

**MANAGEMENT RESPONSIBILITIES  
HANDBOOK  
(MRH)**

**FOR**

**DEPARTMENT HEADS AND BUDGET AUTHORITIES**



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## Statement from the President

The administration of a university is a challenging task. For the most part, universities operate in a decentralized environment. This means that key management responsibilities such as the ability to expend funds are delegated throughout a university to department heads and various budget authorities. As a result of this delegation, department heads and budget authorities are responsible for broad aspects of day-to-day operations including financial stewardship and compliance with laws, regulations, policies, and procedures. To operate effectively in a decentralized environment, department heads and budget authorities must understand, accept, and discharge all of their management responsibilities.

The purposes of this handbook are as follows:

- (1) to summarize and clearly communicate management responsibilities for which department heads and budget authorities will be held accountable,
- (2) to summarize significant laws, regulations, policies, and procedures most applicable to managing a department or accounts, and
- (3) to identify key resource departments and personnel who are available to assist department heads and budget authorities when they have problems or questions.

This is an important reference manual; please read it carefully. Your comments and suggestions for future editions of the handbook should be addressed to the Vice President for Academic Affairs or the Vice President for Business Affairs, as appropriate.

Thank you for doing your part to effectively manage The University of Texas at Tyler.

Michael Tidwell, Ph.D.  
President

## Summary of Management Responsibilities

This handbook is meant to be a general summary of the responsibilities of budget authorities and serve as a procedural guideline and reference tool, it is not an all-inclusive document. If in conflict, Federal and State laws, as well as UT System Regents' Rules and UT System Policies, supersede the contents of this handbook. Budget Authorities are also responsible for items found in the Handbook of Operating Procedures (HOP) which can be found at the below website:

<https://www.uttyler.edu/hop/index.php>

This section of the handbook summarizes management responsibilities for which department heads and budget authorities will be held accountable.

### ***Ethical Conduct***

Ethical conduct is the foundation of effective management. Department heads and budget authorities are responsible for establishing an ethical "tone at the top" in their respective areas. To discharge this responsibility, department heads and budget authorities must (1) behave in an ethical manner, (2) communicate ethical standards to employees, (3) monitor employee conduct in accordance with ethical standards, and (4) take appropriate disciplinary action when an employee violates ethical standards.

The State of Texas and UT System have defined numerous ethical standards that apply to UT Tyler employees. UT System's Ethics Policy is included in the next section of this handbook. All employees should read the information on UT System's web page. This information can be accessed via the Internet at the following location:

[UTS 134 Code of Ethics for Financial Officers and employees](#) and <http://www.utsystem.edu/offices/general-counsel/ethics>

Department heads and budget authorities should encourage employees to discuss ethical issues with their supervisors. If a supervisor does not know the answer to an ethical question, the supervisor should contact UT Tyler's Ethics Officer, the Vice President for Business Affairs.

The support of and adherence to the Institutional Compliance Program by managers and supervisors is considered an important part of their job performance. Managers and supervisors are required to ensure and verify that the employees they supervise complete appropriate compliance training. In addition, they are responsible for discussing with their employees UT Tyler's Standards of Conduct Guide, Conflict of Interest Policy, and other compliance policies and procedures specifically related to their job function.

For more information on ethical conduct, read the Standards of Conduct Guide at:

<http://www.uttyler.edu/compliance/documents/SOCGuide.pdf>

### **UT System Ethics Policy (summary)**

Conflicts of Interests: Officers, faculty, and employees (collectively "employees") of the UT System may not have a direct or indirect interest, financial or otherwise, that is in conflict with the proper discharge of their duties. Potential conflicts of interest must be disclosed.

**Adherence to Law:** Employees shall adhere to applicable laws, rules, regulations, and policies of governmental and institutional authorities. Failure to do so will be grounds for disciplinary action, up to and including termination of employment.

**Gifts:** No employee shall accept or solicit any gift, favor, or service that might reasonably appear to influence the employee in the discharge of duties. Note: Making or receiving gifts, including honoraria, may constitute a criminal offense under certain circumstances.

**Confidential Information:** No employee shall disclose confidential information or use such information for his or her personal benefit.

**Self-Dealing:** No employee shall transact any business in an official capacity with any business entity of which the employee is an officer, agent, or member, or in which the employee owns a substantial interest.

**Personal Investments:** No employee shall make personal investments that could reasonably be expected to create a conflict between the employee's private interest and the public interest.

**Outside Employment:** No employee shall accept other outside or dual employment or compensation that could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's public duties. Note: Outside employment is further limited by other policies, laws, and regulations.

**Sexual Harassment and Misconduct:** Sexual misconduct and sexual harassment are unacceptable behaviors. Such unacceptable behavior includes verbal or physical conduct of a sexual nature. Incidents of sexual misconduct or sexual harassment should be reported to the office charged with reviewing such complaints where the incident occurred.

For more detailed information, please see the Conflict of Interest Policy:

<http://catalogs.uttyler.edu/en/UTTyler/HOP/Series-200-General-Policies-and-Procedures/2-5-2-Conflicts-of-Interest-Conflicts-of-Commitment-and-Outside-Activities>

## ***Financial Stewardship***

Department heads and budget authorities are responsible for the financial activities in their respective areas. Many department heads and budget authorities choose to delegate financial tasks to an administrative assistant or an administrative services officer. If a department head or budget authority chooses to delegate financial tasks to another employee, it is important to understand that the department head or budget authority is still responsible for those activities. In short, financial tasks may be delegated; however, financial responsibility cannot be delegated. To discharge management's responsibility for financial stewardship, department heads and budget authorities should ensure the following:

**Preparation and review of monthly departmental account reconciliations.** A departmental account reconciliation is a comparison of a department's monthly Statement of Account to supporting documentation retained in the department's files. This mandatory control procedure (1) ensures the accuracy of a department's Statements of Account and (2) deters fraudulent financial activities. All account reconciliations should be prepared by one person and approved by another person. The person reconciling and the person approving the reconciliations should each sign and date the reconciliations to evidence their review and approval.

Department heads and budget authorities may choose to delegate the preparation of monthly account reconciliations to an administrative assistant or an administrative services officer. To maintain proper segregation of duties, account reconciliations should not be delegated to an employee who also has the authority to approve financial transactions or handles cash or checks.

If account reconciliations are delegated to another employee, the department head or budget authority must still perform a detailed review of the reconciliations--all questionable expenditures or credits on a Statement of Account should be thoroughly investigated and documented by the department head or budget authority. The reconciliations must be completed following the guidelines located on the Financial Services website:

<http://www.uttyler.edu/finserv/trainingsresources.php>

**Transfer of account balances.** UT Tyler's budget policy allows budget authorities to transfer balances between accounts except as follows:

- Balances may not be transferred from accounts that lapse at year-end to carry-forward accounts. Accounts that lapse at year-end include the following: state accounts, designated tuition accounts, student services fee accounts, basic computer access fee accounts, automated services fee accounts, records fee accounts, international education fee accounts, parking fee accounts, distance education fee accounts, fine arts center fee accounts, athletics fees accounts, medical services fee accounts, recreational fee accounts, student union fee accounts, and Lindsey accounts.
- Balances may not be transferred from fringe benefits accounts.
- Balances may not be transferred between state accounts and local accounts.
- Balances may not be transferred out of a restricted fund budget group.
- Balances may not be transferred into or out of an agency fund budget group.

Transfers between state funds are reviewed and approved by the Office of Business Affairs to ensure compliance with the above transfer rules.

**Segregation of duties.** Department heads and budget authorities should ensure segregation of duties in their departments or budget units. Segregation of duties means that no one person should (1) review and approve transactions, (2) enter and reconcile transactions, (3) and have access to or handle cash, checks, or other valuable assets. Ideally, all three functions should be separated within a department or budget unit.

## **Annual Budget Process**

It is the responsibility of the budget authority to properly plan and document the financial and capital needs of the department and/or division. A formal budget process is performed annually to include prioritization of initiatives, evaluations of requests and allocation of available resources. A budget committee comprised of the President, Vice Presidents, and Budget Officer will hold budget hearings for each college or division.

The Budget Authority is responsible for the preparation of written budget and capital requests. Each request should include proper planning and justification to support the defined goals and objectives of UT Tyler's mission.

General budget instructions and budget calendar will be issued in the spring semester of each fiscal year. Budget Authorities are required to complete the following documents to initiate the annual budget process:

- Budget Template
- Request for Capital Budget Request

The Office of Business Affairs will provide budget calendar, detailed Budget instructions, and annual budget training.

The completed Budget Template and Capital Budget Request must be forwarded to the appropriate department chair, dean, or director for approval and recommendation. Each Dean or Vice President may hold division budget hearings and will present comprehensive budget recommendations to the budget committee at scheduled budget hearings. Budget recommendations of the budget committee will be forwarded to the President for final approval.

For more information on the annual budget process can be found at:

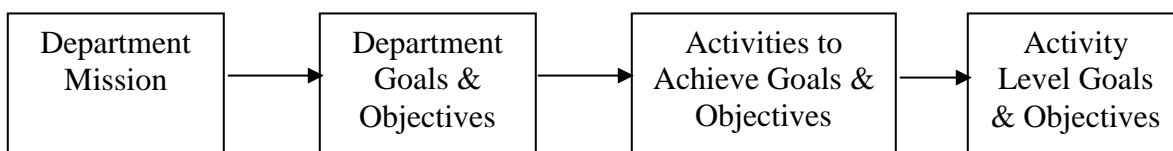
<http://www.uttyler.edu/budgetoffice/>

## **Effective Operations**

**Goals and objectives.** All departments and budget units are expected to have written goals and objectives. At the institution level, goals and objectives are presented in a strategic plan that includes a mission statement and broadly defined strategic initiatives. At the department level, goals and objectives must support UT Tyler's strategic plan. Goals and objectives are classified in the following categories:

- *Operations objectives.* These objectives pertain to the achievement of the basic mission(s) of a department and the effectiveness and efficiency of its operations, including performance standards and safeguarding resources against loss.
- *Financial reporting objectives.* These objectives pertain to the preparation of reliable financial reports, including the prevention of fraudulent public financial reporting.
- *Compliance objectives.* These objectives pertain to adherence to applicable laws and regulations.

A clear set of goals and objectives is fundamental to the success of a department. Specifically, a department or budget unit should have (1) a mission statement, (2) written goals and objectives for the department as a whole, and (3) written goals and objectives for each significant activity in the department (see diagram below). Furthermore, goals and objectives should be expressed in terms that allow meaningful performance measurements.



**Departmental policies and procedures manual.** Each department and budget unit is expected to have a departmental policies and procedures manual. A department policies and procedures manual should address policies and procedures that are unique to the department and procedures to implement institutional policies and procedures.

**Institutional effectiveness.** UT Tyler is committed to ongoing improvement by employing a comprehensive system of assessment and planning in all aspects of the institution. Academic programs participate in ongoing assessment to ensure all students participate in meaningful classroom and co-curricular experiences that help them develop professionally and personally. Administrative departments and education support units

participate in ongoing assessment to ensure that all services are provided efficiently and effectively. The ongoing assessment efforts involve gathering, analyzing, and documenting quantitative and qualitative data to help determine future improvement priorities. The University Assessment Committee members serve as colleague liaisons that provide guidance and support throughout the assessment process. For more information please refer to the Assessment and Institutional Effectiveness Office website at: <http://www.uttyler.edu/aie/>

Specific questions may be directed to Dr. Lou Ann Berman, Assistant Vice President for Assessment and Institutional Effectiveness (903-565-5955), [lberman@uttyler.edu](mailto:lberman@uttyler.edu).

**Approval of purchases, expenditures, and personnel appointments.** UT Tyler’s purchasing, accounting, and human resources system (collectively, the UT Share/PeopleSoft administrative “system”) is a paperless system. All “documents” are routed and approved electronically within the system. Department heads should remember three important points when approving electronic documents:

1. Never disclose your password to anyone; disclosing your password is a crime. Furthermore, do not write or otherwise document your password in a place that is accessible by others.
2. Do not approve an electronic document unless you have reviewed the supporting documentation (bids, purchase order, invoice, receiving report, etc.) and concluded that the supporting documentation is complete and accurate.
3. All supporting documentation must be filed in an orderly manner and retained in the budget authority’s department in accordance with UT Tyler’s records retention schedule.

**Management of cost center balances.** Department heads and budget authorities are responsible for monitoring and managing their cost center balances to ensure that expenditures do not exceed available balances. The system provides a real time on-line summary of budgeted amounts, expenditures, encumbrances, income, and available balances.

### ***Internal Control***

Department heads and budget authorities are responsible for the design, execution, and effectiveness of a system of internal controls in their departments and budget units that provide reasonable assurance that their operations are effective and efficient; assets are safeguarded; financial information is reliable; and compliance with laws, regulations, policies and procedures. Additionally, department heads and budget authorities are responsible for maintaining written documentation of the internal controls utilized in their department. Biennially, department heads and budget authorities are required to attend a two-hour Budget Authority training session. The five essential components of an effective internal control system; those components are summarized as follows:

***Control environment.*** The control environment is the control consciousness of a department or budget unit. Ethical leadership, competent employees, well-defined policies and procedures, and effective human resources management enhance a control environment.

***Risk Assessment.*** Risk assessment is the identification and analysis of risks to the achievement of a department’s goals and objectives. Department heads and budget authorities should be aware of risks in their department and have adequate controls in place to mitigate the risks to an acceptable level. The Office of Audit and Consulting Services is available to assist with risk assessments as needed.



**Control Activities.** Control activities are those actions taken by a department to manage its risks. Control activities include approvals, authorizations, verifications, reconciliations, reviews of performance, security of assets, segregation of duties, controls over information systems—any activity that mitigates a risk to an acceptable level.

**Information and Communication.** Information and communication are the methods that a department employs to inform and communicate up, down, and across an organization. Reliable and relevant information must be identified, captured, processed, and communicated to people who need it in a form and timeframe that is useful.

**Monitoring.** Monitoring is the continuous assessment of internal control performance over time; it is accomplished by ongoing monitoring activities and by separate evaluations of internal control such as control self-assessments, quality assurance reviews, and compliance inspections. UTS 142.1, “Policy on the Annual Financial Report” (<http://www.utsystem.edu/board-of-regents/policy-library/policies/uts1421-policy-annual-financial-report>) requires every budget authority submit an annual Sub-Certification Letter/Survey on their cost centers to the Office of the Vice President of Business Affairs.

### **Compliance with Laws, Regulations, Policies and Procedures**

Department heads and budget authorities must ensure compliance with laws, regulations, policies, and procedures that apply to their departments and budget units. The following section of the handbook summarizes significant laws, regulations, policies and procedures most applicable to managing a department or funds.

#### **Business Contracts**

The Office of Legal Affairs is responsible for the review and processing of all contracts, excepting sponsored research (which are reviewed by the UT Tyler Office of Sponsored Research). All contracts, regardless of dollar amount, must be reviewed prior to execution and must be signed by a UT Tyler officer with delegated signature authority. The Contract Approval Routing form (found on the Financial Services web page under [Forms](#)) used for the procurement of goods and services should first be approved by the Purchasing Office of Financial Services. Additional contract requirements can be found at <https://www.uttyler.edu/president/files/contract-processing-procedures.pdf>. Questions should be directed to Teri Taylor, Paralegal, (903-565-5740), [ttaylor@uttyler.edu](mailto:ttaylor@uttyler.edu).

#### **Endowment Management**

As with all accounts in their budget group, endowment accounts require prudent fiscal management by budget authorities of the accounts(s), including adherence to donor restrictions, monthly reconciliations, and appropriate documentation.

The endowment agreement by the donor and designated institution officials specify rules and guidelines that regulate and reinforce good stewardship for endowment distribution use. Unused accumulations of income must maintain a balance of **less than two times the annual distribution** by the end of the academic year. Policies mandate that each year endowment distributions are to be used entirely for the purposes outlined in the endowment agreement and in institutional policy. Budget authorities are required to provide documentation on exceptions to the rules to the Office of University Advancement.

Budget authorities are required to provide annual stewardship reports to endowment donors through the Office of University Advancement, documenting how the funds were utilized for the benefit of students, faculty, or programs.

In addition, an annual report is submitted by UT Tyler to the UT System Office of External Relations to be presented to the Chancellor and the Board of Regents. The report details endowments with unspent distributions, excessive balances in the local accounts, and unfilled academic positions.

Specialized training for budget authorities and/or their designees and online resources for endowment policies is available from University Advancement.

## **Copyright Laws**

The University of Texas System Administration has created a copyright crash course explaining how ownership of copyrighted material works, what constitutes fair use, and how to get permission to use someone else's materials. The crash course can be found at:

<http://www.utsystem.edu/ogc/intellectualProperty/copyrighthome.htm>

## **Records Retention**

Department heads and budget authorities should ensure that records are retained in accordance with the State of Texas records retention requirements. Key general requirements for departments are summarized as follows:

- Fiscal records—through the end of the fiscal year plus three years.
- Contracts and leases—until the contract or lease expires plus four years.
- Employment records—until terminated plus five years.
- Student records—permanently.

Always consult UT Tyler's record retention schedule: [UT Tyler's Records Retention Schedule](#)

Specific questions about records retention requirements should be directed to Business Affairs, Records Retention Manager at (903-566-6197), [gleslie@uttyler.edu](mailto:gleslie@uttyler.edu).

## **Records Storage and Disposal Policy**

The Physical Plant at UT Tyler offers a storage room for departments to store old files until the actual destruction date is met. To store boxes in that room, the boxes must be labeled and handled per the UT Tyler Records Storage and Disposal Policy which can be found at:

<https://www.uttyler.edu/physicalplant/recordspolicy.php>

Specific questions about records storage or disposal at the Physical Plant should be directed to Paul Weil at (903-566-5671), [pweil@uttyler.edu](mailto:pweil@uttyler.edu).

## **Protecting the Confidentiality of Social Security Numbers**

It is the policy of UT Tyler to protect the confidentiality of social security numbers without creating unreasonable obstacles to conducting business. There are procedures to follow when a social security number is collected. UT Tyler's policy and procedures on protecting the confidentiality of social security numbers can be found at <http://www.uttyler.edu/iso/ss/>. Questions about the policy should be directed to Chris Green, Director of Information Security, (903-566-7190), [cgreen@uttyler.edu](mailto:cgreen@uttyler.edu).

## **Child Protection Training**

Per *Texas Education Code Section 51.976*, child protection training is required for all individuals working in a "campus program" for minors which is operated by an institution of higher education and has at least twenty (20) or more minor participants who are not enrolled as students at the institution and a duration of four (4) or more days (does not have to be consecutive days). The Texas Department of State Health Services (DSHS) is the agency with administrative oversight for this requirement. UT Tyler's policy and procedures for child protection training can be found at: <https://www.uttyler.edu/compliance/child-protection.php>. Questions about the child protection training policy should be directed to the Compliance Officer at (903-565-5688), [esampson@uttyler.edu](mailto:esampson@uttyler.edu).

## **Texas Public Information Act**

Written requests through US mail or hand delivered on campus for documents under the Texas Public Information Act should be directed to the Office of Legal Affairs immediately upon receipt and handled pursuant to the provisions of the Act. Written requests through email must be sent to [publicinfo@uttyler.edu](mailto:publicinfo@uttyler.edu) or if by fax to (903-566-8368) as posted on the UT Tyler website. If you received an email or a fax, please respond immediately to the requestor with the correct email address or fax number. Upon receipt of a valid request, the Institutional Compliance Officer or his designee consults the Office of General Counsel to determine whether prior decisions of the Attorney General dispose of any questions concerning a request for documents. If there is no previous opinion of the Attorney General that determines whether the requested material falls within one of the exceptions to disclosure, a request for an opinion of the Attorney General determining whether the information comes within an exception must be requested within ten (10) business days of the receipt of the request for information. Generally, student records are confidential records. Student disciplinary records are to be maintained separate from the student's academic records and are also confidential. More information on how to handle open records requests can be found at:

<http://www.uttyler.edu/recordsretention/openrecords.php>

Questions should be directed to Teri Taylor, Paralegal, (903-566-5740), [ttaylor@uttyler.edu](mailto:ttaylor@uttyler.edu).

## **Media Relations**

The Office of Marketing and Communications serves as UT Tyler's initial point of contact for all media. As a result, Marketing and Communications coordinates media events such as requests for interviews, news conferences, etc. UT Tyler employees can, but are not obligated to, grant interviews with the media when contacted by the Office of Marketing and Communications or by the media directly.

If contacted by the media directly, employees may provide the requested information or refer the reporter to the Office of Marketing and Communications for further assistance.

Contact Hannah Buchanan, (903-565-5769), [HBuchanan@uttyler.edu](mailto:HBuchanan@uttyler.edu).

## **Use of UT Tyler Registered Marks**

Only official registered marks of UT Tyler should be used in the production of printed materials, promotional items, etc. The registered marks include the institutional logos, athletics logos, and the name. Use of these marks for print and promotional merchandise (shirts, banners, signage, uniforms, pens, cups, etc.) is managed by the UT Tyler Office of Marketing and Communications to maintain consistency with UT Tyler standards and policies.

To submit request for usage, please contact Beverley Golden, Executive Director of Marketing and Communications, (903-566-7303), [bgolden@uttyler.edu](mailto:bgolden@uttyler.edu).

## **Dishonest or Fraudulent Activities**

### **Purpose**

UTS 118, “Dishonest or Fraudulent Activities” (<http://www.utsystem.edu/board-of-regents/policy-library/policies/uts118-dishonest-or-fraudulent-activities>) establishes the policy regarding internal investigations of suspected defalcation, misappropriation, and other fiscal irregularities. Employees and students may directly contact the Director of Internal Audit, Chief Legal Officer, Compliance Officer, University Police, or executive management whenever an activity is suspected to be dishonest or fraudulent. They may also use one of the following confidential reporting mechanisms:

- Ethics Hotline phone number: **1-877-507-7318**
- UT Tyler Compliance/Ethics Hotline Box,  
P.O. Box 131292, Tyler, TX 75713-1292
- Web Reporting System (<https://www.tnwgrc.com/WebReport/default.asp>)

The reporting individual should not attempt to personally conduct investigations or interview/interrogations in order to determine whether or not a suspected activity is improper.

## ***Summary of Operating Procedures and Guidelines***

### ***Environmental Health & Safety (EH&S)***

Department heads and budget authorities are responsible for workplace safety in their respective areas including training, safety equipment and personal protection equipment, environmental protection and accident prevention. If a department head or budget authority has a question about environmental health and safety laws and regulations, he or she should contact the Environmental Health and Safety department, (903-566-7011), [safety@uttyler.edu](mailto:safety@uttyler.edu).

***Emergency Guidelines.*** The [UT Tyler Emergency Flipchart](#) provides detailed instructions on specific events or campus emergency (e.g., fire, bomb threat, inclement weather, medical emergency, etc). Faculty members should review emergency guidelines with students at the beginning of each semester. UT Tyler’s emergency telephone number is 903-566-7300. Drills (fire, tornado, or bomb) will be held during the course of the year to familiarize all employees with routes and procedures. Department heads will ensure that all employees know appropriate evacuation routes and participate in drills. Faculty members are expected to advise students of appropriate evacuation routes from the classroom.

***Disaster Recovery Plans.*** Departments need to have a plan to identify immediate needs in salvaging undamaged equipment and records, identification of needed repairs, and development of return-to-work schedule.

***Departmental Safety Liaisons.*** Each department head should appoint, or coordinate with another department, a representative to UT Tyler’s Departmental Safety Liaison Committee. Department liaisons help to disseminate safety information and sponsor safety training in departments. Department liaisons also have important responsibilities in the event of an emergency.

**Workers' Compensation Claims.** Human Resources will help employees obtain Workers' Compensation benefits when an employee has been injured on the job. Human Resources also assist departments with adhering to the rules and regulations of the Texas Workers' Compensation Act. In the event of an on-the-job injury (including student workers), notify the following departments: University Police 903-566-7300 if emergency response and transport is needed, EH&S 903-566-7011, and Human Resources 903-566-7358. This notification must be done within 24 hours of the accident and the [Employee Report of Injury](#) and [Supervisors First Report of Injury](#) must be completed and hand-delivered or faxed to Human Resources.

**Special Events Checklist.** A Special Event can be any event that occurs that is outside of the day-to-day normal operations of UT Tyler. Special Events are usually short-term, and they can expose UT Tyler to increase direct or indirect risks. Examples include fundraisers, concerts, sporting/athletic events involving outside parties, political events, conferences, camps, etc. The [Special Event Checklist](#) will provide the Budget Authority with a starting point in identifying risks, mitigating factors, and departments that need to be included in the planning process.

**Student Injuries.** Student injuries should be reported to the University Police (903-566-7300), Student Affairs (903-565-5651), and EH&S (903-566-7011). The [Accident and Injury Report for Students or Visitors](#) should be completed and hand delivered or faxed to EH&S.

**Laboratory Safety Manual.** Copies of UT Tyler's Laboratory Safety Manual are available from EH&S (903-566-7011). This manual covers chemical, biological, radiation, and physical safety in departmental laboratories. Faculty members are expected to incorporate these guidelines into their course curricula.

**Laboratory Safety Audits.** EH&S will conduct yearly laboratory safety audits to ensure that all applicable policies and procedures are being followed. Department heads will review and respond to areas needing improvement.

**Laboratory Waste Management Guidelines.** UT Tyler's [Laboratory Waste Management Guidelines](#) cover the collection and disposal of chemical, biological, and special materials.

## **Financial Services**

### **Accounts Payable**

The Accounts Payable function at UT Tyler is decentralized. UT Tyler departments originate electronic vendor payment documents based on supporting purchase orders, receiving reports, and invoices received. Upon departmental approval, the electronic document automatically routes to Central Accounts Payable in Financial Services, where it is reviewed for appropriate expenditure object codes and payment terms/dates. Documents with discrepancies are returned to the department for correction. Depending on data entered, upon final approval of the document, the payment date is automatically scheduled. Vendor checks are printed in Student Business Services at approximately 12:00 noon, Monday-Friday, based on the scheduled payment dates. Accounts Payable questions should be directed to Accounts Payable via email: [accounts\\_payable@uttyler.edu](mailto:accounts_payable@uttyler.edu).

Voiding, reissuing of vendor checks, or issuing stop payments are handled through Accounts Payable. Contact Faye Ingram (903-565-5981) or [accounts\\_payable@uttyler.edu](mailto:accounts_payable@uttyler.edu) for assistance.

### **Cash Management**

The Cash Management section in Financial Services is responsible for managing UT Tyler's banking relationships, reconciling bank accounts, and providing various services to the campus community such as (1)

researching lost or stolen checks, (2) facilitating check copies, and (3) processing wire transfers. Questions should be directed to Shaquita Leadon (903-566-7452) or by email at [sleadon@uttyler.edu](mailto:sleadon@uttyler.edu).

**Separate checking accounts.** UT Tyler policy does not permit anyone to open or use a separate checking account for activities associated with UT Tyler.

**Timely Deposits.** Money received by all departments from all sources shall be deposited in the Cashiers Office at the UT Tyler main campus unless the Vice President for Business Affairs has specifically authorized depositing directly to the designated UT Tyler bank account (e.g. Longview University Center, Cowan Center). Deposits shall be daily if the receipts are \$200 or more, and weekly even if the accumulation is less than \$200. Except in the case of special arrangements approved by the Vice President for Business Affairs, the deposit shall be made in person by a departmental representative to whom an official receipt will be issued. (Source: Regents Rules, Part Two, Chapter III, Section 2.1).

**Credit Card and Electronic Payments.** UT Tyler's credit card policy (<https://www.uttyler.edu/finserv/credit-card-policy.php>) requires all departments that accept credit cards and electronic payments to comply with UT Tyler's process and technical standards. These standards protect the interests of UT Tyler and its customers by requiring compliance with Payment Card Industry Data Security Standards (PCI DSS) and integration with UT Tyler's financial accounting systems and related processes. Questions should be directed to Shaquita Leadon, Cash Manager at (903-566-7452) or by email at [sleadon@uttyler.edu](mailto:sleadon@uttyler.edu).

### **Historically Underutilized Business Program (HUB)**

The HUB Coordinator in Financial Services is responsible for the administration of the State of Texas HUB Program for UT Tyler. UT Tyler is committed to maximizing the opportunity for HUB companies to provide materials, supplies, equipment, and services needed to support UT Tyler.

**HUB Goals.** Department heads and budget authorities should plan and monitor their annual purchases to achieve the State of Texas annual procurement goals for HUBs, as follows:

<u>Procurement Category</u>	<u>HUB Purchases as a % of Total Purchases</u>
Heavy construction	11.2%
Building construction	21.1%
Special trade construction	32.9%
Commodities	21.1%
Professional services	23.7%
Other services	26.0%

**Certified HUB vendors** can be identified by accessing the Texas Procurement and Support Service's Centralized Master Bidders List and HUB Search via the Internet at the following location:

<https://www.comptroller.texas.gov/purchasing/vendor/hub/>.

**HUB Reports and Training.** The HUB Coordinator provides department heads and budget authorities with monthly reports on HUB purchases. Department heads and budget authorities should use these reports to monitor the achievement of HUB purchasing goals. The HUB Coordinator conducts periodic HUB Training. The training, which is available to all faculty and staff, provides assistance with HUB program compliance. Departments will receive HUB credit on all purchases (including procurement card purchases) made from certified HUB vendors.

Questions about the HUB program should be directed to Wendy Minix (903-566-7226) or by email at [wminix@uttyler.edu](mailto:wminix@uttyler.edu).

### **Interdepartmental Transfer Vouchers**

Financial Reporting processes interdepartmental transfer vouchers (e.g., postal charges, copier charges) and correction vouchers. For assistance, contact Sundi Kissinger (903-566-7405) or by email at [skissinger@uttyler.edu](mailto:skissinger@uttyler.edu).

### **Payments to Individuals and Consultants**

**Payments to individuals - employees.** The budget authority must approve payments to UT Tyler employees for services unrelated to or over and above their regular job duties on a Personnel Action Form (PAF) prior to the engagement of such services. All payments to employees are subject to withholding and employment taxes.

**Payments to individuals using SSN to conduct business - other than UT Tyler employees** may be approved by the department head or budget authority after the department head or budget authority (1) completes a UT Tyler Authorization of Personal Services form and (2) forwards to the Payroll section of Financial Services for review and approval. Approval of the form is required to comply with Internal Revenue Service (IRS) rules and regulations. Also, the Supplier Information Form and a purchase requisition must be entered into the electronic accounting system.

### **Business Contracts**

All contracts, regardless of dollar amount, must be reviewed prior to execution and must be signed by a UT Tyler officer with delegated signature authority. The Contract Approval Routing form (found on the Financial Services web page under [Forms](#)) used for the procurement of goods and services should first be approved by the Purchasing Office of Financial Services. The Office of Legal Affairs is responsible for the review and processing of all contracts, excepting sponsored research (which are reviewed by the UT Tyler Office of Sponsored Research). Additional contract requirements can be found at <https://www.uttyler.edu/president/files/contract-processing-procedures.pdf>.

Questions should be directed to Teri Taylor, Paralegal, (903-565-5740), [ttaylor@uttyler.edu](mailto:ttaylor@uttyler.edu).

### **Payroll Procedures**

**Employee Appointments.** *Full time employees* are paid a monthly salary following completion of a Personnel Action Form (PAF) and completion of all required Human Resources forms. PAFs approved after processing deadlines will pay retroactively on the next payroll. PAF changes approved after processing deadlines for mid-year raises, split appointments, or department changes will pay retroactively on the next payroll. Although full time employees are paid on a monthly basis, they must work the entire month to be entitled to a full month's pay. Overpayments may occur if the supervising department fails to submit a PAF to change an assignment for a full time employee whose accrued leave is exhausted or for a summer class that is cancelled and the corresponding faculty appointment is not cancelled prior to payroll processing deadlines. All payroll overpayments are recouped from the overpaid employee in full on the next payroll. Most *part time employees* are paid hourly wages on a semi monthly payroll following completion of PAF and completion of all required Human Resources forms. Supervising departments are responsible for reviewing and approving timesheets and entering hours worked prior to posted payroll processing deadlines. Part time employees will receive their paychecks late if the supervising department fails to enter timesheet data prior to payroll processing deadlines.

Payroll questions should be directed to the Payroll section via email at [Payroll@uttyler.edu](mailto:Payroll@uttyler.edu).

## Cash Handling

UT Tyler's policy is to discourage the use of change funds and petty cash accounts. In lieu of petty cash accounts, UT Tyler provides Procurement credit cards for purchases up to \$5,000.00 (*see Procurement Card Purchase Program section*). Petty cash and change fund accounts require the approval of the Vice President for Business Affairs. For more information, see the following Handbook of Operating Procedures (HOP) policies: [HOP 4.6.8, Petty Cash Funds](#) and [HOP 4.6.5, Handling of Cash and Cash Equivalents](#).

## Property and Equipment

**Capital equipment inventory.** Equipment purchases with a per unit cost of \$500 or more for controlled assets (e.g. audio-visual equipment, data projectors), any dollar amount for computer equipment, and a per unit cost of \$5,000 or more for capital assets (i.e., durable assets with a useful life greater than one year) must be tagged, inventoried, and physically verified at least annually. The Inventory Coordinator in Financial Services is responsible for tagging new equipment. Department heads and budget authorities are responsible for physically verifying the accuracy and completeness of their equipment inventory listings each year.

**Disposal of capital assets.** When a tagged and inventoried asset becomes obsolete or useless for the needs and purposes of a department or budget unit, it should be offered to other departments (via Campus Bulletin Board e-mail) before transferring the asset to Physical Plant's Central Warehouse. A "Report of Transfer of Equipment" form should be completed and forwarded to Financial Services when tagged and inventoried equipment is transferred to the Central Warehouse or another department. This form can be found at <http://www.uttyler.edu/finserv/forms.php> under "Inventory." If the Associate Vice President for Facilities Management and Capital Planning determines that items in the Central Warehouse are not needed for future use then those items will be disposed of in accordance with state law and Regents' Rules and Regulations.

**Safeguarding assets.** Department heads and budget authorities are responsible for securing and safeguarding all UT Tyler assets in the possession of their departments or budget units. UT Tyler property and equipment of all types, including technical and research facilities, are to be used only for official business. UT Tyler equipment may not be taken off the campus unless it is to be used for official business and approval has been obtained to remove the equipment from campus. Approval is obtained by filling out the "Property Removal Permit" form and obtaining all required signatures. This form can be found at <http://www.uttyler.edu/finserv/forms.php> under "Inventory."

Missing or stolen property should be reported to (1) the University Police and (2) the Office of Financial Services. If a UT Tyler asset is lost, destroyed, or damaged as a result of the negligence or the fault of a UT Tyler employee, pursuant to Texas Govt. Code, Subchapter L, Property Accounting, Section 403.275, pecuniary liability for stolen property may be assigned to an employee for failure to exercise reasonable care for the property's safekeeping (negligence). UT Tyler may seek reimbursement for the replacement cost of stolen property when the Property Manager finds negligence.

Inventory/asset questions should be directed to Charlotte Rose (903-566-7476) or by email at [charlotterose@uttyler.edu](mailto:charlotterose@uttyler.edu).

## Purchasing Procedures

Purchasing at UT Tyler is semi-decentralized. UT Tyler departments may process orders up to \$14,999.99, with a few exceptions. The Purchasing section of Financial Services processes these exceptions and all orders in excess of \$14,999.99.

Section 51.9335, Education Code, authorizes institutions of higher education to use "best value" procurement procedures, which provide greater autonomy and flexibility in the procurement of goods and services. "Best



Value” means the optimum combination of economy and quality that is the result of fair, efficient, and practical procurement decision-making and which achieves the procurement objectives of UT Tyler.

Department and budget units may use the State of Texas Procurement Card for purchases up to \$5,000 (*see Procurement Card Purchase Program section*).

Procurements that do not conform to the State of Texas purchasing requirements are required to be paid out of institutional funds. Procurements that do not conform to UT Tyler purchasing requirements must be approved by the President or a Vice President over the area procuring the goods or services.

**Purchasing Rules and Guidelines**

- 1) Rules (regardless of Source of Funds)
  - a) Any state employee who is involved in purchasing, negotiating or approving a purchase must sign a **Conflict of Interest Statement**.
  - b) Funds may not be spent, regardless of their source or character, for the purpose of influencing the outcome of any election, or the passage or defeat of any legislative measure, i.e. **lobbying**. Government Code § 556.004. As a result, a state agency may not join a chamber of commerce (State of Texas Purchasing Guide § 2.131 2.149).
  - c) Political contributions from any source of funds are prohibited.
  - d) State Agencies generally cannot make **payment in advance**. Government Code § 2155.383, Texas Education Code § 62.021(a).
  - e) For copying and printing services, contact Todd Haines, UT Tyler Copy Center Manager, at extension 7236 in the Library (LIB102). Mr. Haines will provide a UT Tyler Copy/Print Center price quote for the service or assist the purchasing department in obtaining bids if the service is in excess of \$14,999.99.

2) Purchasing Matrix:

All Accounts	Bid Requirement
\$0 - \$14,999.99	Bids Not Required, Department Contacts Vendor
\$15,000 or greater	UT Tyler Purchasing Solicits Written Quotes, Bids, or Proposals
Goods and Services on State/GPO Contract No Dollar Limit OPTIONAL	Bids Not Required Note: Minimum Order Requirements

**Sales Tax.** The payment of Texas sales tax is prohibited since UT Tyler is a tax-exempt entity. The *Texas Sales and Use Tax Exemption Certification* form may be provided to vendors as evidence of exemption and is available from Financial Services. UT Tyler is not exempt from other states’ sales tax and may pay sales tax assessed by other states.

**Purchases from an employee.** Purchase from, or sale to, any employee of UT System Administration or a UT institution of any supplies, materials, services, equipment, or property must have the prior approval of the chief administrative officer. Any such purchases shall be made only if the cost is less than from any other known source. This section does not apply to sales or purchases made at public auction.

**Membership Dues.** When institutional funds are used, association and membership dues may be authorized by the department budget authority. All association and other membership dues paid from state appropriated funds must be approved by the President, or his designee, prior to payment. State funds (“21” cost centers) may be used only for institutional memberships.

**Processing invoices within 8 days.** To ensure payments are expedited and that the university is meeting the State Comptroller’s Prompt Payment laws, departments are required to process payments to vendors no later than 8 calendar days after the later of (1) the date a department or budget unit receives an invoice or (2) the date the department or budget unit receives applicable goods or services. Departments must date stamp all invoices with the date the invoice is received. If there is a problem with an invoice, the departments must communicate the problem to the vendor within 21 calendar days after receipt of the invoice. A vendor is due interest if payment is not mailed to the vendor in 30 days (see “Prompt Payment Act” below). A vendor may submit a claim for payment of accrued interest no later than six months after receipt of payment.

**Prompt Payment Act.** A payment by a governmental entity is overdue on the 31<sup>st</sup> day after the later of (1) the date the governmental entity receives the goods under the contract; (2) the date the performance of the service under the contract is completed; or (3) the date the governmental entity receives an invoice for the goods or services. If the agency’s payment is not mailed or electronically transmitted before the payment is overdue, the agency is liable for an interest payment that accrues under this law. A payment begins to accrue interest on the date the payment is overdue.

There are documentation requirements for compliance with the prompt payment law, as follows:

- Dated purchase order, internal requisition, contract or agreement
- Dated receiving report, or statement showing date services were completed according to the contract under which they were procured
- Dated invoice for goods or services

Discrepancies between the terms of the purchase order / contract and the goods and services that were provided must be documented. This documentation should include the nature of the dispute, dates surrounding the dispute, communications with the vendor over the dispute, and when and in whose favor the dispute was resolved.

The Comptroller may ask for this documentation during a post-payment audit of the agency or whenever an agency seeks exception to interest being generated for a particular payment. Please keep in mind that these requirements will also apply to payments from institutional funds.

**Exceptions to Prompt Payment Act.** There are exceptions to the Prompt Payment Act, as follows:

(1) there is a bona fide dispute between UT Tyler and a vendor, contractor, subcontractor, or supplier about the goods delivered or the services performed that causes the payment to be late; (2) there is a bona fide dispute between a vendor and a subcontractor or between a subcontractor and its supplier about the goods delivered or the services performed that causes the payment to be late; (3) the terms of a federal contract, grant, regulation, or statute prevent the governmental entity from making a timely payment with federal funds; or (4) the invoice is not mailed to the person to whom it is addressed in strict accordance with any instruction on the purchase order relating to the payment. Source: Texas Government Code 2251.002.

Questions about the Prompt Payment Act may be directed to Accounts Payable ([accounts\\_payable@uttyler.edu](mailto:accounts_payable@uttyler.edu)).

### **Procurement Card Purchase Program**

The purchasing card is intended to offer an alternative payment method for small purchases. Each individual card has a credit limit of \$10,000 per billing cycle and a transaction default limit of \$5,000. The purchasing card

may be used to purchase the following items or services: Office supplies, research supplies, or miscellaneous items that are not available from TIBH. The purchasing card may not be used for travel, controlled materials, and certain restricted purchases outlined in the procurement card guidelines. Credit card applications are available on the “Forms” link on the Financial Services web page under “Purchasing” (<https://www.uttyler.edu/finserv/forms.php>). Each applicant will be required to complete a card set-up form and is responsible for using the card for authorized purchases only. A complete list of guidelines will be provided to those approved for procurement card usage. Departments will receive HUB credit on all procurement card purchases made from certified HUB vendors. See the Procurement Card Policies and Procedures on the Financial Services website for more information (<https://www.uttyler.edu/finserv/files/PurchasingProceduresManual.pdf>).

Purchasing questions should be directed to [purchasing@uttyler.edu](mailto:purchasing@uttyler.edu).

## Travel

**General.** Travel by UT Tyler employees is governed by the General Appropriations Act, the Rules and Regulations of the Board of Regents, official interpretations of the State of Texas Travel Regulations Act by the State Comptroller of Public Accounts, and by UT Tyler’s policies and procedures. All employees are required to be aware of the laws, rules, and regulations governing travel by state employees. Failure to comply could result in non-reimbursement of travel expenses. UT Tyler’s travel policies and procedures can be found on the Financial Services website at the following link: <https://www.uttyler.edu/finserv/files/travel-program-policies-procedures.pdf>.

Note: Individual departments may impose stricter guidelines as long as departmental employees are notified, in writing, prior to the implementation of the guidelines.

**Travel Authorization.** Prior supervisory approval for all official travel is required for absences from the campus (or other designated headquarters) for periods of half a day or more during the normal working period, whether or not there is a cost to UT Tyler. All travel must clearly involve official university business and be consistent with UT Tyler’s legal authority. An electronic Travel Authorization should be completed in the system and approved by the immediate supervisor. Appropriate arrangements for disposition of duties must be made in advance of the travel. **Additional approvals** or preparations may also be required as indicated below.

- ❖ All travel to Washington, D.C. requires prior notification to The Office of State and Federal Relations or The University of Texas System, depending upon the purpose of such travel. Notification must be processed before creating the Travel Authorization. If the travel purpose is to confer on legislative or appropriations issues with the U.S. Congress or Federal Government staff or officials, then the traveler must notify The Office of State and Federal Relations at <http://www.osfr.state.tx.us/>. For all other travel to Washington, D.C., the traveler must notify The University of Texas System Office of State and Federal Relations via e-mail to [rfalcon@utsystem.edu](mailto:rfalcon@utsystem.edu).
- ❖ Foreign travel, other than Canada, Mexico, U.S. territories (Virgin Islands and Guam), and U.S. protectorates (Jamaica) must be authorized in advance by completing the *International Travel Approval* form.

For more specific instructions regarding travel authorizations, refer to UT Tyler’s travel policies and procedures located on the Financial Services website at:

<http://www.uttyler.edu/finserv/travelservices.php>

**Cash Advances.** UT Tyler does not provide cash advances to travelers. In lieu of cash advances, UT Tyler's authorized travel agent centrally bills UT Tyler for airfare and rental cars booked through the travel service. Also, UT Tyler corporate credit cards are available for business travel. For more information regarding corporate credit cards, contact the Credit Card Coordinator, Marlena Sanders (903-565-5584), [msanders@uttyler.edu](mailto:msanders@uttyler.edu) in the Financial Services department.

**Reimbursements.** Any UT Tyler employee, prospective employee, or student is entitled to reimbursement for travel expenses incurred while conducting official UT Tyler business. However, required receipts must be submitted prior to reimbursement. Failure to provide sufficient supporting documentation may result in non-reimbursement of travel expenses.

Travel rules and reimbursement rates can be found on the Financial Services website at <http://www.uttyler.edu/finserv/travelservices.php>.

**Prospective Employees.** When a prospective employee is requested to travel for an employment interview, he or she may be reimbursed for travel expenses in the same manner as a state employee.

**Institutional Funds.** Travel rules for institutional fund cost centers are the same as rules for state fund cost centers unless prior approval is obtained from the relevant budget authority or, in the event that the budget authority is the traveler, the budget authority's supervisor. Travel questions should be directed to [travel\\_docs@uttyler.edu](mailto:travel_docs@uttyler.edu).

#### EXCEPTION FOR CONFERENCE HOTELS:

##### Lodging rate over maximum allowed rate

Departments are no longer required to obtain VPBA approval for lodging rates over the maximum allowed rate but must always use institutional funds to pay the excess amount. State appropriated funds ("21" cost centers) may NOT be used to pay the difference between the stated lodging rater for a specific location and the maximum allowed rate. While meeting University objectives, budget authorities should strive to minimize the amount of travel expenses by ensuring that each travel arrangement is the most cost effective considering all relevant circumstances.

## **Human Resources Management**

### **General**

**Hiring.** The hiring process consists of (1) completing a Job Requisition Form, (2) approving a position's job description/specification, (3) posting the position, (4) advertising the position to generate a reasonable applicant flow, (5) receiving electronic resumes or applications for classified positions (regular resumes and applications for all other positions), (6) evaluating qualified candidates, (7) interviewing the best qualified candidates, (8) Completing an Equal Opportunity Compliance Record/Form when ready to extend an offer when necessary, (9) extending a job offer to the best qualified candidate, (10) acceptance of the job offer by the candidate, (11) informing other applicants who were interviewed but not selected that someone else was hired, and (12) entering the personnel appointment into the system.

Human Resources must have an approved job description/specification on file before it posts a position. Budget authorities must also complete a Job Requisition Form before a job can be posted. All non-faculty positions to be filled must be posted by Human Resources for at least 10 consecutive working days for external job postings.

Positions to be posted and filled within a department or on-campus only (internal postings) must be posted for at least 5 working days. All position advertisements must be approved by Human Resources prior to placing the advertisement. Human Resources must receive all non-faculty resumes and applications. UT Tyler employees who will be interviewing candidates are strongly encouraged to complete the course *Essentials of Interviewing and Hiring: Conducting an Effective Interview*, which is available through the Skillsoft learning management platform and may be accessed by going to <https://utsystem.skillport.com>. The hiring authority must receive approval by Human Resources prior to extending a job offer. Finally, copies of written job acceptances should be forwarded to Human Resources for documentation.

The Office of Human Resources will request and review the criminal history of the candidate who accepts an offer of employment. A candidate may begin work at UT Tyler before the results of the security screening have been received but the offer letter should contain a statement that employment is contingent on a satisfactory criminal history report.

Criminal history information will be maintained by Human resources in a separate and secured file and will not be part of the employee's personnel file.

**Form I-9/E-Verify.** Human Resources must verify the employment eligibility of all persons hired. All employees must present original documentation of identity and employment eligibility within three days after beginning work at UT Tyler. UT Tyler may not knowingly hire or continue to employ any person not authorized to work in the United States.

**Workforce diversity.** Department heads and budget authorities should strive to achieve workforce diversity in their departments and budget units (100% parity with the civilian labor force in applicable recruiting areas). Workforce diversity should be achieved for each classification of employment (i.e., faculty, staff, administrative and professional).

**Classified employee personnel pay plan.** The Office of Human Resources maintains the classified pay plan. The pay plan including job titles, job codes, job descriptions, salary ranges and FLSA status, EEO codes, and UT Tyler pay plan policies is available on the HR website.

**New employee orientation.** All new employees must attend a new employee orientation session. Human Resources host orientation sessions on an individual or small group basis as needed.

**UT Tyler benefits.** UT Tyler benefits include the following:

- Employee group insurance and health benefits (medical, prescription drugs, and vision).
- Life and accidental death and dismemberment insurance.
- Teacher Retirement System (faculty, professional librarians, major department heads, and certain professional positions are eligible to participate in an Optional Retirement Program).
- Flexible spending account.
- Longevity pay (for classified and administrative positions).
- Tax sheltered annuities
- Membership at HPC campus fitness center for discounted cost.
- Employee scholarships (tuition and fees paid for up to six hours per long semester and six hours during the summer) to attend classes at UT Tyler.
- Scholarships for the dependent children (tuition and fees paid) of UT Tyler employees and retirees.

- Scholarships for dependents and spouses at TJC if classes are not offered at UT Tyler (spouses, employees, and dependents subject to out-of-district fees and any special course fees)
- Scholarships for spouses (tuition free) at UT Tyler (spouses subject to all applicable UT Tyler fees).
- Human Resources (903-566-7234) is available to answer questions about UT Tyler benefits.

***New employee probationary period.*** All newly hired classified employees of UT Tyler shall be subject to a probationary period of six continuous months from the beginning date of employment. Probationary employees must be evaluated at 180-days of employment. During this period, the hiring authority is free to terminate the employment of any probationary employee who is judged not to be competent or otherwise qualified to continue employment without said employee being subject to the discipline and dismissal policies and procedures. Prior to termination, the hiring authority should review the facts of the case with Human Resources.

***Employee training.*** Department heads and budget authorities are responsible for ensuring that employees in their departments or budget units receive adequate training. Elements of an effective training program are:

- Identifying staff members who need staff development and assessing the exact kind and scope of training needed;
- Training individuals for current assignments and developing them for future assignments, as a means of improving the quality and quantity of work;
- Providing training so that supervisory personnel are prepared to assume and discharge their primary responsibility for the maximum utilization of personnel, the training of their staff members, and the maintenance of sound employee relations;
- Advising and assisting employees with respect to continuing education and means by which they can increase their effectiveness;
- Evaluating all training and education activities to determine whether they are effective.
- Ensuring that employees in their department complete yearly online training requirements.

***Employee scholarships.*** As a career development program, UT Tyler gives scholarships tuition and fees for employees who desire to enroll and take classes at UT Tyler. Scholarships are limited to six credit hours per semester. Scholarships are awarded at the beginning of the semester for UT Tyler courses. A supervisor may allow an employee to spend a portion of an employee's workday in class. The supervisor's decision depends on circumstances in the department (e.g., the ability to cover for an employee while he or she is in class). Circumstances may require that the employee make-up the working time spent in class. Generally, an employee should not plan to take more than one course during working hours. Employees desiring to take courses at UT Tyler must apply for admission through Admissions and Student Records.

***Employee grievances.*** Department heads and budget authorities are responsible for handling employee grievances in accordance with UT Tyler's Grievance Policy. The Grievance Policy is included in the next section of the handbook.

***Overtime.*** Faculty, executive officers, and administrative and professional staff (i.e., exempt employees) are not eligible for overtime pay. Non-exempt employees are eligible for overtime pay. The Fair Labor Standards Act requires UT Tyler to compensate non-exempt employees for hours actually worked in one week over 40 hours at one and one-half times the employee's normal rate of pay. Paid leave and holidays do not qualify as time actually worked. The department head or budget authority must specifically approve overtime before it is worked.

UT Tyler’s policy is that overtime may be compensated with compensatory time off at a mutually convenient time for both the employer and the employee within one year from the week it is earned. Non-exempt employees may not accrue more than 240 hours of compensatory time. Payment for overtime is at the discretion of the department head or budget authority and may be granted when compensatory time is not practical. Employees must be paid for any unused compensatory time when they terminate employment at UT Tyler. Overtime payments are charged to department and budget unit accounts.

**Equivalent time.** Equivalent time is granted on a straight hour for hour basis when the total number of hours actually worked plus paid leave and holidays exceeds 40 hours in one week. In such cases, exempt employees may be allowed equivalent time off equal to the number of hours in excess of 40. Division heads may approve equivalent time off for exempt employees. Employees are not paid for unused equivalent time when they terminate employment at UT Tyler.

**Vacation.** With the exception of faculty members and positions that require student status as a condition of employment, all full-time employees (employees who are appointed for at least 20 hours per week for four and one-half months or more) earn vacation entitlement beginning on their first day of employment. The rate of vacation leave accrued depends on an employee’s length of state service as follows:

Employees with Total State Employment of	Hours Accrued per Month for Full-Time Employment
0 but less than 2 years	8
2 but less than 5 years	9
5 but less than 10 years	10
10 but less than 15 years	11
15 but less than 20 years	13
20 but less than 25 years	15
25 but less than 30 years	17
35 or more years	21

Full-time employees who are appointed less than 40 hours per week accrue vacation on a proportionate basis. Vacation with pay may not be taken until an employee has been continuously employed with the State of Texas for six months. Vacation should be taken during the fiscal year in which it accrues. If this is not possible, accrued vacation may be carried forward to the next fiscal year subject to limits provided in the General Appropriations Act as follows:

Employees with Total State Employment of	Maximum Hours to Carry for a Full-Time Employee
0 but less than 2 years	180
2 but less than 5 years	244
5 but less than 10 years	268
10 but less than 15 years	292
15 but less than 20 years	340
20 but less than 25 years	388
25 but less than 30 years	436
30 but less than 35 years	484
35 or more years	532

All unused accrued vacation hours in excess of carry-forward limits are credited to an employee’s sick leave balance. Unused accrued vacation is paid to employees when they terminate employment with the State of Texas provided the employee has had continuous employment with the State for six months.

**Longevity Pay.** Full-time classified and administrative/professional (non-faculty) employees who have worked for UT Tyler or the state of Texas in excess of two years earn monthly longevity pay in the following amounts:

**LONGEVITY PAY: (Admin/Professional and Classified Staff Only)**

Years of Service	Per Month
2	\$20
4	\$40
6	\$60
8	\$80
10	\$100
12	\$120
14	\$140

Years of Service	Per Month
16	\$160
18	\$180
20	\$200
22	\$220
24	\$240
26	\$260
28	\$280

Years of Service	Per Month
30	\$300
32	\$320
34	\$340
36	\$360
38	\$380
40	\$400
42	\$420

**Sick leave.** With the exception of positions that require student status as a condition of employment, all full-time employees (employees who are appointed for at least 20 hours per week for four and one-half months or more) earn sick leave entitlement beginning on their first day of employment at a rate of eight hours for each month of service for full-time employees and a proportionate amount if employed on less than a full-time basis. Sick leave with pay may be taken for absences necessitated by personal sickness, injury, pregnancy, or when an employee is needed to care for and assist an immediate family member who is ill, or by exposure to a contagious disease requires quarantine or isolation of either the employee or his or her immediate family. Any unearned sick leave advanced and taken by an employee shall be deducted from the employee’s accrued vacation. If the vacation hours are exhausted, the employee will be placed on leave without pay and the corresponding amount of unearned leave will be deducted from the employee’s monthly paycheck. Employees do not receive payment for accrued sick leave when they terminate employment at UT Tyler. However, in the case of the death of an employee who has an accrued sick leave balance, his or her estate will be paid for one-half of the accrued sick leave balance or 336 hours, whichever is less.

**Sick leave pool.** Human Resources administers a sick leave pool for UT Tyler employees. UT Tyler’s sick leave pool policy is included in the next section of the handbook.

**Time and leave records.** Department heads and budget authorities should maintain time and leave records for all non-exempt employees. Vacation, sick leave, compensatory, equivalent, and floating holiday balances should be maintained in the system.

**Performance evaluations.** All employees (administrative, faculty, and staff) are to be formally evaluated at least annually. Performance evaluations are to be used for the improvement of performance, promotion consideration, and merit salary review.

**Employee discipline and dismissal.** Department heads and budget authorities are responsible for disciplining employees in accordance with UT Tyler’s Employee Discipline and Dismissal Policy. The Employee Discipline and Dismissal Policy is included in the next section of the handbook.



**Holidays.** Employees who work during an approved holiday will be allowed equivalent time off during the twelve-month period following the date of the holiday worked.

**Leaves of absence without pay.** With the interest of UT Tyler being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff, subject to the general conditions included herein. Leaves of absence for a first year or portion thereof or a second consecutive year's leave may be granted by the President. Leaves of absence for a third consecutive year will be granted only for the reasons outlined in this policy following review and approval by the Vice President for Academic Affairs and Provost. The maximum period for which a leave of absence will be granted is the end of the fiscal year in which the leave begins. In the case of faculty, the date for return to duty will generally coincide with the beginning of the next semester, following the period of absence. Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity that reflects credit on the institution and enhances an individual's ability to make subsequent contributions to the institution, a second consecutive year of leave will not be granted. Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted.

After a return to duty of one year, the leave-of-absence privilege will again be available, subject to the conditions above.

Upon expiration of Family and Medical Leave, an employee may be eligible for a leave of absence under this section. For leave of absence to participate in a political campaign, faculty development leave, parental leave, sick leave, leave for jury duty, leave for military duty, and leave related to on-the-job injuries; see other sections of this handbook.

**Faculty development leave.** Faculty development leaves for faculty members may be granted as set out in Texas Education Code, Section 51.101 et seq. The law provides that after two consecutive academic years at the same institution, a faculty member as defined in this Act may be considered for a faculty development leave for one academic year at one-half his or her regular salary or for one-half academic year at his or her full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.

**Leave for jury duty.** Necessary time off for jury duty is allowed without loss of pay or vacation leave.

**Leave for military duty.** A leave of absence not to exceed fifteen working days in a federal fiscal year (October 1 – September 30) is granted to faculty or staff members who, as members of the National Guard or Official Militia of Texas or members of any of the Reserve Components of the Armed Forces, shall be engaged in authorized training or duty, ordered or authorized by proper authority. During such periods, the employee is absent without loss of efficiency rating, vacation time or salary; and when relieved from military duty, the employee is restored to the position and status he or she previously held.

A leave of absence with full pay shall be provided any employee who is called to active duty with the National Guard by the Governor of Texas or other military reserve units. Such leave shall in no way be charged against the employee's vacation or sick leave privileges. An employee retains any accrued sick or vacation leave and will be credited with those leave balances upon return. However, during such leaves of absence, the employee shall accrue state service credit, but shall not accrue vacation or sick leave.

**Family and medical leave.** Any eligible employee, whether faculty, classified, or administrative, may request and receive a leave of absence without pay for up to twelve weeks per year for family and medical reasons and twenty six weeks per year for military caregiver leave specified by the Family and Medical Leave Act of 1993.

Compensatory time, if applicable, as well as sick leave and vacation leave must be used in conjunction with the twelve or twenty six week FMLA period. Eligibility criteria are defined in the Act. In short, an eligible employee must have been employed by the State of Texas for twelve months and must have worked at least 1,250 hours during the twelve-month period immediately preceding the commencement of leave. A qualified purpose for FMLA leave is:

- Birth of a son or daughter and care after such birth (during the child's first year of life);
- Placement with an employee of a son or daughter for adoption or foster care (during the first year following placement);
- Serious health condition of spouse, child, or parent of employee; or
- Serious health condition of employee (unable to perform essential job functions).
- Military Caregiver leave for any qualifying exigency, a Federal call to active duty, arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty of call to covered active duty status.

***Time off to vote.*** Supervisors are authorized to grant a reasonable period of time off for employees to vote in national, state, and local governmental elections.

***Funeral/Emergency leave.*** Funeral leave shall be granted to full-time employees in the event of the death of an employee's spouse or the employee's or spouse's children, parents, grandparents, grandchildren, brothers, or sisters. Funeral leave for a death may not exceed three days. Emergency leave may be granted by the President or his/her delegate when the employee shows good cause for such leave. Examples of such reasons might include the death of a relative other than those described under the funeral leave provisions. Funeral or emergency leave may, with the approval of the President or his/her designee, may be granted for periods in excess of three days. Requests for leave in excess of three days must be fully documented.

***Personnel records.*** UT Tyler Human Resources maintains a personnel file for each employee. An employee's personnel file must contain the following documents: appointment letters, performance evaluations, disciplinary actions, counseling documentation, retirement documents, tax-sheltered annuity documents, group insurance and flexible spending account documents, resume, and grievances filed by the employee with responsive documentation. The Texas Public Information Act provides that information in the personnel file is subject to public disclosure without the consent of the employee except when the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. An employee who desires to review his or her personnel file may arrange to do so with a representative of Human Resources.

***Mid-year salary increases.*** Mid-year salary increases must be approved by the appropriate division head (i.e., the President, Vice President for Academic Affairs, Vice President for Business Affairs, or Vice President for Student Affairs). Mid-year salary increases must be funded within existing budgets. No employee shall receive a salary increase more frequently than every six months unless the salary increase is associated with a promotion. After receiving division head approval, all mid-year salary increases must be approved by the President.

***Merit Increases.*** A merit increase is defined as an increase in salary granted in recognition of meritorious performance over a sustained period of time. Merit pool money is subject to availability of funds as determined by the President and Vice President for Business Affairs. Guidelines for fiscal year merit increases will be determined at the time of annual budget preparation or as soon as possible after the beginning of the fiscal year. An employee may not receive a merit increase during the initial probationary period or within six months of a previous merit increase.

**Promotions.** A UT Tyler employee is eligible to apply for a job opening outside his or her current division provided current employment has been for a minimum of six months. An employee may apply for a position considered to be a promotion within their division during the six-month probationary period.

**Sexual harassment and misconduct.** Sexual misconduct and sexual harassment are unprofessional behaviors and employees who engage in such conduct will be subject to disciplinary action, including termination. Examples of behavior that could be considered sexual misconduct or sexual harassment include but are not limited to:

- Physical contact of a sexual nature including touching, patting, hugging, or brushing against a person's body;
- Explicit or implicit propositions or offers to engage in sexual activity;
- Comments of a sexual nature including sexually explicit statements, questions, jokes or anecdotes; remarks of a sexual nature about a person's clothing or body; remarks about sexual activity; speculation about sexual experience;
- Exposure to sexually oriented graffiti, pictures, posters, or materials;
- Physical interference with or restriction of an individual's movement.

**Outside employment.** Members of the faculty or staff of UT Tyler should not be discouraged from accepting appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions. The consideration to UT Tyler of such activity is the improvement of the individual by virtue of his or her continuing contact with nonacademic problems in the nonacademic world.

Members of the faculty or staff should be discouraged from accepting regular employment with units outside the UT System because this action would be divisive of loyalties and does not provide the return to UT Tyler or UT System.

Conflict of interest should be avoided in all instances of outside employment, but conflict of interest in an academic institution means outside activity that intrudes upon the academic functions of teaching, scholarly activities, and service to the institution.

Even in the case of members of the staff specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for public benefit free of charge, provided that the meeting of this obligation by a faculty or staff member does not interfere with his or her regular duties, and provided further that **Merit Increases.** A merit increase is defined as an increase in salary granted in recognition of meritorious performance over a sustained period of time. Merit pool money is subject to availability of funds as determined by the President and Vice President for Business Affairs. Guidelines for fiscal year merit increases will be determined at the time of annual budget preparation or as soon as possible after the beginning of the fiscal year. An employee may not receive a merit increase during the initial probationary period or within six months of a previous merit increase.

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No member of the faculty or staff engaged in outside remunerative activities shall use in connection therewith the official stationery of UT Tyler, or give as a business address any building or department of the institution.

No member of the faculty or staff shall accept employment or any position of responsibility if the discharge of such employment or responsibility will be antagonistic to the interests of the State of Texas, UT System, or UT Tyler.

Every member of the faculty or staff who gives professional opinions must protect UT Tyler against the use of such opinions for advertising purposes. If the employee does work in a private capacity, the employee must make it clear to those who employ him or her that the work is unofficial and that the name of UT Tyler is not in any way to be connected with the employee's name, except when used to identify the employee as the author of work related to the employee's academic or research area.

No member of the faculty or staff shall accept pay from private persons or corporations for tests, essays, chemical analyses, bacteriological examinations, or other such work of a routine character, which involve the use of property owned by UT Tyler, unless advance permission has been obtained from the President and provision has been made for compensation to UT Tyler.

No member of the full-time staff of UT Tyler on a twelve-month or nine-month basis shall be employed in any outside work or activity or receive from an outside source a regular retainer fee or salary until a description of the nature and extent of the employment has been filed with and approved by the employee's department head.

A member of the faculty or staff may hold other non-elective offices or positions of honor, trust, or profit with the State of Texas or the United States if holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between holding the office or position and holding the original office or position for which the member of the faculty or staff receives salary or compensation.

Before a member of the faculty or staff may accept an offer to serve in other non-elective offices or positions of honor, trust, or profit with the State of Texas or the United States, the member of the faculty or staff must obtain from the President and the Board a finding via the docket that the requirements of this policy have been fulfilled, including the expected additional compensation to be received from such service.

**Dual employment and consulting.** UT Tyler will not pay for consulting, lecturing, or other professional services by UT Tyler employees, except in cases where unusual circumstances justify such payments as determined by the President. Payments to a UT Tyler employee by another UT System institution must be approved by the Presidents of both institutions. Consulting provided by UT Tyler employees to entities other than UT Tyler or another UT System institution must be approved by the appropriate division head (i.e., the President, Vice President for Academic Affairs, Vice President for Business Affairs, or Vice President for Student Services). Outside consulting must not involve a conflict of interest or be in conflict with an employee's obligation to UT Tyler or its objectives. The Board of Regents must approve dual employment of UT Tyler personnel with another UT System institution or with another State or Federal agency.

**Nepotism.** No officer, official or employee of UT Tyler may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such officer, official, or employee within the second degree by affinity or the third degree by consanguinity regardless of the source of funds for payment of salary.

If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the institution's Director of Human Resources in the case of classified employees or the chief administrative officer in the case of faculty or non-classified employees.

If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend or otherwise act with regard to the appointment, promotion, or salary of a person who is related to them within the degree prohibited by the Texas Government Code, all subsequent actions regarding the reappointment, promotion, or salary of such person shall be made by the next highest administrator or supervisor at UT Tyler.

It shall be the responsibility of the administrator or supervisor to make a written review of the work performance of such person at least annually and to submit such review to the next highest administrator or supervisor at UT Tyler.

These provisions shall apply to situations where two employees of the System marry and one spouse is the administrative supervisor of the other. All situations covered by this policy shall be reported annually with the annual operating budget.

**Employee separation.** Employees terminating employment at UT Tyler must complete an Employee Separation Form (available in Human Resources); the form must be signed by the employee and his or her supervisor and returned to Human Resources.

**Employee assistance program.** UT Tyler contracts with an external employee assistance program (UT Employee Assistance Program – UTEAP) to provide a point of first contact for discussion and assessment of a potential employee problem such as job stress, emotional problems, substance abuse, etc. The employee assistance program provides short term counseling and referral to outside resources when appropriate. It is *not* a treatment or rehabilitation facility. Costs associated with the employee assistance program are provided by UT Tyler. Costs incurred for services obtained from outside referral resources are the responsibility of the employee.

Policies of the employee assistance program are as follows:

- The program is available to all benefits-eligible faculty, staff and employees of UT Tyler no matter what their job title or responsibilities.
- The program is also available to dependents and families on a self-referral basis.
- Participation in the program does not jeopardize an employee's job security, promotional opportunities, or reputation.
- To the extent permitted by law, all records and discussions of personal problems are handled in a confidential manner. These records are kept by the external program personnel and do not become a part of the records kept by UT Tyler's personnel office.
- Employees may be referred to the program by supervisors to determine if personal problems are causing unsatisfactory job performance.
- All levels of management are encouraged to use the program, when appropriate, to assist in resolving job performance problems.
- Sick leave may be granted for treatment or rehabilitation on the same basis as for other health problems. Consideration is also to be given for the use of annual leave or leave without pay if sick leave is not available.

Employees may call UTEAP at (800) 346-3549. More information about UT Tyler's employee assistance program is available in Human Resources.

**Political activities.** The Regents' *Rules and Regulations*, state law, and the Appropriations Bill prohibit the use of state time and equipment for political activities. In addition, UT Tyler personnel are not allowed to support or oppose (written or oral) legislation as UT Tyler employees. Employees who are asked to provide information to legislative officials should coordinate their responses with the President and UT System's Office of Governmental Relations.

**Alcoholic beverages.** The use of alcoholic beverages is prohibited on property and in buildings and facilities owned or controlled by UT Tyler. However, the President may waive this prohibition with respect to any event sponsored by UT Tyler. An event is sponsored if a budgeted office, department, or division of UT Tyler is responsible for organizing the event, inviting attendees, and paying expenses related to the event, including the purchase of food and beverages. Meetings or events organized and presented by registered faculty, staff, or

student organizations are not events sponsored by UT Tyler. This policy does not apply to areas that are licensed under state law for the sale and service of alcoholic beverages, to special use facilities in the Cowan Center during use by a non-institutional individual, group, association, or corporation, or to property, buildings, or facilities that are occupied by a third party pursuant to a written lease or occupancy agreement that does not specifically exclude alcoholic beverages. State law relating to alcoholic beverages will be strictly enforced at all times on property and in buildings and facilities owned or controlled by UT Tyler.

## **Policies and Procedures for the Discipline and Dismissal of Classified Employees**

### **1. Policy and Purpose.**

It is the policy of UT Tyler to encourage fair and efficient processes to resolve disputes arising out of the employment relationship and to meet the requirements of State and federal law.

The purpose of this policy is to provide a procedure for the discipline and dismissal of classified employees who are subject to its provisions. Classified employees are at-will employees who serve without tenure. No provision of the policy and procedures that follows shall confer rights to employees that are contrary to the employment-at-will doctrine.

### **2. Applicability.**

These policies and procedures are applicable to conduct or job performance of a classified employee that results in a decision to impose a disciplinary penalty of demotion, suspension without pay, or dismissal. It does not apply to:

- 2.1 Institutional police or faculty who are subject to other approved discipline or dismissal procedures;
- 2.2 Suspension with pay pending investigation of allegations relating to an employee;
- 2.3 Decisions not to offer reappointment to persons whose appointment for a stated period of one year or less expires at the end of such period without the necessity of notice of non-renewal as provided in the Regents' Rules and Regulations or the policies of UT Tyler;
- 2.4 Administrative and professional employees who are appointed to positions without fixed term and serve at the pleasure of a specific administrative officer;
- 2.5 Persons who are employed in positions that require student status as a condition of employment; or
- 2.6 Dismissal of employees:
  - (a) who occupy positions that are dependent upon funding from a specific source and such funding is not received,
  - (b) as a result of a reduction in force,
  - (c) due to financial exigency,
  - (d) during any probationary period of employment,
  - (e) who are appointed for a stated period that is less than 180 days,
  - (f) who are appointed at a per diem or hourly rate and work on an as needed basis, or
  - (g) who have not attained or maintained the necessary clearance, certification or licensure for their position, or
  - (h) who have exhausted applicable leave entitlements.

### **3. Discipline and Dismissal Policy and Procedures.**

#### **3.1 Employee Standard of Conduct.**

Each employee is expected to become familiar with the performance criteria for his or her particular job and with all rules, procedures, and standards of conduct established by the Board

of Regents, UT Tyler, and the employee's department or unit. An employee who does not fulfill the responsibilities set out by such performance criteria, rules, procedures, and standards of conduct may be subject to adverse personnel action

### 3.2 Conduct Subject to Disciplinary Action.

(a) Work Performance.

Work performance is to be judged by the supervisor's evaluation of the quality and quantity of work performed by each employee. Failure of an employee to maintain satisfactory work performance standards or to meet a reasonable and objective measure of efficiency and productivity may constitute grounds for disciplinary action including dismissal.

(b) Unacceptable Conduct.

All employees are expected to maintain standards of conduct suitable and acceptable to the work environment. Disciplinary action, including dismissal, may be imposed for unacceptable conduct. Examples of unacceptable conduct include, but are not limited to:

- (1) falsification of time sheets, personnel records, or other institutional records;
- (2) neglect of duties;
- (3) smoking anywhere except in designated smoking areas;
- (4) gambling or participating in lotteries or any other games of chance on the premises at any time;
- (5) soliciting or collecting money or circulating petitions on the premises other than within the rules and regulations of the institution;
- (6) bringing intoxicants or drugs onto the premises of the institution;
- (7) abuse or waste of tools, equipment, fixtures, property, supplies, or goods of the institution;
- (8) creating or contributing to unhealthy or unsanitary conditions;
- (9) violation of safety rules or accepted safety practices;
- (10) failure to cooperate with supervisor or co-worker, impairment of function of work unit, or disruptive conduct;
- (11) disorderly conduct, harassment of other employees (including sexual harassment), or use of abusive language on the premises;
- (12) fighting, encouraging a fight, or threatening, attempting or causing injury to another person on the premises;
- (13) theft, dishonesty, or unauthorized use of institutional property, including records and confidential information;
- (14) creating a condition hazardous to another person on the premises;
- (15) destroying or defacing institutional property or records or the property of a student or employee;
- (16) refusal of an employee to follow instructions or to perform designated work that may be required of an employee, or refusal to adhere to established rules and regulations; or



- (17) repeated tardiness or absence, absence without proper notification to the supervisor, or absence without satisfactory reason or unavailability for work.

### 3.3 Discipline Procedures.

The following procedures will be followed when an employee who is subject to this policy is demoted for disciplinary reasons, suspended without pay, or dismissed.

- (a) The supervisor will review the evidence and the proposed disciplinary action with the chief human resources officer or his or her designee.
- (b) Once the supervisor has sought and obtained the concurrence of the chief human resources officer or his or her designee, he or she must then obtain the concurrence of the department head or administrative equivalent to whom he or she reports before proceeding with the proposed disciplinary action.
- (c) The supervisor shall inform the employee in writing of the reasons for the proposed disciplinary action and the facts upon which the supervisor relies. The employee shall be provided with an opportunity to respond to the charges either verbally or in writing within a reasonable time not to exceed two (2) working days and to persuade the supervisor that the grounds for the disciplinary action are mistaken or incorrect before a final decision is made to take disciplinary action. This pre-disciplinary notification serves as an opportunity to avoid mistaken decisions to impose discipline and is not intended to definitively resolve the propriety of the disciplinary action being considered.
- (d) If the supervisor is not persuaded by the employee's response that the decision to take disciplinary is incorrect or mistaken, the supervisor will proceed to impose the disciplinary action. The supervisor shall inform the employee in writing of the following:
  - (1) whether the disciplinary action is a demotion, suspension without pay or dismissal and its effective date;
  - (2) a specific period for a suspension without pay, not to exceed one (1) month;
  - (3) the specific incident, conduct, course of conduct, unsatisfactory work performance, or other basis for the disciplinary action;
  - (4) any previous efforts to make the employee aware of the need to change or improve work performance or conduct;
  - (5) reference to any relevant rule, regulation, or policy.

### 3.4 Effect Upon Employee Benefits.

An employee who is demoted or suspended without pay continues to accrue vacation and sick leave, to be covered by group insurance, and to be entitled to other employee benefit programs.

If a demotion or suspension without pay is appealed and the appeal of the demotion or suspension is successful, the employee shall be entitled to payment for wages lost as a result of the demotion or suspension. If an appeal of dismissal is successful, the employee shall be reinstated to the same or similar position and shall be entitled to payment of back wages less any unemployment compensation insurance benefits received by the employee after the date of dismissal. Employee benefits such as vacation and sick leave shall be credited back to the date of dismissal.

## 4. Procedure for Appeal.

Disciplinary actions resulting in dismissal, suspension without pay, or demotion may be appealed by the affected employee pursuant to the process set out below by submitting a written request for a hearing to the vice president or administrative equivalent for the employee's department. The request must be made within ten (10) working days following the date of the disciplinary action. The failure of the

employee to submit the appeal in a timely manner shall constitute a withdrawal of the appeal. The vice president or administrative equivalent shall, at his or her discretion, either hear the appeal in person or appoint a delegate(s) to hear the appeal. The hearing shall be conducted as soon as practical pursuant to the following procedures.

4.1 Naming of Delegate.

If the vice president or administrative equivalent elects to appoint a delegate(s) to hear the appeal, the name or names will be furnished to the employee as soon as practical after the selection is made. If more than one person is appointed, one of them shall be designated in the notice to the employee to serve as chair.

4.2 Challenges as to Fairness.

An employee may challenge the fairness and impartiality of the vice president or administrative equivalent or an appointed delegate(s). The challenge must be in writing and must clearly state the factual basis for the challenge. A challenge of the vice president or administrative equivalent must be made within five (5) days of the date of the request for a hearing and a challenge of a delegate(s) must be made within five (5) days after the date of the notice appointing the delegate(s). It shall be up to the person challenged to determine whether he or she can serve with fairness and impartiality. If the challenged vice president or administrative equivalent determines that he or she cannot be fair and impartial in the consideration of the appeal, he or she shall appoint a delegate(s) to hear the appeal. If a challenged delegate(s) determines that he or she cannot be fair and impartial in the consideration of the appeal, the vice president or administrative equivalent shall appoint another delegate(s).

4.3 Exchange of Information.

At least five (5) working days prior to the time set for the hearing, the institutional representative for the appeal and the employee shall furnish each other with the names of the witnesses to be called, a summary of their expected testimony, and a copy of each document, record or exhibit to be introduced at the hearing.

4.4 Chair.

The vice president or administrative equivalent or the delegate designated as chair shall preside at the hearing and ensure the order of presentation as well as decide on questions of relevancy. The chair shall also have the discretion to determine the length of the hearing and the form and scope of cross-examination allowed during the hearing. Upon request, the chair may consult with and be advised by counsel during the hearing.

4.5 Right to Representation.

The employee has the right to be represented at the hearing by an attorney or other individual representative. If the employee is represented by an attorney or an individual from an employee organization, the institution may be represented by an attorney from the institution or the Office of General Counsel of The University of Texas System Administration.

4.6 Record of the Hearing.

In all appeal hearings, the institution shall make a tape recording of the hearing and make a copy of the tape available to the employee on request. The tape recording of the proceedings shall be the official record of the hearing.

- 4.7 **Burden of Proof.**  
The institution shall demonstrate by the greater weight of the credible evidence that the disciplinary action should be sustained. The institution shall present its case first after which the employee shall present his or her case.
- 4.8 **Evidence.**  
The hearing shall consist of testimony by witnesses called by the institution and the employee, with both parties having the right to cross-examine witnesses. Relevant exhibits may be introduced by either party and the chair shall take notice of the employee's personnel record.
- 4.9 **Witnesses.**  
Any employee may be asked to appear as a witness for either party. It shall be the duty of an employee requested to testify to do so as to any facts which may be relevant to the appeal. It is the responsibility of each party to assure attendance by its witnesses.
- 4.10 **Notification to Vice President.**  
The delegate(s) shall deliberate, prepare, and forward written findings and recommendations to the vice president or administrative equivalent within ten (10) working days after the close of the hearing.
- 4.11 **Employee Notification.**  
The vice president or administrative equivalent shall mail his or her decision to the employee within ten (10) working days following the receipt of the findings and recommendations from the delegate(s). If the vice president or administrative equivalent has heard the appeal, he or she shall mail a written decision to the employee within ten (10) working days after the close of the hearing. The decision of the vice-president or administrative equivalent is final.

**5. Records of Disciplinary Actions.**

Copies of all documents pertaining to disciplinary actions shall be filed in the employee's personnel file.

**Grievance Policy and Procedures**

**I. Purpose**

It is the policy of UT Tyler to encourage fair, efficient and equitable solutions for problems arising out of the employment relationship and to meet the requirements of state and federal law.

**II. Scope of Grievance Policy Complaints** concerning wages, hours of work, working conditions, performance evaluations, merit raises, job assignments, reprimands, the interpretation or application of a rule, regulation or policy, unlawful discrimination on any basis, or allegations that the termination of a probationary or temporary employee or an hourly or per diem employee who works on an as needed basis was for an unlawfully discriminatory reason shall not be processed through the Discipline and Dismissal Appeal Procedure. Such complaints will be considered on an informal basis in order to allow prompt correction or explanation of the subject of the complaint.

Probationary, Temporary, Hourly, and Per Diem Employees Included

*The complaint of all employees including probationary and temporary employees and those hourly or per diem employees who work on an as needed basis will be considered pursuant to the procedure provided below.*

### Retaliation Prohibited

No employee will be penalized, disciplined or prejudiced for exercising the right to make a complaint or for aiding another employee in the presentation of that complaint.

### III. Procedure for Bringing a Grievance

The employee shall informally present the complaint to his or her supervisor or administrative equivalent for discussion, consideration and resolution within five (5) working days from the date of the action that is subject of the complaint. If the supervisor is the subject of the complaint, the employee may address the complaint to the appropriate department head or administrative equivalent.

If the complaint is not satisfactorily resolved by the supervisor or administrative equivalent within five (5) working days, the employee may present the complaint in writing to the appropriate department head or administrative equivalent for consideration and action. A written decision will be mailed to the employee within five (5) working days of receipt of the complaint.

If the employee is not satisfied with the decision of the department head or administrative equivalent, a written appeal stating why the appealed decision is incorrect may be made to the appropriate dean, director or administrative equivalent within five (5) working days of the date of the appealed decision. Within ten (10) working days of the date of the appeal, a written decision will be mailed to the employee.

Complaints not satisfactorily resolved by the dean, director or administrative equivalent may be appealed in writing to the appropriate Vice President or administrative equivalent for the employee's department within five (5) working days of the date of the appealed decision. The appeal shall state why the appealed decision is not correct. Within a reasonable time, not to exceed thirty (30) days following receipt of the appeal, a written decision shall be mailed to the employee. This decision is final. The written complaint and all decisions or responses regarding such complaint shall be a part of the personnel file of the employee.

### Sick Leave Pool Policy

**PURPOSE.** UT Tyler shall establish a sick leave pool to provide a source of additional sick leave for those employees who have exhausted accrued annual leave and sick leave because of a catastrophic illness or injury.

**DEFINITIONS.** As used in this policy:

2.1 "Catastrophic illness or injury" means a severe condition or combination of conditions affecting the mental or physical health of an employee or the employee's immediate family that requires the services of a licensed physician for a prolonged period of time and that requires the employee to exhaust accrued leave and to lose compensation from the State.

2.2 "Employee" means a regular employee of an institution of the UT System or the UT System Administration as defined in Article V of the General Appropriations Act.

2.3 "Immediate family" means those persons living in the same household with the employee who are either related to the employee by kinship, adoption, or marriage or are certified by the Texas Department of Human Services as foster children of the employee or, if not living in the same household, are totally dependent upon the employee for personal care or services on a continuing basis.

2.4 "Licensed physician" means a person who is licensed to practice in one of the health professions set forth in Article 3.70-2 of the *Texas Insurance Code*.

2.5 "Pool administrator" means the person appointed to administer the sick leave pool.

2.6 "Sick leave pool" or "pool" means the accumulated sick leave donated by employees for utilization in accordance with this Policy.

**POOL ADMINISTRATOR.** This Policy shall be administered at each institution by a pool administrator designated by the chief administrative officer and at the UT System Administration by a pool administrator designated by the Chancellor of the UT System.

3.1 The pool administrator shall adopt forms and regulations appropriate for the administration of this policy.

The decision of the pool administrator regarding contributions to and withdrawals from the pool shall be final.

**SICK LEAVE POOL.** The sick leave pool at each institution and the UT System Administration shall consist of the sick leave voluntarily contributed to the pool by employees.

4.1 An employee who desires to contribute sick leave to the pool must submit an application to the pool administrator.

4.2 Contributions to the pool must be in units of eight (8) hours. State employees are permitted to contribute an unlimited number of hours to the sick leave pool. Retiring employees are also permitted to contribute to the sick leave pool.

4.3 Upon approval of an application, the pool administrator shall credit the sick leave pool with the sick leave contributed by an employee and shall direct the human resources office to deduct a corresponding amount from that employee's accrued sick leave.

4.4 Sick leave contributed to the pool may not be designated for the use of a particular person.

4.5 Although contributions are voluntary, employees who leave state employment should be encouraged to contribute to the pool.

#### **WITHDRAWAL OF SICK LEAVE FROM THE POOL.**

Applications to withdraw sick leave from the pool must be submitted on the form prescribed by the pool administrator. An application must be filed with the pool administrator and must be accompanied by a statement from the licensed physician who treated the illness or injury that resulted in the exhaustion of the accrued annual leave and sick leave of the employee making the application. The pool administrator will consider applications in the order in which they are received and will approve or deny an application within ten (10) working days after receipt.

5.1 An employee is eligible to withdraw sick leave from the pool if the pool administrator finds that the employee has exhausted all accrued annual leave and sick leave because of a catastrophic illness or injury or because of a previous donation of sick leave to the pool.

5.2 In determining the amount of sick leave to be assigned by an eligible employee from the pool, the pool administrator shall take into consideration the information contained in the employee's application, the number of applications then pending, and the amount of sick leave available in the pool. In no event shall the sick leave allocated to an eligible employee from the pool exceed ninety (90) days or one-third (1/3) of the sick leave pool balance, whichever is less. Upon approval of an employee's application, the

pool administrator shall notify the human resources office of the amount of sick leave to be assigned to the employee.

5.3 The employee may use sick leave assigned from the pool in the same manner as sick leave accrued pursuant to the *General Appropriations Act* and shall be treated in the same manner and shall be entitled to accrue the same benefits as an employee who uses such accrued sick leave.

5.4 The estate of a deceased employee shall not be entitled to payment for unused sick leave assigned from the pool.

## ***Information Security Management***

### **Information Security Office Website:**

<http://www.uttyler.edu/iso>

Please feel free to send any Information Security questions or concerns to [security@uttyler.edu](mailto:security@uttyler.edu)

### **Use and Protection of Information Resources**

#### **Authority:**

- Family Educational Rights and Privacy Act (FERPA) - <http://www.uttyler.edu/registrar/ferpa/>
- Texas Administrative Code 202 - [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=4&ti=1&pt=10&ch=202](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=1&pt=10&ch=202)
- UT System Policy 165 (UTS 165) - <http://www.utsystem.edu/board-of-regents/policy-library/policies/uts165-information-resources-use-and-security-policy>
- UT Tyler Acceptable Use Policy - <http://www.uttyler.edu/iso/files/acceptable-use-policy.pdf>

**Summary:** The laws and policies listed above govern the use and protection of Information Resources. New UT Tyler employees are required to read and acknowledge their compliance with the *Employee Non-Disclosure Statement and the UT Tyler Acceptable Use Policy* by signing a copy of these documents in Human Resources. These policies are available from the Information Security website: <http://www.uttyler.edu/iso/policies.php>

### **Confidentiality of passwords**

#### **Authority:**

- UT System Policy 165 (UTS 165)
  - User Accessing UT System Information Resources
    - Does not share passwords or similar information or devices used for identification and authorization purposes.
- Texas Administrative Code 202.25
  - Manage access to information resources to ensure authorized use.
  - Each user of information resources shall be assigned a unique identifier
- UT Tyler Acceptable Use Policy
  - In order to preserve the security of UT Tyler's information resources and Data, every UT Tyler computer/network account, password, any personal identification number (PIN), digital certificate, security token (i.e. Smartcard), or any other similar information or device used for identification and authorization purposes **must not be shared**. Each user of UT Tyler resources is responsible for all activities conducted using his or her account(s).

**Summary:** Access to Information Resources is given to each user based upon approval from the data owners of those resources and it is a violation of the laws and policies listed above to share those credentials with others since doing so may result in unauthorized access to confidential or sensitive information. Sharing credential could include verbally disclosing passwords or writing them down or documenting them in a place that is accessible to others.

### **Protection of Information Resources**

#### **Authority:**

- Texas Administrative Code Section 202.21
- The protection of information resources is a **management responsibility**. If a department or budget unit “owns” data (see “owner” definition below) that is confidential, sensitive, or essential to critical UT Tyler functions, the **department head** or **budget authority** is responsible for protecting the data from accidental or unauthorized disclosure, modification, or destruction. Furthermore, the **department head** or **budget authority** is responsible for the confidentiality, integrity, and availability of the data.
- Definitions:
  - Owner: The person responsible for the function that uses the data. The data owner is responsible for approving access to the data, assigning custody of the data and specify controls, determine asset’s value, ensure that controls are in place to ensure the confidentiality, integrity, and availability of the asset, reviewing access, perform risk assessments on the resource
  - Custodian: The person/department responsible for implementing the information owner-defined controls and access to an information resource. The custodian is responsible for implementing the controls specified by the owner, providing physical, technical, and procedural safeguards for the information resource, assisting the data owner in evaluating the cost-effectiveness of controls and monitoring, and implementing monitoring techniques and procedures for detecting, reporting, and investigating incidents.

**Summary:** If a department head or budget authority has questions about information asset security, they should contact UT Tyler’s Information Security Officer at [security@uttyler.edu](mailto:security@uttyler.edu) for clarification.

### **Protection of Social Security Numbers**

#### **Authority:**

- UT System Policy 165 (UTS 165)

#### **Summary:**

UT Tyler makes every effort to protect the confidential nature of sensitive information by reducing the collection of, restricting access to, and controlling disclosure of social security numbers. Social Security numbers should not be stored on computers, laptops, or portable media (thumb drives, external hard drives, DVDs, etc) unless the device is encrypted. This requirement extends to all devices which contain Social Security Numbers of UT Tyler students, employees or customers whether the device is owned by UT Tyler or is a personally owned device. Social security numbers should not be transmitted via email or stored on web servers or cloud computing services such as Drop Box.

Specific information such as mandatory and voluntary disclosure notices, form approval, and rules of conduct with respect to the protection of social security numbers can be found at: <http://www.uttyler.edu/iso/ss/>

### **Encryption of mobile devices**

#### **Authority:**

- UT System Policy 165 (UTS 165)

#### **Summary:**

UT System Policy 165 (UTS 165) is currently being revised to require the encryption of **all** UT Tyler owned laptops. Exceptions are approved by the President.

The Information Security Office has approved the following methods of encryption:

- Windows Laptops:
  - SecureDoc
  - BitLocker
- MacIntosh Laptops:
  - FileVault Full Disk Encryption in conjunction with Absolute Manage (to verify the encryption process)
- Unix Laptops:
  - LUKS with manual verification each quarter

More information about laptop encryption can be found by going to:

<http://www.uttyler.edu/iso/laptopencryption.php>

Questions about laptops can be sent to UT Tyler's Information Security Officer at [security@uttyler.edu](mailto:security@uttyler.edu).

### **Workstation Security**

#### **Authority:**

#### **Summary:**

To ensure that all computers/laptops are configured in a secure, consistent and standardized manner, all computers/laptops should be configured by the Help Desk.

Anti-virus software and operating system updates and patches are required to be up to date on all computers/laptops and the program should be configured to check for new virus definitions on a daily basis.

Users should not take any action to remove or disable anti-virus software, change or disable firewall settings, or tamper with any security software installed by the Help Desk.

### **Disposal Policy:**

#### **Authority:**

- Texas Administrative Code 202
- UT System Policy 165
- UT Tyler Computer Redistribution Policy
  - <https://www.uttyler.edu/iso/files/ComputerRedistributionPolicyandProcedures.pdf>

**Summary:** To prevent unauthorized access to confidential/sensitive data all computers which are transferred within the same department, transferred to another department, or transferred outside UT Tyler must be wiped to remove all data. All computing devices must have the appropriate disposal tag affixed to them prior to transferring to Physical Plant for disposal. Before any computer or laptop is transferred to the Physical Plant for disposal, all hard drives are removed and delivered to the Information Security Office to be erased or physically destroyed.



Process:

- IT equipment.

- a. if unusable or broken, e-mail IT ([itsupport@uttyler.edu](mailto:itsupport@uttyler.edu)) for pick up.
- b. if usable, announce on campus bulletin board in case someone else could use it. If not claimed, contact IT ([itsupport@uttylerr.edu](mailto:itsupport@uttylerr.edu)) for pick up.

- Serial numbered or tagged property.

- a. if unusable or broken, contact Physical Plant directly for pick up.
- b. if usable, announce on campus bulletin board in case someone else could use it. If not claimed, contact physical plant for pick up.

- Non-Serial numbered or tagged property.

- a. if unusable or broken, throw it away.
- b. if usable, announce on campus bulletin board in case someone else could use it. If not claimed, contact Physical Plant for pick up.

**Payment Card Industry Security:**

**Authority:**

- Payment Card Industry Data Security Standard
  - [https://www.pcisecuritystandards.org/pci\\_security/](https://www.pcisecuritystandards.org/pci_security/)

**Summary:** Credit card numbers are confidential in nature. If your department collects credit card numbers from customers, they must be protected and destroyed once processing has occurred. Do not store retain credit card numbers in hard copy or electronic format. Do not disclose credit card data to anyone. Credit card numbers should not be requested via or transmitted via email.

**General Security Information:**

- UT Tyler Information Security or Information Technology staff will **never** ask you for your password, so please delete any email messages which ask for this information.
- When you step away from your computer, please be sure to lock it by pressing CTRL+ALT+DELETE on your keyboard and select “Lock Computer”.
- Confidential/sensitive information includes the following:
  - Social Security Numbers
  - Credit Card Numbers
  - Driver’s license numbers
  - Student grade information
  - Student class schedules
  - Student ID number
- Use caution with hard copy or electronic documents, which contain any of the information above, in clear sight for others to view. Be sure these files are locked up and secure when you leave for the day.

***Information Technology Management***

**Computer Software.** Unauthorized duplication of copyrighted software is a violation of federal copyright law. Furthermore, it is illegal to install licensed software on more than one computer unless the license expressly provides for more than one installation. Department heads and budget authorities are responsible for monitoring

computers in their custody to ensure that all installed software is properly licensed. If unauthorized software has been installed on a computer, it should be uninstalled immediately. Appropriate disciplinary action should be taken against a person who installs unauthorized software.

**Email.** UT Tyler uses Microsoft Exchange for its email. The maximum size of a mailbox is currently set to 10 Gigabytes (GB). A warning will appear when available storage is nearing the maximum. Email will continue to be received and sent to an employee's email file UNTIL the size of the file reaches 10 GB. At that time, an employee will not be able to receive email until the file size is reduced below 10 GB by deleting existing, unnecessary email.

It should be noted that email is subject to open records requests and retention of email is determined by departmental or UT Tyler policy for records retention. The department of Information Technology does not establish records retention policy. UT Tyler Records Retention Schedule can be found at the following URL: <http://www.uttyler.edu/recordsretention/schedule.php>

UT Tyler's email policy can be found at the following URL: <http://www.uttyler.edu/it/policies>

**IT Related Purchases.** All IT related purchases need to be reviewed by IT before the purchase is made or the PO is created. More information and a link to pre-approved IT equipment is at <http://www.uttyler.edu/ccs/purchases.php>

To receive approval please send an email to **itsupport@uttyler.edu** with all of the information that we will need to help you get the best price in the quickest manner.

**Network Connection.** IT is the entity that is responsible for the campus network and as such, is to be notified prior to connecting any networkable device to the campus wired network. This includes servers, switches, modems, routers, or wireless access points, etc. This is to insure that the proper security is in place on all information technology equipment. The UT Tyler Network Connection Policy can be found at: <http://www.uttyler.edu/it/policies>

Send all requests to for network access to [itsupport@uttyler.edu](mailto:itsupport@uttyler.edu).

**Systems Maintenance.** In order to balance the need for our network and central IT systems to be up to date with that of the business continuity of the campus, IT has implemented a maintenance schedule that reduces the impact on UT Tyler business. There are two separate types of maintenance windows - one for Microsoft Windows Server updates and another for other maintenance. IT may schedule weekly updates on less-critical systems as needed.

#### Weekly Updates -

IT may perform weekly updates on less-critical systems to comply with security needs and reduce down time during monthly maintenance windows.

#### Windows Patching - second Thursday of every month - 11pm - 3am

All Windows servers will usually need to go through 1 - 3 reboots during this period. As a result, the campus should expect sporadic availability of all IT systems during this 4-hour period.

#### Major Maintenance - third Thursday of the month - 9pm - 6am

The second maintenance window type will be for network changes, major server upgrades, software upgrades, storage infrastructure maintenance, and all other major changes which require IT staff to be on campus for

implementation. This type of maintenance will occur on the third Thursday of the month between 9pm and 6am. Depending upon the scope of work to be done, expect most IT systems to be sporadically unavailable during the major maintenance time period.

Finally, there may be other days/times where it is necessary to perform emergency maintenance in order to prevent extensive outages, perform immediate patching due to a significant security risk, or as required by outside vendors and service providers. The IT staff will strive to inform the campus of these unplanned interruptions as early as possible.

### *Appendix: Forms*

- ❖ **Compliance Forms and Resources:** <https://www.uttyler.edu/compliance/policies/>
- ❖ **Environmental Health and Safety Forms:** <http://www.uttyler.edu/safety/forms.php>
- ❖ **Financial Services Forms:** <http://www.uttyler.edu/finserv/forms.php>
- ❖ **Human Resources Forms:** <https://www.uttyler.edu/human-resources/forms/index.php>