.00 per trip, to be paid from the Board of Governors' budget.

Governing Policy: Presidential Search Process

In exercising its responsibility to appoint a University President, the Board shall appoint a Presidential Search Committee.

The Presidential Search Committee shall be invited to appoint from its own membership a person to serve as the Chairperson of the Committee. The Committee shall be asked to seek and solicit, as well as receive, all applications for the position of President of the University.

The Committee shall develop a file for each candidate, including the candidate's placement papers, resume, and recommendations from those who know the candidate and who speak for him/her.

The Committee shall review all candidates, screen down to approximately 8 or 10, conduct in-depth interviews, and present a list of finalists to the Board of Governors.

The President of the Board shall confer on a regular basis with the Chairperson of the Presidential Search Committee in order to facilitate the flow of information from the Committee to the Board. (Bd. Min. 2-21-92 and 10-16-92.)

Governing Policy: West Plains Campus

1. The West Plains Campus shall be operated autonomously and administered by a Campus Chancellor reporting to the President of the Missouri State University system. (Bd. Min. 6-18-93; Res Policies and Procedures No. 6-93.)
2. It is the policy of Missouri State University that the Board of Governors approves a separate Constitution and Bylaws for the Faculty Senate of Missouri State University-West Plains. The Board shall also approve a Faculty Handbook and the West Plains Addendum to the Employee Handbook as well as all revisions to these publications. (Bd. Min. 4-16-93 and 11-20-98.)

Governing Policy: Campus Law Enforcement

Springfield Police Department

Commissioned law enforcement at Missouri State University is provided, under a memorandum of understanding, by the Springfield Police Department (SPD). The SPD officers work out of a campus substation, and have full police power including arrest authority and power to search. When the substation officers are not available for any reason, other SPD officers will respond.

Department of Safety and Transportation

The Missouri State University Department of Safety and Transportation consists of a Department Director, Assistant Director for Safety, non commissioned Public Safety Officers, and an administrative section. The Department has a close working relationship with the federal, state, county, and city law enforcement network through the SPD. As the Department of Safety and Transportation is made aware of offenses against persons or property, they will report them to the local police. Information regarding criminal activities at addresses of University-recognized, off-campus student organizations is monitored and recorded by the administration through the SPD.

Some of the services provided by the Department of Safety and Transportation are:

- Control of University vehicle parking and traffic
- Escorts of University members on campus after dark
- Observation, correction, and reporting of crime and safety hazards
- Twenty-four hour patrol of campus
- Security checks of University property
- Emergency assistance as needed

The Department's Public Safety officers perform accident, crime, and loss prevention functions which include identifying vulnerability to crime, fire, and accidents, and designing and implementing programs to reduce such incidents. They also educate the University staff on how to create and maintain a safer and more secure academic and residential environment. All Missouri State University Public Safety Officers have the authority necessary to request identification of University members; enforce Missouri State policies, rules, regulations, and codes; and report any alleged irregularities.

Crime Reporting

Any individual on the Missouri State University campus who is a victim of or observes any criminal activity should report the incident immediately to 911. Persons reporting criminal incidents should provide as much information as available. If possible, this should include the location, nature of injuries, the description of possible criminals, and briefly what happened. Springfield Police officers will respond to protect the victims, investigate the incident, and make arrests when necessary.

Conduct which may include criminal activity can be reported to Residence Life and Services Staff or the Office of the Dean of Students for the purpose of accessing services available from those or other University offices. Individuals will be encouraged to report any criminal activity to the Springfield Police Department.

It is a policy of the University to regularly monitor, through the Springfield Police Department, criminal activity at off-campus locations of recognized student organizations. Reports that include such activity are obtained on a regular basis from the Police Department by the Office of Safety and Transportation. The Department of Safety and Transportation will give timely notice to the University community on certain crimes that represent a continuing threat to students and police (Springfield Police Department – campus substation), or Springfield Police Department (main station).

Standard of Conduct

The University is proud of its student record and reserves the right to discipline or dismiss any student who fails to maintain its standards. As a condition of admission, each student concedes to the University this power of discipline in order to preserve the University ideals of scholarship, integrity, and personal propriety. Each student is expected to accept responsibility as a member of the University and is held accountable to the Missouri State University Code of Student Rights and Responsibilities, academic integrity expectations, and other University rules and regulations published on the Current Students web page and on the Missouri State University web page.

Personal Safety and Security

University employees and students must take an active role in their personal safety and security. Each individual is expected to function responsibly concerning his or her own personal safety as well as toward the security of their possessions. Individuals should not allow themselves to be found or placed in a situation which leaves them vulnerable to possible bodily harm. They should also secure their personal possessions and keep them safe from possible theft or damage by others at all times.

Emergency Reporting

Emergencies (e.g., medical, fire, crime, etc.) should be reported to the Springfield-Greene County Emergency Communications Department by dialing 911. Automatic dial telephones located in the shuttle bus shelters, Bear Park North and Bear Park South, and emergency phones in various parking lots and elevators are connected directly to the Safety and Transportation Radio Communications Center and can also be used to report an emergency. Non-emergency safety concerns should be reported to the Missouri State University Department of Safety and Transportation at 836-5509.

Safety Services

Crime Awareness Briefings: During Student Orientation and Registration (SOAR), all parents and students are briefed on safety and security. Safety officers are available on request to address the following crime prevention programs:

- Personal Safety
- Theft Prevention

Engravers: Electric engravers are available at each residence hall for individuals to mark their personal possessions.

Escorts: Walking escorts are available by Safety personnel to escort students, faculty, or staff to or from any place on campus after dark. Escorts are available upon request by calling 835-5509.

Housing Security Hosts: Within each residence hall, student security hosts are available for additional assistance to students during late night and early morning hours. While on duty, the security hosts monitor the hallways, common areas, and the outside entrances.

Key Control: All University keys, except Residence Life and Services, are issued through the Safety and Transportation office upon receipt of a key request signed by the approving authority. The office is open from 8:00 a.m. to 4:00 p.m., Monday through Friday.

Lighting: Nighttime safety is enhanced by a high-intensity outdoor lighting system on the main campus. Replacement of spent exterior bulbs is accomplished jointly by the Department of Safety and Transportation and the Maintenance Department.

Phones: Free campus telephones, shuttle stop emergency phones, campus parking lot emergency phones, and elevator emergency phones are available at numerous locations on campus to provide quick-call capability to the Springfield Police Department or the Department of Safety and Transportation.

Shuttle Service: Missouri State University operates a shuttle bus service for use by students, faculty, staff, and guests. The shuttle makes approximately 22 stops at locations convenient to residence halls, academic buildings, the library, and Alumni Center, the Greek organizations, Hammons Student Center, Residential area and downtown. No fares are charged during scheduled operating hours. Shuttles are accessibly to persons with disabilities.

Facilities Access

General

Arrangements to use University facilities, including both buildings and grounds, must be made in advance through Conference Services in Plaster Student Union 302. Meeting rooms and other facilities may be reserved only by University-recognized student groups or organizations, and by faculty and staff.

The administration buildings, student service facilities, and academic buildings are open to the public during the regular business hours. Public Safety Officers secure academic, administration, and service buildings when they are not in use and only unlock them during the weekend as needed. Public Safety Officers routinely patrol all

facilities around the clock. Entrances specifically for maintenance workers should be locked when not in use.

All buildings or facilities other than the residence halls are off limits to students after closing hours. However, Department Heads may authorize a student to work in a building after closing hours by approving the issuance of a "Building Permit" to the student through the Safety and Transportation Department. Because of the danger inherent to certain physical plant facilities, access to them is limited to staff members. These facilities are either locked or marked with a sign.

Residence Halls

The University residence life security access system permits residents to enter the building at all times but limits the entrance of non-residents during specified hours. Receptionists and night security staff maintain 24-hour front desk service in each residence hall.

Guests are welcome in the residence halls. However, each guest must be accompanied at all times by the resident who serves as the guest's host. All overnight guests must be registered at the front desk at the time of arrival and all visitors must be approved by all residents of the room, suite, or apartment.

Sports Facilities

Access to Hammons Student Center athletic events is permitted to ticket holders and to students presenting a Missouri State University identification card. During the posted hours, currently enrolled Missouri State University students and faculty/staff members may use all of the center's facilities. Alumni Association members may pay a daily guest fee or purchase a yearly membership. Guests accompanied by a student, faculty, or staff member, and other members may use Hammons Student Center for a daily fee. The indoor athletic facilities at Plaster Sports Complex are open during the posted hours to currently enrolled students, faculty, and staff only. The outside field is open from 6 a.m. until midnight daily. The West-side bleachers are off-limits except during scheduled events.

The classroom, lobby, and administrative areas of Forsythe Athletic Center are open to the public. However, the sports training facilities are limited to only specified athletic teams or as authorized by the staff trainers.

Student Organizations

Fraternities, sororities and other recognized Missouri State University organizations have their own procedures to access their facilities. These organizations are responsible for keeping the shrubs and vegetation around their buildings trimmed to enhance security.

Crime Information and Statistics

Under the ruling of U.S. District Court for the Western District of Missouri, security records are available for public disclosure and release. The judicial order requires this disclosure under the Missouri Sunshine Law (construed to protect the

name and address of a victim whose identifiable assailant is still at large). Missouri State University has adopted security records access release guidelines which are available from the Internal Auditor, Carrington Hall 205, 8:00 a.m. to 5:00 p.m., Monday through Friday.

Missouri State University, in compliance with Part II of the Federal Student Right-to-Know and Campus Security Act of 1990 (20 USC 1092), has published this Annual Public Safety Report to provide applicants, students, parents and employees with a preview of the University public safety procedures and resources. NOTE: 20USC1092(f) may be cited as the “Jeanne Clery Disclosure of Campus Security, Policy and Crime Statistics”. If there are any questions, the referenced policies and administrators should be consulted as to the exact terms and procedures. Any person who believes that the requirements of Part II of the Act have not been fulfilled should contact the following office:

Vice President of Administrative and Information Services
Missouri State University
901 South National Avenue
Springfield, MO 65897

For more information, contact:
Department of Safety and Transportation
Missouri State University
901 South National Avenue
Springfield, MO 65897

These policies are subject to change at any time.
Revised 2007

Governing Policy: Emergency Response Plan Adoption Procedure

It is the policy of Missouri State University to have in effect an emergency response plan which is designed to maximize human survival, preserve property, minimize danger, and restore normal operations of the University in the event of a campus crisis. The President of the University is responsible for approving the University's emergency response plan.

Governing Policy: Possession of Firearms

Possession of firearms and other weapons on University property may, in specific circumstances, be necessary to fulfill academic and extracurricular activities and in conjunction with law enforcement activities; therefore, the University shall prohibit the unauthorized possession of ammunition, firearms, explosive weapons, and other weapons as defined in Missouri Revised Statutes, on University premises (including parking lots and vehicles owned or leased by the University) by members of the University community and guests, and that authorization to possess such items on University property or University vehicles be vested in the President of the University and delegated to the Director of Safety and Transportation or his/her designee. (Bd. Min. 3-19-04; Res. Human Resources No. 1126-04.)

Governing Policy: Faculty Governance**Faculty Senate**

The Faculty Senate is a representational body that provides recommendations to the Administration and Board of Governors on issues of concern to faculty and the university. Representatives to the Senate are elected in each department and from among ranks of Full Professor, Associate, Assistant, and Instructor, plus an unranked instructor representative. The Faculty Senate, representing more than 700 full-time faculty members, is active in advancing faculty issues ranging from course quality to faculty pay and morale.

Graduate Council

The Graduate Council is part of the faculty governance process, acting on curriculum matters, new programs, generally policies and appointments to the Graduate Faculty. The Graduate Council is proactive in representing the needs of graduate education and proposing strategies to allow the Graduate College to fulfill its mission.

Governing Policy: Copyrights

General Statement on Copyright Policy

Missouri State University is dedicated to adhering to copyright law. Consequently, the University urges you to become familiar with the principles and rules which govern use of works protected by copyright.

What is "copyright" and who cares?

The right to make copies of another's work is severely restricted in the United States and throughout the world. By securing the benefits of ownership to creators of intellectual property, the government encourages production and dissemination of socially valuable creations. Unauthorized use of another person's intellectual property is a form of theft which discourages creativity.

Violation of copyright law carries substantial penalties. Civil and criminal penalties can be imposed for copyright infringement, including award of actual and punitive monetary damages. When you infringe copyright, you may also be exposing to liability the University and businesses such as copy shops.

However, complying with copyright law is often difficult because of the complexity of the rules which govern how and when you can use intellectual property owned by another person or organization. Some of us may be stealing others' intellectual property without knowing it. At the same time, you should not be deterred from using the work of others simply because you are uncertain about what is copyrighted, what constitutes "fair use," and how to get permission to use copyrighted works.

What works are protected by copyright law?

Copyrightable expression is original authorship, fixed in a tangible medium of expression. By this standard, mere facts and ideas cannot be copyrighted. In addition, works created by Federal government employees, titles and short phrases, and works in the public domain are not protected. Among the types of work protected by copyright are literary productions, musical notation and recorded music, pictures and graphics, motion pictures and video footage, databases, Web pages, and computer programs.

Just because a work is out-of-print or "old" does not mean that it is unprotected. Similarly, absence of a statement that the work is copyrighted does not mean that you are free to use it. **Assume that all material is copyrighted unless its source states clearly that it is not.** New technologies, especially those related to computers and computer networks, raise novel copyright issues. For instance, a major problem recently developed with respect to transfer of works from one medium to another. In general, you cannot transfer a substantial portion of a work from one to another medium without

getting permission from the copyright holder. Consequently, transferring without permission a musical recording to the soundtrack of a videotape recording or to a CD-ROM violates copyright law. In addition, you cannot assume that every work which appears on the Internet is in the public domain. Displaying an image or file on the Internet is equivalent to displaying it on television, in an art gallery, or in print; only the copyright holder has this privilege.

What is "fair use"?

You don't need to get permission for all uses of copyrighted work. The law permits use of a portion of a work without the copyright owner's permission for purposes such as teaching, scholarship, research, criticism, and comment. Four criteria must be considered when determining whether you are making "fair use" of a copyrighted work: (1) your purpose, including whether it is commercial or not-for-profit educational use; (2) the nature of the work itself; (3) the percentage of the work used; and (4) the effect of the use on the work's market value [see <http://www.utsystem.edu/ogc/intellectualproperty/copypol2.htm>].

These criteria allow teachers to distribute in their classes portions of works which are protected. Instructors generally don't need permission to display copyrighted works in their classrooms, to distribute some portions of such works to their students, and to engage in one-use only copying. In addition, there are many "educational use exemptions" which allow the performance or display of copyrighted work during face-to-face teaching activities in a nonprofit educational institution.

However, you are not exempt from copyright laws simply because you are putting copied material to educational use, or because you are not selling or profiting from the distribution of copyrighted works. Your use must meet specific tests of brevity, spontaneity, and cumulative effect. **You should never copy works in order to replace or substitute for published anthologies, compilations, or collected works.**

What constitutes permission and how do you get it?

You are required to obtain permission to use a copyrighted work when your use falls outside the standards of "fair use" and "educational use exemptions." Permission must be secured from the current copyright holder, which may not be the author or the publisher identified in the work. Permission must be in writing.

In order to get permission, you should contact the copyright owner, saying exactly what you want to copy, the number of copies to be made, and whether the material is to be used alone or in combination with other material. Such requests should generally be directed to the publisher's Rights and Permissions Department. In case the publisher is not the copyright holder, or does not have the right to authorize a particular use, you will usually be directed to the correct person or agency.

Remember that no response is not the same as a positive response. If you don't hear from an author or publisher from whom you have requested permission to use a copyrighted work, you simply don't have permission.

Because computer software falls under copyright law, you should also be aware of the specific licensing agreements which control copying programs. A program user should consult the license agreement to determine whether copying a particular program is permissible. You are usually allowed to create only a backup copy [see <http://www.siaa.net/piracy/pubs/schoolsoftwareuse.pdf>].

Where can I find answers to specific copyright questions?

In addition to discouraging copyright infringement, Missouri State wants to make available in its classrooms and through distance learning the best information available. In order to prevent conflict between legal restrictions and effective teaching, Missouri State provides a wide variety of information resources about copyright.

A useful booklet, [Questions and Answers on Copyright](#), is available in Meyer Library and online. Librarians can direct you to resources which might answer particular questions. Assistance in getting permissions is available through the Missouri State Bookstore. Academic Outreach provides help in obtaining clearance for the use of copyrighted material for Missouri State online courses.

Who do I Contact ?

If you perceive a copyright violation on any Missouri State Web site or a peer-sharing copyright violation of music or movies, please contact the following person:

Office of the Provost
Missouri State University
Phone: (417) 836-4852
E-mail: Provost'sOffice@missouristate.edu

As outlined by the [Digital Millennium Copyright Act](#),** the Copyright Office of the Library of Congress issued interim regulations and associated processes that encourage online service providers to designate an agent to receive notifications of claimed copyright infringement.

Additional Resources

- [Indiana University-Purdue University at Indianapolis](#)
 - Contact the [Copyright Management Center](#)
- [Kohn on Music Licensing](#)

- [Software and Information Industry Association: *Is it OK for Schools to Copy Software?*](#)
- [Stanford University](#)
- [United States Copyright Office](#)
- [University of North Carolina, Chapel Hill](#)
- [University of Texas System Copyright Policy](#)
- [University System of Georgia - Regents Guide to Copyright](#)

Governing Policy: International Partners Scholarship

It is the policy of Missouri State University to award scholarships to international students in the amount of seventy-five percent (75%) of non-resident tuition when these students come to the University from an institution that has a formal cooperative arrangement with the University. The Provost is responsible for determining criteria for awarding this scholarship and for determining which cooperative agreements shall contain a provision for awarding this scholarship. (Bd. Min. 6-29-07; Res. Fees No. 128-07.)

Governing Policy: Residency

PURPOSE: This rule sets forth the criteria and requirements for decisions by institutions of higher education relating to the residency status of students, including the determination of student fee charges and of student eligibility for financial aid administered by the Coordinating Board for Higher Education.

(1) Definitions.

- (A) Adult student shall mean any student having attained the age of twenty-one (21) years.
- (B) Coordinating board or board shall mean the Coordinating Board for Higher Education created by section 173.005, RSMo.
- (C) Domicile shall mean presence within a state with an intent of making the state a permanent home for an indefinite period.
- (D) Emancipated minor student shall mean any student not having attained the age of twenty-one (21) years and who is not under the care, custody and support of an individual or individuals having legal custody.
- (E) Residency or resident status shall mean that status which is achieved when sufficient proof of a domicile within a state is presented.
- (F) Unemancipated minor student shall mean any student not having attained the age of twenty-one (21) years, and under the care, custody or support of the individual or individuals having legal custody of the students.

(2) **Adult Students.** If an adult student, not a resident, shall present sufficient proof of the establishment of a domicile within the state of Missouri, this student shall be granted the resident status at the first enrollment following the establishment of the domicile.

(3) **Unemancipated Minor Students.** The domicile of an unemancipated minor is presumed to be that of the individual or individuals having legal custody of the student. If those having legal custody of the student establish a Missouri domicile, that student shall be granted resident status at the first enrollment following the establishment of the Missouri domicile. Once unemancipated minor students have established resident status under this rule, they may continue to qualify for resident status so long as they remain continuously enrolled, excluding summer terms, in a Missouri institution of higher education, even if the individual or individuals having legal custody of the unemancipated minor students cease to hold Missouri resident status.

(4) **Emancipated Minor Students.** The domicile of emancipated minor students shall be determined as if they were adults. A minor may become emancipated through

marriage, formal court action, abandonment or positive action of alienation on the part of the minor. In all instances, alienation from care, custody and support shall be complete and the burden of satisfactory proof of emancipation shall be that of the minor student. Mere absence of the student from the domicile of the individual or individuals having legal custody of that minor student shall not constitute proof of emancipation. In no instance shall a minor student be eligible for emancipation when that student is taken as an income tax deduction by a second party other than a spouse.

- (5) Members of the Military Forces. Students shall neither gain nor lose resident status solely as a consequence of military service. For the purposes of student resident status, military personnel, when stationed within the state of Missouri pursuant to military orders, their spouses and unemancipated minor children shall be regarded as holding Missouri resident status. However, a member of the military forces who is specifically assigned, under orders, to attend a Missouri institution of higher education as a full-time student, shall be classified, along with his/her spouse and unemancipated minor children, as if they had no connection with the military forces.
- (6) Noncitizens of the United States. Students who are not citizens of the United States must possess resident alien status, as determined by federal authority, prior to consideration for resident status. Aliens present within Missouri as representatives of a foreign government or at the convenience of the United States or Missouri governments and holding G visas shall be entitled to resident status, except for those who are government-funded students. Aliens and their dependents holding A or L visas may be granted resident status if determined to be individually designated as representatives of their governments and whose education is not government-funded.
- (7) Factual Criteria in Determination of Resident Status.
- (A) Attendance at an institution of higher education shall be regarded as a temporary presence within the state of Missouri; therefore, a student neither gains nor loses resident status solely by such attendance.
 - (B) The burden of proof of establishing eligibility for Missouri resident status shall rest with the student.
 - (C) In determining resident status for the state of Missouri, either of the following shall be sufficient proof of domicile of a person and his/her dependents within the state of Missouri:
 - 1. Presence within the state of Missouri for a minimum of the twelve (12) immediate past, consecutive months coupled with proof of intent to make the state of Missouri a permanent home for an indefinite period; or
 - 2. Presence within the state of Missouri for the primary purpose of retirement,

fulltime employment, full-time professional practice or to conduct a business full-time.

- (D) In determining whether a student holds an intent to make the state of Missouri a permanent home for an indefinite period, the following factors, although not conclusive, shall be given heavy weight: continuous presence in the state of Missouri during those periods not enrolled as a student; presence within the state of Missouri upon marriage to a Missouri resident and the maintenance of a common domicile with the resident spouse; substantial reliance on sources within the state of Missouri for financial support; former domicile within the state and maintenance of significant connections while absent; and ownership of a home within the state of Missouri. The twelve (12)-month period of presence within the state, as stipulated in paragraph (7)(C)1. of this rule, in and of itself, does not establish resident status in the absence of the required proof of intent.
- (E) The following factors shall be given less weight than those in subsection (7)(D) and include: Voting or registration for voting; part-time employment; lease of living quarters; a statement of intention to establish a domicile in Missouri; automobile registration or operator's license obtained in Missouri; and payment of income, personal and property taxes in Missouri. The factors listed in this subsection have applicability only as they support the intent to make the state of Missouri a permanent home for an indefinite period.
- (F) The waiver of forgiveness of a nonresident student fee, in full or in part, shall have no bearing on the residency status of a student and shall not be a basis for classification of a nonresident student as a resident.
- (H) For those nonresidents who pay Missouri income tax, the nonresident student shall receive a credit against the nonresident student fee in an amount equal to the actual Missouri income tax paid for the previous calendar year except that the remaining fee obligation shall not be less than the amount of the resident student fee. Unemancipated minor students are eligible by reason of payment of Missouri income tax by the nonresident individual or individuals having legal custody of students. Students entering in January shall be regarded as entering in the immediately preceding fall for purposes of determining previous calendar year. For students entering after January, previous year means immediate past calendar year.

(9) Administrative and Compliance.

- (A) Each institution shall establish procedures for the determination of institutional decisions in accordance with this rule. These procedures shall adhere to the guidelines set forth in this rule and to the concepts of procedural fairness and reasonableness to the students, to the institution

and to the taxpaying public of the state. The procedures shall provide for at least two (2) levels of institutional appeal review and the last stage of the procedure shall be considered final by the institution.

- (B) Compliance with the guidelines as set forth in this rule is required of institutions of higher education in order to be determined as eligible institutions under student financial aid programs administered by the coordinating board and for which student eligibility is restricted to residents. Institutions must be in compliance by August 1, 1986 and earlier compliance is encouraged.
- (C) On complaint of any student or other indication of possible institutional noncompliance with the guidelines set forth in this rule, the coordinating board may review the eligibility of an institution for student financial aid programs, or any other funds administered by the board and may take such actions or make such recommendations relating to the institution's eligibility as the coordinating board deems appropriate. These actions shall be consistent with any other administrative rules the board has established pertaining to the review of institutional eligibility. (Bd. Min. 12-20-85 ; Res. Student Policies No. 26-85.)

Governing Policy: University Housing

All single students under 21 years of age who have completed fewer than 30 hours of transferable credit are required to live in University housing.

All single students under 21 years of age who have completed fewer than 30 hours of transferable credit must have on file a completed Student Housing Contract and deposit or an approved Request for Exception to the University Housing Policy form, before enrolling in classes at Missouri State. The Student Housing Contract is for the entire academic year.

Governing Policy: Gift Management

It is the policy of Missouri State University that the Missouri State University Foundation is designated to receive and take title to University gifts for management purposes prior to distribution to, or expenditure for, appropriate University programs or activities. (Bd. Min. 7-30-82; Res. Gifts No. 132-82.)

Governing Policy: Compliance with the Health Insurance Portability and Accountability Act (HIPAA)

It is the policy of Missouri State University to be in compliance with HIPAA. The Administration will develop operational policies to implement this governing policy and facilitate HIPAA compliance under the direction of the University Security Officer.

Governing Policy: Healthcare Principles

It is the policy of Missouri State University to adhere to the following guidelines which address the economics of the University's medical and dental programs:

1. The cost of medical and dental programs shall not exceed 4.9% of the operating budget;
2. The operating budget shall provide for a reserve fund that does not fall below 60 days' payout nor exceed 90 days' payout;
3. The total employee benefit plan cost shall be reported to the Board annually; and
4. The operating budget shall provide funding for a wellness program that will train, educate, and provide incentives for employees to live a healthy lifestyle in an effort to reduce healthcare costs. (Bd. Min. 11-19-04.)

Governing Policy: Required Insurance for International Students

The premium for the student health insurance plan endorsed by the University will be charged each semester to the accounts of all enrolled international students for whom student visa documents are issued by the University. Sponsored students, whose governments or sponsoring agencies have agreed to pay all the students' expenses, will be exempt from this requirement. (Bd. Min. 12-18-98; Res. Student Policies No. 53-98.)

Governing Policy: Alcohol Delegation

It is the policy of Missouri State University that the use of alcoholic beverages in designated facilities be subject to the approval of the President of the University as the managing officer, and the President is authorized to further delegate to the Chancellors of the West Plains and Mountain Grove campuses such authority for those campuses. (Res. Policies & Procedures No. 120-06; Bd. Min.9-15-06.)

Chapter 1: Administrative Policies

- G1.01 Bylaws of the Board of Governors
 - Article I Definitions
 - Article II The Board of Governors
 - Article III Officers of the Board; Powers and Duties
 - Article IV Committees
 - Article V Fiscal Year
 - Article VI Seal and Insignia
 - Article VII Contracts, Loans, Checks, Deposits, Expense Reimbursements, Indemnification, and Appropriation for Annual Expenses
 - Article VIII Communications
 - Article IX Hearings Before the Board
 - Article X Officers of the University
 - Article XI The Board's Relationship to the Faculty
 - Article XII Conflict of Interest
 - Article XIII Non-Discrimination
 - Article XIV Miscellaneous
- G1.02 Conflict of Interest and Financial Disclosure Policy
- G1.03 Officers of the University
- G1.04 Long Range Plan Policy
- G1.05 Non-Discrimination Policy Statement
- G1.06 Diversity Hiring and Recruitment Policy
- G1.07 Selective Admissions Policy
- G1.08 Formulation and Approval of Operating Policies
- G1.09 Formulation and Approval of Unit Policies
- G1.10 Faculty Constitution Approval Procedure
- G1.11 Faculty Handbook Approval Procedure
- G1.12 Employee Handbook Approval Procedure
- G1.13 Fiscal Responsibility Policy
- G1.14 Financial Exigency Policy
- G1.15 Internal Audit Charter
- G1.16 Criminal Background Check Policy
- G1.17 Open Meetings and Records Policy
- G1.18 Contract Authorization Policy
- G1.19 Maintenance of Board Meeting Tapes
- G1.20 International Travel Guidelines of the Board of Governors
- G1.21 Integrity in Broadcasting Statement
- G1.22 AGB Conference Attendance Policy
- G1.23 Presidential Search Process
- G1.24 West Plains Campus Policies
- G1.25 Whistleblower Policy (Ethics Hotline)
- G1.26 Guidelines for Reports to the Board of Governors by Faculty Senate, Staff Senate, and the Student Government Association

Chapter 2: Emergency Response and Safety Policies

- G2.01 Campus Law Enforcement Policies
- G2.02 Emergency Response Plan Adoption Procedure
- G2.03 Possession of Firearms Policy

Chapter 3: Academic Policies

- G3.01 Constitution and Bylaws of the Faculty
- G3.02 Faculty Governance
- G3.03 Faculty Handbook
- G3.04 Intellectual Property:
 - G3.04-1 Assignment of Ownership Rights and Intellectual Property
 - G3.04-2 Intellectual Property Policy
 - G3.04-3 Copyright Policy

Chapter 4: Research Policies

- G4.01 University Center Policy

Chapter 5: Student Policies

- G5.01 Code of Student Rights and Responsibilities
- G5.02 Expressive Activity Policy
- G5.03 International Partnership Scholarships
- G5.04 Residency Policy
- G5.05 University Housing Policy

Chapter 6: Athletics Policies

No Governing Policies

Chapter 7: Human Resources Policies

- G7.01 403(b) Plan Document
- G7.02 Employee Handbook for Administrative, Professional and Support Staff Employees
- G7.03 Memorandum of Agreement (IBEW)
- G7.04 Memorandum of Agreement (Teamsters)
- G7.05 Permanent Resident Policy and Forms
- G7.06 Severance and Retention Policy

Exhibit BB

Chapter 8: Business Policies

- G8.01 Code of Conduct Governing Relationships between University and Student Loan Lending Institutions
- G8.02 Gift Management Policy
- G8.03 Identity Theft Policy
- G8.04 Investment Policy
- G8.05 Use and Sale of Missouri State University-Mountain Grove Wine and Spirits

Chapter 9: Transportation and Parking Policies

No Governing Policies

Chapter 10: Health and Wellness Policies

- G10.01 Compliance with the Health Insurance Portability and Accountability Act (HIPAA)
- G10.02 Healthcare Principles
- G10.03 Required Insurance (International Students)

Chapter 11: Campus Planning, Building and Grounds Policies

- G11.01 Alcohol Delegation Policy

Chapter 12: Computer and Information Services Policies

No Governing Policies