

POLICIES AND REGULATIONS MANUAL

2025 - 2026

AMBERTON UNIVERSITY



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Number: 3

Subject: MISSION, VISION, VALUES, PURPOSE, AFFIRMATION STATEMENT

Reviewed: September 2025

MISSION STATEMENT

The mission statement for Amberton University is *to provide a quality, relevant, technologically advanced education to adult students in a Christian environment.*

VISION:

Amberton University will be the university of choice for working adults, offering high-quality, flexible, and accessible education through career-focused certificates, bachelor's, and advanced degree programs—empowering students to succeed without the burden of student debt.

VALUES:

Accessibility – Amberton University commits to breaking down barriers for students to reach their educational goals through:

- user-friendly software for application, payment, transcripts, and financial aid.
- ensuring quality and transparent academic advising in alignment with student goals.
- offering classes at times and in modalities that are convenient for working adults.
- offering classes at an affordable cost without the need for student debt.

Collaboration, Teamwork - Amberton University administration, faculty, and staff commit to productive collaboration for innovative and excellent service to students.

Continuous Improvement – Amberton University commits to:

- a continuously refined curriculum that represents academic excellence and is in alignment with current industry standards and needs.
- processes and regulations that are continuously reviewed and improved for efficiency, effectiveness, and relevancy.

Honesty, Integrity, Trust - Amberton University commits to practicing Christian principles & operating ethically in all its interactions.

Kindness, Respect, and Appreciation - Amberton University commits to treating our students, each other, and the community with kindness and respect, and with an appreciation for diversity of thought.

Meaningful and Timely Communication - Amberton University commits to communicating with students, faculty, staff, stakeholders, and the community in ways that are meaningful, timely and appropriate.

Passion and Joy in Our Work - Amberton University administration, faculty, and staff commit to conducting our work with a passion and joy that inspires our students and each other.

Work/Life Balance – Amberton University will value and seek to achieve work/life balance for administration, faculty, students, and staff recognizing the importance of time spent on personal interests, family, and self-care in addition to professional commitments and obligations.

PURPOSE:

Amberton University is a specialized institution designed to meet specific educational needs of mature students.

Amberton University is committed to Christian values, both in its conduct of business and in its educational philosophy. The University's employees endorse and strive to live the ethical values and principles taught by the New Testament of the *Bible*. This commitment to Christian ethics enables the University to provide its students with a stability of values and a value system.

Amberton University combines relevant technical and cognitive training with techniques for problem solving in developing the student's capability to identify and select solutions to economic, social and personal problems. The academic skills and Christian values imparted by the University enable each student to better appreciate their own worth and to exercise insight into those patterns of facts and events which affect human relations and social values.

Amberton University will provide educational programs and services in those areas it is best qualified. When academically and financially feasible, the institution is committed to the continuous transformation of the educational process in direct response to the needs of the student and community.

Amberton University, in its endeavor to be a center for learning, a society in which all are students, will employ responsible experimentation and innovation. New as well as traditional techniques will be continuously identified, applied and evaluated in an effort to facilitate teaching and learning.

AMBERTON UNIVERSITY AFFIRMS

- That there is a God and He is clearly revealed through the *Bible*;
- That Jesus Christ is the Son of God and is the example to be imitated;
- That the educational process may not be divorced from the divine reality of God;
- That spiritual commitment, tolerating no excuse for mediocrity, demands the highest standards of academic excellence;
- That truth, having nothing to fear from investigation, must be pursued relentlessly;
- That freedom, whether spiritual, intellectual, or economic, is indivisible;
- That the student, as a person of immortal heritage, is the heart of the educational enterprise;
- That knowledge calls, ultimately, for a life of service;
- That into this specialized Christian institution, there shall never be admitted any religious test for admission or graduation; and, that all students hereof shall forever enjoy full, free, absolute and uninterrupted freedom of conscience.

Number: 5

Subject: THE PRESIDENT

The Chief Executive Officer (CEO) of Amberton University shall, in general, supervise and control the corporation. The total and sole financial remuneration and benefits for performing the duties of CEO and employee of Amberton University shall be set by the Board of Trustees, and the CEO may not provide or engage in any services outside the University involving financial remuneration without the direct consent of the Board of Trustees.

1. The CEO of Amberton University shall be responsible for developing an annual budget outlining the operations of the University and shall present the budget to the Board of Trustees for approval. The CEO is responsible for all the academic, financial, and development operations of the University and will approve all the hiring of employees and designation of titles and organizational duties. The designation of key administrators (those with the title of vice president or higher) shall be by consent of the Board of Trustees.

2. The CEO of Amberton University and/or his designates may assume debts and/or authorize expenditures and may enter into such contracts as necessary for the efficient operations and development of Amberton University up to an amount not to exceed the sum total of the budget as authorized by the Board, plus such additional funds as have been designated by the Board.

3. The CEO shall be responsible for declaring and maintaining the ethical standards expected of students and employees and shall provide due process in handling violations of complaints against such standards. The rights of students and employees in regard to grades, records, evaluations, performance reports, etc. shall be considered confidential and shall be protected.

4. The CEO shall be responsible for maintaining proper representation between the institution and the public. Favorable as well as unfavorable information concerning the University will be released when appropriate. Amberton University officials will never deliberately distort facts made to the public; however, Amberton University officials shall protect the right of privacy and confidentiality in matters that are of a private nature.

5. The CEO of Amberton University shall be responsible for maintaining and advancing the quality and scope of the academic programs. New and innovative programs and delivery systems will be evaluated and implemented when found to be effective in advancing the educational purpose of the University.

Number: 6

Subject: GOVERNING BODY

The Board of Trustees is the governing body of the corporation and educational institution known as Amberton University. The Articles of Incorporation and the institution's Bylaws establish the corporative authority of the University. The “Policies and Regulations Manual” and the “Amberton University Catalog” identify the policies and regulation of the University. The “Policies and Regulations Manual” basically address the rights and responsibilities of the Amberton University employee within the University. The “Amberton University Catalog” defines the rights and responsibilities of the academic student who applies, enrolls and/or pursues academic training through Amberton University.

The Board of Trustees of Amberton University shall appoint a Chief Executive Officer of the corporation and educational institution. Except in unusual circumstances, policy formulation will be the responsibility of the CEO, with all recommendations presented to the Board of Trustees for approval. The Board, however, maintains the authority and prerogative to initiate action in reviewing or developing policy. The CEO shall be responsible for developing and implementing such regulations and procedures as required to fulfill policy guidelines.

The following guidelines are designed to clarify the differences between policies, regulations, and procedures:

Policies: Policies declare broad organizational objectives, or they declare general expectations designed to ensure that organizational activities and objectives are consistent with goals. Policies are general guidelines to organizational behavior and provide operating perimeters within which goals are made and decisions are to be made. The Board of Trustees is the authority for all policies.

Regulations: Regulations are rules or principles designed to control or govern actions and behavior in accordance with policies. For the most part, regulations are enacted by the administration in conformity to policies declared by the Board.

Procedures: Procedures are more specific guidelines or directions for performing or effecting designated objectives. Procedures outline steps or define manners for fulfilling designated organizational objectives.

Number: 7

Subject: ETHICAL STANDARDS OF THE UNIVERSITY

Amberton University is a nondenominational Christian institution; all employees of the University believe that Jesus of the New Testament Bible is the Son of God, the Messiah, the Christ, the Savior. We believe that our Lord has and continues to bless our service in Christian education, and that Amberton University has been shaped by Christian values and devotion to academic excellence in educating working adults.

Amberton University will conduct its business and academic programs in accordance with the highest moral, ethical, and legal standards. To identify the major moral and ethical standards to be followed by the University, the principles presented in the New Testament of the *Bible* will be followed. Amberton University is a Christian institution, and it will maintain the highest standards of Christian morality and ethics in dealing with its employees, students, and public.

The Administration, Faculty and Staff of Amberton University will impose upon itself the highest standards of ethical conduct. Where there is a disagreement or dispute between the University and a complainant, policy/regulations, not personal feelings, will rule. If the policy or regulation is contradictory, the final judgment will be made in favor of the complainant.

Individualism is paramount to an understanding of the ethical standards of Amberton University. Each employee and each student is considered a unique individual, divinely created, and capable of becoming better each day. Amberton University will never lump employees or students into generalized groups, nor will the University respond to petitions or group demonstrations that diminish individualism.

Number: 8

Subject: NON-DISCRIMINATION

Amberton University will not discriminate against anyone--employees, students, or the public--on the basis of race, color, age, national or ethnic origin, sex, or non-disqualifying handicap and will comply with local, state, and governmental regulations relative to such matters.

Number: 9

Subject: WAGES, SALARIES, FRINGE BENEFITS

Amberton University shall pay its employees a fair and reasonable salary commensurate with duties performed and shall provide such fringe benefits as deemed necessary in order to provide employees with current and long-range financial security.

Number: 20

Subject: DUE PROCESS: BOARD OF TRUSTEES

The Board of Trustees of Amberton University is self-perpetuating. A Board member is elected for a three (3) year period. During the three year period of service, a Board member may be removed by: (1) automatic removal by reaching the age of seventy-five, (2) automatic removal for missing two convened Board meetings in succession, or (3) by cause (cause may include any misfeasance or any improper moral, business, or legal entanglements). Any action calling for the removal of a Board member must be initiated by resolution of the Board when meeting in legal session, and any Board member being considered for removal for cause must be given written notice at least ten days prior to a called meeting of the Board. Since a legal meeting of the Board requires notice to all members and a quorum, any Board member being considered for removal for cause is entitled to be present and voice his/her opinions as an equal member. The majority judgment of the Board is final.

Number: 26

Subject: CONFLICT OF INTEREST

It is the policy of the Board of Trustees that Trustees should at all times act in a manner consistent with their fiduciary responsibilities to the University and should exercise particular care that no detriment to the University would result from their conflicts between their interests and those of the University.

For purposes of this policy a Trustee is considered to have a conflict of interest when the individual, or any of his or her immediate family or associates either (1) has an existing or potential financial or other interest which impairs or might reasonably appear to impair, the Trustee's judgment in the discharge of responsibilities to the University, or (2) may receive a material financial or other benefit from knowledge of information confidential to the University.

Any Trustee having an actual or potential conflict of interest in any business before the University will disclose the conflict and shall not vote or use his or her personal influence to effect the voting. The minutes of the meeting shall reflect the individual's abstention from voting.

Number: 28

Subject: THE RE-ELECTION OF BOARD MEMBERS

To establish a fair and courteous manner for re-electing Board members, the following procedures will be adhered to:

1. A committee approved by the Board will interview Board members whose term expires in March to determine which, if any, wish to serve another term.
2. At the March meeting, each member of the Board will be provided a ballot listing those who have expressed a willingness to be re-elected, and each Board member will complete a signed ballot voting for or against the re-election of each person named. A Board member being considered for re-election may cast a ballot for the other members up for re-election but may not vote for him or herself.
3. Tabulation of results and subsequent destruction of the ballots will be under the control of the committee. The chairperson of the committee will inform each candidate, in writing, of the results of the vote prior to May 1.

Number: 30

Subject: ACADEMIC FREEDOM AND RESPONSIBILITY

The Board of Trustees believes that it is essential for the faculty to be free to pursue scholarly inquiry without undue restrictions and to voice and publish conclusions concerning the significance of evidence developed through responsible research. Each faculty member must be free from the corrosive fear that others, inside or outside the university community, may threaten his or her personal career or the material benefits accrued from scholarly findings.

Each faculty member is entitled to freedom in the classroom when discussing the subject he is assigned to teach but must also accept the responsibility of professional integrity and competence in his field of specialization and exhibit such competency in lectures, discussions, and publications. Every faculty member must strive to be accurate, to exercise appropriate restraint, to show respect for the opinion of others, and to avoid creating the impression that he acts or speaks for the University when he speaks or acts as a private person.

Each faculty member must recognize that the public will judge his profession and his institution by his statements. It is clear from the Articles of Incorporation of the University that the institution is committed to New Testament Christianity. In accepting a position as a member of the faculty, it is understood that academic freedom shall not be regarded as a license to propagate a principle or ideology that violates the basic purpose for which the institution stands.

Number: 35

Subject: INTELLECTUAL PROPERTY

This is an official statement of university policy relating to intellectual property.

Sec. 1. Philosophy

Amberton University encourages participation by faculty, staff and students in scholarly research and creative activities, which support and enhance teaching in its classrooms and laboratories. While research conducted is aimed at discovery and dissemination of knowledge rather than profit from commercial application, the Board of Trustees recognizes that questions regarding intellectual property rights may arise from such activities. The Board of Trustees seeks through adoption of this policy to balance the interests of Amberton University and the inventor, author, or artist in intellectual property arising from research and creative activities conducted by employees and students. The Board further seeks to ensure that inventions, discoveries, creative works and trade secrets are used and controlled in an efficient and prudent manner which will result in maximum benefit to Amberton University and the inventor, author, discoverer or artist.

Sec. 2. Applicability

This policy shall apply to all persons employed by Amberton University or a component thereof and to anyone using facilities, resources or funds subject to control or supervision by Amberton University. This policy, as amended from time to time, shall be deemed to constitute part of the conditions of employment of every employee, including student employees, and of the conditions of admission, enrollment and attendance by every student of Amberton University. Unless otherwise excluded by the provisions hereof, this policy shall apply to intellectual property of all types (including any invention, discovery, trade secret, technology, scientific or technological development, computer software, conception, design, art work, creation or other form of expression of an idea) regardless of whether subject to protection under patent, trademark, or copyright laws, or common law.

Sec. 3. Copyright

3.1. Definitions

3.11. Copyright is the ownership and control of the intellectual property in original works of authorship. Copyright ownership and the rights thereof are defined by federal law. It is the policy of Amberton University that all rights in copyright shall remain with the creator of the work unless otherwise subject to contractual or legal obligations, or the work is a "work made for hire" as that term is defined by federal law.

A "work made for hire" is:

3.11a. a work prepared by an employee within the scope of his or her employment; or

3.11b. a work specially ordered or commissioned by the University.

3.12. For a more detailed definition of "work made for hire," see Title 17, United States Code Annotated, Section 101.

3.2. Ownership of Copyright

3.21. General

In keeping with academic tradition, the University does not claim ownership of books, articles, discoveries, software and similar works, the intended purpose of which is to disseminate the results of academic research or scholarly study. Such works include those of students in the course of their education (except as covered by sub-section 3.3 below). The University claims no ownership of popular nonfiction, novels, poems, musical compositions, software or other works of artistic imagination, which do not result from projects commissioned or ordered by the University. Unless evidence of excessive use or abuse of University resources, funds or facilities exists, the University will convey, upon request and to the extent consistent with its legal obligations, the copyright in such works to the individual creator(s) or author(s).

3.22. Sponsored Research Agreements

Copyright ownership of all material (including software) that is developed in the course of, or pursuant to, a sponsored research agreement (whether funded by a public or private agency or organization) shall be determined in accordance with the terms of the sponsored research agreement, or, in the absence of such terms, the copyright shall become property of the University.

3.23. Use of University Resources

3.23a. Copyright in all material (including software) that is developed with the significant use of funds, space, hardware, resources or facilities administered by the University, including but not limited to classroom and laboratory facilities, but without any obligation to others in connection with such support, resides in the University by operation of law. The University recognizes and affirms the traditional academic freedom of its faculty and staff to publish freely without restriction. In keeping with this philosophy, the University will not construe the provision of office or library facilities as constituting significant use of University funds, except for those situations where the funds were paid specifically to support the development of such material.

3.23b. Copyright in works resulting from projects that are performed in whole or in part by any person with financial support in the form of wages, salaries, resources, stipends or grants from funds administered by the University shall be determined in accordance with the terms of the support agreement or, in the absence of such terms, shall become property of the University.

3.23c. Copyright in works generated by research performed in whole or in part while utilizing equipment, resources or facilities provided to the University under conditions that impose copyright restrictions shall be determined in accordance with such restrictions.

3.3. Revenue Sharing

3.31. Works Not Owned by Amberton University. If the University does not claim ownership of an intellectual property, the author or creator may copyright the related work, publish it, register the copyright and receive any revenues which may result.

3.32. Works in Which Amberton University Has a Property Interest (Generally, Work for Hire)

3.32a. Royalty income received by the University through the sale, licensing, leasing or use of copyrightable material in which the University has a property interest will normally be shared with the author. Authorship for this purpose shall be determined by the University's Chief Executive Officer or such designee. Compensation and division of royalties, if any, will be negotiated by written agreement prior to commencement of work on the project.

3.32b. In the event that an author or creator contributes a personal work to the University, a written agreement accepting such contribution shall be executed. The terms of the agreement shall include a statement governing the division of royalties between the University and the author or creator.

3.32c. In cases of external funding, the terms of the funding agreement shall govern the division of any royalties that may result from commercialization of materials resulting. In the event that the funding agreement vests royalty rights in the University and does not provide any royalty share for the author, the terms of sub-section 3.3 shall apply. No such royalty payment to the author, however, may violate the terms of the funding agreement.

3.4. Use of University or Agency Sponsored Materials

3.41. Prior to the use of a work in which the University has an interest, the author will consult with the University through appropriate administrators, or provide a reasonable opportunity for such consultation, with respect to its use. The University reserves the right to use for instructional and research purposes, without obligation to make payment therefore, any works created by employees or students during their periods of employment or attendance and revisions or derivations on such works.

3.42. When unresolved questions on use occur, they shall be referred to the University's Chief Executive Officer or such officer's designee for resolution.

3.5. Revision of Materials

Materials, other than course instructional materials, owned by the University under the terms of this policy shall not be altered or revised without providing the author a reasonable opportunity to assume the responsibility for the revision. If the author declines the opportunity to revise such material, the assignment of responsibility for the revision will be made by the University's Chief Executive Officer or such officer's designee in consultation with the appropriate department or office will make the assignment of responsibility for the revision.

3.6. Withdrawal of Materials

3.61. Materials owned by the University under the terms of this policy shall be withdrawn from use when the University deems such use to be obsolete or inappropriate. No withdrawal or other discontinuance that would violate the terms of any licensing or other agreement relating to the materials shall take place.

3.62. The University may release to the author(s) the right to any work copyrighted in the name of the University.

3.7. Notice of Copyright

All material owned by the University under the terms of this policy shall be protected by notice of copyright in the name of the University. The proper form of such notice is as follows:

(20___, Amberton University. All rights reserved.

The date should be the year in which the work was completed or in which it was published, whichever is earlier. The name of the University should be spelled out in its entirety.

Sec. 4. Patents

4.1. Obligations

4.11 Employees and others who are subject to this policy by virtue of their employment or use of University services, resources or facilities shall disclose to the University's Chief Executive Officer or such officer's designee any invention or discovery (including those made under cooperative arrangements); provide complete information thereon; and cooperate with the University in protecting potential patent and know-how rights in accordance with Section 11, below.

4.12. When an invention arises from a project specially commissioned by the University, the inventor shall assign all rights, title and interest in and to any such invention to the University or its designee, and assist the University or such designee in securing patent protection thereon. In this instance, the inventor shall, upon request, execute an invention agreement prior to commencement of the project. Inventions not commissioned by the University are the ownership responsibility of the inventor.

4.2 Ownership of Patents

4.21 General

In keeping with academic tradition, the University does not claim ownership of patents, the intended purpose of which is to disseminate the results of academic research or scholarly study. Such works include those of students in the course of their education (except as covered by subsection 4.3 below). The University claims no ownership of patents. Unless evidence of

excessive use or abuse of University resources, funds or facilities exists, the University will convey, upon request and to the extent consistent with its legal obligations, the patent belongs to the individual creator(s) or author(s).

4.3. Sponsored Research

4.31. In cooperative undertakings sponsored by or involving third parties, provisions for the control of patents normally should be consistent with the general policy stated above. However, it is recognized that in some cases the interests of other organizations (federal, industrial, etc.) will justify modifications of the general policy. In those cases, the provisions with respect to patents shall appear in the applicable memorandum of understanding or agreement for the review and approval of the University's Chief Executive Officer. It is intended and provided that disclosed inventions will be identified and managed in accordance with patent policy and procedures.

4.32. Nothing in this policy shall be interpreted as precluding the acceptance of a contract, grant, agency or organization.

4.4. Royalties

4.41. After a deduction of ten percent (10%) for administrative costs and a deduction for the cost of patenting, licensing, and protection of invention and patent rights, the net royalties or other income arising from an invention or discovery shall be divided normally as follows:

Fifty percent (50%) to the inventor or inventors.

Fifty percent (50%) to the University.

4.42. In the event that a person contributes an invention to the University, a written agreement accepting such contribution shall be executed. The terms of the agreement shall include a statement governing the division of royalties between the University and the donor.

4.5. Use of Inventions and Discoveries

4.51. Prior to the use of an invention or discovery in which the University has an interest, the employee or student responsible for such invention or discovery will consult with the University through appropriate administrators, or provide a reasonable opportunity for such consultation, with respect to its use. The University reserves the right to use for instructional and research purposes, without obligation to make payment therefore, any inventions or discoveries made by employees or students during their periods of employment or attendance and revisions or derivations of such inventions or discoveries.

4.52. When unresolved questions on use occur, they shall be referred to the University's Chief Executive Officer or such officer's designee for resolution.

Sec. 5. Trademarks, Service Marks and Trade Names

5.1. Trademarks and service marks may be any work, name, symbol, or device or any combination thereof adopted and used by the University in the sale or advertising of goods or services to identify and distinguish such goods and services from those sold by others.

5.2. Trade names include any names used to identify Amberton University and its services.

5.3. The University's Chief Executive Officer or such officer's designee shall be responsible for protection and licensure of trademarks, service marks, and trade names used by or related to the University.

5.4. No licenses shall be granted to commercial entities for use of trademarks or service marks in connection with commercial services or stationary, alcoholic beverages, inherently dangerous products, products of obscene or disparaging characteristics, health related products, products classified as staple foods, meats, and natural agricultural products, and any other uses which in the opinion of the University's Chief Executive Officer or such officer's designee would degrade the reputation or goodwill of the University.

Sec. 6. Trade Secrets

Trade secrets may be comprised, generally, of any formula, pattern, device or compilation of information which gives one an opportunity to obtain an advantage over competitors who do not know or use it in commercial applications. Trade secrets in which Amberton University maintains an interest shall be protected in accordance with the terms of sponsored research agreements or, if none exist, by any lawful means available to the University as determined by the University's Chief Executive Officer or such officer's designee.

Sec. 7. Disclosure of Intellectual Property

7.1. All individuals who are subject to this policy have a duty to disclose promptly, in writing, and prior to any disclosure either to the public or for commercial purposes, any intellectual property created or discovered by such individual. Disclosure shall be made to the University's Chief Executive Officer or such designee at least 60 days prior to disclosure to the public.

7.2. The University's Chief Executive Officer shall maintain procedures for appropriate institutional review of such disclosures. The duty to disclose arises as soon as the individual has reason to believe, based upon his or her own knowledge or upon information supplied by others, that the intellectual property may be protectable under patent, trademark, or copyright law, or common law. Certainty about the protections to be afforded such intellectual property is not required before a disclosure should be made. Individuals shall execute such declarations, assignments, or other documents as may be necessary to protect the University's interest in such intellectual property.

7.3. Disclosure of equity ownership or management participation in a business entity that has an agreement with the University relating to research, development, licensing, or exploitation of

intellectual property created or discovered by an employee or student shall be made in accordance with Section 8 below.

Sec 8. Equity Ownership and Management Participation

8.1. Ownership of any equity interest in a business entity that has an agreement with the University relating to research, development, licensing, or exploitation of intellectual property created or discovered by a student or employee shall be disclosed to the University's Chief Executive Officer or such officer's designee. The University's Chief Executive Officer shall take any necessary steps to avoid injury to the University as a result of potential conflicts of interest arising out of such equity ownership.

8.2. No employee or student may serve as a director, officer, or employee of a business entity that has an agreement with the University relating to research, development, licensing, or exploitation of intellectual property in which the University has an ownership interest except upon request of or prior approval by the University's Chief Executive Officer. Authorization to serve as a director, officer, or employee of such a business entity may be subject to one or more conditions established to avoid injury to the University as a result of potential conflicts of interest.

8.3. The University may accept equity interests as partial or total compensation for rights conveyed in agreements with business entities relating to intellectual property owned by the University. The University may negotiate, but shall not be obligated to negotiate, an equity interest on behalf of any employee or student as a part of an agreement between the University and a business entity relating to intellectual property created, discovered, or developed by the employee or student and owned by the University.

Sec. 9. Disposition of Income

9.1. In the disposition of any net income accruing to the University or a component from patents, trade secrets or copyrights, first consideration shall be given to the promotion of instruction.

9.2. In the disposition of any net income accruing to the University or a component from licensure of trademarks or service marks, first consideration shall be given to the promotion of instruction.

Sec. 10. License Agreements

10.1 Agreements which grant a third party the right to make, use, or sell a patented invention, invention know-how, or trade secret that has been disclosed and assigned to, or is otherwise owned by, the University shall require approval by the University's Chief Executive Officer.

10.2. Agreements which grant a third party the right to reproduce, sell or use a copyrighted work, trademark, service mark, or trade name in which the University owns an interest shall require approval by the University's Chief Executive Officer.

Sec. 11. Administration of Intellectual Property

11.1. The University's Chief Executive Officer or such officer's designee shall be responsible for administering this policy. Duties encompassed by this responsibility shall include filing appropriate registration forms and supporting documents with the Copyright Office, Library of Congress, or the Patent and Trademark Office, negotiating and drafting licenses and other royalty agreements, drafting necessary agreements for specially commissioned works, determining the applicability of this policy and appropriate law to intellectual property, and adoption of regulations and procedures consistent with this policy statement and necessary for determination of ownership or protection of the University's interests in intellectual property. All referrals to the University's Chief Executive Officer or such officer's designee, under this policy, shall follow established procedures and administrative channels of communication.

11.2. In determining the University's ownership interest in any intellectual property and measures necessary for appropriate protection or exploitation of such interests, the University's Chief Executive Officer or such officer's designee may utilize assistance from designated University committees, the University Attorney, an appropriate private law firm or attorney, or corporations established for the purpose of managing intellectual property.

11.3. The responsibility for commercial marketing and licensure of intellectual property and for maintenance of appropriate fiscal records is assigned to the University's Chief Executive Officer or such officer's designee.

11.4. All expenses of copyright registration, patenting and other forms of protection sought by the University shall be borne by the University. If the University fails or refuses to pursue within a reasonable period any registration of copyright or patent, or other protection, for intellectual property in which a student or employee has an ownership or royalty interest, the student or employee may independently pursue registration or other protection of such interest. The individual shall be reimbursed for expenses related to such protective action if the University subsequently decides to assert and exploit the institution's interests in the property.

11.5. The University's policy on Intellectual Property shall be reviewed by the Board every three years as a part of the budgetary process. The CEO of Amberton reviews all the policies and regulations of the University annually. The Amberton University Board is the only body that can make policy for the University.

Number: 45

Subject: RESTRICTION STATEMENT ON RETIREMENT FUNDS

The Amberton University Pension Plan and Trust is under the oversight of the Amberton University Corporation. The Board of Trustees of Amberton University appoints the University's CEO, and/or his/her designate, to administer the Amberton University Pension Plan and Trust.

The Board of Trustees authorizes the administrator to distribute retirement funds from the Pension Plan and Trust to specific individuals who are entitled to receive such funds. Withdrawal and disbursement of retirement funds will be allowed only to specific individuals and for the exact amount to which they are entitled, and any and all such disbursements of funds will be reported to the Board of Trustees on a regular basis.

The investing of the Amberton University Pension Plan and Trust will be dictated by the Trustees of the plan, appointed by the Board of Trustees of Amberton University. Investment activity will be reported annually to the Board of Trustees of Amberton University.

Number: 50

Subject: AWARDING HONORARY DEGREES

The Board of Trustees shall be responsible for approving all recommendations for the awarding of an honorary degree from Amberton University.

Number: 52

Subject: LEGAL PROCEDURES

All legal matters that involve Amberton University will be coordinated through the Chief Executive Officer's Office.

Number: 54

Subject: SUNDAY CLASSES

The offering of Sunday classes will be restricted to a time frame whereby no class will begin prior to 1:00 pm or run later than 5:00 pm.

Number: 60

Subject: INVESTMENT POLICY

INTRODUCTION

The investment policy of Amberton University is developed to provide standards for investing. Annually, the Board of Trustees will review the performance of the fiscal operations of all funds under the authority or auspices of the University and will, when appropriate, modify or change the investment policy of the institution to comply with expectations.

Any and all revisions to the Amberton University investment policy must be approved by the Board of Trustees.

STANDARDS OF CONDUCT

With respect to all activities and responsibilities set forth herein, the Board of Trustees and all designated financial managers shall exercise the same reasonable judgment, care, discretion and intelligence in managing and investing Amberton University funds as expected of one prudently managing his/her own financial affairs.

INVESTMENT OBJECTIVES

The overall objective of Amberton University investing is to preserve and increase the value of the investable assets by utilizing prudent investment practices. Consideration should first be given to the safety of the investment followed with the probable increase in value of the investment.

As a matter of policy and in accordance with prudent investing, investment activities in the following are prohibited:

Short sales, margin purchases or borrowing

Commodities

Puts, calls, or options

Securities of entities not under the jurisdiction of Courts in the United States

Stock loans, letter stock, or private placement

MONITORING AND REPORTING

The financial administration of Amberton University shall assume primary responsibility in overseeing the day-to-day operations of the University's investing activities. The Board of Trustees

and/or the administration of the University may also consult or hire professional financial managers to help with the investing and management of institutional and institutionally related funds.

The University CEO will annually provide the Board of Trustees with a report identifying funds invested, type of investments, total dollars invested and true market value of University and University related investments. The CEO's report will be made a part of the annual written report to the Board of Trustees.

Number: 65

Subject: ENDOWMENT FUNDS

All Endowment Funds of Amberton University are restricted and under the auspices of the Board of Trustees. While the Board empowers the University's President to oversee the management and investment of Endowment Funds, special approval must be given by the Board before any Endowment Funds and/or such investments are liquidated or transferred to any agency or person(s) other than Amberton University.

While all interest, dividends, and income from Endowment Fund investments will be processed through the Current Fund and viewed as a part of annual income, no part of Endowment funds will be transferred to another University Fund group, agency, or individual without Board approval. The University may not withdraw funds from Endowment without Board approval.

The Board encumbers the President and Chief Financial Officer of the University, individually and collectively, to inform the Board immediately of any attempts to convert or transfer Endowment Funds outside of the normal financial management of Endowment Funds and such investments.

Number: 70

Subject: INDEMNIFICATION POLICY

Indemnification Policy for Former Officers and Board Members of Amberton University

The purpose of this Indemnification Policy is to provide indemnification to former officers and board members of Amberton University (the "University") for certain liabilities and expenses incurred in connection with their service to the University.

Scope: This policy applies to individuals who have served as officers of the University and have subsequently ceased to hold such positions, including but not limited to former presidents, vice presidents, deans, directors, and other executive officers. This policy also applies to individuals who have served as board members of the University and have subsequently ceased to hold such positions.

Indemnification: The University shall indemnify and hold harmless its former officers and board members to the fullest extent permitted by law against all expenses, liabilities, and losses, including but not limited to legal fees, judgments, fines, settlements, and other costs incurred in connection with any actual or threatened civil, criminal, administrative, or investigative proceeding, to the extent that such indemnification is permissible under applicable law.

Conditions of Indemnification: Indemnification under this policy shall be provided only if the former officer and/or board member acted in good faith and in a manner reasonably believed to be in or not opposed to the best interests of the University, and with the care that an ordinarily prudent person in a similar position would exercise under similar circumstances. Indemnification shall not be provided for any actions or omissions determined to be fraudulent, intentional misconduct, or grossly negligent.

Advancement of Expenses: In addition to indemnification, the University, with Board approval, may advance expenses, including attorneys' fees and other costs, to former officers and/or board members in connection with legal proceedings, provided that the former officer and/or board member undertakes to repay such advances if it is ultimately determined that they are not entitled to indemnification under this policy.

Insurance: The University may, at its discretion, maintain insurance coverage to provide indemnification for its former officers and board members to the extent permitted by law and subject to the terms and conditions of any applicable insurance policies.

Procedure for Indemnification: Any former officer or board member seeking indemnification under this policy shall make a written request to the Board of Trustees or its designated representative, providing all relevant information and documentation necessary to evaluate the

request. The Board of Trustees or its designated representative shall review the request in accordance with this policy and applicable law and make a determination regarding indemnification.

Amendment and Termination: This policy may be amended, modified, or terminated by the Board of Trustees at any time, provided that such action does not adversely affect the rights of former officers with respect to indemnification for actions taken prior to the amendment, modification, or termination.

Effective Date: This policy shall be effective as of March 19, 2024 by vote and approval of the Amberton University Board of Trustees.

Number: 75

Subject: BOARD OF TRUSTEES EVALUATION

Date: June 2025

The Board of Trustees will conduct a self-evaluation at least every three years. The Chairperson of the Board of Trustees will facilitate this process.

Number: 110

Subject: STRATEGIC PLANNING

The responsibility for strategic planning and control rests with the Chief Executive Officer of the corporation who has the specific duty to oversee and control the essential planning elements of the University. In order to handle the daily activities and coordination of strategic planning and control, a Vice President for Strategic Services will serve as the University's Chief Research Officer (CRO).

DEFINITION

The concept of strategic planning and control (SP/C) is best understood by defining terms. Strategic refers to all the elements that are critical and essential to the present and future operations of the University. Planning is the detailing of a scheme or method for the accomplishment of an objective. Thus, strategic planning implies the defining of goals or objectives, as well as identifying the methodologies to be employed for accomplishing the goals.

Control is the process whereby factual pieces of information are gathered, interpreted, and compared to predefined standards to assure quality standards and goal satisfaction.

FUNCTION OF STRATEGIC PLANNING AND CONTROL

The planning and control functions of the Office for SP/C are designed to assist the administration in making managerial decisions. The SP/C office is involved in mission reviewing, goal setting/attaining, self-analyzing, future projecting, and future planning. From these endeavors, a broad model is developed. The model is designed to produce not a rigid plan but a flexible profile--not a blueprint but a framework for action--not immutable goals or objectives but an image of the future intended for the University.

Amberton University's strategic planning purposefully avoids the concept of "a short-term plan" or "a long-range plan." At Amberton University, strategic planning is a process that has no end. It has benchmarks, but planning will not reach completion in eighteen months or in five years. Regularly, goals are reviewed as objectives, as accomplished and as new goals and objectives are developed. If a goal is worthy of accomplishment, whether it takes a year, five years, or ten years, it will be pursued until achieved. Thus, the strategic planning process of Amberton University is a continuous, sliding plan that is composed of goals and objectives of both a short-term and long-term perspective. To Amberton University, strategic planning is an ongoing process of planning steps that allow for continuous reevaluation and reshaping of the University's future.

METHODOLOGY

The Chief Research Officer utilizes the *Strategic Planning and Control Manual* to assure compliance to the mission statement of the University and to control the process for formulating and completing institutional goals and objectives.

The strategic planning function of the University is ongoing, with formal reviews and updates made annually.

EVALUATING THE STRATEGIC PLANNING PROCESS

The Administrative Council and the University's Strategic Planning Committee (composed of staff and faculty personnel) will annually evaluate (1) the assessment techniques utilized, (2) the variables and factors considered in the evaluation process, and (3) the clarity of presentations and interpretations of finds of the strategic planning process. Approved recommendations will be incorporated into the *Strategic Planning and Control Manual* and followed in assessing institutional outcomes and futures.

AMBERTON UNIVERSITY GOALS

Amberton University will increase student headcount and enrollment for long-term sustainability.

Amberton University will develop and implement relevant, in demand academic programs designed to meet the needs of the working adult student and the community at large.

Amberton University will assess and improve its information technology infrastructure to increase effectiveness and efficiency of its operations.

Amberton University will assess and develop a Facilities Master Plan to improve the Garland Campus physical structure and appearance for increased usage.

Amberton University leadership will evaluate the organizational structure to determine areas of need and redundancy and to ensure organizational effectiveness and sustainability.

Number: 125

Subject: DEPARTMENT GOALS

Annually, each department of the University will review, evaluate, and establish departmental development goals. These goals will not only be forwarded to the Strategic Planning Office for incorporation into the strategic planning process but also will be provided to all employees of the division in order to assure goal achievement and compliance.

Number: 130

Subject: AMBERTON UNIVERSITY TECHNOLOGIES

GOAL

Amberton University shall integrate technology into all aspects of the institution including teaching, researching, record keeping, reporting, and communicating. In that technology is not an objective but a tool, its presence and use shall be transparent yet available throughout all the learning and operational processes of the University.

OBJECTIVES

- Amberton University shall provide adequate technologies to enable students to register easily and quickly while the institution adequately controls the process and maintains security of data.
- Amberton University shall provide technologies that allow faculty, students, and employees of the University to communicate with one another both verbally and in writing.
- Amberton University shall develop technologies that provide accurate and accessible record keeping for both University records and student use.
- Amberton University shall develop technologies that enable all constituents of the institution to participate in research both in house and online.
- Amberton University shall develop technologies that allow students to learn and have access to student services from distant locations.
- Amberton University shall develop throughout the University environment technologies that enhance classroom learning and improve the management of information.
- Amberton University shall develop training programs that enhance the technology usage skills of all its constituents.
- Amberton University shall employ technologies that safeguard information that would personally identify the user to unauthorized parties.

DEFINITION OF TECHNOLOGIES

Amberton University shall define technologies as (1) the institution's telephone system, (2) all institutional fax machines, (3) all institutional computers and networks, and (4) all hardware and software that interfaces with the institution's telephone system, fax machines, and/or computers.

MANAGEMENT OF TECHNOLOGIES

The Chief Technology Officer (CTO) shall serve as chairperson of the Technology Committee of Amberton University. The Technology Committee shall be comprised of from three to seven members, each member being experienced in the management of information and familiar with the technologies.

RENEWAL OF TECHNOLOGIES

Each year during the budget process, each division of the University will evaluate the age of equipment and identify needs for additional equipment. The Technology Committee will evaluate all recommendations in light of institutional technology objectives and take into consideration the needs of all institutional divisions, without partiality to one division, and recommend to the Budget Committee the replacement of old (outdated) equipment first and recommend the distribution of new equipment in an equitable manner based upon institutional objectives. The Budget Committee will make the final decision on technology purchases based upon funds available.

Number: 140

Subject: STANDARDS FOR SAFEGUARDING EMPLOYEE AND STUDENT INFORMATION

While Amberton University is not subject to the Gramm-Leach-Bliley Act (GLB Act, Nov. 12, 1999) because it is not “significantly engaged” in financial activities, the Administration of Amberton chooses to comply with the “Information Security Program” proposed by the Act because it supports the best interests of Amberton’s employees and students.

This regulation is concerned with “safeguarding” all records containing nonpublic personal information on an employee or student. Amberton University will maintain an “Information Security Program” (ISP) to assure compliance to its standards.

- A) The Chief Technology Officer shall coordinate all aspects of the program and shall:
 - 1) Identify current and foreseeable internal and external risks to the confidentiality, and integrity of employee and student information.
 - 2) Assess the sufficiency of any safeguards in place to control identified risks.
 - 3) Minimally, include the following in the assessment:
 - a.) Employee Records
 - b.) Student Records
 - c.) Information systems and access
 - d.) Detecting, preventing, and responding to intrusions or system failures
 - 4) The safeguards developed will be tested and/or monitored for effectiveness.
 - 5) Evaluate external service providers to assure they are capable of maintaining appropriate safeguards for information received or transmitted by Amberton.
 - 6) Evaluate and adjust the ISP in light of any material change that could impact safeguards.
- B) Program will be evaluated annually or more often as changes dictate.

Number: 145

Subject: AMBERTON UNIVERSITY IDENTITY THEFT PREVENTION PROGRAM

Amberton University has developed an Identity Theft Prevention Program (Program) pursuant to the Federal Trade Commission's Red Flags Rule, which implements Section 114 of the "Fair and Accurate Credit Transactions Act of 2003." The Vice President for Administrative Services coordinates the Program as authorized by the Office of the President. Coordination of the Program includes training of all University personnel who, in the course of their job responsibilities, are in positions where "Red Flags" indicating possible identity theft are likely to be identified. "Red Flags" are defined as patterns, practices, or specific activities that indicate the possible existence of identity theft.

The Identity Theft Prevention Program document is on file in the Business Services Office. The Program contains reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing academic records, financial accounts, and personnel files and incorporate these Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically to reflect changes in risks.

This regulation is coordinated with Policies and Regulations #140 (Amberton University Information Security Program), which addresses the "safeguarding" all records containing nonpublic personal information on an employee or student.

Number: 201

Subject: ADMINISTRATIVE POSITIONS

Job descriptions for administrative, faculty, and staff positions will be reviewed and updated annually.

Copies of all job descriptions and organizational charts will be maintained and made available through the Chief Personnel Officer's office.

Number: 203

Subject: EMPLOYEE CONDUCT AND WORK RULES

In order that Amberton University might conduct its business and academic programs in accordance with the highest moral, ethical, and legal standards, each employee of Amberton University will observe both the letter and the spirit of the law. All situations, including those where no legal principle is clear, will be handled with an integrity that is based upon Christian ethical principles.

GIFTS/CONTRIBUTIONS/INDUCEMENTS

While the rejecting or returning of inexpensive perishable gifts given to an office area may be impractical or embarrassing to the giver, no gift of value may be accepted by an employee given as a result of services rendered or expected while in the employment of the University. Other than small tokens of appreciation (card/notes of appreciation), a supervisor will not expect or accept gifts from his/her staff; and employees will not be asked or expected to contribute to the personal interests of any superior.

Amberton University prohibits inducements, including any gratuity, favor, discount, entertainment, hospitality, loan, transportation, lodging, meals, or other item having a monetary value of more than a *de minimus* (defined as an insignificant amount) to any individual or entity, or its agents including third party lead generators or marketing firms other than salaries paid to employees or fees paid to contractors in conformity with all applicable laws for the purpose of securing enrollments of any students, including Service members or obtaining access to Tuition Assistance funds. Educational institution sponsored scholarships or grants and tuition reductions available to military students are permissible.

CONFIDENTIALITY OF INFORMATION

Any and all information made available (in the course of business or by accident) to an employee while working at Amberton University is to be considered private and confidential. No employee will reveal confidential information to anyone who does not have University authority of access or a declared legal right. A violation of confidentiality is subject to immediate termination of employment.

GENERAL BEHAVIOR

To ensure orderly operations and provide the best possible work environment, Amberton University expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property

- Activities that constitute a conflict of interest, such as having business dealings with companies that are vendors of the university resulting in employee's personal gain.
 - In addition, Amberton University will not provide any commission, bonus, or other incentive payment based directly or indirectly on securing enrollments or federal financial aid, including Tuition Assistance Funds, to any persons or entities engaged in any student recruiting, admission activities or making decisions regarding the award of student financial assistance.
 - In the recruitment of students, Amberton prohibits high pressure recruitment tactics, such as, but not limited to making multiple unsolicited contacts (3 or more), including contacts by phone, email, or in-person, and engaging in same-day recruitment and registration for the purpose of securing Service member enrollment or securing financial aid funds.
- Falsification of any Amberton University records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to damage of employer-owned, employee-owned, or student-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual, racial, religious or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace. Firearms may be permitted if the individual has the proper License to Carry authorization and adheres to the policies and regulations of concealed carry on campus.
- Excessive absenteeism, tardiness, or any absence without notice
- Unauthorized absence from work station during the workday
- Unauthorized use of telephones, computers, mail system, or other employer-owned equipment
- Violation of personnel policies
- Unsatisfactory performance or conduct

Employment with Amberton University is at the mutual consent of Amberton University and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, Amberton University expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Amberton University's services. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

PERSONAL APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image Amberton University seeks to present to students and visitors. When Amberton University is open to students or the public, “working attire” is required of all employees.

During public working hours, employees are expected to present a clean and neat appearance, absent of any strong or obnoxious odors, and dressed according to the requirements of their positions.

Amberton does not seek to dictate a dress code or be too restrictive in defining employees’ working attire, however while casual dress is acceptable, sloppy dress is not.

The interpretation of acceptable casual dress at Amberton University must support a modest, clean, neat, professional atmosphere supportive of adult learning.

Since it is impossible to enumerate all the possible clothing combinations that would be acceptable as working attire, guidance is best accomplished by describing unacceptable attire. The list of unacceptable attire is not intended to be conclusive, but descriptive of the philosophy governing expectations.

Unacceptable Attire includes the following:

- Clothing that is sloppy, stained, overly worn, dirty, ripped, flashy, loud or disrespectful;
- Bare, revealing, see-through, or suggestive clothing;
- Gym or athletic shorts;
- Flip flops or open-toed shoes for men;
- Shirts hanging out of trousers, pants, or skirts that are not squared-off and hemmed; or
- Clothing that advertises another college/university or clothing with slogans or pictures that advertise a product, or are sexually suggestive.

PERSONAL GROOMING

Employees are prohibited from intentionally altering or modifying their bodies through body art or body piercing in order to achieve a visible effect that disfigures, deforms or otherwise detracts from a professional image. Hair, make-up, and nails must be conservatively styled. Beards, mustaches, goatees, if desired, are to be neatly trimmed. If the employee has a visible tattoo, steps are to be taken to cover as much of the exposed area as possible.

Employees who appear for work inappropriately dressed or groomed will be sent home and instructed to return to work only when properly dressed/groomed. Under such circumstances, employees will not be compensated for the time away from work.

The employee's supervisor should be consulted if there are questions as to what constitutes appropriate attire.

OFFICE DECOR

Each employee of the University is assigned a designated work area. It is the responsibility of the employee to keep the assigned work area neat, orderly, and professional looking. Eating and/or cluttering the work area with non-business related equipment or items is not permitted. The University provides several locations for lunch and/or breaks. Employees are to use the break areas for personal time.

DRUG AND ALCOHOL USE

It is Amberton University's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on Amberton University premises and while conducting business-related activities off Amberton University premises, no employee may buy, use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

OFFICE STAFFING AND SECURITY

Security of personnel and property is paramount to Amberton University. All offices that open to the public will be staffed with a minimum of two people. Personnel working in non-public areas will secure (lock) their office when absent.

UNAUTHORIZED PERSONNEL IN WORK AREA

Personal guests are welcome to visit in work areas, but their presence must be limited in both access to data and time. Minors, dependents, and/or students are not to remain in work areas or used for work. Volunteers will be allowed in work areas to assist in work only on approval of the Chief Personnel Officer.

Number: 205

Subject: NON-DISCRIMINATION POLICY

Amberton University is committed to providing a work and educational environment free of Discrimination and Harassment. The University does not discriminate or tolerate Discrimination or Harassment against individuals on the basis of sex, gender, race, color, ethnic or national origin, age, disability, genetic information or veteran status (collectively, “Protected Status”) in its employment, admissions, and/or education programs and activities.

As a nondenominational Christian institution, Amberton University is exempt from some of Title IX^[1] and Title VII’s^[2] requirements because of its commitment to Christian ethics.^[3] While Amberton University does not discriminate on the basis of religion concerning admission, the University does discriminate on the basis of religion concerning employment. Because the University is committed to Christian ethics, a Christian commitment is required of all employees.

I. Scope

A. Generally

This Policy applies to Prohibited Conduct in all University education programs and activities and to all participants in such education programs and activities, including administrators, faculty, staff, students, volunteers, contractors, and guests. This Policy covers Prohibited Conduct that occurs on campus, in connection with an official University program or activity (regardless of location), and to off-campus conduct when the conduct could deny or limit a person’s ability to participate in or benefit from the University’s programs and activities or when the University, in its sole discretion, has an identifiable interest in the off-campus conduct.

B. Interaction with University Title IX Policy

All allegations of sex discrimination which rise to the level of Sexual Harassment occurring within the University’s Education Programs and Activities as defined by the University’s Title IX Policy^[4] are handled exclusively pursuant to the procedures outlined in that Policy. All other acts of Discrimination—including acts of Sex Discrimination, which do not rise to the level of Sexual Harassment occurring within the University’s Education Programs and Activities as defined by the University’s Title IX Policy—are handled pursuant to this Policy.

II. Definitions and Prohibited Conduct

The following are categories of conduct that are prohibited by this Policy (“Prohibited Conduct”) and may result in disciplinary action when committed by University employees or students.

- A. “Discrimination” is conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their education or employment because of their Protected Status.

- B. “**Harassment**” as used in this Policy is verbal and/or physical conduct (i) that is severe or pervasive, (ii) that is based on an individual’s Protected Status, and (iii) that unreasonably interferes with the individual’s work or academic activities, or that creates an intimidating, hostile, or offensive University environment.

- C. “**Other Sexual Harassment**” as used in this Policy means unwelcome, sex-based verbal or physical conduct that:
 - 1. in the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile, or offensive work environment; or
 - 2. in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from the University’s educational programs or activities.

Other Sexual Harassment does not include allegations of sex discrimination, which rise to the level of Sexual Harassment occurring within the University’s Education Programs and Activities as defined by the University’s Title IX Policy.

- D. “**Sexual Exploitation**” occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own benefit, or to benefit anyone other than the affected individual, and that behavior does not otherwise constitute other Prohibited Conduct.

Examples of Sexual Exploitation include, but are not limited to:

- causing or attempting to cause the Incapacitation^[5] of another individual for sexual purposes;

- electronically recording, videoing, photographing, or transmitting sexual sounds or images of another individual without their Consent;
 - allowing a third-party to observe sexual acts without all parties' Consent;
 - engaging in voyeurism (*e.g.*, watching private sexual activity without the Consent of the participants or viewing another person's intimate parts (including genitalia, breasts, or buttocks) in a place where that person would have a reasonable expectation of privacy); or
 - knowingly exposing another individual to a sexually transmitted disease/infection or HIV.
- E. **“Other Unprofessional/Inappropriate Conduct”** is behavior or conduct of a sexual nature that is unprofessional and/or inappropriate for the educational and/or working environment, but does not rise to the level of Sexual Harassment or other form of Prohibited Conduct outlined above.
- F. **“Retaliation”** is any attempt to seek retribution against an individual or group of individuals involved in filing a complaint or report under this Policy, filing an external complaint, participating in a disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of this Policy. Retaliation can take many forms, including abuse or violence, threats, and intimidation. Actions in response to a good faith report or response under this Policy are considered retaliatory if they have a materially adverse effect on the working, academic or University-controlled living environment of an individual; or if they hinder or prevent the individual from effectively carrying out their University responsibilities. Any individual or group of individuals can engage in retaliation and will be held accountable under this Policy.
- G. **“Complainant”** means an individual who is alleged to be the victim of Prohibited Conduct.^[6]
- H. **“Respondent”** means an individual who has been reported to be the perpetrator of Prohibited Conduct.

III. Reporting Complaints of Prohibited Conduct

Community members who experience or witness Prohibited Conduct should submit a complaint to the appropriate University administrator. The following offices have been designated to handle complaints of a violation of this Policy:

Dr. Jo Lynn Loyd
Vice President for Strategic Services & Compliance Officer
Amberton University
Garland, Texas 75041
(972) 279-6511 ext. 126
JLoyd@Amberton.edu

While verbal reports of Prohibited Conduct will be received and responded to as appropriate considering the wishes of the reporting individual(s) and the circumstances of each case, the University strongly recommends reports of violations of this Policy be submitted in writing. The written complaint should identify the parties involved; describe the Policy violation, including when and where it occurred; and identify by name or description any witnesses and/or evidence. Written complaints will be treated as confidentially as practical and shared only on a need-to-know basis.

IV. Supportive Measures

Regardless of the complaint resolution process utilized in response to a complaint of Prohibited Conduct, the University will, to the extent practicable based on the University's resources, provide the Complainant with support and resources to restore or preserve equal access to the University's education programs and activities and/or employment. Such measures are designed to protect the safety of all parties implicated by a report or to deter Prohibited Conduct. Supportive measures may include, but are not limited to: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

V. Complaint-Resolution Process

A. Receipt of a Complaint and Preliminary Assessment

Upon receipt of a complaint, the Compliance Officer (or their designee) (hereinafter the "Administrator") will conduct a preliminary inquiry designed to assess:

1. the institutional policy or policies potentially invoked by the alleged conduct,
2. the appropriate University official to respond to the complaint, and
3. the best path of resolution for the complaint.

In the event the Administrator determines there are no reasonable grounds for believing the conduct at issue constitutes a violation of this Policy, the Administrator will close the complaint.

B. Informal Resolution

The Administrator will determine whether informal resolution is an appropriate mechanism of resolution based on the information provided about the incident. Options for informal resolution include, but are not limited to, mediation, restorative justice, or other form of alternative resolution. If informal resolution is determined to be appropriate, the Administrator or their designee will meet separately with both parties to discuss an informal resolution based on the information available. If the proposed resolution satisfies the University's obligation to provide a safe and non-discriminatory environment for the University Community, the resolution will be implemented, and the matter will be closed. The Human Resources and/or Student Life offices will maintain records of all reports and conduct referred for informal resolution.

C. Formal Resolution Procedures

If the Administrator determines that a formal investigation is warranted to resolve a complaint, the University will determine whether an employee or student is responsible for a violation of this Policy and what, if any, corrective action is appropriate, in accordance with the procedures described below.

1. Assignment of Investigator

The Administrator will appoint an investigator or investigative team with experience investigating allegations of discrimination and harassment. The investigator(s) may be an employee of the University or an external investigator engaged to assist the University in its fact gathering.

2. The Investigation

The investigation will be conducted in a manner appropriate in light of the circumstances of the case. The investigation may include, but is not limited to, conducting interviews of the complainant(s), the respondent(s), and any witnesses (witnesses must have observed the acts in question or have information relevant to the incident); reviewing law enforcement investigation documents, if applicable; reviewing personnel files; and gathering, examining, and preserving other relevant documents and physical, written, and electronic evidence (including text messages and other phone records, social media posts, security camera footage, etc.). The parties will be afforded an opportunity to identify and present relevant witnesses and evidence to the investigator, as well as identify witnesses who may have relevant information.

3. The Investigator's Report and Conclusions

The investigator will make conclusions as to whether the respondent violated any provision of this Policy. The standard of proof shall be by a preponderance of the evidence. The investigator's findings and conclusions may be shared with the Administrator in a written report.

- a. **Determination of No Policy Violation.** If the investigator determines that the respondent did not violate any provision of this policy, the Administrator will determine and document the appropriate resolution of the complaint and notify the parties of that determination. Appropriate resolutions may include, but are not limited to, dismissal of the complaint, conferences with one or more of the parties, and the introduction of remedial and community-based efforts such as educational initiatives and/or trainings.
- b. **Determination of a Policy Violation.** If the investigator determines there is sufficient information to find, by a preponderance of the evidence, that the respondent violated this Policy, the matter will be referred for corrective action.

D. Corrective Action

If the Respondent is found responsible, the Executive Vice President will take corrective action as follows:

1. For Policy violations by employees (including staff, faculty, and students acting in their capacity as student employees), the Executive Vice President will consult with the individual supervisor and department head to determine appropriate corrective action up to and including termination of employment.
2. For Policy violations by contractors, vendors, and others doing business with the University, the Executive Vice President will consult with the contracting department to determine the appropriate resolution, up to and including termination of a contractual relationship.
3. For Policy violations by students, the Executive Vice President will take corrective action including, but not limited to, the following sanctions:

Violations of the ethical standards expected of students may result in disciplinary action. Such action may take the form of a reprimand, probation, suspension, legal sanctions, and/or expulsion from the University. Suspension and any discipline short of expulsion are not considered punishment but a part of the educational process. A student may be suspended for an indefinite period of time, depending upon the offense. Expulsion is permanent.

Mandatory Transcript Notations. Texas law requires a notation on the transcript of any student who is ineligible to reenroll in the University for a reason other than an academic or financial reason. Therefore, this requirement applies to violations of this Policy that result in ineligibility to enroll in the University for any period of time, such as suspension and expulsion. In addition, if a student withdraws while there are pending disciplinary charges that may result in the student becoming ineligible to reenroll in the University for a reason other than an academic or financial reason, the University will not end the disciplinary process until a final determination of responsibility has been made. A disciplinary charge becomes a pending matter upon the initial receipt of the complaint, whether oral or written.

E. Appeals

Appeals of findings of responsibility against Student-Respondents will be handled pursuant to the Due Process in Handling Violations of Ethical Standards procedures contained in the University's Student Handbook section of the Amberton Catalog and listed on the University's website at:

<https://www.amberton.edu/help-and-advice/student-life-and-conduct.html>.

Appeals of findings of responsibility against Employee-Respondents will be handled pursuant to the University's Employee Grievance and Appeals Policy (336).

E. Knowingly Filing a False Complaint

Knowingly filing a false complaint is a violation of this Policy. Such conduct may result in corrective action up to and including separation from the University.

^[1] See 20 U.S.C. § 1681(a)(3).

^[2] See 42 U.S.C. § 2000e-2(e)(2).

^[3] To learn more about the University's commitments, visit <https://www.amberton.edu/choosing-amberton/our-values.html>.

^[4] Available at <http://records.amberton.edu/207.html>

^[5] This Policy adopts by reference the definitions of Incapacitation, Consent, and Coercion provided in the University's Title IX Policy.

^[6] A Complainant and Respondent are each individually a "party" and collectively the "parties" with respect to a complaint under this Policy.

Number: 206

Subject: Employee Mandatory Reporting

During the 2019 Texas legislative session, Senate Bill 212 was passed into state law. This new law requires **all employees** of Texas universities **to report** incidents of sexual harassment, sexual assault, dating violence, or stalking allegedly committed by or against a student or employee, to a Title IX Coordinator or Deputy Title IX Coordinator. **Under this new law, an employee who fails to report or falsely reports such an incident will also be subject to criminal liability (misdemeanor) and termination of employment.**

SB 212 Regulation Highlights

- The bill requires an employee who in the course and scope of employment, witnesses or receives information regarding an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, dating violence, or stalking, and which is alleged to have been committed by or against a person who is a student or employee of the institution at the time of the incident, must promptly report the incident to the institution's Title IX Coordinator or Deputy Title IX Coordinator.
- If an employee is required to report and fails to make a report, or with the intent to harm or deceive, knowingly makes a report that is false, then the offense is a Class B misdemeanor; If it is shown at trial that the employee acted with an intent to conceal the incident, then the offense is a Class A misdemeanor.
- The institution **will be required to terminate an employee** whom the institution determines, in accordance with the institution's disciplinary procedure, to have committed the offense of failing to report or making a false report to the institution.
- The Title IX Coordinator must submit a written report of the reports received by the institution, to be submitted quarterly to the President.
- At least once during each fall or spring semester, the President will be required to submit to the Board of Trustees, and post on the institution's website, a report that must include:

The number of reports received by the institution;

The number of investigations conducted as a result of those reports;

The disposition, if any, of any disciplinary processes arising from those reports;

The number of those reports for which the institution determined not to initiate a disciplinary process, if any; and

Any disciplinary actions taken regarding failure to report or false reports to the institution.

- The institutional implementation requirements of this bill became effective January 1, 2020.
- Employees who have been designated as confidential employees are required to report the type of incident only.
- Students who are also employees are strongly encouraged, but not required, to report. (Students are defined as full-time students who may work part-time for the institution.)
- No retaliation provision: It is a violation of Amberton’s policy to discipline or otherwise discriminate against an employee who in good faith makes a mandatory report or cooperates with an investigation, disciplinary process, or judicial proceeding relating to a mandatory report.

Reports can be made to the Title IX or Deputy Coordinator at or online through the Amberton website: <https://www.amberton.edu/help-and-advice/title-ix.html> Click on Help and Advice – Sexual Misconduct and Title IX Statements. Scroll to the bottom of the page to access the Reporting Tool. Anyone with concerns or questions is encouraged to contact the Title IX Coordinator or Deputy Coordinator.

Title IX Coordinator: Dr. Jo Lynn Loyd, VP for Strategic Services
JLoyd@Amberton.edu
 972/279-6511 ext. 126

Deputy Coordinator: Dr. Brent Bradshaw, Executive VP
BBradshaw@Amberton.edu
 972/279-6511 ext. 141

Number: 207

Subject: TITLE IX POLICY

Students, staff, faculty, and all employees have the right to pursue education and work in an environment free from Sexual Harassment. Consistent with Amberton University's Non-Discrimination Policy^[1] and the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972 ("Title IX") (*see* 34 C.F.R. § 106 *et seq.*), the University prohibits Sexual Harassment that occurs within its education programs and activities.

As further defined below, Sexual Harassment includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking. The University will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the University's education programs and activities.

I. Scope

This policy applies to Sexual Harassment that occurs within the University's Education Programs and Activities that is committed by a student, employee (including administrators, faculty, staff, and part-time employees), trustee, visitor, volunteer, and others affecting the University community.

This policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the University's Education Programs and Activities; such sexual misconduct may be prohibited by other University policies, including the Non-Discrimination Policy.^[2] Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the University's Education Programs and Activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Non-Discrimination Policy.

II. Definitions

- A. "Sexual Harassment"** for purposes of this policy is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.
- B. "Quid Pro Quo Sexual Harassment"** occurs when an employee of the University conditions the provision of aid, benefit, or service of the University on an individual's participation in unwelcome sexual contact.
- C. "Hostile Environment Sexual Harassment"** is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it

effectively denies a person access to the University's education programs and activities.

In determining whether a Hostile Environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. The University will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant's position. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

Sexual Harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or gender stereotyping, even if those acts do not involve conduct of a sexual nature. Further, making employment or educational decisions based on sexual favoritism or on the basis of gender is strictly prohibited.

Some specific examples of conduct that may constitute Sexual Harassment if unwelcome include, but are not limited to:

- Unreasonable pressure for a dating, romantic, or intimate relationship or sexual contact;
- Unwelcome kissing, hugging, or massaging;
- Sexual innuendos, jokes, or humor;
- Displaying sexual graffiti, pictures, videos, or posters;
- Using sexually explicit profanity;
- Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities;
- E-mail and Internet use that violates this policy;
- Leering or staring at someone in a sexual way, such as staring at a person's breasts or groin;
- Sending sexually explicit emails, text messages, or social media posts;
- Commenting on a person's dress in a sexual manner;
- Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; or
- Insulting, demeaning, or degrading another person based on gender or gender stereotypes.

D. "Sexual Assault" includes the sex offenses and attempted offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.^[3]

1. **"Rape"** is the carnal knowledge of a person, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or

permanent mental or physical incapacity. There is “carnal knowledge” if there is the slightest penetration of the sexual organ of the female (vagina) by the sexual organ of the male (penis).

2. “**Sodomy**” is oral or anal sexual intercourse with another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
3. “**Sexual Assault with an Object**” is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the actor other than the actor’s genitalia.
4. “**Fondling**” is the touching of the private body parts of another person for the purpose of sexual gratification, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
5. “**Incest**” is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Texas law.
6. “**Statutory Rape**” is sexual intercourse with a person who is under the statutory age of consent as defined by Texas law.

E. “**Domestic (Family) Violence**” is felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Texas,^[4] or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Texas.

F. “**Dating Violence**” is violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship will be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and

- The frequency of interaction between the persons involved in the relationship.

G. “Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition—

1. **“Course of Conduct”** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, or communicates to or about a person threats, that a reasonable person would regard as threatening bodily injury or death of that person, their family members including someone with whom the person is dating or interferes with that person’s property.
2. **“Reasonable Person”** means a person under similar circumstances and with similar identities to the person subjected to the stalking behavior would fear for their safety or the safety of others, or suffer substantial emotional distress.
3. **“Substantial Emotional Distress”** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

H. “Consent” is a voluntary, ongoing, mutual understanding among all participants that clearly indicates a willingness, through words or clear unambiguous actions, and demonstrates a knowing, intentional agreement to engage in each instance and stage of sexual activity. Knowledge of Consent is the responsibility of each person involved in every instance of sexual activity and Consent can be withdrawn at any time.

A current or previous dating or sexual relationship or manner of dress does not, by itself, constitute Consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly demonstrates a willingness to engage in each instance of sexual activity. Consent to one act does not imply Consent to another, and past consent does not imply future Consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of Consent.

Consent is not effective if:

1. The Respondent compels the Complainant to submit or participate by the use of physical force or violence;

2. The Respondent compels the Complainant to submit or participate by threatening to use force or violence against the Complainant or any other person, and the Complainant believes that the Respondent has the present ability to execute the threat;
 3. The Respondent knew or reasonably should have known that another person involved was Incapacitated or otherwise unaware that the sexual assault is occurring;
 4. The Respondent knows that the other person has a mental disorder or developmental or physical disability that renders the Complainant incapable of either of appraising the nature of the act or of resisting it;
 5. The Respondent has intentionally impaired the Complainant's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
 6. The Respondent is a mental health services provider or a health care services provider who causes the Complainant, who is a patient or former patient of the Respondent, to submit or participate by exploiting the Complainant's emotional dependency on the Respondent;
 7. The Respondent is a clergyman who causes the Complainant to submit or participate by exploiting the Complainant's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser;
 8. The Complainant is under age 17 and (1) is not a spouse of the Respondent or (2) is more than three years younger than the victim at the time of the offense;
 9. The Respondent obtains consent through Coercion; or
 10. Any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to have sexual activity.
- I.** "Coercion" is the use of pressure and/or other oppressive behavior, including expressed or implied threats of physical harm, or severe and/or pervasive emotional intimidation which places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person's words or conduct amounts to coercion if they wrongfully limit the other's ability to freely choose whether or not to engage in sexual activity. Coercion also includes administering a drug, intoxicant, or other substance that impairs the person's ability to give Consent.
- J.** "Incapacitated" refers to a state of being that prevents an individual from having the mental ability, emotional stability, or maturity to provide consent at the time the alleged behavior occurs. Incapacitation could result from the use of drugs or

alcohol, a person being asleep or unconscious, or because of an intellectual or other disability or medical condition.

Incapacitation is a state where an individual cannot make an informed and rational decision to Consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (*e.g.*, to understand the “who, what, where, when, why or how” of the sexual interaction), is physically or mentally helpless, or is otherwise unaware that the sexual act is occurring.

Incapacitation can only be found when the Respondent knew or should have known that the Complainant was Incapacitated when viewed from the position of a sober, reasonable person. One’s own intoxication is not an excuse for failure to recognize another person’s Incapacitation.

Incapacitation is beyond mere drunkenness or intoxication, and consumption of alcohol or other drugs, inebriation, or intoxication alone are insufficient to establish Incapacitation. The impact of alcohol or drugs varies from person to person, and evaluating Incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual’s:

- Decision-making ability
- Awareness of consequences
- Ability to make informed judgments
- Capacity to appreciate the nature of circumstances of the act.

No single factor is determinative of Incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling down, vomiting, and unconsciousness.

- K.** “**Retaliation**” is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Retaliation is prohibited and is considered a stand-alone policy violation without regard to any finding of responsibility for violation of this policy.
- L.** “**Complainant**” means the individual(s) who is alleged to have been impacted by a violation of this policy.^[5]
- M.** “**Respondent**” means the individual(s) who is alleged to have violated this policy.
- N.** “**Formal Complaint**” means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the University investigate the allegation of Sexual Harassment in accordance with this policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the University’s education programs and activities. A “document filed by a Complainant” means a

document or electronic submission (such as an email) that contains the Complainant's physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.

- O.** “**Supportive Measures**” are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the University's Education Programs and Activities without unreasonably burdening another Party, including measures designed to protect the safety of all parties implicated by a report or the University's education environment, or to deter Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.
- P.** “**Education Programs and Activities**” refers to all the operations of the University, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life, dining services, performances, and community engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by the University. It also includes off-campus locations, events, or circumstances over which the University exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the University.
- Q.** “**Preponderance of the Evidence**” is the standard for determining allegations of prohibited conduct under this policy. Preponderance of the evidence means the greater weight of the credible evidence. This standard is satisfied if the evidence and information gathered in the matter indicate that the action is more likely to have occurred than not.
- R.** “**Employee**” means an individual who receives compensation for work or services for which the University has the right (whether or not it exercises the right) to supervise and control the manner of performance as well as the result of the work or service. Volunteers and independent contractors are not considered “employees” for the purposes of this policy.

V. Reporting Sexual Harassment

The University recognizes the right of a victim of Sexual Harassment to report the incident to appropriate authorities and to receive a prompt and equitable resolution of the report. Any student, staff, or faculty member who believes he or she has experienced Sexual Harassment is urged to report the matter as soon as possible using the reporting protocol below. The University encourages

members of the University Community to report any and all instances of Sexual Harassment, even if they are unsure whether the conduct rises to the level of a policy violation.

A. Report to Title IX Coordinators

The Title IX Coordinator and the Deputy Title IX Coordinators will be responsible for the oversight and implementation of this policy. Reports may be made in person, by regular mail, telephone, electronic mail, online at <https://www.amberton.edu/help-and-advice/title-ix.html>, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours, to the following individuals:

Amberton University Title IX Coordinator

Dr. Jo Lynn Loyd
Vice President for Strategic Services
1700 Eastgate Drive
Garland, TX 75041
JLoyd@Amberton.edu
972/279-6511 ext. 126

Amberton University Deputy Title IX Coordinator

Dr. Brent Bradshaw
Executive Vice President
1700 Eastgate Drive
Garland, TX 75041
BBradshaw@Amberton.edu
972/279-6511 ext. 141

B. Medical Treatment and Preservation of Evidence

In cases of sexual assault, and for one's safety and well-being, immediate medical attention is encouraged to evaluate for physical injury, sexually transmitted diseases, and pregnancy. Being examined as soon as possible, ideally within 72 hours, is important for evidence collection, which may be used to support prosecution should the Complainant decide to pursue criminal charges. A University Official will be glad to assist a victim in contacting the proper law enforcement agency, if the victim so chooses. The victim may also decline to notify a law enforcement agency, if desired.

After contacting the necessary law enforcement authorities as soon as possible, it is important that a victim of a sex offense, domestic violence, dating violence, sexual assault, or stalking does not shower, wash, brush their teeth, or use the restroom, and that they do not wash their

clothes or any bedding on which the incident may have occurred. If they do so, important evidence can be lost and/or destroyed that could aid in prosecution of an accused individual or aid the victim in obtaining a protection order.

C. Orders of Protection, No Contact Orders, and Restraining Orders

If the victim of a sex offense, domestic violence, dating violence, sexual assault, or stalking obtains an order of protection, no contact order, restraining order, or other similar lawful order, the victim shall notify the Vice President for Strategic Services of the order and shall supply a copy of the order to the University. When Amberton University receives an order, it will utilize all reasonable measures it has at its disposal to help monitor the provisions of that order.

D. Filing an Anonymous/Confidential Complaint

Any student, employee, third party, or bystander may request that a report of Sexual Harassment remain confidential and/or anonymous as defined by this policy. Additionally, any student and/or employee may obtain assistance with filing a Title IX Complaint, Police Report, and/or information regarding available counseling resources in the surrounding community.

All students and employees who themselves are victims of Sexual Harassment may submit an anonymous complaint through the Amberton University Anonymous Reporting Tool located on the University's website, under "Help and Advice – Title IX."^[6] The form may also be used to report any financial improprieties, illegal practices, or policy violations committed by university employees or agents and to protect from retaliation those who make such good-faith reports.

When confidentiality of the Complainant is maintained or the Complainant's identity is unknown, the University's ability to respond and to take appropriate disciplinary action may be impeded. Nevertheless, the University will attempt to provide resources as provided in this policy and to take steps addressed to remedy the effects of the alleged Sexual Harassment and to prevent its recurrence.

Once a report has been shared with the Title IX Coordinator, the individual impacted may request that their identity remain private, that no investigation occur, or that no disciplinary action be taken. However, the University must determine whether or not they are required to investigate an alleged incident, even against such a request, in order to protect the health and safety of the University community. Factors the University may consider in evaluating whether to move forward with a Formal Complaint in these circumstances include:

- the seriousness of the alleged incident;
- whether the institution has received other reports of sexual harassment, sexual assault, dating violence, or stalking committed by the alleged perpetrator;
- whether the alleged incident poses a risk of harm to others; and
- any other factors the University determines relevant.

If the Title IX Coordinator elects to file a Formal Complaint, the University will inform the alleged victim of the incident of that decision. Even if the University determines not to investigate the alleged incident, the University may take additional steps the University deems necessary to protect the health and safety of the University's community in relation to the alleged incident.

E. Amnesty for Students Reporting Certain Incidents

Amberton University may not take any disciplinary action against a student enrolled at the institution who in good faith reports to the institution being the victim of, or a witness to, an incident of Sexual Harassment for a violation by the student of the institution's code of conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the institution's disciplinary process regarding the incident, if any.

Amberton University may investigate to determine whether a report of an incident of Sexual Harassment was made in good faith. If an investigation results in a finding that such an accusation was made in bad faith or maliciously, the accuser may be disciplined appropriately. However, filing a complaint or providing information which a party or witness genuinely believes is accurate, but which is ultimately dismissed due to insufficient evidence or found to be untrue, does not constitute false reporting.

A determination that a student is entitled to amnesty is final and may not be revoked.

F. Mandatory Reporting Requirement for Employees

Under Texas law, all University employees, with the exception of Confidential Employees, who:

1. in the course and scope of their employment^[7]
2. witnesses or receives information regarding an incident that the employee reasonably believes constitutes Sexual Harassment,^[8] Sexual Assault, Dating Violence, or Stalking, which
3. is alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident

must promptly report the incident to the University's Title IX Coordinator or a Deputy Title IX Coordinator.

Writing required. The University's online reporting form may be used to submit a report to the Title IX Coordinator and Deputy Title IX Coordinator. An email or written memo is also acceptable if it can be delivered to a Title IX Coordinator promptly after the employee's duty to report arises.

Report Contents. The employee's report must include all information concerning the incident known to the employee, which is relevant to an investigation under this policy, including whether the subject of the report has expressed a desire for an institutional response to the incident or made a request for confidentiality in reporting the incident.

Confidentiality. Unless waived in writing by the affected individual, the identity of an alleged victim of an incident reported pursuant to this mandatory reporting requirement may be disclosed only to (a) employees of the University who are necessary to conduct an investigation of the report or any related hearings and (b) a law enforcement officer.

Exceptions. The mandatory reporting requirement does not apply to:

1. Employees who are themselves the victims of the Sexual Harassment, Sexual Assault, Dating Violence, or Stalking;
2. Students enrolled at the institution;^[9]
3. Instances when an employee receives information about Sexual Harassment, Sexual Assault, Dating Violence, or Stalking at a public awareness event sponsored by the University; or

Consequences of Non-Compliance. An employee who fails to make a required report will be terminated following an investigation and any required process under the applicable personnel policy.^[10]

Immunity. An employee who, in good faith reports or assists in the investigation of a report under this policy, or who testifies or otherwise participates in a disciplinary process or judicial proceeding arising from a report of such an incident, will not be subject to disciplinary action for violations of the administrative policies of Amberton University that are reasonably related to the incident. This immunity does not apply to a person who perpetrates or assists in the perpetration of the incident reported under this policy or who commits a criminal offense pursuant to Texas Education Code § 51.255(a).

F. Confidential Employees

The University believes it is critical to provide community members who may be experiencing Sexual Harassment information about available institutional resources to empower those individuals to make informed decisions about their rights and options. Members of the University community may speak to officially designated Confidential Employees^[11] about Sexual Harassment, Sexual Assault, Dating Violence, or Stalking without the conversation triggering a mandatory report of incident details.

The University has designated the following Confidential Employee(s):

Dr. Pamela Johnson
(972)279-6511 ext. 147
TitleIX_CE@Amberton.edu

A Confidential Employee is not required to report any information that would violate an individual's expectation of privacy, such as the name or other identifying information of an individual who has experienced or allegedly engaged in Sexual Harassment.

This provision does not affect any employee's duty to report incidents of sexual misconduct as required by other law.

E. Reports to Law Enforcement

The University recognizes and supports the right of a victim of a crime to choose whether to report the crime to law enforcement, to be assisted by the institution in reporting the crime to law enforcement, or to decline to report the crime to law enforcement. In addition, it is important for a victim of sexual harassment, sexual assault, dating violence, or stalking to go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after an incident. The University encourages anyone who believes they experienced or witnessed a crime to make a report to local law enforcement:

The Garland Police Department:

<https://www.garlandpolice.com/331/Police>

The Frisco Police Department:

<https://www.friscotexas.gov/1902/Police>

H. Prohibition on False Complaints

Reports of a violation of this policy must be made in good faith. The University will not tolerate intentional false reporting of incidents. It is also a violation of this policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this policy. However, filing a complaint or providing information which a party or witness genuinely believes is accurate (*i.e.*, in “good faith”), but which is ultimately dismissed due to insufficient evidence or found to be untrue, does not constitute intentional false reporting. Members of the University community are encouraged to seek assistance even if they are unsure that what they are experiencing is Sexual or Other Unlawful Harassment. Any person who knowingly files a false complaint is subject to disciplinary action, up to and including termination or dismissal from the University.

I. Retaliation

No member of the University community may retaliate against another member for filing a complaint pursuant to this policy or for cooperating in an investigation of a violation of this policy. Complaints of retaliation should be reported immediately to the University’s Title IX Coordinator. Any person who knowingly and intentionally retaliates against an individual is subject to disciplinary action, up to and including termination or dismissal from the University.

VI. Preliminary Assessment of Report

Upon receipt of a report, the Title IX Coordinator will conduct a preliminary assessment to determine whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of this policy, and/or could not constitute Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act (“FERPA”). The Title IX Coordinator may refer the report to other University offices, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of this policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

A. Contacting the Complainant

If a report is not closed as a result of the preliminary assessment and the Complainant's identity is known, the Title IX Coordinator or their designee will promptly contact the Complainant to discuss the following:

- the availability of Supportive Measures with or without filing a Formal Complaint;
- the Complainant's wishes with respect to such Supportive Measures;
- the process for filing and pursuing a Formal Complaint;
- the importance of going to a hospital for treatment and preservation of evidence as soon as practicable after the incident, if applicable;
- the right to report the incident to the institution and to receive a prompt and equitable resolution of the report;
- the right of a victim of a crime to choose whether to report the crime to law enforcement, to be assisted by the institution in reporting the crime to law enforcement, or to decline to report the crime to law enforcement; and
- information about resources that are available on campus and in the community.

B. Supportive Measures

The Title IX Coordinator or his/her designee will coordinate all services for individuals impacted by Sexual Harassment. These services include but are not limited to issuing a no-contact order, confidential counseling, academic and residence hall accommodations for students when possible, as well as referrals within the University and in the local community. In addition, the University will allow the Complainant and the Respondent to drop a course in which both parties are enrolled without any academic penalty.

Any individual affected by or accused of Sexual Harassment will have equal access to support and counseling services offered through the University. The University encourages any individual who has questions or concerns to seek support of University-identified resources. The Title IX Coordinator is available to provide information about the University's policy and procedure and to provide assistance. A list of University identified resources is located at <https://www.amberton.edu/help-and-advice/title-ix.html>.

Complainant: The Title IX Coordinator or their designee will offer and make available Supportive Measures to the Complainant upon receipt of a report of Sexual Harassment regardless of whether the Complainant elects to file a Formal Complaint.

Respondent: The Title IX Coordinator will notify the Respondent of the availability of Supportive Measures contemporaneously with the Respondent being notified of a Formal Complaint. Once a Formal Complaint has been initiated, the University will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The University will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

All Parties: The University will, to the greatest extent practicable, ensure that each Party or other person who reports an incident of Sexual Harassment is offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident. In addition, all Parties are allowed to drop a course in which both Parties are enrolled without any academic penalty.

Confidentiality: The University will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the University's ability to provide the Supportive Measures in question.

VII. Formal Complaint

A. Filing a Formal Complaint

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the University investigate and adjudicate a report of Sexual Harassment in accordance with this policy. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the University's Education Programs or Activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in Section VI above. No person may submit a Formal Complaint on the Complainant's behalf.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. Factors the Title IX Coordinator may consider include (but are not limited to):

- the seriousness of the alleged incident, including (a) whether a weapon was involved in the incident, (b) whether multiple assailants were involved in the incident, and (c) whether the incident poses a risk of recurrence;
- whether the institution has received other reports of Sexual Harassment committed by the Respondent;
- whether the alleged incident poses a risk of harm to others; and

- any other factors the University determines relevant.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the University will commence an investigation and proceed to adjudicate the matter. If the University elects to proceed as a Complainant, the University will inform the alleged victim of the incident of that decision. In all cases where a Formal Complaint is filed, the Complainant will be treated as a Party, irrespective of the Party's level of participation.

B. Consolidation of Formal Complaints

The University may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this policy to the singular "Party," "Complainant," or "Respondent" include the plural, as applicable.

C. Dismissal Prior to Commencement of Investigation

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

1. The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
2. The conduct alleged in the Formal Complaint falls outside the scope of this policy (*i.e.*, because the alleged conduct did not occur in the University's Education Programs and Activities).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination for purposes of this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

D. Notice of Formal Complaint

Within five days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

- A physical copy of or hyperlink to this policy;
- Sufficient details known at the time so that the Parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in the

- incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;
 - Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice;
 - Notifying the Complainant and Respondent of their right to inspect and review evidence;
 - Notifying the Complainant and Respondent of the University's prohibitions on retaliation and false statements; and
 - Information about resources that are available on campus and in the community.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated.

E. Presumption of Non-Responsibility

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

F. Interim Removal

At any time after receiving a report of Sexual Harassment, the Title IX Coordinator may remove a student Respondent from the University's education programs and activities on a temporary basis if an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event the Title IX Coordinator imposes an interim removal, the Title IX Coordinator must offer to promptly meet with the Respondent provide the Respondent an opportunity to challenge the interim removal.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the University may place the Respondent on administrative leave at any time after receiving a report of Sexual Harassment, including during the pendency of the investigation and adjudication process.

For all other Respondents, including independent contractors and guests, the University retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

VII. Investigation

A. Commencement and Timing

After the written notice of Formal Complaint is transmitted to the Parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not with the Parties. The investigation will culminate in a written investigation report that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within 45 days of the transmittal of the written notice of Formal Complaint.

B. Equal Opportunity

During the investigation, the investigator will provide an equal opportunity for the Parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a Party's opportunity to present testimonial and other evidence that the Party believes is relevant to resolution of the allegations in the Formal Complaint. A Party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

C. Witnesses and Evidence

The Investigator will make reasonable attempts to contact and interview individuals who are identified as witnesses with information relevant to the allegations of misconduct. The Investigator may elect not to interview witnesses whose sole purpose is to provide character information or who are otherwise unlikely to have relevant information as determined in the sole discretion of the Investigator. The Investigator will make reasonable attempts to obtain other relevant evidence available from the parties, witnesses, or other University departments.

D. Documentation of Investigation

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will be determined by the investigator in the investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

E. Access to Evidence

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each Party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the University may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a Party or some other source. The parties will have ten days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not duplicate or disseminate the evidence to the public.

F. Investigation Report

After the period for the parties to provide any written response has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each Party and their advisor, in either electronic or hard copy form.

VIII. Adjudication

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each Party a notice advising the Party of the Hearing and Administrative Adjudication processes specified below. The hearing process will be used to adjudicate all Formal Complaints unless both parties timely consent to administrative adjudication or informal resolution.

B. Hearing Process

The University will utilize the following procedures to administer a hearing under this section.

1. Hearing Officer

After selection of the hearing process as the form of administrative adjudication, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process. The Title IX Coordinator will see that the hearing officer is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator.

2. Hearing Notice and Response to the Investigation Report

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; setting a date and time for the hearing; and providing a copy of the University's Hearing Procedures. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten days from the date of transmittal of the written notice.

A Party's written response to the investigation report must include:

- To the extent the Party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;
- A list of any witnesses that the Party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing officer;
- A list of any witnesses that the Party intends to bring to the hearing without an attendance notice issued by the hearing officer;
- Any objection that the Party has to the University's Hearing Procedures;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the Party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the Party at the pre-hearing conference and hearing;
- If the Party does not have an advisor who will accompany the Party at the hearing, a request that the University provide an advisor for purposes of conducting questioning.

A Party's written response to the investigation report may also include:

- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

3. Pre-Hearing Conference

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the hearing officer, the parties, the advisors, and other necessary University personnel together in the same physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing officer's discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

During the pre-hearing conference, the hearing officer will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the hearing officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing officer's discretion, should be resolved before the hearing.

4. Issuance of Notices of Attendance

After the pre-hearing conference, the hearing officer will transmit notices of attendance to any University employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing officer immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

The University will not issue a notice of attendance to any witness who is not an employee or a student.

5. Hearing

After the pre-hearing conference, the hearing officer will convene and conduct a hearing pursuant to the University's Hearing Procedures. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing officer, the parties, the advisors, witnesses, and other necessary University personnel together in the same physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio. The hearing may, in the hearing officer's discretion, be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the Hearing Procedures and rulings from the hearing officer will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each Party to address the hearing officer directly and to respond to questions posed by the hearing officer;
- Opportunity for each Party's advisor to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other Party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each Party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the hearing officer and a reason for the ruling provided;
- Opportunity for each Party to submit evidence that the Party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect;
- Opportunity for each Party to make a brief closing argument.

Except as otherwise permitted by the hearing officer, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing officer, the Title IX Coordinator, and other necessary University personnel. With the exception of the investigator and the parties, witnesses will be sequestered until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them.

While a Party has the right to attend and participate in the hearing with an advisor, a Party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing officer.

Subject to the minimum requirements specified in this Section, the hearing officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rationale for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The hearing officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified above are met.

6. Subjection to Questioning

In the event that any Party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the Parties' advisors, the statements of that Party or witness, as the case may be, whether given during the investigation or during the hearing, will not be considered by the hearing officer in reaching a determination of responsibility.

Notwithstanding the foregoing, the hearing officer may consider the testimony of any Party or witness, whether given during the investigation or during the hearing, if the parties

jointly stipulate that the testimony may be considered or in the case where neither Party requested attendance of the witness at the hearing.

In applying this Section, the hearing officer will not draw an inference about the determination regarding responsibility based solely on a Party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

C. Deliberation and Determination

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The hearing officer will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or otherwise. The hearing officer will resolve disputed facts using a preponderance of the evidence (i.e., "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

D. Written Decision

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required above, the hearing officer will prepare a written decision that will include:

- Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.
- Articulate findings of fact, made under a preponderance of the evidence standard, that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- The discipline determined by the appropriate University official;
- Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of the University's process and grounds for appeal.

The hearing officer's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing officer's written determination within 15 days of the conclusion of the hearing.

E. Administrative Adjudication

In lieu of the hearing process, the Parties may consent to have a Formal Complaint resolved by administrative adjudication. Administrative adjudication is voluntary and must be consented to in writing by both parties and approved by the Title IX Coordinator. At any time prior to the issuance of the administrative officer's determination, a Party has the right to withdraw from administrative adjudication and request a live hearing.

If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative officer. The Title IX Coordinator will ensure that the administrative adjudicator is provided a copy of the investigation report and a copy of all the evidence transmitted to the parties by the investigator.

The administrative officer will promptly send written notice to the Parties notifying the parties of the administrative officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer's meetings with the parties will not be held any earlier than ten days from the date of transmittal of the written notice specified in this paragraph.

A Party's written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that a particular piece or class of evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;
- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence;
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

After reviewing the Parties' written responses, the administrative officer will meet separately with each party to provide the Party with an opportunity make any oral argument or commentary the Party wishes to make and for the administrative officer to ask questions concerning the Party's written response, the investigative report, and/or the evidence collected during the investigation.

After meeting with each Party, the administrative officer will objectively reevaluate all relevant evidence, including both inculpatory and exculpatory evidence and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The administrative officer will take care to exclude from consideration any evidence

that the administrative officer determines should be ruled inadmissible based on the objections and arguments raised by the Parties in their respective written responses to the investigation report. The administrative officer will resolve disputed facts using a preponderance of the evidence (*i.e.*, “more likely than not”) standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

Thereafter, the administrative officer will consult with any University official and the Title IX Coordinator and will prepare and transmit a written decision which shall serve as a resolution for purposes administrative adjudication.

Transmittal of the administrative officer’s written determination concludes the administrative adjudication, subject to any right of appeal.

Although the length of each administrative adjudication will vary depending on the totality of the circumstances, the University strives to issue the administrative officer’s written determination within thirty days of the transmittal of the initiating written notice.

G. Discipline and Remedies

In the event the hearing panel determines that the Respondent is responsible for violating this policy, the hearing chair will, prior to issuing a written decision, consult with an appropriate University official with disciplinary authority over the Respondent and such official will determine any discipline to be imposed. The hearing chair will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant. Sanctions that can be imposed upon a final determination of responsibility may range from a written warning or reprimand up to and including expulsion of a student or dismissal of an employee for cause.

If a student is found responsible for Sexual Harassment and the sanction imposed makes the student ineligible to reenroll in the University (*i.e.*, suspension or expulsion), the University will include a notation on the student’s transcript. The student may request the removal of a transcript notation imposed under this policy if:

1. the student becomes eligible to reenroll at the University; or
2. the University determines that good cause exists to remove the notation.

If the University receives an appropriate request by another postsecondary educational institution, the University will provide to the requesting institution information relating to the University’s determination that the student violated this policy.

IX. Dismissal During Investigation or Adjudication

The University may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer employed by the University; or
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination as it pertains to this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

X. Appeal

A. Grounds for Appeal

Either Party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

1. A procedural irregularity affected the outcome;
2. There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
3. The Title IX Coordinator, investigator, hearing officer, or administrative officer had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.
4. The sanctions imposed are substantially disproportionate to the severity of the violation.

Appeals are not intended to be full re-hearings of the complaint. In most cases, appeals are confined to a review of the written documentation and evidence available at the time of the Investigation, and pertinent documentation regarding the grounds for appeal.

B. Deadline to File Appeal

A Party must file an appeal within seven days of the date they receive notice of dismissal or determination appealed from or, if the other Party appeals, within three days of the other Party appealing, whichever is later. The appeal must be submitted in writing to the University President, who serves as the appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing Party believes the appeal should be granted, and articulate what specific relief the appealing Party seeks.

C. Resolution of Appeal

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other Party that an appeal has been filed and that the other Party may submit a written opposition to the appeal within seven days. The appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale. The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no Party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision. No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within 21 days of an appeal being filed.

XI. Informal Resolution

The University may, in the Title IX Coordinator's discretion, facilitate an Informal Resolution in accordance with the protocol outlined below.

A. Guiding Principles

Generally, informal resolution involves a structured, supervised interaction between the Parties and/or other affected community members that seeks to identify and meet the needs of the Complainant while providing an opportunity for the Respondent and/or other affected community members to accept responsibility and repair harm (to the extent possible). Informal resolution may not include an investigation, hearing, or disciplinary action against a Respondent (including transcript notations), but may include imposing appropriate and

reasonable remedies as agreed to by the Parties. All informal resolutions are facilitated by a trained administrator or outside expert.

B. Availability of Informal Resolution

Informal resolution is available in matters in which the Title IX Coordinator, in the Title IX Coordinator's discretion, determines it is appropriate. Factors the University will consider when determining whether a report of Prohibited Conduct is suitable for Alternative Resolution include, but are not limited to:

- the nature and severity of the conduct, including whether the use of force or a weapon was involved;
- the Respondent's prior known disciplinary or criminal conduct, including whether the University has received other reports of Prohibited Conduct committed by the Respondent;
- whether the alleged incident poses a risk of harm to other individuals or the community;
- the dynamics of power or control commonly associated with the alleged conduct or the nature of the parties' relationship;
- whether multiple parties are affected or involved;
- any admissions of responsibility by the Respondent; and
- any other factor deemed relevant by the Title IX Coordinator or their designee in the interest of overall campus safety or safety of the parties involved.

Informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Sexual Harassment against a student.

C. Informal Resolution Process

At any time after the parties are provided written notice of the Formal Complaint, and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties. Administrative Adjudication is a form of informal resolution.

The specific manner of any informal resolution process will be determined by the Parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the Parties that:

- Describes the parameters and requirements of the informal resolution process to be utilized;
- Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-Party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a Party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and

- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each Party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence. The University will not pressure or compel any individual to engage in mediation, to directly confront the other, or to participate in any particular form of informal resolution. Individuals may be accompanied by an adviser or support person at any meetings related to the informal resolution process.

If the Parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a Party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either Party or to the University. Notwithstanding the foregoing if the form of informal resolution is Administrative Adjudication, there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. With the exception of a resolution resulting from the Administrative Adjudication process, all other forms of informal resolution pursuant to this Section are not subject to appeal.

D. Termination of Informal Resolution

A Party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

E. Deadlines for Informal Resolution

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within 21 days. If an informal resolution process does not result in a resolution within 21 days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

XII. Other Investigation and Adjudication Considerations

A. Advisor of Choice

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing specified in Section XVIII.A.5, the advisor will play a passive role and is not permitted to communicate on behalf of a Party, insist that communication flow through the advisor, or communicate with the University about the matter without the Party being included in the communication. In the event a Party's advisor of choice engages in material violation of the parameters specified in this Section XXI and Section XVIII.A.5, the University may preclude the advisor from further participation, in which case the Party may select a new advisor of their choice.

In the event a Party is not able to secure an advisor to attend the hearing specified in Section XVIII.A.5, and requests the University to provide an advisor, the University will provide the Party an advisor, without fee or charge, who will conduct questioning on behalf of the Party at the hearing. The University will have sole discretion to select the advisor it provides. The advisor the University provides may be, but is not required to be, an attorney.

The University will provide an advisor to any Party upon receipt of a request to the Title IX Coordinator or their designee. The University will provide an advisor for any Party at a hearing specified in Section XVIII.A.5 for the purpose of cross-examining a Party or witness.

B. Conflicts of Interest, Bias, and Procedural Complaints

The Title IX Coordinator, investigator, hearing officer, administrative officer, appeals officer, and informal resolution facilitator will be free of any material conflicts of interest or material bias. Any Party who believes one or more of these University officials has a material conflict of interest or material bias must raise the concern promptly so that the University may evaluate the concern and find a substitute, if appropriate. The failure of a Party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal.

Parties are generally expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the University may evaluate the matter and address it, if appropriate.

C. Treatment of Medical Records and Other Privileged Information

During the investigation and adjudication processes, the investigator and adjudicator are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

- a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party; or

- information or records protected from disclosure by any other legally-recognized privilege, such as the attorney client privilege

unless the University has obtained the Party's voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the investigator and/or adjudicator, may consider any such records or information otherwise covered by this Section XIX if the Party holding the privilege affirmatively discloses the records or information to support their allegation or defense.

D. Sexual History

During the investigation and adjudication processes, questioning regarding a Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Notwithstanding the foregoing, a Complainant who affirmatively uses information otherwise considered irrelevant by this Section for the purpose of supporting the Complainant's allegations, may be deemed to have waived the protections of this Section.

E. Student Withdrawal or Graduation Pending Disciplinary Charges

If a student withdraws or graduates from the University pending an investigation of a complaint of Sexual Misconduct under this policy, the University will expedite the disciplinary process as necessary to accommodate both the Complainant and the Respondent's interest in a speedy resolution and continue the investigation with or without the participation of the Respondent.

F. Relationship With Criminal Process

This policy sets forth the University's processes for responding to reports and Formal Complaints of Sexual Harassment. The University's processes are separate, distinct, and independent of any criminal processes. While the University may temporarily delay its processes under this policy to avoid interfering with law enforcement efforts if requested by law enforcement, the University will otherwise apply this policy and its processes without regard to the status or outcome of any criminal process.

G. Recordings

Wherever this policy specifies that an audio or video recording will be made, the recording will be made only by the University and is considered property of the University, subject to any right of access that a Party may have under this policy, FERPA, and other applicable federal, state, or local laws. Only the University is permitted to make audio or video recordings under this policy. The surreptitious recording of any meeting, interview, hearing, or other

interaction contemplated under this policy is strictly prohibited. Any Party who wishes to transcribe a hearing by use of a transcriptionist must seek pre-approval from the hearing officer.

XIII. Discretion in Application

A. Interpretation

The University retains discretion to interpret and apply this Policy in a manner that is not clearly unreasonable, even if the University's interpretation or application differs from the interpretation of the Parties.

The provisions of this policy and the Hearing Procedures are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the University retains discretion to revise this policy and the Hearing Procedures at any time, and for any reason. The University may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

B. Other Sex-Based Misconduct

This policy only applies to Sexual Harassment as defined in this policy. The University may refer and resolve complains of other forms of sex discrimination consistent with other institutional policies, including the University's Non-Discrimination Policy.

C. Outside Appointments, Dual Appointments, and Delegations

The University retains discretion to retain and appoint suitably qualified persons who are not University employees to fulfill any function of the University under this policy, including, but not limited to, the investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer. The University also retains discretion to appoint two or more persons to jointly fulfill the role of investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer.

The functions assigned to a given University official under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, hearing officer, administrative officer, informal resolution officer, and appeals officer, may, in the University's discretion, be delegated by such University official to any suitably qualified individual and such delegation may be recalled by the University at any time.

D. Vendors, Contractors and Third Parties

The University does business with various vendors, contractors, and other third-parties who are not students or employees of the University. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the University retains its right to limit any vendor, contractor, or third-party's access to campus for any reason. And the University retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Amberton University does not have on-campus housing and as a commuter campus with online options, students spend a limited time on campus. Amberton University does provide preventive programs in the form of making this policy and procedures available to all students and employees. There are also programs and resources available to students and employees on the topics of sexual harassment, rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking.

Community resources in the Dallas and Collin County areas include, but are not limited to:

Medical Treatment:

Baylor Scott and White Medical Center – Dallas

3500 Gaston Avenue
Dallas, TX 75246
972-820-0111

Baylor Scott& White Medical Center – Plano

4700 Alliance Blvd.
Plano, TX 75093
469-814-2000

Medical City – Dallas

7777 Forest Lane
Dallas, TX 75230
972-566-7000

Methodist Richardson Medical Center

2831 President George Bush Hwy
Richardson, TX 75082
469-204-1000
972-498-8500

Parkland Health & Hospital System

5200 Harry Hines
Dallas, TX 75235
214-590-4900

Texas Health Presbyterian Hospital Dallas

8200 Walnut Hill Lane
Dallas, TX 75231
214-345-6789

Texas Health Presbyterian Hospital Plano

6200 West Parker Road
Plano, TX 75093
972-981-8000

Hotlines:

- Dallas Area Rape Crisis Center 24-hour hotline: (972) 641-RAPE (7273)
- Texas Association Against Sexual Assault: (TAASA) (512) 474-7190
- National Domestic Violence Hotline: 1-800-799-SAFE (7233)
- Texas Council on Family Violence: 1.800.525.1978; <http://tcfv.org/>

Counseling and Shelters:

Genesis Women's Shelter & Counseling Office

4411 Lemmon Avenue, Suite 201
Dallas, TX 75219

Cost: Free

24-hour emergency shelter only for abused women and children fleeing domestic violence

24-hour hotline: 214-946-4357

Counseling: 214-389-7700

The Family Place

24-hour Crisis Hotline: 214-941-1991

Provides these amenities:

Emergency Shelter: provides family violence victims with safety, food, clothing, transportation, legal services, counseling, and case management services at 100-bed Safe Campus.

Transitional Housing, Child Development Center, Safe Campus Learning Center, Community-based Counseling, Children's Counseling, Incest Recovery Program, Supervised Child Visitation, Battering Intervention and Prevention Program, Legal Services, Resale Shop

Hopes Door

Crisis Line: 972-422-SAFE (7233)

Counseling and intervention services: 972-422-2911

Hope's Door is an organization in Collin County specializing in comprehensive intervention and prevention services for all members of a family affected by domestic violence - from victim to abuser. Hope's Door was established in 1986 as a crisis hotline. Clients were housed in local hotels until the opening of a 21-bed emergency shelter in 1989. Since then, services have expanded to include transitional housing, counseling for adults and children, legal advocacy and services for abusers.

New Beginning Center

Crisis Line: 972- 276-0057

Office and Administration: 972-276-0423

New Beginning Center is a 501(c)(3) non-profit organization that provides counseling and outreach services to victims of domestic violence. We are the only designated domestic violence agency in the northeast sector of Dallas County, offering a full complement of programs,

including a shelter, intervention services, educational programs, Battering and Intervention Prevention Program, transitional housing, a 24-hour hotline and community outreach programs.

Emily's Place

972- 424-7775

Emily's Place seeks to break the cycle of domestic violence for women and their children by providing "transformational" living with emphasis on emotional healing and life-skills training to ensure a successful, self-sustaining future. Emily's Place is not a shelter, which typically allows women to stay for 30-90 days. Rather, it is a "transformational" housing ministry based on a 24-month stay commitment, which promotes stability and wise choices. The transformational program includes counseling, addictions recovery, vocational assistance, life skills development and spiritual nurturing---all within a structured environment of 24/7 live-in staff who are dedicated to offering the support and accountability needed to transition from a difficult past into a bright future. Emily's Place currently operates two homes located in Plano and Allen.

^[1]<https://www.amberton.edu/legal-notice-of-non-discrimination.html>

^[2]<https://www.amberton.edu/legal-notice-of-non-discrimination.html>

^[3] The University's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt a definition of "Sexual Assault" that incorporates various forcible and non-forcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).

^[4] Family Violence is defined by the Texas Family Code Section 71.004 as:

- (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or Sexual Assault or that is a threat that reasonably places the member in fear of imminent physical harm,

bodily injury, assault, or Sexual Assault, but does not include defensive measures to protect oneself;

- (2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or
- (3) Dating violence, as that term is defined by Section 71.0021.

^[5] A Complainant and Respondent are each individually a “Party” and collectively the “Parties” with respect to a Formal Complaint filed under this policy.

^[6] Available at <https://www.amberton.edu/help-and-advice/title-ix.html>.

^[7] “Course and Scope of Employment” means an employee performing duties in the furtherance of the institution’s interests.

^[8] For the purposes of Texas’s mandatory reporting requirement only, “Sexual Harassment” means: unwelcome, sex-based verbal or physical conduct that (a) in the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile, or offensive work environment; or (b) in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from the University’s educational programs or activities.

^[9] This exception applies to traditional “students-workers” working part-time at the University, and not full-time employees taking courses at the institution.

^[10] Employees who fail to make a mandatory report under this provision may also be subject to criminal prosecution pursuant to Texas Education Code section 51.255(a).

^[11] Under Texas law, a “Confidential Employee” is an employee (1) designated by the University as a person with whom students may speak confidentially concerning Sexual Harassment, Sexual Assault, Dating Violence, or Stalking or (2) receives information regarding such an incident under circumstances that render the employee’s communications confidential or privileged under other law.

Number: 208

Subject: HIRING PRACTICES

The University will hire employees only when they are both technically and morally qualified for the position available:

1. Amberton University is committed to the highest standards of technical competency. Academic as well as professional experience will be considered in selecting an employee.
2. Amberton University is committed to an adherence to Christian principles both in its conduct of business and in its educational philosophy. All employees are expected to live by the moral and ethical values taught by the New Testament of the Bible.
3. In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Amberton University will be based on merit, qualifications, and abilities. Amberton University does not discriminate in employment opportunities or practices on the basis of race, color, sex, national origin, age, or any other characteristic protected by law. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training. Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Chief Personnel Officer (CPO). Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.
4. Amberton University is committed to employing only United States citizens, permanent residents, and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 with Amberton University. Current employees must complete the Form I-9 if their previous I-9 is no longer retained or valid. Employees with questions or seeking more information on immigration law issues are encouraged to contact the CPO.
5. Amberton University is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position. Reasonable accommodation is available to all disabled employees, where their disability affects the

performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. This policy is neither exhaustive nor exclusive. Amberton University is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

6. To insure that individuals who join Amberton University are well qualified and have a strong potential to be productive and successful, it is the policy of Amberton University to check the employment references of all applicants.

The Chief Personnel Officer will respond to all corporative reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

Number: 209

Subject: RESIGNATION/TERMINATION

RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment with Amberton University. Although advance notice is not required, Amberton University requests at least two weeks' written resignation notice from all employees.

Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

EMPLOYMENT TERMINATION

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION – voluntary employment termination initiated by an employee.

DISCHARGE – involuntary employment termination initiated by the organization.

LAYOFF – involuntary employment termination initiated by the organization for nondisciplinary reasons.

RETIREMENT – voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

Amberton University will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to Amberton University, or return of Amberton University-owned property. Suggestions, complaints, and questions can also be voiced.

Since employment with Amberton University is based on mutual consent, both the employee and Amberton University have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Number: 210

Subject: CLASSIFICATION AND EMPLOYMENT PROCEDURES

It is the intent of Amberton University to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and Amberton University.

- 1 Staff: (a)Operational Staff--The operating staff includes wage earners assigned non-managerial duties in specific areas. Operational staff is expected to work 40 hours per week. (b) Professional Staff--The professional staff includes those salaried individuals who have been assigned professional or managerial responsibilities over specific operating areas. Professional staff is expected to work no less than 40 hours per week.
- 2 Faculty--The faculty includes those individuals who are salaried and who have been assigned the primary responsibility of managing the teaching functions of the University. Both full-time and part-time teaching personnel are considered faculty. Faculty work responsibilities are task-oriented rather than time oriented. Each faculty member is expected to spend whatever time necessary to accomplish assigned tasks.
- 3 Administrators--Administrators include all officers selected by the Chief Executive Officer to serve on the Administrative Council. Administrators are expected to provide for the efficient operations of the University, expending whatever time and effort required to meet the organization's needs.

All staff positions must be recommended by the immediate supervisor, divisional vice president and presented to the Chief Personnel Officer and Chief Operations Officer for final approval. All staff personnel are considered employees at will and are free to resign at any time, with or without cause. Similarly, Amberton University may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

All faculty positions must be recommended by the Chief Academic Officer (CAO) and approved by the Chief Executive Officer. Faculty employment contracts and procedures are addressed in section 405.

The Chief Executive Officer will appoint all administrative personnel. Appointments are for one year and may be renewed annually at the CEO s discretion.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work Amberton University's full-time schedule. Generally, they are eligible for Amberton University's benefit package, subject to the terms, conditions, and limitations of each benefit program. For specific benefit eligibility for all employment categories, see Regulation #240 Employee Benefits.

PART-TIME employees are those who are regularly scheduled to work less than full-time (40 hours per week.) While they receive all legally mandated benefits (such as Social Security and Medicare), they are ineligible for all of Amberton University's other benefit programs. While part-time employees may occasionally work 40 hours in a particular workweek, or in a series of workweeks, that by itself will not change their regular schedule or change their employment status.

Number: 212

Subject: SUPERVISION OF LIBRARIAN

All operations of the library are under the divisional responsibility of the Chief Academic Officer of Amberton University.

All library personnel designated as "professional staff" shall have academic rank and shall be members of both the Faculty Association and the Faculty Council. However, in terms of benefits relative to vacation, sick leave, etc., all full-time library personnel will receive the same benefits as provided to a staff employee.

Number: 215

Subject: NEPOTISM & PROFESSIONAL RELATIONSHIPS

All employment appointments shall be made and maintained strictly on the basis of merit. No relative (by blood or marriage) may be under the direct jurisdiction of a supervisor without special approval of the Chief Executive Officer. No personal relationships other than those normally expected in Christian human relations will be fostered between employees, between employee and supervisor, or between employee and student that might, in any way, influence or prejudice judgments or actions required in the performance of duty.

Number: 218

Subject: ACCEPTANCE OF EMPLOYMENT

Amberton University relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in Amberton University's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

1. Application forms for employment (faculty or staff) are available in both the Business and Academic Offices and on the University's website and are kept on file until a person is hired or for a two-year period for faculty and a six-month period for staff.

2. Employment is by the recommendation of the department head to the appropriate divisional Vice President (see Regulation # 210). Department heads should determine that the employee is qualified for the position. All recommendations must be approved by the Chief Personnel Officer, who will check references, and the Chief Operations Officer.

3. The University requires all potential full-time and part-time employees to undergo a background check prior to any offer of employment. Once the background check is completed and approved, a written employment offer will be provided to the employment candidate with the agreed upon salary or wage.

4. Before the new employee starts to work, he or she will be sent to the Business Office for an interview. Payroll checks cannot be written until this interview is conducted. The following items will be covered in the interview:

- a. The W-4 and other applicable forms and a payroll information sheet will be completed.
- b. Group medical insurance and other fringe benefits will be explained to the employee as applicable.
- c. Various policies such as vacation time and sick leave will be explained.

5. Amberton University requires all full-time and part-time employees to properly complete an Amberton University employment application and all additional payroll and business/government forms required.

Number: 220

Subject: CHANGE OF ADDRESS NOTICE

It is the responsibility of each employee to promptly notify Amberton University of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Business Office or Chief Personnel Officer.

Number: 221

Subject: NO SMOKING

In keeping with Amberton University's intent to provide a safe and healthy work environment, smoking is prohibited throughout the workplace.

This regulation applies equally to all employees, students, and visitors.

Number: 224

Subject: PUBLIC INFORMATION ON EMPLOYEES

The privacy rights of employees associated with Amberton University shall be honored. No information regarding the employment, records, enrollment--name, address, telephone number, date of birth, academic major, etc.--will be made public, except when required by law, without reasonable prudence or permission.

Amberton University maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of Amberton University, and access to the information they contain is restricted. Generally, only supervisors and management personnel of Amberton University who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Chief Personnel Officer. With reasonable advance notice, employees may review their own personnel files in Amberton University's offices and in the presence of an individual appointed by Amberton University to maintain the files.

At the conclusion of employment, personnel files are maintained for six years.

Number: 226

Subject: TAKING COURSE WORK (ADMINISTRATORS, FACULTY, STAFF)

An Amberton University administrator or faculty member may not take a course for credit at Amberton University.

Full-time staff personnel may take classes at Amberton University that have been approved (prior to enrollment) by both the employee's supervisor and the divisional Vice President.

Number: 227

Subject: EMPLOYMENT OUTSIDE THE UNIVERSITY

Full-time university employees, whether faculty or staff, are not normally permitted to engage in outside employment. This does not preclude professional consultation by faculty on a limited basis when the work contributes to the professional development of the faculty member. Nor does this policy preclude the part-time employment of staff personnel after normal working hours when such part-time work constitutes no interference with the employee's regular university duties. However, under no circumstances may any employee identify or affiliate himself or herself with the University in the approval or sponsorship of a product or a commodity for sale.

Employees wishing to undertake outside employment must obtain consent from their supervisor. Consent will be given where, from the nature of the work proposed, it appears likely that a conflict of interest will not occur. If outside employment is approved and it later appears to generate a conflict of interest or an unreasonable interference in performance of university duties, the University reserves the right to require the employee either to discontinue such employment or to reduce it to an acceptable level in order to continue university employment.

Full-time faculty is not to teach or enter into working agreements with competitive educational institutions without first obtaining permission from the Chief Academic Officer.

Number: 233

Subject: PERSONAL USE OF UNIVERSITY EQUIPMENT

No member of the staff or faculty shall use any university equipment or supplies for personal use without prior approval. To do so may result in the immediate termination of employment.

Equipment essential in accomplishing job duties is expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform repaired maintenance, and follow all operating instructions, safety standards, and guidelines.

An employee should notify his/her supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in disciplinary action, up to and including termination of employment.

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all Amberton University property immediately upon request or upon termination of employment. Where permitted by applicable laws, Amberton University may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. Amberton University may also take all action deemed appropriate to recover or protect its property.

Number: 234

Subject: AMBERTON UNIVERSITY WIRELESS NETWORK ACCEPTABLE USE POLICY

Amberton University Wireless Network Acceptable Use Policy

The Amberton University Wireless Network (AU Wi-Fi) is the on-campus wireless internet network for both the Garland Campus and Frisco Center. Through AU Wi-Fi, students, faculty, and staff can access the Internet. Access to AU Wi-Fi is a privilege and not a right. All students, faculty, and staff are expected to practice responsible computing and to adhere to these requirements for acceptable use when accessing AU Wi-Fi:

1. Users are prohibited from using AU Wi-Fi in a way that violates state or federal law or violates the policies of Amberton University.
2. Access to AU Wi-Fi is controlled by use of a pass code. Only authorized students, faculty, and staff will be given access to the pass code. Users are not to share the pass code with unauthorized users. Pass codes can and will be changed without prior notice. Authorized users may obtain a valid pass code in the Library Resource Center – Garland Campus, Student Services – Garland and Frisco.
3. The AU Wi-Fi System is for Amberton University-related use only. It is not to be used for any commercial purpose or to host data services for other individuals or groups.
4. Users are not to attempt to deceive others regarding their identity in electronic communications. Attempts to harass, threaten, or intimidate other individuals through use of AU Wi-Fi will not be tolerated.
5. Users are not to access or attempt access to accounts, files or other information belonging to Amberton University or other AU Wi-Fi users or internet users without explicit consent.
6. Users are required to comply with United States copyright law and the copyright policy of Amberton University. Copying, downloading, or electronic transfer of copyrighted materials without the authorization of the copyright owner is against the law and may result in civil and criminal penalties, including fines and imprisonment.
7. Users are expected to maintain and use an up to date virus software package on all computers used to access AU Wi-Fi. Any attempt to spread or introduce viruses to the system will be considered a violation of the Amberton University Code of Ethical Conduct.
8. Network capacity is limited. If your AU Wi-Fi connection uses excessive bandwidth, sends disruptive signals, or violates any of the above policies, it will be subject to disconnection. Any use or misuse of the connection that constitutes a violation of Amberton University regulations may result in administrative or disciplinary action, including probation, suspension, or expulsion.

Security Monitoring

AU Wi-Fi is subject to monitoring for security, legal or trouble-shooting purposes. This may include monitoring for bandwidth usage, security related incidents, or a request from legal/law enforcement authorities. In addition, Amberton University reserves the right to scan the network to assist in identifying and protecting against exploitable security vulnerabilities in efforts to preserve network integrity.

Policy Changes

The AU Wi-Fi Acceptable Use Policy is subject to change without notice.

Number: 235

Subject: USE OF AMBERTON UNIVERSITY NAME

The following guidelines governing the use of Amberton University's letterhead and the university's name have been established and should be observed at all times:

1. University employees are encouraged to use Amberton University's letterhead and the name of the university in the identification of their affiliation in scholarly and research activities and in the conduct of official university business.
2. University employees are not authorized to use Amberton University's name or letterhead and are not to imply University endorsement when engaged in private activities, personal business or public advocacy. Employees are not to use University postage or bulk mailing permits for private use.

Number: 236

Subject: TECHNOLOGY USAGE

USE OF AMBERTON UNIVERSITY'S TECHNOLOGIES

The purpose of this regulation is to establish and promote the ethical, legal, and secure use of computing and electronic communications for all members of the Amberton community. This regulation will be reviewed annually by the Offices for Strategic Planning and Administrative Services.

SERVICE

The use of the University's computer, network and system services are considered extraneous to the educational process and the University is not obligated to provide such services or to maintain such services. Students taking distance-learning courses may be directed to utilize alternative communication systems (mail/telephone/email providers/etc.) at the discretion of the University.

PRIVACY AND ACCESS

All files, e-mails, and records held by Amberton University technologies are the property of Amberton University and may be viewed, reviewed, downloaded, or deleted at the discretion of the University's administration.

The University may find it necessary to access and disclose information from computer and network users to the extent required by law or to uphold legal agreements or University policies, and to diagnose and correct problems in network or systems performance. Because of this, no user of Amberton computing resources or electronic communications systems should consider their messages or files private. In addition, because of the volatile nature of digital information, and the possibility of system failures, and possible software or hardware problems, no user should consider that their messages or files are secure or preserved.

The diversity of information published and available on the Internet includes controversial material. Amberton believes that access to valuable information and interaction on a global scale outweighs the possibility of encountering material that is inconsistent with the University's purpose. Therefore, the University assumes no responsibility for monitoring or restricting access to material freely published on the Internet. The University does, however, reserve the right to limit access to its networks and computers, and to limit access to or remove links and materials stored on University computers and networks as deemed appropriate by the University.

Only University authorized devices may be connected to the University's network (LAN or WAN). Authorized devices include University servers, office desktop computers, laptops and network appliances used in the day-to-day operations of the University. Faculty may, as a part of the instructional process, connect to the network in a classroom setting for Internet access. Any attempt to disrupt network operations of the University or to use the University's network or

equipment for personal gain or non-educational purposes is prohibited and may be punishable by termination of employment (for employees) or suspension (for students).

RESPONSIBLE AND ACCEPTABLE USE

Amberton University owns and operates the campus network to provide services that directly support the educational goals of the University. Use of Amberton University's technologies outside of direct educationally related activities is forbidden unless permission has been granted by the Administration of the University. No user may use these services for commercial ventures, political causes, outside organizations, solicitation, or any venture not directly related to the educational mission of Amberton University.

The use of Amberton's computer and/or network services is governed by policies prohibiting any type of harassment (sexual, racial, political, religious or national origin) or any other type of abusive behavior. All such violations shall be subject to immediate disciplinary action.

Use of any copyrighted material, whether text, digital image, audio, or video, via the University's network and/or systems is subject to all restrictions imposed by the copyright law. Individual users will be held accountable for violating copyright restrictions or Amberton's copyright policy.

Amberton purchases site licenses for software used on campus machines and on its networks. Individuals who knowingly make, acquire, or use unauthorized software on Amberton University's premises or equipment shall be subject to immediate disciplinary action.

Users are responsible for maintaining current virus protection on their systems, and for implementing virus checks of any downloaded files from Amberton. Users who do not follow these procedures and/or who knowingly spread computer viruses shall be subject to disciplinary action. Deliberate attempts to degrade or disrupt Amberton's computers, network and/or systems will be viewed as criminal activity under applicable state and federal law.

Any user may be denied access to Amberton's computers, networks, and/or systems when, in the judgment of the University, the user is a security risk, unqualified, or unfit to use such services. The use of the University's computer, network and system services are considered extraneous to the educational process and the University is not obligated to provide such services or to maintain such services. Students taking distance-learning courses may be directed to utilize alternative communication systems (mail/telephone/email providers/etc.) at the discretion of the University.

REPORTING VIOLATIONS

Anyone who observes or experiences a violation of Amberton's policies on computing and electronic communications should report the violation to the Chief Technical Officer. Violations will generally be treated in the same manner as violations of other University policies. If violations appear to constitute a criminal offense, as defined by local, state, or federal statutes, the appropriate authorities will be notified.

SYSTEM OPERATORS OF AMBERTON UNIVERSITY TECHNOLOGIES

System Operators (SYSOP) are appointed to operate and maintain the integrity of the Technological Systems of Amberton University. SYSOPS of Amberton University are of faculty rank and have jurisdiction in allowing or denying access to the Systems. Appeals of SYSOP decisions may be filed by following the appeal process as outlined in the University's official catalog. All University technology is under the authority of the University's Chief Technical Officer.

Number: 237

Subject: DRUG/ALCOHOL ABUSE REGULATION

CONDUCT STATEMENT:

No student or university employee may possess, use, or distribute any form of alcoholic beverage or illegal drugs while on university property, and no student or employee may be under the influence of an alcoholic beverage or illegal drug while on university property.

HEALTH RISKS:

Any substance when used to abuse will produce health problems. Specifics of the health risks depend upon the substance used as well as the amount and period of time in which the substance was consumed. Health hazards include: problems with body organs (heart, liver, lungs, kidneys), physiological processes (impaired brain activity, digestion problems, and blood circulation), and mental/emotional health (loss of memory, impaired judgment, personality disorders).

AVAILABLE TREATMENT:

Alcohol and Chemical Treatment Centers are available to students and/or employees who have need for drug or alcohol related treatments. See or speak with a university counselor for referral information.

LEGAL SANCTIONS:

Legal sanctions (local, State, or Federal depending on the offense) will be enforced against any person on university property who violates the conduct statement. Legal penalties range from misdemeanors (usually fines) to felonies (usually fines and/or confinement) depending upon the nature of the substance and the amount possessed and/or distributed.

UNIVERSITY ENFORCEMENT:

Violation of the conduct statement by students or employees will result in disciplinary action. Such action may take the form of suspension or expulsion for students and termination of employment for employees. All violations will be referred to the appropriate law enforcement agency.

Number: 239

Subject: MAIL SERVICE

All mail services provided by Amberton University are for official University business. For operational and security efficiency, the following guidelines concerning the mail services of Amberton University are implemented.

INCOMING MAIL/PACKAGES:

Incoming mail/packages are delivered by the U.S. Postal Service or by a commercial carrier (UPS, etc.). Authorized University personnel will sort the mail and discard or confine any junk or questionable material. Any questionable material will be forwarded to the proper authorities for review/testing.

Employees of the University are not to have non-related University business mail sent to the University. All personal, non-University business mail is to be sent to one's own private address.

OUTGOING MAIL/PACKAGES:

Except for special projects, the outgoing mail at Amberton University is processed once daily.

As a courtesy, the University will allow employees to deposit their private, stamped mail in a receptor that will be combined with the University's outgoing mail. The University will not accept private packages or mail that is improperly wrapped, addressed, or stamped.

All mail/packages that are to be metered (stamped) by the University will be for official University business. Address of recipient and return address will be properly typed and displayed. Packages will be properly wrapped and addressed.

SECURITY:

Once mail has been delivered to the University, the mail is considered the property of the University. Mail handlers are authorized to open any and all mail/packages as expediency and security dictates.

Number: 240

Subject: EMPLOYEE BENEFITS

Fringe benefits are a part of the budgetary process and are subject to change annually. However, regardless as to changes authorized, benefits that accrue vested interest directly to the employee (such as the retirement program) will be protected to the extent of vested rights earned. All un-accrued benefits cease and are forfeited at termination.

Eligible employees at Amberton University are provided a wide range of benefits. A number of the programs (such as Social Security, Medicare, worker's compensation, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification and hours of service. The University's Chief Personnel Officer can identify the programs for which you are eligible.

Some benefit programs require contributions from employees, but most are fully paid by Amberton University. The benefit package for employees classified as full-time (full-time administration, full-time faculty council members, full-time professional and operational staff) represents an additional cost to Amberton University of approximately 30-35 percent of wages.

Definition of Full-time Employees

For the purpose of this regulation and eligibility of benefits restricted to full-time employees, a full-time employee is generally an employee who is classified in one of the following categories:

Full-time Administrator
Full-time Faculty Council Member
Full-time Professional Staff
Full-time Operational Staff

Part-time employees (those classified as part-time or casual) and full-time dedicated faculty are not eligible for benefits unless required by law (FICA and payroll taxes).

SCHOLARSHIPS AND DISCOUNTS (Full and Part-Time Employees)

1. Employee Policy:

Full-time employees of Amberton University (excluding administration and faculty) are eligible to make application prior to the beginning of an enrollment session for a tuition scholarship. The employee's supervisor, the divisional vice president, and Chief Personnel Officer must approve all classes (all classes includes those requested through scholarship and/or any other classes to be taken at

Amberton) to be taken and any scholarship award in advance of enrollment. Class time will not be counted as part of the employee's work schedule.

2. Employee Dependents Policy:

Full-time employees may file applications for tuition scholarships for their dependents who are under the age of twenty-five years (6 hours per regular session). An application must be filed at the beginning of each session. Any scholarship awarded from institutional funds will be considered a part of the dependency scholarship.

3. Part-Time Employees:

Part-time employees are not eligible for University tuition benefits.

4. Death:

If an employee classified as full-time dies in service, dependents will continue to be eligible to apply for current scholarship benefits for a period of three years or until they reach the age of twenty-five years.

RETIREMENT PLAN (Full-Time Employees)

Amberton University's Retirement Plan is a defined contribution program whereby the University makes contributions on behalf of eligible employees.

1. Participation:

Full-time employees will be eligible for participation in the retirement plan when all eligibility requirements have been satisfied. Participation begins on the earliest semi-annual date (June 1 or December 1) on which the following eligibility requirements have been met. This date is the employee's entry date.

The employee has completed one year of eligibility service before his entry date.

2. University Contribution:

When an employee becomes eligible for the retirement plan, the University makes the entire contribution for the individual directly and, thus, the contribution is tax-sheltered. The University's contribution is 6% of the base salary (up to the maximum amount allowed by law) for all eligible employees employed as of May 31. Contributions are made at the end of the fiscal year and are based upon the employee's twelve-month base salary. (Base salary is the annual scheduled salary. It does not include overtime, teaching overload, or research overload.)

3. Retirement Age:

Employees may elect to retire upon reaching the social security retirement age; however, retirement is not mandatory. Employees choosing to retire should do so at the end of their contract period, if applicable. Employees may also elect "early retirement" prior to reaching normal retirement age.

4. Vesting:

The part of the retirement account an employee owns is called the vested amount. Amberton University employees are 100% vested in their retirement plan. That is, if the employee should terminate his work with the University before retirement age, he will receive 100% of the University's contribution to the retirement plan.

TAX SHELTERED ANNUITY (Full-Time Employees)

Full-time employees of Amberton University are eligible to participate in tax sheltered annuity plans, commonly known as 403(b) plans. Pre-tax employee contributions may be made on a monthly basis up to the annual maximum allowed by law. Tax Sheltered Annuity contributions are subject to FICA (Social Security and Medicare) payroll taxes but are not subject to Federal Withholding Taxes. Participation is strictly on a voluntary basis. Details on how to participate are available in the Business Office. Information concerning this benefit is also available on the University's employee website.

HEALTH/GROUP LIFE/DISABILITY INSURANCE (Full-Time Employees)

1. Health and Long-Term Disability:

Health and long-term disability (LTD) insurance is available within 30 days after the beginning of full-time employment. If the proper forms are completed, Amberton University will pay the premium for the employee. If an employee chooses to be included in the health and LTD plans within 15 days after becoming eligible, no proof of insurability is required.

Proof of insurability may be required if application is made at a later date. Details on health and LTD policies may be obtained from the Business Office.

The Affordable Care Act

Amberton University provides a health benefit plan that complies with the Affordable Care Act (ACA). Under the ACA, if an individual works more than 30 hours per week (based on actual hours or averaged over a formal measurement period), his/her employer must offer him/her sufficient health insurance coverage or pay a penalty. In determining who is eligible for the health benefit plan, the 30 hours of service may be calculated on actual hours worked for hourly employees. In the case of employees who are not paid by the hour, such as part-time or full-time dedicated faculty, the IRS has determined that, until further guidance is issued, one (but not the only) method that is reasonable to determine faculty effort is to credit a part-time or full-time dedicated faculty member of an institution

of higher education with (a)2.25 hours of service per week for each hour teaching in the classroom and (b)an hour of service per week for each additional hour outside the classroom the faculty member spends performing duties he/she is required to perform (such as required office hours or required attendance at faculty meetings). For example, if a faculty member teaches one, 3-credit hour course for a 10-week session and has no other required responsibilities, the hours of service per week would be calculated as: 4 hours of classroom teaching X 2.25 = 9 hours of service.

2. Death Benefits:

If a full-time employee dies in service, the base salary will be paid to the spouse, or dependent children (as determined by most recent Federal Income Tax filing) according to the following schedule:

<u>Years of Service</u>	<u>Months of Salary Extension</u>
Less than 1	0 month
1 - 2	1 month
2 - 4	2 months
4 - 6	3 months
6 - 8	4 months
8 - 10	5 months
10 or more	6 months

The salary extension will accrue to the spouse if living or, if the spouse is not living, to the benefit of dependent children at the time of the employee's death. If there is no spouse or dependent children, the benefit will be forfeited.

3. Group Life:

Group term life insurance is available for full-time employees 30 days after the employment date. Once the proper forms are completed, Amberton University will pay the premium for the employee only. No proof of insurability is required if the employee elects coverage within 15 days of the eligibility date. Proof of insurability may be required if application is made at a later date. Information on the group life policy is available in the Business Office.

4. Short-Term Disability:

If a full-time employee becomes totally disabled, the employee will receive one-month base salary up to a maximum of 6 months for every year of full-time employment. After 6 months of total disability, the employee may apply for long-term disability benefits through the insurance carrier. Total disability is defined as: due to injury or sickness, the employee cannot perform the duties of his/her occupation, is under the regular care of a physician, and does not work at all.

When an employee is absent as a result of injury or sickness compensable under the Workers' Compensation Act, the University will pay the employee's salary according to the provisions of the short-term disability benefits; however, combined Workers' Compensation and University benefits shall not exceed the employee's usual pay.

GENERAL BENEFITS (AVAILABLE TO ALL EMPLOYEES)

1. General Liability:

Amberton University carries general liability insurance to protect its employees and the public from any damage or injury due to the negligence of the University. In case of such damage or injury, the Business Office should be notified immediately. In no case should an employee or supervisor assume liability for the University.

2. Workers' Compensation:

Workers' Compensation Insurance is carried to protect all employees who might be injured in the course of their employment. In the event of any injury, the employee should notify the Business Office immediately. Either the employee or the supervisor should report to the Business Office and file an Employer's First Report of Injury report.

3. Social Security and Medicare (FICA):

All employees of the University participate in Social Security and Medicare. Deductions are made from each paycheck in the amount prescribed by law. In addition, the University contributes the amount currently required by law on the employee's behalf.

EMPLOYEE LEAVE AND HOLIDAYS

1. Employee Leave: (Full-Time, Non-Faculty Status)

Full-time employees (see note below) classified as operational staff or professional staff and who are employed as of June 1 of the fiscal year will receive up to but no more than 15 days employee leave during that fiscal year (June 1 - May 31). Employee leave may be taken as vacation, sick days, or personal time off. Employee leave is granted at the supervisor's discretion with any part of a day taken counted as a whole day of leave. Employee leave is intended to provide paid, personal time away from the work place and is to be used for relaxation, recuperation, etc. Employee leave does not accumulate. Time not taken is lost at the end of the fiscal year or at the time of termination. The University may, at its discretion, require an employee to take leave if it is determined the employee's job performance is impaired due to fatigue.

For the safety and well being of all employees and students, the University reserves the right to require an employee to leave the facility if it is determined the employee has an

illness or disorder (physical or psychological) that might disrupt the normal work place setting. Depending on the severity of the illness/disorder, the University may require a medical release before allowing the employee to return to work.

Note: The employee leave policy is not applicable to faculty members or administrators who have faculty status. Faculty are expected to use the time between sessions (approximately 10 weeks annually) for personal relaxation and professional enrichment. For administrative classified employees, the CEO determines both leave and holiday benefits, but under no circumstances will the benefits exceed those of the faculty.

2. Holidays:

All full-time staff employees are entitled to seven paid holidays each year (a holiday falling on a weekend or day off will be forfeited). Employees who are required to work on a holiday will be granted time off as scheduled with the supervisor. However, all holidays must be taken before the end of the fiscal year in which they are awarded. The University's President may declare additional holidays during the year.

Normally, all offices will be closed on the following holidays:

Independence Day
Thanksgiving Day
Friday following Thanksgiving Day
Christmas Eve
Christmas Day
New Year's Eve
New Year's Day

OTHER BENEFITS

1. Jury Duty:

The University will grant leaves of absence with pay to employees for time spent on jury duty. If the time covered is for only a day, the employee may keep any compensation paid by the court. If it is for more than a day, the employee will give to the University any compensation paid by the court that exceeds expenses.

2. Parking:

The University will provide free parking for all employees.

3. COBRA:

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under Amberton University's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Amberton University's group rates plus an administration fee. Amberton University provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under Amberton University's health insurance plan. The notice contains important information about the employee's rights and obligations.

4. Rest and Meal Periods:

Each workday, full-time non-faculty status employees are provided with two rest periods of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time employees are provided with one meal period of 60 minutes in length each full workday (a work period of 8 hours or more). Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. All meal and rest periods will be taken away from the work area. Employees are not to eat or lounge in their work area.

SUBSTANCE ABUSE TESTING

Amberton University is concerned with the safety, health and well-being of all its employees. The use or misuse of alcohol, drugs, narcotics and/or controlled substances is inconsistent with Amberton University's conduct statement. Therefore, employees may be required to submit to a drug test if the University has a reasonable suspicion that the employee is under the influence of drugs or alcohol. Any required testing or examination will be conducted at the University's expense.

In accepting employment with Amberton University, the employee gives his/her consent to such examinations and testing and authorizes the release of the results of any examination or drug test to Amberton University.

Number: 243

Subject: PERSONAL FAMILY OR MEDICAL LEAVE

Amberton University's Personal Family or Medical Leave Policy complies with the Family Medical Leave Act (FMLA) of 1993. The FMLA entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. Amendments to the FMLA by the National Defense Authorization Act for FY 2008 (NDAA) expanded the FMLA to allow eligible employees to take up to 12 weeks of job-protected leave in the applicable 12-month period for any "qualifying exigency" arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. The NDAA also amended the FMLA to allow eligible employees to take up to 26 weeks of job-protected leave in a "single 12-month period" to care for a covered servicemember with a serious injury or illness.

Employees who have at least 12 months of service with Amberton University and who have worked at least 1250 hours in the previous twelve-month period may take an unpaid leave of up to twelve weeks for the following reasons:

- * the birth and care of a newborn child of the employee;
- * placement with the employee of a son or daughter for adoption or foster care;
- * to care for an ill spouse, child, or parent;
- * because the employee is ill and is unable to perform his or her job.
- * to attend to a qualifying urgent need arising out of the fact that a covered military member (employee's spouse, son, daughter, or parent) is on active duty or being called to active duty.

This leave is in addition to any other leave to which employees may be entitled. Employees may elect, however, to use vacation or sick leave as part of the twelve-week family leave. In no event will the total amount of leave be permitted to exceed twelve continuous weeks without prior approval of an employee's supervisor and the Chief Personnel Officer, except in the following circumstance:

An eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness may be permitted to take up to a total of twenty-six (26) weeks of unpaid leave during a "single 12-month period" to care for the servicemember. Employees requesting this type of leave should speak with the Chief Personnel Officer for eligibility requirements.

Employees on family leave will have their health insurance continued in the same manner as if they were not on leave. Employees who are required to contribute to part of the cost of the health insurance must make arrangements with the Chief Personnel Officer for timely payments of premiums.

Employees requesting leave must provide thirty days' notice when possible. In addition, employees must also indicate the date they expect to return to work. Every effort will be made to place employees back into the same jobs they left upon return from leave. If the same job is not available, an equivalent position will be found.

Number: 245

Subject: AGENCY VISITS AND REPORTS

Any University office visited by an external agency (TEA, VA, City Health, Fire, Federal, etc.) for the purpose of inspecting and/or advising is to be immediately reported to the divisional Vice President (or in his/her absence to the Chief Research Officer).

Within 24 hours of the visit, a written report will be forwarded to the divisional Vice President who will forward a copy of the report to the Chief Operations Officer and the Chief Executive Officer. The report will include: (1) the official name of the agency making the visit and names of all representatives, (2) the reason for the visit, (3) the name of Amberton University employee(s) who cooperated in the visit, and (4) any specific recommendations or instructions presented by the agency.

Number: 247

Subject: AMBERTON UNIVERSITY EMERGENCY PLAN

The emergency plan for Amberton University is designed to address procedures to be followed during emergency situations. An emergency is present anytime life or property is in danger. An emergency could be as minor as a sprained ankle or as severe as a collapsed facility because of storm or explosion.

In case of an emergency, the first duty is to protect life. Following the preservation of life and safety, efforts to prevent loss of records, equipment, funds, and/or assets are to be considered.

EMERGENCY PROCEDURES

At any time, an employee of the University could be confronted with or contacted by an individual reporting an emergency or incident that has occurred on the campus. In order that an emergency is handled properly, the following information and instructions are provided.

I. The Reporting of an Accident

A. Automobile on University property.

1. Determine if anyone is hurt.
2. If no one is hurt, call the Garland Police Department (972/485-4840) or Frisco Police Department (972/292-6010).
3. If someone is injured, call 911.

B. Pedestrian on University property or accident in the facility resulting in injury.

1. Determine the location and nature of the accident.
2. Call 911.

II. Disaster (explosion, fire, wind, water)

Amberton University facilities are extremely secure buildings (Garland Campus and Frisco Center). The buildings are constructed of concrete and steel walls and ceilings. The building exteriors are fire resistant (contents, however, can burn). The chief danger is the glass on the outer walls of the building. When wind or hail is a danger, people should be moved away from the outer glass walls. The halls, elevators, restrooms, and spaces away from glass are the safest areas.

- A. If the likelihood of a disaster by wind or hail is imminent, instruct all personnel and students to move to the previously identified safe areas. Do not encourage people to leave the building--the building is the safer place. If any portion of the building is damaged or if anyone is reported injured, call 911.
- B. In case of explosion or fire, evacuate the building immediately and call 911.
- C. In case of damage that breaches the security of the facility, maintain vigilance, assuming it is safe to do so, until relieved by a University administrator.

III. Bomb Threats/Hoax

Most bomb threats are a hoax; however, take all bomb threats seriously. Most threats to a university come from disgruntled students or someone who does not want to take a test. Listen carefully to the tone of the voice as well as the words expressed. When a telephone threat is received, try to follow these guidelines.

- A. Maintain a firm voice; tell the caller you are sorry but you did not understand what he or she was saying and ask the caller to repeat the message.
- B. Firmly ask the caller if she/he is really serious.
- C. Ask when the disaster (bomb) is to happen.
- D. Ask where or in what area of the University's facility will the disaster be found (bomb be found). Suggest two locations, the student center or auditorium.
- E. Thank the caller for giving you the message and affirm the threat one more time.
- F. If classes are not in session, forward the threat immediately to a University administrator for immediate resolution.
- G. If classes are in session:
 1. If sufficient time is allowed, forward the threat to a University administrator for resolution.
 2. If insufficient time is available, empty the building and call 911.

IV. Robbery/Burglary/Armed Intruder

Robbers and/or burglars usually want money or assets that can be quickly converted to cash. Neither money nor assets are worth human harm.

- A. If involved in a robbery, give the robber what he/she wants. Any employee confronted by a criminal is to take a non-aggressive posture. A criminal who tries to exit is not to be detained. Respond to all criminal acts by calling the police. Do not risk life or bodily harm for things. Resist only when losing your life (and perhaps the life of others) is an acceptable alternative.
- B. If when reporting to work you realize that the facility has been burglarized, do not enter the facility. Retreat and call the police--911.
- C. Should an armed intruder enter the facility and pose a threat to students and/or to employees, first take action to protect life. Such action may include a facility lock-down or facility evacuation. Do not confront the person. Help others to escape and run away if you can. Otherwise, conceal yourself. Fight back if you have no choice. If you encounter police officers, follow their instructions immediately without hesitation. As soon as possible or when safely away from the threat, call the police and report the situation giving the last location of the intruder, description, etc. Contact an administrator and forward information as soon as possible.

V. The Receiving of Emergency/Disaster Information

- A. Anytime an emergency is encountered, immediate action is to be taken to protect life.
- B. Following the immediate action required in response to the emergency, contact an administrator and forward all information.

VI. The Distribution of Emergency Information

- A. Once an emergency has been identified, an administrator will inform the appropriate people of the facts.
- B. Never distribute information concerning an emergency until it has been authorized and checked by an administrator.
- C. Never distribute information directly to any news agency, media or external source. Forward all news agency requests or inquiries to the Chief Executive Officer or his/her public information designee.
- D. Once information has been authorized and verified, the University's internal email system will be used by an authorized administrator to inform students and personnel of the emergency as appropriate.

FACILITY EVACUATION

In case the facility is evacuated, all personnel capable of movement will gather in the northeast parking lot of the facility (Garland Campus) for an accounting. Frisco Center personnel will gather in the front parking area. The University will immediately establish an emergency relief office to coordinate emergency efforts. It will be the responsibility of the Administration to oversee emergency procedures.

PRESERVATION OF RECORDS

All University offices should take regular precautions to preserve the records of the institution. All permanent records, legal records and pertinent financial records are to be preserved nightly. Copies of all important University records will be made weekly and preserved off campus.

Should the University receive some warning of disaster, all records will be protected as time will allow, but safety of personnel will take precedent over any efforts to preserve records or assets of the University.

ANNUAL REVIEW

Annually the administration of the University will review its emergency procedures and policy statements and make modifications as needed. The Vice Presidents will maintain contingency plans as to how the University would continue its duties if its present facilities were made unavailable.

EMERGENCY CLOSINGS

At times, emergencies such a severe weather, fires, power failures, or earthquakes, can disrupt university operations. In extreme cases, these circumstances may require the closing of the University s facilities. In the event that such an emergency occurs during nonworking hours, the University's automated telephone system will announce the closing and information will be posted on the University s website. Students and personnel will also receive notification through the University s internal email system. If the University's telephone system, website and email system are inoperative, the emergency notice will be given to both the major radio and television stations in the Dallas metropolitan area.

When the decision to close is made *after* the workday has begun, employees will receive official notification from their immediate supervisor. In these situations, time off from scheduled work will be paid. When the decision to close is made BEFORE the workday has begun, time off from scheduled work will be unpaid. However, with supervisory approval, employees may use available paid leave time, such as unused vacation benefits. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay. Once the decision has been made to close after the workday has begun, the University's automated telephone system will announce the closing and information will be posted on the University s website. Students will also receive notification through the University s internal email system.

ACTIVE SHOOTER

In response to the potential threat of an active shooter on campus, employees and students should follow the "Run, Hide, Fight" protocol.

- A. Students, faculty and staff should first attempt to evacuate the area if a safe escape route is available.
- B. If evacuation is not possible, individuals should hide in a secure location, locking and barricading doors, turning off lights and silencing electronic devices.
- C. As a last resort, if confronted by the shooter, individuals should be prepared to fight back using any means necessary to protect themselves.

Number: 250

Subject: APPROVAL TO TAKE TEXAS SCHOOL COUNSELING EXAM

In order to approve a student to take the Texas School Counseling Examination prior to the awarding of the School Counseling degree, the following conditions must be met:

- * The applicant must be a graduate student at Amberton University majoring in School Counseling.
- * The applicant must have a minimum of 30 credit hours reflected on his/her School Counseling degree plan with a graduate grade point average of at least 3.00.
- * The student must be in good financial standing with the University.

In the event that the applicant is pursuing the School Counseling degree as a second degree at Amberton University, the above conditions must be met plus an additional fifteen (15) credit hours must be completed toward the second degree before approval will be granted.

If the applicant was previously awarded a master's degree in Counseling from Amberton University, approval may be issued at the discretion of the Chief Academic Officer without completion of the additional fifteen (15) credit hours.

Number: 251

Subject: REPORTING OF CRIMES ON UNIVERSITY PREMISES

Any crime involving person(s) and/or property (crimes include but are not limited to robbery, stolen property, rape, assault, indecent exposure, improper conduct, improper use of a vehicle, possession of an unlawful weapon, homicide, vandalism, breaking and entering) observed or reported as having been observed on the Amberton University premises is to be reported to a University Administrator.

EXPECTATION OF STUDENTS:

Any incident of crime observed on Amberton University premises by a student is to be reported to a University official immediately. If the crime is underway and places person(s) and/or property at risk, the student is to call law enforcement authorities without delay (Call 911). A twenty-four hour telephone line (972 279-6511 Ext. 121) will always be available for reporting an incident to University authorities.

EXPECTATION OF EMPLOYEE:

Any employee seeing or having been given a report of a crime on Amberton University premises will report the incident or alleged incident to an Administrator of the University in an expedient manner.

1. Law enforcement authorities are to be contacted immediately if person(s) and/or property are at risk.
2. The employee will submit an oral/or written report to his/her line Administrator in an expedient manner.

REPORTING:

Annually the University will make available to employees, students, and potential students a report concerning crime incidents on the Amberton University property. For the report, see the Amberton University website (www.Amberton.edu) Help and Advice – Consumer Information Disclosures-Health and Safety-Annual Safety Reports. The University will also provide information relative to safety procedures and how to report observed crime incidents. See Amberton University Catalog – Safety and Security.

Number: 253

Subject: LIFE-THREATENING ILLNESSES IN THE WORKPLACE

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Amberton University supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, Amberton University will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. Amberton University will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the University's Chief Personnel Officer for information and referral to appropriate services and resources.

Number: 256

Subject: PAYDAYS

Bi-weekly employees are paid biweekly on every other Friday. Monthly employees are paid monthly on the last day of the month. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee may receive his or her earned wages before departing for vacation if a written request is submitted at least one week prior to departing for vacation.

Number: 259

Subject: ADMINISTRATIVE PAY CORRECTIONS

Amberton University takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll Office so that corrections can be made as quickly as possible.

Number: 263

Subject: BUSINESS TRAVEL EXPENSES AND USE OF PERSONAL VEHICLE

Amberton University will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the budget head and adhere to the following regulations:

Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by Amberton University. Employees are expected to limit expenses to reasonable amounts.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by Amberton University may not be used for personal use without prior approval.

With prior approval, employees on business travel may be accompanied by a family member or friend, when the presence of a companion will not interfere with successful completion of business objectives. Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

When travel is completed, employees should submit completed travel expense reports within 10 days. Reports should be accompanied by receipts for all individual expenses.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

Use of Personal Vehicle(s) for Business Purposes:

Prior to business travel being approved, employees who drive personal vehicles for business are required to provide the University with copies of their valid driver's license and current proof of insurance. Approved employees who are authorized to drive personal vehicles for business purposes include personnel required to travel as part of his/her job responsibilities plus any employee who may be requested or required to travel occasionally as part of his/her employment position. All employees using personal vehicles for business travel are expected to observe all laws

in force and refrain from prohibited and/or unlawful practices while driving, such as but not limited to, drug and alcohol use, use of radar detectors, use of cell phones (as dictated by applicable law), and exceeding the speed limit. Mileage for using a personal vehicle for business travel is reimbursable according to the current rate approved by the IRS as long as the employee received prior authorization for the travel and has the required documentation on file. An employee may be prohibited from using his/her vehicle for business purposes for a violation of this regulation.

Number: 265
Subject: CARRY OF CONCEALED HANDGUNS ON AMBERTON UNIVERSITY CAMPUSES
Date: August 1, 2016
Responsibility: President

Policy Statement

Senate Bill 11 (SB 11) of the 84th Texas Legislature permits individuals holding concealed handgun licenses to carry handguns onto the campus and into the general buildings of the public and private institutions of higher education in Texas, unless a private institution has established rules, regulations, or other provisions prohibiting license holders from carrying handguns on the campus.

Amberton University's enrollment is limited to the mature, working adult seeking to finish a bachelor's degree or to begin or complete graduate studies. Students complete their degrees by taking online courses or a combination of online and on-campus courses at the main campus in Garland or the Frisco Center. Amberton has no campus housing, no sporting events, no social clubs, and no dining facilities. The consumption of alcohol is prohibited on campus as is the use of illegal drugs. Considering the unique nature of the Amberton student and the campus environment, Amberton University will comply with Senate Bill 11 allowing individuals holding valid handgun licenses to carry their concealed handguns onto the Amberton campuses and premises.

The purpose of this policy is to ensure compliance with Senate Bill 11 in a manner in keeping with other relevant laws, and to provide for the safety of Amberton students, faculty, staff, and visitors.

Applicability

This policy applies to all persons on property owned or leased by Amberton University and goes into effect on August 1, 2016.

Responsibilities of Individuals Carrying Concealed Handguns

Concealment

The licensed carrier of a handgun must ensure that a casual observer be unable to notice or detect that a handgun is being carried. This is a fundamental aspect of the law and of this policy. Individuals who violate the condition of concealment at any time, either by knowingly

or inadvertently allowing their handgun to be seen or by letting its presence be noticeable by inadequate concealment, are in violation of this policy and may be subject to discipline.

Security

The licensed carrier is responsible for maintaining complete practical control of the handgun at all times, so that it is either on the licensee's person or is immediately accessible from a purse or other similar personal accessory that is continually under the direct control of the licensee. The only alternative to these conditions is that the gun be appropriately and safely stored by the carrier.

Safety

The handgun must be carried in a holster that completely covers the trigger, trigger guard area, and provides sufficient adhesion on the gun so that the gun will not fall out of the holster when the gun or the carrier is subject to abrupt motions or impacts.

Storage

The University will make no provisions for storage of handguns. Licensed carriers must have their weapons on their persons constantly or have them stored in a securely locked personal vehicle.

Compliance with other Laws

Amberton University facilities may be used for a variety of purposes. Classrooms and other areas may have different utilizations than their original purpose. It is the duty and responsibility of licensed carriers to be informed and aware of the many restrictions and limitations that various laws impose upon the carrying of concealed weapons in various situations, and that licensed carriers rigorously adhere to these conditions without receiving constant reminders. Some of the most important of these restrictions include:

Presence of Children

Unsupervised children are not allowed anywhere in Amberton University facilities or grounds. However, the nature of our university is that adult students may occasionally bring their children to campus for a short period while they conduct business, such as make payment on an account, register for classes, or pick up university information. Licensed carriers should avoid areas in which children are present as prescribed by their training and existing law.

Mental Health Counseling Facilities

Currently, Amberton University does not operate a facility for mental health counseling. Should the University at some future date decide to designate a University area as a mental health facility, this area will be marked clearly to designate its function and individuals carrying concealed weapons will be prohibited.

Discipline or Hearing Areas

Various rooms and areas of the campus function from time to time as areas for disciplinary hearings or for mediation sessions. When so used, these areas will be marked clearly to designate their functions, and individuals carrying concealed weapons may not enter these areas.

Exclusion or Gun-free Zones

Amberton University facilities, including classrooms, multi-person administrative offices, individual faculty offices, library, and advisement and testing facilities, will all be accessible to individuals carrying concealed weapons in accord with their licenses and the law. S.B. 11 allows the University to establish “exclusion zones” where the presence of concealed handguns would be inherently inappropriate or illegal. These areas shall be designated as “exclusion zones.” For these areas, entry will be forbidden to students, employees, and visitors who are carrying concealed handguns. Notice conforming to Texas Penal Code §30.06 will be provided for these “exclusion zones” as appropriate

Noncompliance

Failure to comply with this policy may result in criminal prosecution and discipline in accordance with applicable procedures up to and including termination of employment for employees and expulsion for students.

Amendment of Provisions as Necessary for Campus Safety

As provided by law, the President may, at his/her discretion, amend the provisions of this policy as necessary for campus safety, which shall take effect as determined by the President.

Number: 270
Subject: Substantive Change Policy
Updated: March 2016
Responsibility: Vice President for Strategic Services.

Substantive Change Policy Statement

“Substantive change” is generally defined as any significant modification or expansion of the University’s scope (such as the addition of educational programs or instructional locations) or its nature (such as affiliation, ownership, or mission). Specifically, the definitions and explanations in the SACSCOC policy regarding substantive change determine the understanding of what constitutes such a change. <https://sacscoc.org/app/uploads/2019/08/SubstantiveChange.pdf>

The federal government requires regional accrediting agencies to have a substantive change policy and to monitor the compliance of its member colleges and universities with the substantive change policy. Amberton University’s regional accrediting agency, the Southern Association of Schools and Colleges Commission on Colleges (SACSCOC) requires as a condition of accreditation member institutions to notify the SACSCOC of substantive changes, and, in some cases, seek SACSCOC approval prior to implementation of such changes.

Policy Rationale

The purpose of this policy is to establish the Amberton University responsibilities and required procedures for timely notification of substantive change to SACSCOC. The policy complies with the *SACSCOC Principles of Accreditation: Foundation for Quality Enhancement* and the *SACSCOC Substantive Change for SACSCOC Accredited Institutions Policy* (<https://sacscoc.org/app/uploads/2019/08/SubstantiveChange.pdf>) in adherence with United States Department of Education Regulations 34 CFR 602.22 Substantive Change.

Types and Procedures for Substantive Change

The SACSCOC website identifies the different types of substantive changes as well as the procedure for notification to SACSCOC. Some procedures require simply notification while others require prior approval before implementation. A complete listing of substantive change types and procedures is available on the SACSCOC website.

Responsibilities and Process

Although the SACSCOC Accreditation Liaison (currently the Vice President for Strategic Services) is responsible for communicating with SACSCOC, the hierarchy of Amberton is such that all the administrators and the President will be involved in the substantive change process. At the earliest stage of consideration, any potential substantive change is to be presented to the Administrative Council to determine if it is a substantive change. Using the definitions of substantive changes on the SACSCOC website, the determination is made if a substantive change

exists, if so what category, and the appropriate notification procedure to follow. The substantive change documents will initially be prepared according to SACSCOC instructions and given to the SACSCOC liaison. The SACSCOC liaison will finalize the document and give it to the President for approval. Once approved, the document will be sent to SACSCOC. The SACSCOC Accreditation Liaison will conduct any follow-up.

Number: 275
Subject: CONSTITUTION DAY
Updated: March 2016
Responsibility: Executive Vice President

Constitution Day

Amberton University will observe “Constitution Day” on September 17 of each year by publishing the following announcement on the University’s website where it is accessible to all students:

September 17 is Constitution Day and Citizenship Day. This day commemorates the September 17, 1787, signing of the United States Constitution. Written in 1787, ratified in 1788, and in operation since 1789, the United States Constitution is the world’s longest surviving written charter of government. Its first three words – “We the People” – affirm that the government of the United States exists to serve its citizens. For over two hundred years, the Constitution has remained in force because its framers wisely separated and balanced governmental powers to safeguard the interests of majority rule and minority rights, of liberty and equality, and of the federal and state governments. Since 1789, the Constitution has evolved through amendments to meet the changing needs of a nation now profoundly different from the eighteenth-century world in which its creators lived. To encourage all Americans to learn more about the Constitution, Congress in 1956 established Constitution Week, to begin each year on September 17, the date in 1787 when delegates to the Convention signed the Constitution.

The following links will provide additional information and resources on the Constitution and what the Constitution means to you:

The Declaration of Independence:

<http://www.archives.gov/exhibits/charters/declaration.html>

The Constitution

<http://constitutioncenter.org>

<http://www.archives.gov/exhibits/charters/constitution.html>

Number: 278
Subject: POSTHUMOUS DEGREES
Updated: March 2016
Responsibility: President

Amberton University Procedures for the Awarding of Posthumous Degrees

General Statement:

Amberton University desires to recognize academic achievement of students enrolled in the University at the time of their death and to provide family members a symbol that reflects their loved one's achievements. The University may confer a posthumous degree in honor of a student who died during enrollment after having completed significant progress toward degree completion and was in good academic and financial standing.

Criteria:

To be considered for a Posthumous Degree, the student must have completed a significant amount (approximately 75%) of the degree requirements, be currently enrolled and in good academic and financial standing. Consideration may be given to a student where chronic illness prevented current enrollment. Under special circumstances, the University may grant the posthumous degree for a student who has completed less than 75% of the degree course work.

Procedure:

Requests for consideration for awarding of a degree posthumously must be submitted in writing within one year of the student's death and include documentation verifying the date of the student's death. Documentation may include a death certificate, Funeral Service Program, newspaper, or other documentation as approved.

Relatives of the student may submit a letter to the President's Office, which will then be forwarded to the appropriate Division Chair for initiation of the "Posthumous Degree Request Form."

University personnel may initiate the request process by sending a letter to the appropriate Division Chair for initiation of the "Posthumous Degree Request Form."

The Division Chair will coordinate completion of the initial portion of the request form with input from the student's professors. Faculty from the student's academic division may choose to write a letter that could be included with the diploma, if approved, regarding the student's scholarly endeavors, regard by faculty and fellow students and/or other personal qualities.

The Executive Vice President will complete the remainder of the form, indicating verification of enrollment status, financial and academic good standing and percentage of degree completed. The Academic Services Office will retain a copy of the form and return the original to the Division Chair who initiated the request.

The Division Chair will present the request, along with supporting data, to the Faculty Council for a vote. The Faculty Council will forward all information, along with the Faculty recommendation, to the President for further consideration and appropriate notification.

If the Faculty Council recommends approval and the President concurs, the President will place the recommendation on the agenda for the next Board of Trustees meeting, when the Board of Trustees will vote on the recommendation. Per Amberton University Policy #50, the Board of Trustees shall be responsible for approving all recommendations for the awarding of an honorary degree.

Notification:

The President of the university will advise the individual making the request of the final decision. If the request was made by someone other than the family and the decision is favorable, the family will be notified and the University will secure their approval for completion of the process and preparation of the diploma. The President or his/her designee will ensure that the diploma and student transcript include the words, “presented posthumously.”

Recognition:

If approved, a designated university official of the rank of Vice President or higher will present the Posthumous Degree to the family in a private university setting. If a meeting is not possible, the University will mail the diploma to the family.

Contacts:

The President of the University, or his or her designee, serves as the official responsible for the interpretation and administration of these procedures. Contact the President’s office for any questions related to the policy.

Related Documents:

Posthumous Degree Request Form

Number: 285

Subject: ARTIFICIAL INTELLIGENCE USAGE

Updated: June 2025

Amberton faculty and staff are encouraged to leverage artificial intelligence (AI) tools to enhance productivity, streamline workflows and improve decision-making. However, AI must be used responsibly and ethically. Employees must ensure that AI-generated content is accurate, does not infringe on intellectual property and aligns with the Amberton University values and mission.

Artificial intelligence should never be used to:

- Disclose confidential information
- Make autonomous decisions that require administrative oversight
- Replace critical thinking or professional judgment

Any AI-generated content used in official communications or work products must be reviewed and approved by a supervisor.

Amberton University reserves the right to monitor AI usage and implement new and update guidelines as technology evolves to maintain compliance with legal, accreditation and regulatory requirements.

Number: 312

Subject: INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Amberton University uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or Amberton University may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first 180 calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If Amberton University determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

Upon satisfactory completion of the introductory period, employees enter the *regular* employment classification.

During the introductory period, new employees are eligible for those benefits that are required by law, such as Social Security and Medicare. They may also be eligible for other Amberton University-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

Number: 314

Subject: PERFORMANCE APPRAISAL

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. A formal performance evaluation will be conducted at the end of an employee's initial period of hire, known as the introductory period(see Regulation #312). Additional formal performance evaluations are conducted annually to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The performance of all classifications of employees (administrators, faculty, and staff) is evaluated generally according to an ongoing 12-month cycle, beginning at the fiscal year end. Supervisory personnel conduct performance appraisals for staff in their respective departments. Faculty performance appraisals, conducted by the Chief Academic Officer, follow the guidelines set forth in Regulation #419. Administrative evaluations are conducted by the President.

Merit-based pay adjustments are awarded by Amberton University in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors including, but not limited to, the information documented by this formal performance evaluation process.

Number: 319

Subject: STAFF TERMINATION PROCEDURE

1. Written notice of termination should be given to the supervisor prior to leaving employment.
2. Keys, ID card, and other school property must be returned to the supervisor prior to leaving employment. The last paycheck will be held until this is done.
3. Supervisors will send a copy of the termination notice and the employee to the Business Office for an exit interview.
4. At the exit interview, the employee will provide a mailing address (for W-2 form mailing) and be ready to make a decision on the privileges under insurance and retirement benefits.

Number: 325

Subject: STAFF ORGANIZATIONS

THE STAFF ASSOCIATION

Membership in the Staff Association is open to all full-time and part-time employees of the University who are directly associated with the operational (non-teaching) aspects of the institution. Membership may include other such persons as the staff sees fit to elect.

Staff Association Meetings

Generally, the Staff Association will have meetings each session, but special meetings may be called by the Administration or Staff Council.

Purposes of the Staff Association

The Purposes of the Staff Association are:

1. To keep informed about institutional plans and developments.
2. To maintain open lines of communication between staff, faculty and administration.
3. To promote interest within the membership toward professional growth.
4. To encourage and recommend operational and procedural changes that contribute to institutional improvement.
5. To recommend improvements or changes in institutional conditions in order to meet the changing needs of its membership.

THE STAFF COUNCIL

Authority

The Staff Council, composed of all full-time staff employees, shall serve as the representative body of the Staff Association. The Staff Council shall continuously review and make recommendations to the Administration on matters pertaining to registration, operations, procedures, office conditions and such other matters that pertain to staff affairs.

Council Responsibilities

The Staff Council, as the representative body of the Staff Association, is to continuously review and make recommendations on matters relative to procedures, office standards and staff welfare.

The Staff Council is responsible in promoting the highest ethical and professional standards attainable for the entire staff.

The Staff Council is responsible for promoting communications within and between all segments of the university community.

The Staff Council is responsible for investigating and advising on operational topics that are surfaced by both the staff and administration.

Membership

Staff Council membership will consist of all full-time members of the Staff Association and other such personnel as the Council may choose to authorize.

Council Officers and Duties

The chairperson, who is selected by the Council annually, will preside over all meetings, but may vote only in a tie.

The Staff Council may elect such other officers as it finds necessary to handle Council business. The Council will determine the qualifications and duties of such officers and will establish procedures for appointing membership to such committees as deemed necessary.

All activities of the Staff Council--meetings of the Council, committee meetings, task force meetings, etc.--will be recorded and copies of such minutes will be distributed to the Chief Operations Officer and such other personnel as deemed advisable by the Council.

Number: 336

Subject: EMPLOYEE GRIEVANCE AND APPEALS

It is important that each employee work in conditions that are conducive to a feeling of goodwill and fairness. If an employee has any grievance regarding working conditions, employment practices, discrimination (also see Regulations 205 and 207), employee relationships, or policy interpretation, the following procedure should be followed:

1. The matter in question should be discussed with the immediate supervisor at the earliest possible time. Every effort should be exercised to solve the problem without undue delay. The supervisor should contact or put the employee in contact with any other person(s) related to the problem.
2. If the employee is not satisfied with the answer or solution of the immediate supervisor within five (5) working days, the problem may be presented, in writing, to the appropriate divisional Vice President or if the complaint is against the divisional Vice president, to any Vice President of the University.
3. If the employee is dissatisfied with the solution presented by the Vice President, the employee may appeal, in writing, to the Chief Executive Officer. The CEO may make a final decision immediately or elect to form a Grievance Hearing Committee to consider the complaint. The committee, if appointed, should have in writing the grievance and copies of the previous actions taken.
4. The Grievance Hearing Committee shall make a recommendation to the CEO, whose decision shall be final.

Number: 405

Subject: FACULTY APPOINTMENT, PROCEDURES & REQUIREMENTS FOR TEACHING

The University believes that it is essential for the faculty to be free to pursue scholarly inquiry without undue restrictions, and to voice and publish conclusions concerning the significance of evidence developed through responsible research. Each faculty member must be free from the corrosive fear that others, inside or outside the university community, may threaten his or her personal career or the material benefits accrued from scholarly findings.

Each faculty member is entitled to freedom in the classroom when discussing the subject he is assigned to teach but must also accept the responsibility of professional integrity and competence in his field of specialization and exhibit such competency in lectures, discussions, and publications. Every faculty member must strive to be accurate, to exercise appropriate restraint, to show respect for the opinion of others, and to avoid creating the impression that he acts or speaks for the University when he speaks or acts as a private person.

EMPLOYMENT, CONTRACTS, AND TERMINATION PROCEDURES

In order that members of the faculty and administration may work under conditions of reasonable security, the university has adopted the following policy of employment, contracts, and termination of employment:

Employment:

When it has been established that a vacancy exists on the faculty, it shall be the duty of the Chief Academic Officer to identify candidates and assemble the necessary information for an appointment decision.

Once a candidate has been selected from the applicant pool, approval to make an offer must be obtained from the Chief Executive Officer. The following documents must accompany the request to make an offer:

1. Application for employment including vita, professional certifications, and transcripts.
2. Letters of recommendation and information verifying a background investigation.
3. A recommendation statement proposing appointment letter including rank, salary, and area in which the applicant will teach.

If approval for hiring is granted, a letter of appointment is forwarded to the applicant. Appointments to the adjunct faculty shall be for one session only and shall be tentative based upon

enrollment and personnel needs of the University. Appointments to the full-time faculty shall be for a definite period of time governed by the following section on contracts.

Employment Contracts:

The University believes that faculty members who exhibit effective performance of their responsibilities should be secure in their expectation of continued employment. Amberton University does not grant tenure as the term has traditionally been applied. The University does wish to give a legitimate and realistic measure of security to its experienced, competent faculty leaders. The primary means of providing this security is by the granting of employment contracts. The following guidelines regulate the granting of faculty contracts at Amberton University:

1. Full-time faculty appointments are authorized by the CEO after due consultation with the Chief Academic Officer and Chief Operations Officer. Appointments are for one year and may be renewed annually.
2. Not later than April of the academic year for which the appointment has been made, the faculty member will be informed in writing if his contract for the next year is to be renewed.

Termination Procedure:

I. Non-renewal of faculty at the end of the contract.

- A. Amberton University is not legally required to give a faculty member a reason for a decision not to make a re-appointment for another contract term, or to provide a hearing; however, each faculty member shall be entitled to see all of his or her personnel files and to obtain a copy of the information in these files at the expense of the person requesting it.
- B. The University shall not be required to inform the faculty member when a decision is made not to re-appoint the faculty member for another contract. However, should the University choose to renew a contract, the faculty member shall be so informed in writing by the University.

II. Termination of an employee during a contract period.

- A. Termination of an employee during a contract period may be executed in the following ways:
 1. By voluntary resignation of the faculty member (letter of resignation should be received by the Chief Academic Officer no later than April 15th to be effective for the next academic year that begins the following June);
 2. By retirement;

3. By mutual agreement of the faculty member and the Chief Academic Officer; (or)
 4. By the University for cause, such as financial exigency, overstaffing caused by changes in student enrollment or program offerings, moral delinquency, professional incompetence, technical incompetence, neglect of responsibilities, failure to comply with standards outlined in the faculty responsibilities of conditions stated in the contract, or if the faculty member's conduct or teaching fail to conform to the principles, ethical standards, or purposes of the University.
- B. Due process for termination of employment during a contract period shall be observed:
1. If it appears that, for cause, termination of employment for those in a contract period is imminent, a conference between the faculty member and the Chief Academic Officer will be held. If termination is determined necessary, the faculty member will be notified in writing that he is being terminated. In the letter, the cause or causes for termination will be stated. The letter will also state the date for termination.
 2. If the faculty member does not accept the findings presented in the letter, he will have the privilege of appealing to the Chief Executive Officer.
 - a. The CEO may act singularly or appoint a faculty review committee to consider the case. If a committee is appointed, the committee shall review the case and make recommendations to the CEO.
 - b. The CEO, after reviewing the recommendations of the Chief Academic Officer and the faculty review committee, will render a final decision.

Faculty Salary:

The salary of a faculty member is recommended by the Chief Academic Officer following a meeting with the faculty member. The salary is determined by the Chief Executive Officer after considering recommendations and the salary budget authorized by the Board of Trustees.

Full-time Faculty Designations:

Two groups comprise the full-time faculty of Amberton University: Faculty who are members of the Faculty Council and faculty who are termed Dedicated Faculty members. A discussion of both groups may be found in Regulation #417 Faculty Responsibilities.

Normal Teaching Load for Full-Time Faculty:

Faculty Council Member:

The normal teaching load for a faculty council member should be approximately ten classes per year (a year is four, ten-week sessions). It is anticipated that faculty in this classification will instruct an enrollment of approximately 300 students per year. The maximum number of classes a faculty council member may teach in an academic year is twelve. The maximum number of new class preparations a faculty council member may prepare in a year is four.

Dedicated Faculty Member:

The normal teaching load for a dedicated faculty member is eight classes per year (a year is four, ten-week sessions). An enrollment of 12 students in a class is the minimum to be considered a class. It is anticipated that dedicated faculty will instruct an enrollment of approximately 240 students per year. The maximum number of new class preparations a dedicated faculty member may prepare in a year is four.

REQUIREMENTS FOR INSTRUCTORS

All instructors at Amberton University must be academically qualified and must have attained a certain level of experience that fosters a relevant application of the academic process to the practical world.

- * Individuals selected to teach courses on the baccalaureate level must possess at least an earned Master's Degree and eighteen (18) graduate hours in related subjects they are teaching from a regionally accredited institution. Any exception to this rule must be documented with the evidence of experience, scholarly or creative activities that offset the minimum academic requirement.
- * Individuals teaching graduate level courses must have earned the highest degree in their discipline plus twenty-four (24) graduate hours in related subjects they are teaching from a regionally accredited institution. In exceptional cases, extensive professional experience or significant scholarly or creative activities may substitute for formal academic training.
- * All full-time instructors at Amberton University will be sufficiently qualified in computer usage to engage in on-line research and on-line course development. Full-time instructors must be qualified to offer courses in the classroom (lecture classes) and via distance learning (online courses).

THE EMPLOYMENT OF PART-TIME INSTRUCTORS

The employment of teaching assistants, teaching fellows, or part-time instructors (adjunct faculty) is a well established practice in higher education but must be carefully monitored. The academic credentials of part-time instructors must be equal to those of full-time faculty personnel. In addition, contractual arrangements will be provided that clearly stipulate the relationship of the employee to the University. Part-time teaching contracts will not exceed one session in duration. Adjunct instructors are not to teach more than six classes per year.

INSTRUCTIONAL STANDARDS

1. The University will maintain sufficient faculty depth (full and part-time) so that all courses that are required and directly related to a major program will have at least one instructor who is on contract and academically certified to teach the course.
2. All instructors who are assigned to teach required courses will have a teaching record indicating that they are above average instructors (above average evaluation will be based upon Instructor/Course Evaluations).
3. Any instructor whose performance is significantly below average (5.5 or lower on Instructor/Course Evaluations) will not be allowed to teach the course again without having first undergone special instruction from a senior professor or the Chief Academic Officer.

EXCEPTIONS TO REQUIREMENTS OR STANDARDS

Any exceptions to instructor requirements or instructional standards must be properly documented according to SACSCOC requirements.

Number: 406

Subject: FACULTY TEACHING

USE OF FULL-TIME AND PART-TIME FACULTY

Amberton University focuses on the working adult student whose academic goal is to finish a bachelor's degree or to begin and complete a graduate program. This focus is demonstrated in the select group of faculty who teach Amberton University's courses. The University employs full-time faculty members who are not only academically qualified to teach in their respective disciplines but who are also practitioners who bring real world experience into their courses. In addition to full-time faculty, Amberton University employs select part-time faculty who by their academic qualifications and professional experience provide variety and depth in specific disciplines.

In planning course offerings for the complete academic year, full-time faculty should teach over 50% of total student headcount (total semester hours generated) for the fiscal year. All full-time faculty must be qualified to teach both lecture and distance learning (online) classes.

CLASS SIZE

Lecture Classes and Distance Learning Classes:

The minimum size for a lecture class to make is twelve. The maximum class size is fifty. Between the size of thirty to fifty, the Chief Academic Officer, in coordination with the instructor, may select the optimum enrollment desired for the class. Because of the nature of distance learning classes, the class need only be large enough to support the financial costs associated with offering the class; however, no distance learning class may exceed 50 students.

FACULTY LOAD

Full-time Faculty:

Faculty Council Members:

The expected teaching load of faculty council members at Amberton University is 300 students per year, normally taught in ten courses. A faculty member may request to teach additional classes above the normal teaching load of ten; however, the annual teaching load may not exceed twelve courses, except by approval by the University's President when extraordinary conditions merit an exception. Should an overload be authorized, a faculty member is entitled to overload pay when he/she exceeds 300 students taught and ten courses.

Dedicated Faculty Members:

The expected teaching load of dedicated faculty members should be approximately 240 students per year, taught in eight courses with a minimum enrollment of 12 students per course.

Part-time Faculty:

Part-time instructors normally teach one to two classes per session based upon scheduling rotations. Part-time instructors are not to teach more than six classes per year and are not to be involved in more than four preparations per year. Exceptions to this standard must be documented.

Number: 407

Subject: FACULTY RANK

Faculty rank shall be determined by academic credentials and years of successful service to Amberton University as determined by the Chief Academic Officer and approved by the Chief Executive Officer.

Professor Earned doctorate in the field of teaching and 5 successful years of teaching.

Associate Professor Earned doctorate in the field of teaching and two successful years of teaching.

Assistant Professor Less than an earned doctorate in the field of teaching and four successful years of teaching.

Instructor Qualified to teach but having less than four successful years of teaching.

Number: 409

Subject: FACULTY EMPLOYMENT RECORDS

Faculty records shall be maintained by the Chief Academic Officer and will include the following:

- * Copy of the Amberton University Employment Application (original will be in personnel)
- * Letters of recommendation and information verifying a background investigation
- * Official Transcript(s)
- * Vita and/or Professional Certification when appropriate or necessary for justifying employment
- * Copies of Contract Letters with Amberton University
- * Copies of Teaching Performance as reported by students in classes taught
- * Copies of Professional Development Activities (articles written, conferences attended, faculty research, etc.)
- * Copies of Signed Letters of Praise or Complaint filed relative to the instructor as well as record of university action, if any
- * Letters or Memorandums of Evaluation by Administrative Personnel
- * Teaching Assignments
- * Documentation of evidence of experience, scholarly or creative activities that offset minimum academic requirements.

Number: 410

Subject: THE FACULTY ASSOCIATION

Membership in the Faculty Association is open to all full-time and part-time employees of the University who are directly associated with the teaching aspects of the institution. Membership will include the instructors, librarians and other such persons as the faculty sees fit to elect.

Faculty Association Meetings:

The Faculty Association will have general meetings prior to the beginning of each session, but special meetings may be called by the Administration or Faculty Council. The Chief Academic Officer, who does not have a vote, shall preside over all meetings of the Faculty Association.

Purposes of the Faculty Association:

The purposes of the Faculty Association are:

1. To keep informed about institutional plans and developments.
2. To maintain open lines of communication between faculty, staff, and administration.
3. To promote interest within the membership toward professional growth.
4. To encourage and recommend educational programs or changes in programs contributing to institutional improvement.
5. To recommend improvements or changes in institutional conditions in order to meet the changing needs of its students and membership.

Number: 412

Subject: THE FACULTY COUNCIL

AUTHORITY

The Faculty Council shall serve as the representative body of the Faculty Association. The Faculty Council shall continuously review and make recommendations to the Administration on matters pertaining to standards of admission, enrollment, requirements for granting a degree, the curricula, educational research, educational standards and all such matters that pertain to academic affairs.

In order that the Faculty Council may exercise itself as a recommending body in academic matters, the Administration will discuss with the Council all academic matters prior to implementation.

All recommendations of the Council will be regularly shared with the Chief Academic Officer. Recommendations of the Faculty Council, as well as those of the CAO, that might change or influence university policies or regulations will be forwarded to the Chief Executive Officer for a final decision.

COUNCIL RESPONSIBILITIES

- * The Faculty Council is responsible for promoting the highest ethical and professional standards attainable for the entire faculty.
- * The Faculty Council will participate in the development and continuation of the academic programs of the University. The Faculty Council will serve as a recommending body to the Administration in such matters and will develop such task force groups, and/or committees, as needed in order to gather pertinent and reliable data for evaluations.
- * The Faculty Council is responsible for providing leadership in the development, maintenance, and improvement of the curriculum of the University. The curriculum includes both individual course offerings for credit and degree programs. The responsibility for leadership includes providing objective evaluations of proposed changes and implies active participation in the development of new courses and programs and the revision of existing courses and programs.
- * The Faculty Council is responsible for providing assistance, as identified by the Chief Academic Officer, in meeting the logistical and academic operational needs of the University. Examples of such service include, evaluating petitions for exceptions to academic regulations, serving on grievance and appeal panels, etc.
- * The Faculty Council is responsible for participating in University standing committees, such as the Faculty Credentials Committee, the Experiential Learning Credit

Committee, the Curriculum Committee, and the Student and Alumni Achievement Committee.

* The Faculty Council will continually review and make recommendations on matters related to academic standards, policies, and academically related budgets.

MEMBERSHIP

Faculty Council membership will consist of selected full-time members of the Faculty Association and other such faculty personnel as the Council may choose to authorize.

PRESIDING OFFICER

The Chief Academic Officer will preside over all meetings, but will serve without voting privileges.

The Faculty Council may elect such other officers as it finds necessary to handle Council business. The Council will determine the qualifications and duties of such officers and will establish procedures for appointing membership to such committees as deemed necessary.

All activities of the Faculty Council, e.g., meetings of the Council, committee meetings, task force meetings, etc., will be recorded and copies of such minutes will be distributed to the Chief Academic Officer and such other personnel as deemed advisable by the Council.

ADMINISTRATIVE EXCEPTION RULE

Should the administration overrule any academic recommendations of the Faculty Council, the Council may, by two-thirds vote, have a report stating their exception, and desire for a review, to the administrative decision included in the Chief Executive Officer's next report to the Board of Trustees.

Number: 415

Subject: ACADEMIC DIVISION CHAIRS

The faculty of Amberton University will be divided into three academic divisions:

- I. Business Administration
- II. Counseling and Healthcare
- III. Interdisciplinary Studies

The personnel, degree programs and curriculum will be under the auspices of each academic division as follows:

I. Business Administration

A. Faculty Personnel

All faculty authorized to teach Business Administration courses (see "C" below for disciplines).

B. Degree Programs

(See University Catalog for list of degrees)

C. Course Disciplines

- 1. Accounting (ACC)
- 2. Business (BUS)
- 3. Economics (ECO)
- 4. Finance (FIN)
- 5. Management (MGT)
- 6. Management Information Systems (MIS)
- 7. Marketing (MKT)

II. Counseling and Healthcare

A. Faculty Personnel

All faculty authorized to teach Human Development and/or Counseling courses (see "C" below for disciplines).

B. Degree Programs

(See University Catalog for degrees)

C. Course Disciplines

- 1. Counseling (CSL)
- 2. Healthcare (HCA)
- 3. Human Behavior and Development (HBD)

4. Psychology (PSY)
5. Sociology (SOC)

III. Interdisciplinary Studies

A. Faculty Personnel

All faculty authorized to teach interdisciplinary study courses (see "C" below for disciplines).

B. Degree Programs

1. BA Professional Development
2. BS Applied Studies
3. BS Human Relations and Business
4. MS Human Relations and Business
5. MS Human Resources Training and Development
6. MS Human Resource Management
7. MS Professional Development

C. Course Disciplines

1. Communication (COM)
2. English (ENG)
3. History (HIS)
4. Human Resources and Training (HRT)
5. Humanities (HUM)
6. Mathematics (MAT)
7. Religion/Ethics (REL)
8. Required Graduate Studies (RGS)
9. Science (SCI)

Identification Of Program Coordinators

Each spring, following contract renewals, the Chief Academic Officer will divide the full-time faculty into academic divisions (Business, Human Development and Counseling, and Interdisciplinary). The CAO will also appoint Division Chairs to oversee each academic division. After consulting with the Chief Academic Officer, the Division Chairs will meet with each full-time faculty member in their respective division and assign the responsibility of degree program coordination. The Program Coordinators, working with the Division Chairs, have the responsibility of oversight of each of the University's degree programs. Oversight includes program assessment, development, and making recommendations for program improvements. Division Chairs are responsible for the academic development (curriculum/programs) of their respective division.

Program Coordinator Responsibilities

The Program Coordinator supports the administration and development of academic programs, serving as a key resource for faculty, students, and departmental initiatives. A Program Coordinator acts as a liaison between faculty and university leadership. The position integrates instructional engagement with administrative oversight on an ongoing basis. This role requires strong organizational and communication skills, along with the ability to manage multiple priorities in a dynamic environment. Expertise in the program's academic field is required to ensure effective coordination and support of curriculum, accreditation, and student success initiatives.

Each Program Coordinator must demonstrate a deep understanding of current theories, practices, and emerging trends within their discipline. This requires staying informed about industry standards and evolving best practices to ensure the program remains academically rigorous and relevant. This expertise enables the coordinator to mentor faculty, guide curriculum development, and contribute meaningfully to the program's continuous improvement and alignment with institutional goals.

A Program Coordinator reports to the Academic Dean.

DUTIES:

- Preparation of the Annual Assessment Report, including but not limited to:
 - Preparation of Academic Assessment Plan documents.
 - Coordination with program full-time and adjunct faculty to gather program learning outcomes data related to the program. State clearly how they support the university's mission.
 - Analyzing data.
 - Ensuring alignment of the program learning outcomes and the program mission statement that clearly supports Amberton University's mission statement.
 - Ensuring that the rubrics are consistent and use information from specific dimensions.
 - Ensuring that performance results are program-related and formative.
 - Ensuring that the results are used for program improvement and state what action was taken and implemented.
 - Writing an Annual Assessment Report for the degree program.
- Preparation of any re-writes required. This includes any re-writes for accreditation purposes.

Duties Of The Division Chairs

The Division Chairs will work with the Chief Academic Officer in performing the following duties:

- * Keep abreast of external as well as internal plans and developments that impact their academic division and inform fellow faculty of such plans and developments.

- * Maintain open lines of communication between the faculty and administration.
- * Coordinate curriculum and program development, assessment, revision, and growth in the division.
- * Recommend improvements or changes in order to meet the changing needs of students and graduates.
- * Serve on the Curriculum Committee to advise the Director of the Library in developing academic resources.

Number: 417

Subject: FACULTY RESPONSIBILITIES

The responsibilities of the faculty are among those many areas of university life which have for generations been a part of the unwritten code of scholars. However, as a dynamic institution, it is appropriate to set forth these responsibilities in a more formal statement. The provisions of such a statement are so reasonable to learned and civilized people that it may appear redundant to state them. However, the University conceives them to be so important that the performance of the faculty in meeting the provisions of this code shall be taken into consideration in determining employment contracts and salary increases.

The faculty of Amberton University is composed of two complementary groups of talented professionals. A cadre of full-time professional educators provides balance and continuity. Academic breadth and specialized expertise is added by a corps of adjunct faculty serving on specific temporary appointments.

Amberton University strives to provide education in an atmosphere consistent with the ethical standards and principles set forth in the New Testament of the *Holy Bible*. The maintenance of high standards of personal behavior is essential to the preservation of the academic and moral atmosphere of the University. Personal integrity and high moral standards are expected of all instructors and considered an intricate part of the educational process.

All instructors authorized to teach at Amberton University are selected because of their academic credentials, professional experience, and personal character. Instructors at Amberton University are considered uniquely qualified, not only to render objective and subjective judgment on the academic performance of students, but also upon the student's personal character. Both factors, intelligence and character, will be considered in awarding the student a grade or degree from Amberton University.

The instructor will use his/her skills, integrity, intelligence and professional experience in determining the best way to disseminate knowledge to the students over whom he/she has trust. To fulfill the obligation of disseminating relevant and pertinent information to the student, the following minimum responsibilities and specifications are to be followed:

1. Each faculty member is expected to meet classes regularly and at scheduled times. In case of illness or any other emergency that may prevent the instructor from conducting class, the instructor will report the situation to the Chief Academic Officer prior to the time of class.
2. At the beginning of the semester, the instructor is responsible for stating clearly the objectives of the course and will orient the content of the course to the course competencies approved by the University.

3. The instructor is responsible for informing the student of the method to be employed in determining the final grade in the course, and the instructor will utilize a grading methodology that supports the integrity of the grading system and differentiates between excellent, good, average, and poor.
4. Examinations and assignments will be graded within sufficient time to make the exercise a part of the student's learning experience, and the instructor will keep graded examinations and assignments (paper and electronic) and will, upon request, make them available to the Chief Academic Officer or the student for inspection.
5. An office has been provided for each instructor in order that he may meet with students outside the classroom for private discussions. Each instructor is expected to provide and post times for private discussions with students.
6. Each instructor is responsible for the preparation and maintenance of a course outline clearly showing information covered during the session. A complete file of the course outline, examinations used, assignments required, assessment instruments used, and the grade report will be forwarded to the Chief Academic Officer at the close of the semester. Faculty is responsible for the accurate and timely production of all course materials for classroom and on-line use.
7. All full-time instructors will be technologically qualified to teach distance learning classes, and the instructor will have demonstrated technological competency by being technologically certified by the University to offer distance learning classes and to assist the part-time faculty with distance learning needs. All instructors teaching distance learning classes will have demonstrated competency in directing distance learning classes by developing a study guide for learning in addition to the general course syllabus. All faculty certified to teach online will adhere to Amberton University's Principles of Good Practice (See Regulation 633.)
8. In addition to teaching, each instructor is expected to serve on committees of the University when needed and to attend all Faculty, Division and training meetings of the faculty.
9. The graduation of students is one of the most important events in the academic year. It represents the recognition of a student's achievement. Because of the significance of the occasion for the student and the institution, all faculty members are expected to attend Amberton's graduation exercises.

ADDITIONAL RESPONSIBILITIES OF FULL-TIME FACULTY

Two groups of highly specialized and competent professionals comprise the full-time faculty of Amberton University: Faculty Council Members and Dedicated Faculty. (See Regulation 412 for a discussion of the Faculty Council and member responsibilities.)

A Faculty Council Member is defined as a full-time faculty member with the primary role of developing courses/programs, voting on academic matters, recommending academic policies and procedures, teaching courses each academic session, mentoring new faculty members, serving on standing committees and overseeing a program for assessment purposes.

A Dedicated Faculty Member is defined as a full-time faculty member with the primary role of assisting in developing courses/programs, voting on academic matters, teaching courses each session and overseeing a program for assessment purposes.

1. Both groups of full-time faculty bear a special responsibility for participating in the development, assessment, and continuation of the programs of the University. Members of the Faculty Council take on additional responsibilities including but not limited to serving on standing and task force committees, self-study groups, and leading special projects.
2. The full-time faculty is responsible for providing leadership in the development, maintenance, assessment, and improvement of the academic programs and curriculum of the University. The curriculum, as described here, includes both individual courses offered for credit and undergraduate and graduate degree programs. The responsibility for leadership includes providing objective evaluation of proposed changes and implies active participation in the development of new courses and programs and the overall assessment process of academic programs as well as the revision of existing courses and programs.
3. The full-time faculty is expected to practice "creative scholarship." This area of responsibility may involve research for publication, advanced study, development of new teaching techniques and/or instructional materials as well as other examples of scholarship. Inherent to meeting this responsibility are the processes of discovering or communicating knowledge and of subjecting one's ideas to the evaluation of one's peers. Professional development funds are available for all full-time faculty.
4. The full-time faculty has a responsibility to enhance their professional stature and expertise. Each instructor is expected to add to his/her ability as a student of his/her discipline, as a scholar, as a technology user, and as an instructor on a continuing basis.
5. The full-time faculty is responsible for assisting in the recruitment, orientation, development, and evaluation of adjunct faculty.
6. The full-time faculty is responsible for engaging in effective communication with the Administration, the Chief Academic Officer, other faculty members and students in a professional manner that furthers the goals and mission of Amberton University.

Instructor of Record:

Amberton University defines the Instructor of Record (IOR) as the officially designated individual with the ultimate responsibility for a specific course, overseeing everything from syllabus design, content delivery, student assessment and final grading. The IOR holds the official teacher role in the University LMS and is contractually accountable for student learning outcomes. This role signifies primary pedagogical authority.

Number: 419

Subject: EVALUATION OF THE PROFESSORiate

THE MEANING OF SCHOLARSHIP

For many people, the term "scholarship" is applied only to those engaging in original research. However, the faculty and administration of Amberton University believe it is time to move beyond the "teaching versus research" debate and give the term scholarship a broader meaning, one that brings legitimacy to the full scope of academic work. Most certainly, scholarship includes original research, but the work of the scholar also means looking for connections between new theories, building bridges between theory and practice, and communicating one's knowledge effectively to others. In practice, the work of the educator is comprised of four separate, yet overlapping, functions: (1) the scholarship of discovery, (2) the scholarship of integration, (3) the scholarship of application, and (4) the scholarship of teaching.

THE SCHOLARSHIP OF DISCOVERY

Few concepts are held in higher regard than the commitment to discovery. Certainly, research is central to the work of higher education because it contributes to the stock of human knowledge, and the probing mind of the researcher is an asset to any institution. Scholarly investigation, in all the disciplines, is at the very heart of academic life, and the pursuit of knowledge must be cultivated and defended. The intellectual excitement fueled by this quest for the unknown enlivens faculty and invigorates learning institutions and, in our complicated, ever-changing world, the discovery of new knowledge is absolutely crucial.

THE SCHOLARSHIP OF INTEGRATION

The scholarship of integration recognizes the need for scholars who can give meaning to isolated facts by making connections across the disciplines and illuminating data in a less complicated way. The key to the scholarship of integration is a process that seeks to interpret, draw together, and bring new insight to original research.

The scholarship of integration implies interpretation, fitting one's own research--or the research of others--into larger, intellectual conclusions. The distinction between "discovery" and "integration" can best be understood by the questions posed. Those engaged in discovery ask, "What is to be known; what is to be found?" Those engaged in integrative scholarship ask, "What do the findings mean; is it possible to interpret what has been discovered in ways that provide a larger, more comprehensive understanding?"

The scholarship of integration calls for the power of critical analysis and interpretation. Such concepts have a legitimacy of their own and, if carefully pursued, can lead the scholar from information to knowledge and, perhaps, from knowledge to wisdom.

THE SCHOLARSHIP OF APPLICATION

The scholarship of application takes into consideration the scholarships of discovery and integration and asks, "How can this new knowledge be responsibly applied to consequential problems?" The commitment is to find the connection between theory and practice.

The scholarship of application is not a one-way street. Indeed, the term itself may be misleading if it suggests that knowledge is first "discovered" and then applied. The process is far more dynamic. Intellectual understanding arises out of the process of application. During the process of scholarly application, theory and practice vitally interact, and one renews the other.

THE SCHOLARSHIP OF TEACHING

The work of the educator becomes significant only as it is understood by others. Indeed, as Aristotle said, "Teaching is the highest form of understanding." At Amberton University the teaching process requires skills that qualify the instructor to offer courses in the classroom (lecture method) or via distance learning (e-Courses).

As a scholarly enterprise, teaching is keyed to knowledge. Thus, those who teach must, above all, be well informed and well trained in the knowledge of their field.

Teaching is a dynamic endeavor that must build bridges between the teacher's knowledge and the student's learning skills. Teaching not only requires the transmission of information, it implies the art of taking that information and transforming it into knowledge. The process of teaching must be carefully planned, continuously examined, and related directly to the subject taught. A good teacher stimulates the learning process and encourages students to be critical as well as creative thinkers, with a capacity to continue learning throughout their lives.

The teaching process should also include service and educational integrity that contribute to the academic excellence of the institution. For instance, the maintaining of office hours to assist students, the keeping of accurate records--students' grades and attendance--and the distributing of grades to protect the meaning of academic excellence are all part of the teaching process.

HOW CAN SCHOLARSHIP BE EVALUATED?

I. The Scholarship of Discovery

For the most part, the scholarship of discovery is measured by the number of published articles and the quality of the journals carrying the articles. There is, in most disciplines, a fairly clear hierarchy of journals and a recognized process of peer review. The key to success in the scholarship of discovery is having articles published, and the more prestigious the journals, the fewer articles required.

II. The Scholarship of Integration

The scholarship of integration takes into account a broad range of activities. Integration includes writing textbooks and publishing articles for non-specialists--often called "popular writings,"--workbooks, computer software, videos, etc. The process of integration takes several types or pieces of information and integrates them into a useful body of knowledge. Integration can lead to new courses or cross-discipline courses that synthesize information from more than one discipline.

III. Applied Scholarship

Designing/upgrading courses in a discipline and participating in curricula planning, assessment, and innovations are examples of yet another type of professional work deserving recognition. In evaluating applied scholarship, key questions should be asked: Have course/program objectives been well defined? Has the relevant literature been cited and integrated into the course? Is the material relevant and current to the discipline? Is the course academically sound and capable of advancing knowledge to the discipline?

IV. The Scholarship of Teaching

The scholarship of teaching requires skills relative to organizing and disseminating knowledge through predefined learning competencies. The development of clearly defined and organized course syllabi, study guides, course outlines, course bibliographies, and course activities ultimately define the instructor.

For the scholarship of teaching to be given validity, it must be assessed. Such assessments should come from at least two sources: peers and students.

Peer assessment should allow qualified faculty to review course outlines, evaluate assigned materials, review assignments, and evaluate examinations used by the instructor relative to specific courses.

Student assessment should anonymously solicit specific information from students through clearly defined survey questions.

AMBERTON UNIVERSITY'S COMMITMENT

The four scholarly functions previously identified are of value to all institutions of learning. However, the weight given to each scholarly endeavor should be determined by the unique mission or purpose of the institution. For a large research institution with doctoral programs, the scholarship of discovery may well be appropriate. However, for a small, specialized institution where the main objective is with undergraduate and master level students, the scholarship of application and teaching should be valued more than the discovery of knowledge. The faculty and administration of Amberton University, taking into consideration the mission of the institution, have declared the scholarship of teaching as paramount. While this commitment does not question or disregard the importance of discovery, it does recognize the scholarship of teaching as the primary function of Amberton University.

EVALUATING THE PROFESSORiate AT AMBERTON UNIVERSITY

It would be difficult, if not inappropriate, for an evaluation of the professoriate to be reduced to a single number or grade. The complexity of the professoriate mandates an evaluation methodology that takes into consideration the relationships between a multitude of factors--self-development, information dissemination skills, teaching skills, relationships with students, peer cooperation, program development, service, anticipated contributions, etc. To best serve the students, the professoriate is evaluated annually and, based upon performance and need, the University will extend one-year contracts to those who have and will contribute most to the needs and plans of the University.

Number: 427

Subject: FACULTY GRIEVANCE AND APPEAL

It is important that each faculty member works in conditions that are conducive to a feeling of goodwill and fairness. If a member of the faculty has any grievance regarding working conditions, employment practices, discrimination, employee relationships, or policy interpretation (also see Regulations 205 and 207), the following procedures should be followed:

- (1) The matter in question should be discussed with the Chief Academic Officer at the earliest possible time. Every effort should be exercised to solve the problem without undue delay. The CAO should contact or put the faculty member in contact with any other supervisor who might be relevant to the problem in an effort to seek an equitable solution.
- (2) If the employee is not satisfied with the answer or solution of the CAO, the problem should be presented to the Chief Executive Officer who may render a judgment immediately or appoint a faculty review committee to consider the appeal. The faculty member should provide the CEO with a written copy of the complaint or grievance, and a statement allowing the matter to be discussed with the committee.
- (3) The Faculty Review Committee shall make a recommendation to the Chief Executive Officer, whose decision shall be final.

Number: 431

Subject: LEAVES OF ABSENCE

Faculty members may request leaves of absence without pay for a variety of reasons, such as teaching at another institution, post-doctoral research or study, travel, etc. Requests for such leaves should be directed to the Chief Academic Officer. The needs of the institution will be considered in determining whether a leave will be granted and, if it is granted, the length and condition of the leave. The CAO will make his recommendations to the Chief Executive Officer concerning requests for leaves of absence.

Number: 433

Subject: FACULTY DEVELOPMENT

In order to remain current and dynamic in the disciplines taught, the faculty is expected to engage in continuous scholarly development. The scheduling of classes at Amberton University and the average workload of the faculty are so structured that there is ample time for the faculty to participate in professional development activities.

The faculty is expected to continuously hone teaching skills for both lecture and distance learning classes. Skill in developing, organizing and disseminating information is critical to the teaching profession and the faculty will seek innovative teaching methodologies to meet the ever changing needs of students.

The faculty not only has the Amberton University library and its research resources available (print and online), but during the academic year classes meet for only 40 weeks per year. The remaining 12 weeks per year leave the faculty free from classroom responsibilities and free to travel, attend meetings, read, engage in research, and/or write.

Each fiscal year the University budgets funds to help the faculty with scholarly development. While the funds may be used for many diverse activities, one objective must always prevail: the activity must result in scholarly development relative to disciplines taught (or to be taught) at Amberton University.

A faculty member seeking scholarly development should complete the proper forms available in the Chief Academic Officer's Office.

Number: 437

Subject: VISITING CLASS SPEAKERS

Any class meeting involving a speaker not employed by Amberton University must have the approval of the Chief Academic Officer prior to the extension of an invitation. Normally, the recommendation should be submitted by the faculty member at least two weeks in advance of the desired date to allow time for reviewing the merits of the request and for scheduling. Nothing is official until the event has been cleared.

The University deeply appreciates outstanding community, state and national leaders giving of their time to discuss issues with students. All guest speakers are entitled to an academic atmosphere where s/he and the student can exchange information, positions, and ideas in a student-professional atmosphere. It is the University's desire and obligation to protect the special academic atmosphere of open discussions and free disclosures that should exist at the University. To protect both the speaker and student during such an exercise, the University will not solicit or encourage outside news media, special interest groups, or non-students that might interfere with the dialogue between the speaker and the students.

Unless requested by both the classroom instructor and guest speaker and approved by the CAO, no classroom will be open to outside agencies, groups, or individuals. No recording of a guest speaker is allowed without first obtaining permission from the CAO, classroom instructor, and the guest speaker.

Number: 439

Subject: FACULTY PRODUCTION AND USE OF TEACHING MATERIALS

The University encourages its faculty to develop teaching materials for students. Often, instructional materials are of such magnitude that the cost must be passed to the student.

To maintain a professional separation between education and commerce, the Chief Academic Officer will enforce the following minimum ethical guidelines related to the production and/or use of teaching materials.

- A. No instructor will deliberately infringe upon a copyright in providing students with instructional materials.
- B. No instructor will receive financial gain directly from materials provided to any Amberton University student.
- C. The University must approve any and all instructional materials selected by instructors for student purchase.
- D. All materials to be purchased by students will be handled through the bookstore. Funds will never be collected in a classroom or handled by an instructor.

Number: 440

Subject: WITHDRAWING A STUDENT FROM A CLASS

A student properly enrolled in a class may not be dropped without cause and approval from an administrator. A faculty member who feels there is a “conflict” or “problem” with an enrolled student must report the concern to the Chief Academic Officer. All class adds must be initiated by the student and properly approved by the registration office. The student or an administrator of the University must initiate all class drops.

Number: 441

Subject: WALKED CLASSES

It is the University's policy that classes should meet as scheduled. No walked classes are permitted. When an instructor must miss a class meeting, he/she must inform the Chief Academic Officer. If the absence is due to any reason other than unanticipated illness, the permission of the CAO must be secured in advance. It is the instructor's responsibility to see that the class is covered either by work assigned outside of class or by guest lecturer. The names of guest lecturers must be approved by the CAO in advance.

Number: 443

Subject: FACULTY ETHICS: CONFLICT OF INTEREST (teaching/client)

While Amberton University encourages its faculty to participate in relevant professional activities outside the University environment as part of professional development, a clear ethical principle of separation of University teaching and outside activities must be maintained. Under no circumstances will an instructor at Amberton University solicit, encourage, influence or allow a student to participate in or contribute to any business or service influenced by, supported by, or under the auspices of the instructor. A faculty member is to never accept one of his/her students as a client or to allow a client to become one of his/her students (client is defined as someone who has paid for professional services).

Number: 447

Subject: FACULTY RESEARCH

The teaching load policy of the faculty recognizes that each full-time instructor should devote a reasonable part of his time to research and/or creative scholarship in an area related to his teaching responsibilities, and that the salary support of this activity is a valid educational expenditure from the instructional budget. Such creative work may involve the development of fresh and imaginative approaches to the teaching of courses, including new syllabi and/or teaching-learning materials, as well as the kinds of activities that are more likely to be reported in professional meetings and journals.

For a special research project, a faculty member may apply for a reduction in teaching load, for salary supplement and/or funding to cover research expenses.

Except when the research is institutional in nature and is undertaken at the request of the administration, reductions from the normal teaching load, costs of research and salary supplements will be financed from special research funds available through the institution.

Each year each full-time faculty member will report on his research and creative scholarship activity to the Chief Academic Officer.

The appropriate application must be made and approved before institutional funds may be spent to support research activities.

Number: 453

Subject: DEVELOPMENT, MAINTENANCE & ASSESSMENT OF COURSES/PROGRAMS

THE DEVELOPMENT, MAINTENANCE, AND ASSESSMENT OF EDUCATIONAL COURSES AND PROGRAMS

Two educational principles are important to Amberton University: (1) the institution seeks to develop educational courses and programs that are relevant, that have clear educational objectives, and that are sufficiently explicit to be assessable; and (2) the institution seeks to be reasonably sure that individuals who complete courses or programs have adequate competency in the discipline taught. Thus, in order to assure quality in its educational offerings and to maintain a stability that can be assessed, the institution has initiated a systematic development and control program.

CURRICULUM DEVELOPMENT

The faculty of Amberton University has the responsibility for establishing, reviewing, and assessing the curriculum of the University. New programs will require the approval of the Administrative Council and, perhaps, based upon the significance of the program, Board of Trustees approval and approval from the Commission on Colleges of the Southern Association of Colleges and Schools. However, no academic program may be introduced without the direct input and approval of the Amberton University faculty.

DEVELOPMENT PROCEDURES FOR NEW COURSES OR PROGRAMS

- I. Before a new course or degree program is introduced by Amberton University, it must be demonstrated that the course or degree:
 - A. has clear educational objectives that are sufficiently explicit to be assessable and would be acceptable if independently examined by recognized professionals.
 - B. applies performance criteria that, when met, reasonably assure that individuals who complete the course or program have adequate competency in the area for which they have been trained.
 - C. The new course/program should include a reasonable infusion of technology that enables students to implement contemporary technology skills into everyday life.
- II. Major criteria to be considered in planning a new degree.
 - A. Is the program consistent with institutional strengths, role, and purpose?
 - B. Has the need for the program been demonstrated?

- C. Is there an adequate pool of students to justify the program?
- D. Have the additional needs and costs for faculty, facilities, equipment, and library resources required to achieve or maintain quality been determined?
- E. Are the available resources adequate for developing and maintaining the program without depriving existing programs of needed support?
- F. Do existing programs have the quality to provide an adequate base for development of an advanced level program?
- G. Has the relationship of the program to existing ones in the institution been fully explored?
- H. Is there an adequate faculty of sufficient scholarly stature and experience available?
- I. Are the admissions policies clear and appropriate to the program?
- J. Are adequate funds available for the support of graduate students?
- K. Does the administrative structure provide for coordination or direction of the graduate program with the assistance of a faculty committee or council?
- L. Has the curriculum been carefully developed in reference to the specific goals and learning outcomes of the program?
- M. Have adequate assessment measures been identified to assure graduates have/will attained the learning outcomes?
- N. Are the opportunities for research, field experience, or internship adequate in quality and number?
- O. Does the program have sufficient structure to assure its distinctive character, while remaining sufficiently flexible to meet the particular needs of individuals with varying goals and backgrounds?
- P. Is the program generally consonant with standards and models existing in other institutions of quality? Is the rationale for innovative patterns clear, and are provisions for evaluation included in the plan?
- Q. Does the program follow institutional guideline for program length (120 SCH for undergraduate programs and at least 30 SCH for graduate programs?)

III. New course development procedures.

- A. Major criteria to be considered in planning a new course.

1. Is the course consistent with institutional strengths, role, and purpose?
2. Has the need for the course been justified?
3. Are the available resources adequate for developing the course?
4. Has the relationship of the course to existing ones in the institution been found compatible?
5. Is there available and adequate faculty of sufficient scholarly stature and experience to teach the course?
6. Has the curriculum been carefully developed in reference to the specific objectives of the course?

B. Minimum information required for proposing a new course.

1. A list of the major competencies to be learned sufficient to merit the proposed semester credit hour value. All courses are to be at least 3 semester credit hours.
2. A course outline must be developed.
3. A course bibliography, including required reference materials, periodicals, shelf-books, and online resources that are currently available or should be available in the Amberton University library; other suggested outside readings; and text (if required).
4. Justification for the course must be made (follow the outline provided in New Course Development Procedures).

C. Procedures for introducing a new course.

1. Faculty developing the new course must submit the proposal to the appropriate academic division coordinator(s).
2. The division coordinator(s) convene a faculty committee comprised of the faculty who have direct oversight of the degree(s) impacted by the new course and any faculty academically qualified to teach the course. This committee must review the proposal and determine whether to recommend the offering to the division coordinator(s) as "experimental."
3. Upon action by the faculty committee, the division coordinator(s) submit the proposal to the Chief Academic Officer along with the faculty committee's recommendation to offer the course.

4. Upon approval from the President, the Chief Academic Officer may then offer the course as “experimental.” However, within one year of its introduction, the course must be presented to the Faculty Council for review and final consideration.

COURSE MASTER FILE

Once a course has been approved by the Faculty Council, the Chief Academic Officer will maintain a Course Master File. The Course Master File will be reviewed by an instructor prior to the course being taught, and the instructor will update the Course Master File with all handouts, outlines, tests, projects, bibliographies, etc., he/she provided to students while teaching the course. The Course Master File will include the following items:

- I. Major course competencies (clearly identified objectives or bodies of knowledge to be earned by the student).
- II. Course outlines, study guides, and all support materials for each time the course was taught.
- III. Bibliographies covering each time the course was taught.
- IV. Tests/projects required of students each time the course was taught.
- V. Special handouts provided to students each time the course was taught.
- VI. Any assessment instruments used (rubrics, etc.) each time the course was taught.

SUNSET POLICY

At least once every five years (more often if course evaluations merit) the Faculty Council will re-evaluate each course by reviewing major course competencies, course outlines, bibliographies, tests, etc., to determine the relevance and quality of the course. Consideration will be given both to student evaluations of the course each time it was offered and graduate evaluations of programs. All evaluations will be directed toward upgrading the course and/or determining whether or not the course should be continued.

INSTRUCTOR SELECTION

Once the competencies for a course have been defined, the University will select the most qualified individual available at the institution to teach the course.

ASSESSING TEACHING, COURSES, AND PROGRAMS

- I. Assessing Teaching

- A. Specific Assessment: Prior to the conclusion of each session, students will be asked to assess the teaching capability of the instructor. The information, provided anonymously by students, will be placed in a computer data base that will allow a longitudinal study of the specific instructor relative to every course taught.
- B. General Assessment: During each session, graduating students will complete a questionnaire which focuses on specific questions relative to the overall teaching performance of the institution, adequacy of library resources, and university services. Results will be tabulated and placed in a computerized data base for longitudinal studies.

II. Assessing Courses and Programs

- A. Specific Assessment: Prior to the conclusion of each session, anonymous student evaluations concerning course relevance and quality of course competencies will be tabulated and stored in computer based data systems. The information will allow the institution to have longitudinal studies relative to the quality of courses as viewed by students.
- B. General Assessment: During each session, students graduating from the institution will be asked to evaluate the quality of programs, and the information will be computerized into a data base system for longitudinal studies.

Number: 461

Subject: GRADE BOOKS

The University shall provide each teacher with a method for keeping grades each session. All class materials and final grades remain the property of the University and shall be turned in to the Chief Academic Officer at the end of the session. The CAO keeps grades for one year. Each teacher is expected to maintain in his/her grade report an accurate record of class attendance and clear logical markings of all grades. In addition, each grade report must contain a legend explaining how the records in the book are to be read and the grading procedures for each course.

Number: 468

Subject: COURSE MASTER FILE

Amberton University will maintain a current "Course Master File." Each session that a course is offered, the course instructor will provide the following information which will be added to the master file:

- * Course Syllabus and Study Guides
- * Copies of All Handouts Provided During the Course
- * Copies of All Tests Administered and Exercises Assigned
- * Copies of All Assessment Instruments Used
- * Copy of Course Evaluation Summary as Reported by Students

Number: 501

Subject: BUDGET PLANNING

The fiscal year for Amberton University is June 1 through May 31.

Budget planning is an annual process that incorporates goals. Goals identification, which is an ongoing process, is evaluated annually and, when funds are required, included in the budget process. The budget process begins in January of each year. The planning takes about 60 days. The proposed budget is presented to the Board of Trustees in March of each year and, when approved, becomes effective on June 1 of the year approved. Because of the size of Amberton University, all full-time employees participate in the budget process.

THE BUDGET PROCESS: TIME/ACTIVITY

JANUARY

* The Chief Financial Officer sends a memorandum to all individuals who have responsibility over an expense account of the University. Each account representative is: (a) given a copy of the current year's budget relative to his/her area, (b) told to share data and solicit requests for funds with all employees relative to needs and/or suggestions (goals), (c) to identify, evaluate, and propose all expense items (salaries, wages, supplies, equipment, travel, etc.) associated with his/her accounts and justify proposals, (d) to return proposals to the director for the budget by February.

* The administrative team comprised of key administrative personnel meets and evaluates present budget performance, economic trends, and anticipated economic constraints that might influence budget planning for the next fiscal year.

- A. Evaluate budget performance for the present fiscal year.
- B. Identify economic trends (inflation, government regulations, etc.) that could influence budget requirements.
- C. Evaluate the performance of endowment funds and anticipate funds to be made available for operations for the next fiscal year.
- D. Evaluate any new programs, projects, or goals that could significantly influence budget planning.
- E. Predict the amount of revenue to be available for the next fiscal year and identify the maximum amount of tuition and fees increases that could be incurred, if necessary.

FEBRUARY

- * The CFO receives budget proposals from each account representative and shares the information with the divisional Vice Presidents of Amberton University.
- * The divisional Vice Presidents, in cooperation with the CFO, reviews budget proposals and notes major changes (increases or decreases in requested funds as compared to the current fiscal year) and, when appropriate, asks account representatives for additional information or explanations.
- * The administrative team meets and reviews the budget proposals with special attention given to major increases or decreases. When needed, further information is secured from account representatives (when needed, account representatives meet with the administrative team).
- * Budget proposals are tentatively approved.
- * Budget proposals are compared to expected revenue. The administrative team works with the budget proposals (and with account representatives) until budget expenses harmonize with expected revenues.

MARCH

- * The budget proposal is presented to the Board of Trustees for review and final approval. The approved budget becomes effective June 1.

Number: 503

Subject: BUDGET CONTROL

The Board of Trustees' approved budget for the University is computerized and is updated daily. Any account representative (person responsible for an income or expense account relative to the financial statements of the University) may review his/her accounts at any time. Monthly, the Business Office provides each account representative with information relative to expenditures and budgeted funds remaining in his/her accounts.

No account representative may exceed gross allocated budgeted funds within his/her area of responsibility without specific approval by the Chief Executive Officer. The transfer of funds from one expense item to another within an account may be approved by the CFO. However, neither authorized capital expenditures (such as equipment) nor payroll funds may be transferred to/from non-capital expense items without specific approval of the CEO.

All expenditures will be properly recorded in the expense account most appropriate for the expenditure (for instance, travel will never be charged to salaries).

The adding of new accounts and/or expense items is authorized only during budget processing time or by specific approval of the Chief Executive Officer. No funds budgeted for one fiscal year will be carried over to the next fiscal year. Each year (beginning June 1) begins anew with no encumbered funds carried over from the previous year.

Number: 505

Subject: RECEIPTS

Only University authorized employees will accept cash/checks (any type of payment) from a student for deposit on a University related account, and no employee will accept such funds without issuing the student a receipt.

Number: 508

Subject: DIRECT BILLING/STUDENT'S FINANCIAL RESPONSIBILITY

Amberton University is designed exclusively for the working adult. Enrollment is restricted to approximately 1,500 students per session, with four sessions offered each year.

A significant part of the mission purpose of this private university is demonstrated integrity along with academic excellence. To this end, the student's personal conduct and integrity in handling all educational costs consistent with the regulations and rules of Amberton University are considered integral parts of the learning process.

The cost of education at Amberton University is an exclusive contract between the University and the student only. Under no circumstances will Amberton University waive the liability/responsibility of the student to a third party. To maintain the integrity of this position, no minor will be permitted to contract with Amberton University.

BASIC PRINCIPLES GOVERNING THE STUDENT'S FINANCIAL OBLIGATIONS TO AMBERTON UNIVERSITY

1.a All Amberton University educational costs (tuition and fees) are payable at the time of enrollment.

1.b A student with a satisfactory financial record with Amberton University or a student receiving educational reimbursement from a company/agency that has been authorized by Amberton University may make application to defer his/her payment when registering.

1.b.1 All deferments are secured by a note signed by the student. There is a non-refundable fee (\$5) for this service.

1.b.2 A finance charge of three-fourths of one percent will be calculated on all unpaid balances on the last business day of each month after all credits, charges, and payments have been applied.

1.b.3 A student seeking payment deferment because of a company/agency reimbursement must present an approved authorization letter to the University from the company/agency at the time of the payment deferment request. (A letter of authorization from a company or agency does not release the student from liability of payment.)

Over 2,000 adult students representing more than 1,200 different companies/agencies enroll at Amberton University annually. Amberton University tuition and fees are the least expensive of any private university in the region. The University's low costs are possible because of

institutional efficiency and standardization. While Amberton University will work with companies and agencies seeking to "streamline" reimbursement to their employees enrolled at Amberton University by direct billing, the following minimal standards will prevail:

- 2.a Companies/agencies with more than ten students enrolled per session are eligible to apply for direct billing authorization.
- 2.b With prior approval, Amberton University will direct bill a company/agency based upon authorized paperwork presented by the student at the time of enrollment.
- 2.c Companies/agencies authorized for direct billing will be sent a statement (providing the names of students enrolled and the costs) before the end of the *first* month of each session. If Amberton University receives full payment prior to the last working day of the *second* month following the start of a session, no finance charge (see 1.b.2) will occur on the student's account.
- 2.d Following Amberton University's direct billing to a company/agency, the University assumes no further responsibility for informing the company/agency of the students' conduct or activities with the University.
- 2.e A company's/agency's desire to receive a student's grades, copy of transcripts, financial records or academic records, must be made directly to the student/employee.

Number: 510

Subject: TECHNOLOGY

The importance of computer support and technology is critical to all operations of the University. Each year, during the budget process, each division of the University will evaluate the age of equipment and identify needs for additional equipment. The budget process will take into consideration the needs of all institutional divisions, without partiality to any one division, and replace old (outdated) equipment first and distribute new equipment in an equitable manner based upon need. Staff members will also conduct an annual review of their software and identify needs for any new or improved tool to enhance their productivity and efficiency.

Number: 512

Subject: ONLINE UNIVERSITY REPORTS

University Online Reporting and User Access

The online reporting and information access have become integral to daily operations. Information that, in the past, was collected on hardcopy and mailed is now reported online through electronic means. To ensure smooth operations and maintain institutional knowledge, the following guidelines will be adhered to for managing online reporting procedures:

Departmental Responsibilities

- Maintain detailed summaries of all online reporting requirements.
- Regularly update the Executive Vice President for Operations with the following information:
 1. Requesting entity
 2. Report purpose and frequency
 3. Complete URL for online submission
 4. Login credentials (username and password)
 5. Step-by-step reporting procedures
 6. Any special software requirements and installation locations

Central Management

The Executive Vice President for Operations will securely store and maintain a comprehensive compilation of all online reporting sites and associated information.

Security Considerations

- Treat all login information as sensitive data
- Regularly review and update access credentials
- Implement a secure method for sharing and storing this information.

Number: 515

Subject: INSTITUTIONAL PURCHASES

All purchases by the University will be made through Purchase Orders authorized through the Business Office and properly signed. The University will not honor any invoice which is not accompanied with an authorized Purchase Order. No individual shall obligate the University for materials, services or equipment without following proper purchasing procedure. All faculty and staff personnel must clear all institutional purchases through their budget head.

Number: 517

Subject: FINANCIAL INFORMATION

As an independent institution, Amberton University receives no support from taxation. Funds for educational operations come from the tuition and fees paid by students and from gifts and grants from concerned individuals and organizations.

Financial information is included in the *Schedule of Classes* issued by Amberton University prior to the beginning of each session. Detailed information concerning tuition, fees, and other expenses that might be incurred while attending Amberton University is included in the schedule.

The *Schedule of Classes* can be obtained on-line via the internet, by visiting Amberton University or, upon request, it will be mailed.

THE STUDENT ACCOUNT

All costs of tuition and fees are due and payable at the time of enrollment. Cash, personal or company check, and major credit cards are accepted as forms of payment. Students who can prove financial integrity to the satisfaction of the University may make application to defer their educational costs when registering. To be considered for deferred payment options, a student must have a valid major credit card and/or an acceptable credit history. Information on how to apply for deferred payment is supplied with the registration packet. A finance charge of 3/4 of 1% will be calculated on all unpaid balances as of the last business day of each month after all credits, charges, and payments have been applied.

Any student whose account becomes delinquent, or who is in any manner indebted to the University, may be withdrawn from classes at the University's discretion or denied enrollment in the University. All University records, including transcripts and diplomas, will be removed from active records and withheld until full payment of the account is made.

REFUND POLICY

A student who officially drops a class during the first week of the session will be entitled to a full refund of tuition and fees, with the exception of the new student application fee. A student who drops during subsequent weeks will be refunded at the rates reported in the Session's "Schedule of Classes".

To be considered official, the class drop must be in writing and signed by the student requesting the drop; no drop is accepted verbally. The official date of the drop is the date the written notice is formally received by the University, NOT the postmark date or the date stated in the notice. The University's record concerning a drop is indisputable unless the student can provide reliable evidence of an earlier receipt date.

An official drop may be submitted by completing the Change of Schedule form located in the *Schedule of Classes or online* or by written notice containing the student's name and signature, ID number, and course to be dropped. The notice may be faxed, mailed, or hand delivered to the University. (Refer to the University Technologies section in the University Catalog.) For the student's convenience, the notice may be submitted in the Advising Office or placed in one of the designated drop boxes located inside and outside the facility.

PAYMENT AND CASHING CHECKS

Students may pay their institutional charges with a check or credit card. However, in the event a check is not honored by the bank on which it is written or a credit card authorization is rejected, the student will be immediately notified and assessed a handling fee. The student will be given 10 days to make the payment good. If payment is not made when requested, the student's entire account balance becomes due and payable and the student is subject to immediate suspension. The University reserves the right to specify what method of payment (personal check, cash, money order, valid credit card, etc.) will be required of each student. Excessive amounts of change or currency, or two-party checks will not be accepted. The University does not cash checks for personal needs, accept checks that are postdated, or give cash back on checks that are for amounts greater than the amount owed.

RECORDS EXPUNGED FOR DELINQUENT ACCOUNTS

All records of academic performance are provided to students on official University marked paper each session and the student is expected to keep all official University records in a safe place. The University maintains duplicate copies of student records that are the property of Amberton University and are maintained or disposed of in whatever way the University deems appropriate. The University has determined that it has no responsibility or obligation to maintain the academic records of a person declared financially delinquent. Any student who is declared delinquent in payment of his/her financial account will have his/her academic records expunged. All obligations owed or deemed appropriate by the University must be satisfied before the University will consider restoration of expunged records. Students should contact the Business Services Office to discuss University records and financial obligations.

Number: 525

Subject: FACILITY/PLANT DEVELOPMENT

The development of the Amberton University facility is a major objective of the long-range development goals for the institution. Facility usage and/or expansion must correspond to the strategic plan of the overall development of the institution. (See "Amberton University Master Plan" for more information.) No division of the institution may expand into or modify the existing facility or add facilities without receiving prior approval from the Facility Committee. The Facility Committee is a strategic component of the administrative council.

The Executive Vice President will maintain and annually update the University Master Plan that evaluates and projects facility needs.

Number: 530

Subject: FACULTY OVERLOAD PAY

FULL-TIME FACULTY COUNCIL

The expected teaching load of members of the full-time faculty council at Amberton University is 300 students per year, normally taught in 10 course preparations (lecture or distance-learning classes). A faculty council member is entitled to overload pay when he/she exceeds 300 students taught and 10 course preparations. Overload pay, like overtime, is not a part of base pay and is not considered in determining retirement contributions. The maximum number of classes a full-time faculty council member may teach in an academic year is twelve. The maximum number of class preparations a full-time faculty council member may prepare in a year is ten (only four may be new preparations). The following guidelines apply in considering overload pay:

Overload pay is determined by the lesser of:

- (1) \$2850 times the number of class preparations over 10 (after 300 students have been taught), or
- (2) \$125 per student over 300.

FULL-TIME DEDICATED FACULTY

The expected teaching load of dedicated full-time faculty at Amberton University is 240 students per year, normally taught in eight course preparations (lecture or distance-learning classes.) A dedicated faculty member is entitled to overload pay when he/she exceeds 240 students taught and eight course preparations. The maximum number of classes dedicated faculty may teach in an academic year is eight. The maximum number of class preparations a full-time dedicated faculty member may prepare in a year is eight (only four may be new preparations.) The following guidelines apply in considering overload pay:

Overload pay is determined by the lesser of:

- (1) \$2850 times the number of class preparations over 8 (after 240 students have been taught), or
- (2) \$125 per student over 240.

Number: 535

Subject: COMPENSATION RATE SCHEDULE FOR PART-TIME FACULTY

Amberton University contracts with qualified individuals as part-time instructors for the service of teaching assigned classes. The term of this contract may not exceed one (1) year. Compensation is determined by class size and the professor's teaching performance and experience at Amberton University. Experience in teaching at Amberton University includes having performed above the course average on student evaluations and having been fully certified to teach courses at the University.

Since each part-time instructor is considered an employee of Amberton University, FICA (Social Security & Medicare) and FWT (Federal Withholding) taxes are deducted from compensation. Each part-time employee is required to file the required payroll forms with the Business Office prior to employment. As a part-time employee, the instructor is ineligible for group health insurance and retirement plan coverage through the University. The specific relationship between the University and the part-time instructor as well as a specific definition of the teaching responsibilities is outlined in the Instructional Contract for Part-Time Employees. Part-time instructors are not to teach more than seven classes per year and are not to be involved in more than four preparations per year.

COMPENSATION SCHEDULE

BASE COMPENSATION: (No fewer than 12 students)

Salary per session (ten week session) \$3,000.00

SCALE FOR CLASSES WITH FEWER THAN 12 STUDENTS:

The Chief Academic Officer may cancel the course, re-assign the course to another, or allow its continuance as a lecture course or distance learning course. If the class is offered, the instructor will be paid \$250.00 per student.

Number: 536

Subject: FULL-TIME ADMINISTRATORS/PROFESSIONAL STAFF TEACHING

The Chief Academic Officer may request that an administrator/professional staff person with faculty status be allowed to teach. On approval by the employee's supervisor, an administrator/professional staff person may teach one (1) course per session. Pay for teaching a class will be based upon the compensation schedule for the part-time faculty. Such pay is considered overload/overtime and is not considered in determining retirement contributions.

Should the Chief Executive Officer of Amberton University teach a class, he/she will not receive compensation.

Number: 537

Subject: TRAVEL ALLOWANCE FOR FACULTY TEACHING OUTSIDE
DALLAS-FORT WORTH METROPOLITAN AREA

A travel allowance will be considered for instructors of Amberton University who are assigned to teach classes outside the Dallas-Fort Worth metropolitan area on a case-by-case basis.

Number: 540

Subject: GUIDELINES FOR CHANGING A NAME OF RECORD

- Complete a Name Change Request form and attach required legal documentation for the name change. Documents other than those specified below will not be accepted as the basis for a name change.
- *Social Security cards and driver's licenses will not be accepted as legal documentation for a name change, except when correcting a minor spelling error such as transposition of letters.*
- Legal documentation must consist of the original document (birth certificate, marriage license, divorce decree, court order, Certificate of Naturalization, or passport). If you are unable to provide the original document, or if you are requesting your name change by mail, you may submit a copy of the legal document with an original notary public seal or county records certification stamp.
- Your name must appear the same on all official University records, including your transcript and diploma. You may not request a name change for only one portion of your records, such as your diploma.
- Name changes are entered one time only per legal document. Additional name changes must be accompanied by new documentation indicating the reason your name is now different.
- Once the name change has been entered into the official University records, you will need to use your new name on all correspondence (transcript requests, etc.)

Changes Allowed to Names:

FIRST NAME

You may not drop, alter, or change your first name without legal documentation such as a birth certificate, court order, Certificate of Naturalization, or passport. International students may not alter any portion of their name from the way it appears on their passport.

MIDDLE NAME

You may change your given middle name to a middle initial (Ex: Change "Sue" to "S.") without legal documentation. When changing your name based on a marriage license, you may change your middle name to an initial. The maiden name may be added or used instead of the given middle name. When changing your name based on a court order or Certificate of Naturalization, you may use the middle name shown on the court order or use the initial only. International students may not alter any portion of their name from the way it appears on their passport.

LAST NAME

Your last name may be changed only on the basis of a marriage license, divorce decree granting a return to the maiden name, Certificate of Naturalization, or court order. When changing your name based on a marriage license, the maiden name may be dropped completely, or it may be used with the married name. A combined surname will be hyphenated.

NAME EXTENSIONS (Jr., Sr., III, etc.)

You may add an extension after your surname only when the extension appears on your birth certificate or current U.S. passport.

Documentation Required by Reason

Students requesting a name change are expected to present original legal documents to support their name change request. A copy of the document will be made and included in the student's permanent record file. The original document will be returned to the student.

Students requesting a name change by mail may submit a photocopy of the legal document with an original notary public seal or county certification stamp to verify the authenticity and correctness of the document. Mailed copies will not be returned to the student.

MARRIAGE: Original marriage license bearing the filing stamp from the county or parish in which the license was issued. Church-issued marriage certificates are not acceptable documentation for a name change.

DIVORCE: Original divorce decree, including a specific clause granting restoration of the maiden name. The decree must be signed by the presiding judge and bear the county filing stamp.

COURT ORDER: Original court order signed by the presiding judge and bearing the county filing stamp.

CITIZENSHIP BY NATURALIZATION: Original Certification of Naturalization.

CORRECTING AN ERROR ON THE ADMISSION APPLICATION: Birth certificate or current, valid passport. **NOTE:** International students' names in official University records must match the name on their passport.

Number: 545
Subject: WHISTLEBLOWER PROTECTION POLICY

Amberton University requires Board of Trustee members, administrators, faculty, and staff to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. All employees and representatives of Amberton University are expected to practice honesty and integrity in fulfilling responsibilities and in compliance with applicable laws and regulations.

Reporting Responsibility

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that Amberton University can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, administrators, faculty, and staff to report concerns about violations of Amberton University's code of ethics or suspected violations of law or regulations that govern Amberton University's operations.

No Retaliation

It is contrary to the values of Amberton University for anyone to retaliate against any board member, officer, administrator, faculty, or staff who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of Amberton University. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Retaliation for Mandatory Reporting

It is a violation of Amberton's policy to discipline or otherwise discriminate against an employee who in good faith makes a mandatory report or cooperates with an investigation, disciplinary process, or judicial proceeding relating to a mandatory report.

Reporting Procedure

Amberton University has an open-door policy and suggests that employees share their questions, concerns, suggestions, or complaints with their supervisor. If the employee is not comfortable speaking with an immediate supervisor or is not satisfied with the immediate supervisor's response, s/he is encouraged to speak with the Vice President for Strategic Services, who is to report the situation to the President. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the Vice President for Strategic Services, who serves as Amberton University's Compliance Officer and has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor or the Vice President for Strategic Services or the President who may at his/her discretion form a committee to investigate the concern or complaint. Anonymous complaints may be filed using the Amberton University Anonymous

Reporting Tool located on the University website under “Help and Advice” > “Sexual Assault – Title IX”

Compliance Officer

Amberton University’s Compliance Officer is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Compliance Officer will advise the President of all complaints and their resolution and will report at least annually on compliance activity relating to accounting or alleged financial improprieties so that any complaints and their resolution may be reported to the Board of Trustees. The Vice President for Strategic Services serves as Amberton University’s Compliance Officer.

Accounting and Auditing Matters

Amberton University’s Compliance Officer shall immediately notify the President of any concerns or complaint regarding corporate accounting practices, internal controls and work with the committee(s) formed by the President to address and resolve the concern or the complaint.

Acting in Good Faith

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

Amberton University’s Compliance Officer will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Anonymous Reporting

Anonymous complaints may be submitted using the “Anonymous Reporting Tool” located on the Amberton website under the “Help and Advice – Title IX/Sexual Assault” links. However, anyone filing an anonymous complaint should understand that maintaining anonymity may limit the University’s ability to investigate the complaint.

Title IX Complaints

All Title IX complaints will be handled according to the regulations and procedures found in Regulation #206 and #207.

Number: 610

Subject: ACADEMIC CALENDAR

Amberton University offers four sessions per year. Each session is ten (10) weeks long. From time to time, the University may experiment with sessions that are either longer or shorter in duration.

Summer Session: June, July, August

Fall Session: September, October, November

Winter Session: December, January, February

Spring Session: March, April, May

The Four-Session calendar does not change the academic value awarded to a course. Three (3) hours of academic credit will be given for each course. Regardless of the duration of the session, the same amount of information and instruction will be provided in each course, just structured differently.

Number: 615

Subject: DEFINITION OF CREDIT HOUR

The credit hour is the basic unit of academic credit. Amberton University defines a credit hour in terms of work expected of students in the achievement of established learning outcomes. As traditionally defined, a credit hour has two components - direct faculty instruction and student work outside of class throughout the term of the session. All Amberton University courses are three credit hours. For on-campus courses, students will receive approximately four hours of direct faculty instruction per week for ten weeks and will complete at least three hours of work outside of class for each hour spent in class, for a total of approximately 140-160 clock hours over the length of the session. Distance learning courses and shorter intensive courses will have the same learning outcomes, comparable assignments, assessments, and expectations of student achievement as traditional campus based courses as evidenced by course syllabi.

Commentary:

Amberton University campus based courses meet for approximately four hours one time per week over the course of a ten-week session. Saturday classes meet for four hours every other week for ten weeks and include an online component. These courses follow a blended course delivery format of campus based and online instruction.

Amberton University's definition of a credit hour is comparable with the Federal Definition of the Credit Hour and follows the SACSCOC's Credit Hours Policy Statement:

Federal Definition of the Credit Hour: For the purposes of the application of this policy and in accord with federal regulations, a credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates:

1. Not less than one hour of classroom or direct faculty instruction and a minimum of two hours out of class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, or ten to twelve weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time, or
2. At least an equivalent amount of work as required outlined in item 1 above for other academic activities as established by the institution including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.

In keeping with SACSCOC's guidelines for flexibility in the interpretation of this policy, Amberton University takes into consideration the learning needs of the adult student, including alternative delivery methods, diverse learning styles, academic calendars, and application oriented programs in determining the amount of work expected of students in mastery of course competencies.

CREDIT HOUR DEFINITION APPLIED TO DISTANCE LEARNING

Quantifying instructor contact hours for online courses is more difficult to measure than traditional campus based courses. Therefore, Amberton University uses commonly accepted higher education distance learning practices to ensure the credits awarded for completion of distance learning courses are of the same standards as credits awarded for campus courses. These practices include maintaining the same student learning outcomes, comparable assessments, faculty course development, and awarding credit for successful completion of assignments that are the same or comparable to on-campus courses.

Number: 622

Subject: THE RECORDING OF ACADEMIC GRADES

At the conclusion of each session, the faculty's reports of students' grades are recorded on each student's transcript and a copy is sent to the student for reporting and verification. For a repeated course, the grade of record will be the highest grade reported. Should a student believe that a grade (notations of I, R, W are not grades) is recorded in error on his/her transcript, the error must be reported within thirty days. After thirty days, the grade of record is indisputable.

Number: 627

Subject: UNDERGRADUATE & GRADUATE CONCURRENT ENROLLMENT

Type: Regulation

Approved By: President

Date: 4-13-92

Amberton University students who lack one course to meet undergraduate degree requirements may be permitted to concurrently enroll in one undergraduate course and one graduate course. This permission may be granted if the student:

- (1) has at least a 2.75 grade point average,
- (2) has been approved for graduation in the session in which the graduate course will be taken, and
- (3) has requested and received written approval from a University Official.

Number: 631
Subject: International Student Admission Procedures
Type: Regulation
Approved by: President
Date: 06/01/2009

Amberton University is authorized under federal and state laws to enroll qualified students seeking bachelor or master degrees. Primarily, Amberton University is designed for the mature, working adult who is an English-speaking citizen of the United States of America. However, Amberton will allow international students (non-U.S. citizens/non-permanent residents) to enroll in academic programs if, after evaluation, it is determined that the University can provide for the special and unique needs often presented by these students.

The international student must submit his/her application for admission, transcripts, and any other supporting documents before admission can be considered. Any international student who requires Immigration and Customs Enforcement (ICE) forms must supply all required documents prior to the forms being issued. Students needing ICE forms may speak with an admission advisor for further information and guidance. A processing fee is required of all non-U.S./non-permanent residents at the time of application for admission, regardless of USCIS classification.

International students must fulfill the following admission requirements:

1. Be 21 years of age or older.
2. Submit Application for Admission along with a non-refundable application/processing fee, and all required ICE documents (see Amberton's International Student Required Documents List on the University's website). Also, each session enrolled, the student will pay a fee to cover the costs of ICE reporting.
3. Submit official transcripts from all colleges and universities attended in the U.S.A. Students subject to ICE regulations must have been in attendance within the past five (5) months and be "in-status" with ICE and SEVIS.
 - 3a. Undergraduate students must have a minimum of 30 semester hours of acceptable work from a U.S.A. regionally accredited institution.
 - 3b. Graduate students must have a bachelor's degree from a U.S.A. regionally accredited institution.

Note: Any graduate student who holds a bachelor's degree from a non-U.S. institution must have completed at least 30 hours of acceptable graduate work from a regionally accredited U.S. institution before admission to Amberton will be considered.

4. No international student who is on probation at a U.S.A. college/university previously attended will be considered for admission to Amberton University. For undergraduate students, an overall GPA of at least 2.0 is required when seeking admission. The standard for graduate students is an overall GPA of at least 3.0.
5. No exceptions will be allowed to the admission standards for international students unless specifically recommended by the Executive Admissions Committee (composed of the University's Vice Presidents) and approved by the President.

Number: 633

Subject: DISTANCE EDUCATION

Amberton University Distance Learning (e-Courses)

Years before the Internet was popular and the term “distance learning” was born, the Amberton University provided “conference courses” to the working adult who had responsibilities that prevented predictable scheduling of time. It was a natural and easy move for Amberton to employ Internet technologies to make e-Courses available to those students who have the need, organizational skills, self-discipline, and talent for independent study and research.

Amberton’s e-Courses are identical to classroom courses in terms of learning outcomes, and both full-time and part-time professors who teach regular classroom courses also teach the e-Courses. At Amberton University, classroom courses and e-Courses are one-and-the-same in terms of competencies.

Admission to the University, costs, and expectations of performance are the same for all students regardless of the student’s location or course selection. The University requires a certain degree of computer literacy of all students. However, a student choosing to take an e-Course must have the following skills and technical capabilities:

- Access to the Internet
- An e-mail address
- General knowledge in:
 - Internet browser settings and configuration
 - Email and file attachments
 - Uploading and downloading files
- Use of a word processing package
- Ability to conduct on-line research

Principles of Good Practice

All of Amberton’s distance learning degree programs and courses comply with the following “Principles of Good Practice.”

Curriculum and Instruction

1. Each program or course of study results in learning appropriate to the rigor and breadth of the degree or certificate awarded.
2. A degree or certificate program or course offered electronically is coherent and complete.
3. The course or program provides for appropriate interaction between faculty and students and among students.

4. Qualified faculty provides appropriate supervision of the program or course that is offered electronically.
5. Academic standards for all programs or courses offered electronically are the same as those for other courses or programs delivered at the institution where they originate.
6. Student learning in programs or courses delivered electronically is comparable to student learning in programs or courses offered at the campus where they originate.

Institutional Context and Commitment

Role and Mission

- The program or course is consistent with the institution's role and mission.
- Review and approval processes ensure the appropriateness of the technology being used to meet program or course objectives.

Students and Student Services

- The program or course provides students with clear, complete and timely information on the curriculum, course and degree requirements, nature of faculty/student interaction, prerequisite technology competencies and skills, technical equipment requirements, availability of academic support services, financial aid resources, and costs and payment policies.
- Any fee associated with the on-line format of the course or program is disclosed in the course syllabus and in the Schedule of Classes.
- Enrolled students have reasonable and adequate access to student services and resources appropriate to support their learning.
- The University has admission/acceptance criteria to assess whether the student has the background, knowledge and technical skills required for undertaking the course or program.
- Advertising, recruiting and admissions materials clearly and accurately represent the program and the services available.

Faculty Support

- The program or course provides faculty support services specifically related to teaching via an electronic system.
- The University ensures appropriate training for faculty who teach using technology.
- The program or course provides faculty with adequate equipment, software and communications for interaction with students, institutions and other faculty.

Resources for Learning

- The program or course ensures that appropriate learning resources are available to students.

- The program or course evaluates the adequacy of access to learning resources and the cost to students for access to those resources. It also documents the use of electronic resources.

Commitment to Support

- Policies for faculty evaluation include appropriate recognition of teaching and scholarly activities related to programs or courses offered electronically.
- The University demonstrates a commitment to ongoing support, both financial and technical, and to the continuation of the program or course for a period sufficient for students to complete a degree or certificate.

Evaluation and Assessment

- The University evaluates program and course effectiveness, including assessments of student learning, student retention, and student and faculty satisfaction.
- At the completion of the program or course, the institution provides for assessment and documentation of student achievement in each course.
- Program or course announcements and electronic catalog entries provide appropriate information.

Number: 640

Subject: AMBERTON UNIVERSITY TECHNOLOGY USAGE

The purpose of this policy is to establish and promote the ethical, legal, and secure use of computing and electronic communications for all members of the Amberton community. This policy will be reviewed annually by the Offices for Strategic Planning and Administrative Services.

Service

The use of the University's computer, network and system services are considered extraneous to the educational process and the University is not obligated to provide such services or to maintain such services. Students taking distance-learning courses may be directed to utilize alternative communication systems (mail/telephone/email providers/etc.) at the discretion of the University.

Privacy and Access

The University may find it necessary to access and disclose information from computer and network users to the extent required by law or to uphold legal agreements or University policies, and to diagnose and correct problems in network or systems performance. Because of this, no user of Amberton computing resources or electronic communications systems should consider their messages or files private. In addition, because of the volatile nature of digital information, and the possibility of system failures, and possible software or hardware problems, no user should consider that their messages or files are secure or preserved.

The diversity of information published and available on the Internet includes controversial material. Amberton believes that access to valuable information and interaction on a global scale outweighs the possibility of encountering material that is inconsistent with the University's purpose. Therefore, the University assumes no responsibility for monitoring or restricting access to material freely published on the Internet. The University does, however, reserve the right to limit access to its networks and computers, and to limit access to or remove links and materials stored on University computers and networks as deemed appropriate by the University.

Reporting Violations

Anyone who observes or experiences a violation of Amberton's policies on computing and electronic communications should report the violation to the Chief Technology Officer. Violations will generally be treated in the same manner as violations of other University policies. If violations appear to constitute a criminal offense, as defined by local, state, or federal statutes, the appropriate authorities will be notified.

Responsible and Acceptable Use

Amberton University owns and operates the campus network to provide services that directly support the educational goals of the University. No user may use these services for commercial ventures, political causes, outside organizations, solicitation, or any venture not directly related to the educational mission of Amberton University.

The use of Amberton's computer and/or network services is governed by policies prohibiting any type of harassment (sexual, racial, political, religious or national origin) or any other type of abusive behavior. All such violations shall be subject to immediate disciplinary action.

Use of any copyrighted material, whether text, digital image, audio, or video, via the University's network and/or systems is subject to all restrictions imposed by the copyright law. Individual users will be held accountable for violating copyright restrictions or Amberton's copyright policy.

Amberton purchases site licenses for software used on campus machines and on its networks. Individuals who knowingly make, acquire, or use unauthorized software on Amberton University's premises or equipment shall be subject to immediate disciplinary action.

Users are responsible for maintaining current virus protection on their systems, and for implementing virus checks of any downloaded files from Amberton. Users who do not follow these procedures and/or who knowingly spread computer viruses shall be subject to disciplinary action. Deliberate attempts to degrade or disrupt Amberton's computers, network and/or systems will be viewed as criminal activity under applicable state and federal law.

Any user may be denied access to Amberton's computers, networks, and/or systems when, in the judgment of the University, the user is a security risk, unqualified, or unfit to use such services. Any user who attempts to deceive others regarding his/her identity in electronic communications, including the submission of coursework, will be denied access to Amberton's computers, networks and/or systems. Any user who, by disclosing his/her login information to another person, attempts to deceive others will be denied access to the University's computers, networks and/or systems. Any user who attempts to use the University's technologies in an unauthorized manner is subject to disciplinary action.

Number: 653

Subject: WITHDRAWAL FROM THE UNIVERSITY

Withdrawing From a Class During the Session

A student who officially withdraws from a class during the first week of the session will be entitled to a full refund of tuition and fees, except for the New Student Fee. A student who withdraws from a class after the first week will be credited on a refund schedule that is based on the beginning date of the session and continues for five consecutive weeks. For sessions that are less than ten weeks duration, the refund schedule will be stated in the session's Schedule of Classes. Late registration and/or class absences are not considered exceptions to the refund policy.

To be considered official, the class withdrawal must be in writing and signed by the student requesting the withdrawal; no withdrawal is accepted verbally. The written notice submitted by the student must contain the student's name and signature, ID number, and course to be dropped. The notice may be faxed, mailed, or hand delivered to the University. The official date of record for the withdrawal is the date the written notice is formally received by the University, not the postmarked date or the date specified in the notice. A withdrawal is not official until confirmed in writing by the University. The University's record concerning a withdrawal is indisputable unless the student can provide reliable evidence of an earlier receipt date. If the exact withdrawal date is critical to the student, it is recommended that the student send the withdrawal by registered mail.

Confirmation of a class withdrawal(evidence) will be mailed to the student within three working days of receiving the official notice. In the event a withdrawal confirmation is not received by the student within three working days, the student is to contact the University's Business Office. In the event a refund results in a credit balance on the student's account, the credit balance will remain on file until the student notifies the Business Office, in writing, of its disposition. Refunds originating from a credit card payment may be credited only to the original credit card account.

Withdrawal From the University

A withdrawal from the University is a complete official severance for the session. Merely ceasing to attend class(es) does not constitute an official withdrawal.

To be considered official, the withdrawal must be in writing and signed by the student requesting the withdrawal; no withdrawal is accepted verbally. The written notice submitted by the student must contain the student's name and signature, ID number, and course to be dropped. The notice may be faxed, mailed, or hand delivered to the University. The official date of the withdrawal is the date the written notice is formally received by the University, not the postmarked date or the date specified in the notice. The University's record concerning a withdrawal is indisputable unless the student can provide reliable evidence of an earlier receipt date. If the exact withdrawal date is critical to the student, it is recommended that the student send the withdrawal by registered mail.

All admission and academic records of the student are the property of Amberton University and will remain on file for three years. A former student who withdrew in good standing will be allowed automatic readmission for a period of three years. After three years, the student must reapply for admission to Amberton University.

Record Keeping:

An approved withdrawal from a class will be noted on the student's transcript by a *W* (noting withdrawal) in the grade field of the course enrolled. A withdrawal is not counted when reporting hours completed or grade point average.

Number: 681

Subject: ACADEMIC APPEAL OF UNIVERSITY ADMINISTRATORS

When an Amberton University administrator with the title of Vice President or higher teaches, unusual pressure can be placed on both the student who takes the course and any hearing committee that would be formed should a student seek redress of a grievance. The student under such circumstances might feel that because of the administrative position of the professor an appeal committee would be intimidated. To prevent such concerns, the following unique procedure (which is an exception to the normal appeal process) will be employed for academic appeals when the instructor holds an administrative position of Vice President or higher. While grievances relative to legally defined discrimination or harassment should be filed whenever such incident occurs, grievances relative to grading must be confined to the final grade issued for the session. Individual grades for exercises or examinations are considered a part of the learning process and can only be judged in the totality of the learning and evaluation process.

APPEAL PROCESS

1. To begin the appeal process, the complaint must be in writing.
2. The appeal will immediately be forwarded to a non-involved Vice President for handling.
3. The Vice President for Strategic Services will inform the class professor of the complaint and the professor will/may reply to the complaint in writing.
4. The Vice President will select an appeal committee of no fewer than three faculty and forward both the student's complaint and the professor's response to the faculty committee for review.
5. The committee will review the appeal and render a confidential judgment (committee members who voted, how they voted, will be kept confidential).
6. The conclusion of the committee will be forwarded to the student. The committee's findings will be final.

NOTE: This appeal process shall be made available to all students who enroll in a class taught by a professor who holds the administrative rank of Vice President or higher with the University. The student should review this appeal process and if it does not meet with his/her approval, the student should not enroll in the class.

Number: 684

Subject: THE LIBRARY RESOURCE CENTER

In keeping with Amberton University's commitment to provide a specialized institution of higher education for students, the Library Resource Center meets patron needs through the development of a curriculum-based collection of print and non-print materials in conjunction with the latest computerized access programs. In addition, the Center's professional staff provides service for patrons in the areas of basic library orientation; bibliographic instruction; library research training; document delivery; and general reference assistance.

The Library Resource Center does not attempt to duplicate general library holdings found in public, tax-supported libraries. Rather, the Center directs its efforts toward collecting specific resources which support the disciplines taught at Amberton University.

In conjunction with the faculty, the Library Resource Center continually acquires new books, periodicals, microforms, and audiovisual materials for meeting both faculty and student needs. Anyone associated with the University may initiate a proposal for additional acquisitions.

The University is a member of several state and local library and research associations. These affiliations enable the Library Resource Center staff to locate materials in national databases for faculty and student interlibrary loans. The University also participates in the sharing of educational resources with over twenty colleges and universities in North Texas.

Other services provided by the Library Resource Center include on-line searching opportunities in multiple databases for faculty and students. Individualized instruction is available for students seeking to develop maximized searching strategies. The Center also houses an open computer lab which is available for student use during regular Center hours.

Number: 685

Subject: LIBRARY DEVELOPMENT PLAN

PURPOSE STATEMENT

The Amberton University Library shall be continuously developed and maintained as a resource center that supports the academic programs and interests of the Amberton University community. Library programs shall use and help teach the use of technology which is infused into, and supports, the curriculum. The library programs shall also help teach students to access, evaluate and use information as an information-literate person, a lifelong learner.

GOALS

1. STAFFING: To provide the staffing necessary to implement the programs and services of the Amberton University Library.

The success of a library ultimately depends on the quality and number of personnel responsible for the programs. A well educated, highly motivated professional staff, adequately supported by technical and clerical staff, is critical to the endeavor. A capable clerical support staff is responsible for certain daily operations that ensure that the professional staff has time to work as information specialists and resource developers.

The library shall:

- maintain the services of a sufficient number of certified librarians and staff personnel to provide adequate library services.
- provide continuous library training to new and current personnel to remain up-to-date in skills and services rendered.
- assure that technical support is available as needed to maintain services.
- maintain a system of materials selection and acquisitions to support the continuous development of the library's resources.

2. TEACHING: To provide an effective student learning environment through a collaborative process between library personnel and the teaching faculty.

Librarians contribute unique expertise to all who are involved in the teaching and learning processes of Amberton University. Many benefits to student learning occur when professors and librarians work together, synthesizing their own specialized skills to collaborate for student achievement. Activities and programs are designed with available resources in mind and the library collection is developed specifically to support the curriculum.

The library shall:

- maintain professional librarians with faculty status.
- provide direct library support for curriculum development.

- remain directly involved in technology planning.
- provide library usage skills to all students.

3. RESOURCES AND SERVICES: To ensure that all students at Amberton University have access to adequate and effective library resources and services.

Library resources exist to serve all students and faculty. The library is responsible for developing its collection and services according to the academic programs approved by the faculty and sustained by students.

The library shall:

- provide an automated circulation system, an electronic catalog, and a security system adequate to protect the collection.
- work with the faculty in selecting materials and providing services.
- determine quantities of materials and services needed based upon student usage and demand.
- annually inventory the collection and other resources to screen for timeliness, relevance, condition of materials or losses that should be targeted for attention.

4. FACILITIES AND EQUIPMENT: To provide appropriate facilities and equipment to meet the learning and teaching needs of the University's community.

The library requires appropriate facilities and equipment to meet the needs of its programs. As a resource center that serves every student, the library shall provide adequate space and equipment to meet student needs. The library shall be attractive and so organized as to enhance constituent usage.

The library shall:

- assure that the facility's ambiance, equipment, and resources actively promote learning.
- maintain and upgrade the facility and equipment to ensure use for students with special needs.

5. ADMINISTRATIVE PLANNING & ASSESSMENT:

A library is integral to learning and teaching and cannot exist without an institutional vision and administrative support. Administrative commitment is evident by providing adequate facilities, personnel, funds, policies, planning, and ongoing assignments that help the library in achieving its purpose.

The library shall:

- keep administrators aware of the programs, needs, achievements, and challenges of the library.

- anticipate proactive help needed from the administration in meeting library requirements.
- develop a procedure to document its needs and accomplishments throughout the year.
- evaluate its collection, programs, facility, and staff annually.

COLLECTION DEVELOPMENT

The University's library holdings are to reflect the curriculum of the institution. The development of the library will rely upon the talents of both professional librarians and the faculty. The faculty will be expected to regularly provide the curriculum bibliography information needed for the development of the library and the library's professional staff will keep careful and detailed inventories of resources relative to each discipline.

The following procedures will be utilized by the library to assist in its development:

I. Collection Evaluation: Annually, the library staff will inventory the collection of the library. The inventory will be of such a definitive nature that the information provided will enable those involved in the acquisition process to determine general weaknesses in holdings that must be given special attention.

II. Collection Development.

A. Requests for materials: Anyone associated with the University may initiate a proposal for a library acquisition. The proposal may be initiated by forwarding the following information to Library staff:

1. Title of book being requested.
2. Author.
3. Additional bibliographic information (publisher, date).
4. Reason for recommending the book (area of emphasis or course it supports)
5. Name of requester.

B. Acquisitions: Upon receiving a request for an acquisition, the librarian will determine whether the acquisition will complement current holdings. If it is so determined and department funds are available, the acquisition will be ordered. If the library director questions the merits of a selection, he/she may present the request and evaluation to the Academic Dean or Program Coordinators for review and recommendation.

Number: 710

Subject: PUBLIC INFORMATION

It shall be the responsibility of the Chief Executive Officer to represent the institution to the public and media. Favorable as well as unfavorable information concerning the institution shall be released when appropriate. The CEO is the "Official Voice" of the University and all external agencies making inquiries should be directed to the CEO's Office. All personnel of Amberton University should remember that there is no such thing as "off the record" comments. The following guidelines shall help govern the releasing of information:

1. No information, favorable or unfavorable, shall be released publicly until approved by the President.
2. Amberton University personnel shall not deliberately distort facts made public.
3. Amberton University personnel will respond, when possible and appropriate, expediently to inquiries from the media or other groups.
4. Amberton University shall protect the right of privacy and confidentiality on matters that are of a private nature. Such private and confidential matters shall include, but not be limited to: student discipline records, student academic records, employee hiring and firing, student and employee records, budget information, development plans, salaries, employee evaluations, or confidential academic or administrative meetings.

Number: 730

Subject: UNIVERSITY PUBLICATIONS

The University provides various publications designed to inform students, potential students, and interested friends of university information.

Amberton University will maintain a current general information catalog that describes the academic programs, regulations, courses, standards, financial expectations, etc. for students, potential students and the general public.

In addition to the catalog, the University will publish a supplement *Schedule of Classes* each session, which includes academic and financial information relative to the session. The catalog and *Schedule of Classes* will be available in on the University's website.

Information is also disseminated through the Amberton University website, bulletin boards and distribution boxes on campus.

Additional brochures, supplements, newsletters, etc. will be developed as merited to properly externalize the programs of Amberton University. The University has concluded that no publications, surveys, opinion polls, etc. may be distributed at the University without prior approval from the Administration.

Number: 740

Subject: ALUMNI ASSOCIATION

I. INTRODUCTION

The Alumni Association of Amberton University is composed of graduates of the institution. There is a substantive and natural bond between graduates and the University that makes the union a valuable resource for both the University and the Association. The University seeks to cultivate a community image, partially through its graduates, that enhances the reputation of each of its graduates and the University; the graduate seeks to stimulate the University's influence in the community in order to enhance its development while building greater community esteem for the graduate. The bond between graduates and the University is mutually advantageous in that the success of one contributes to the success of the other.

II. THE PURPOSES OF THE ALUMNI ASSOCIATION ARE:

1. to assist in the continual growth of Amberton University recognizing that its increased influence in the community is in each graduate's best interest;
2. to coordinate strategic plans for the building of a regional image of the University recognizing that as the prestige of the University increases so does the prestige of the degrees offered;
3. to organize for social opportunities that could include discounts on trips, items, continuing education opportunities, etc.;
4. to establish a directory and/or newsletter that will allow a disclosure of other graduates who might prove socially and professionally beneficial;
5. to allow for the opportunity to make a contribution to the development of higher education. Amberton University is a non-profit organization so worthy of support that many people who have never directly benefited from its educational programs have contributed. A graduate who has benefited from the University might find a natural need to make a contribution.

III. MEMBERSHIP IN THE ALUMNI ASSOCIATION

Membership in the Amberton University Alumni Association is open to all graduates of Amberton University.

Number: 805
Subject: ADMISSION/STUDENT RECORDS
Type: Regulation
Approved By: President
Date: Rev. 6-1-98

Admission records shall contain the following information:

- * An Amberton University Application
- * Test Scores (when appropriate)
- * Official Transcripts
- * Copy of the Letter of Denial or Admission to Amberton University stating status (Unconditional, Conditional, or Special).

Upon enrollment, the admission file of an applicant becomes a part of the student's permanent records and is physically moved to student records. Student records are composed of two major information files--Transcripts (ET/Electronic Transcript) and Student Files.

I. Transcripts

A. Description: Transcripts are the property of the University. The transcript is the official, permanent academic record of a student. All courses taken by a student are recorded on the transcript. The transcript will include the following minimum information:

- * Title of Institution:
- * Student's Name and Social Security Number
- * An explanation of grades, terms, amounts of credit, etc.
- * Graduation Data (including degree, major, and date)
- * Listing of course number, description, grade, and hours received
- * Cumulative totals hours completed, and grade point average for hours at Amberton University

B. Security: Two records of transcripts will be maintained at all times by the University. One record will be in a secured computer area. The other record will be maintained in a secure off-campus location.

C. Transcripts are the property of the University and are maintained at the sole discretion of the University. Access to transcripts will be limited to authorized employees of the University.

II. Student Files

A. Description: The student's file contains academic and personal information relative to Amberton University. The record is initiated in the admission process. Student files will hold all information required for admission including the following:

- * All the Records of Admission
- * All Letters of Correspondence
- * Degree Plan(s) (When Applicable)
- * Official Transcript(s) of All Work Done Outside of Amberton University and Transfer of Credit Reports (TCR)
- * Academic Appeals (When Applicable)

B. Security: Student files will remain active for three (3) years following the end of the last session enrolled. The files are then destroyed. Student files will be maintained in a secured area and access will be limited to authorized employees only.

Number: 807

Subject: THE AMBERTON UNIVERSITY PHILOSOPHY

Amberton University is not an all-purpose educational institution attempting to meet the needs of the general public. Amberton University is a private, specialized upper-division and graduate institution catering exclusively to mature, working adults who seek a relevant educational opportunity absent of the social trappings--dormitories, athletics, fraternities, sororities, bands, etc.--found at more traditional institutions.

Individualism is paramount to an understanding of the philosophy of Amberton University. Each student is considered a unique individual, divinely created, and capable of becoming better each day. Amberton University will never combine students into general groups, nor will the University respond to petitions or group demonstrations that diminish individualism. The University is committed to academic excellence rooted in personal integrity. All Amberton University personnel are Christians, and the University will maintain the highest standards of Christian ethics and morality in dealing with its students.

Admission: Minimally, a person seeking admission to Amberton University must be a mature adult with employment experience, fluent in writing and speaking English, and must provide acceptable transfer work from an accredited institution. The Amberton University student is also expected to have reasonable computer literacy skills and knowledge.

Attendance: Attendance at Amberton University is a privilege, not a right. If, in the judgment of the University, a student's academic performance or personal conduct is substandard, the University retains the right to deny the student further enrollment.

Cost: Because of the no-nonsense approach to education and the technology employed, Amberton University is and should continue to be one of the most inexpensive private institutions available to its constituency.

Financial: The student is personally responsible for paying all educational costs incurred while attending Amberton University. Although the University's philosophy is that students should "pay as you go" and minimize long-term debt, Amberton does participate in Title IV Federal Financial Aid, including direct loans, and private educational loans. Amberton University encourages students to use good judgement and to only borrow what they need. For students needing payment options, the University offers deferred payment plans. All payment options are listed on the University's website.

Personal: Amberton University believes that talent without discipline is useless, and knowledge without character is perilous. The University operates on an honor system, and honesty and integrity are essential characteristics of all employees and students associated with the institution. Because the University's reputation is ultimately determined by those who earn a degree, Amberton University will insist upon evidence of personal integrity in addition to academic

excellence. The personal integrity of a student will be proven by the student's ability to handle his academic, financial, and personal affairs in a straightforward manner consistent with the rules and regulations outlined in the catalog.

Number: 810

Subject: INTEGRITY STANDARDS OF THE UNIVERSITY

Amberton University is committed to the concept of academic excellence rooted in personal integrity. Amberton University believes that talent without discipline is useless, and knowledge without character is perilous. Because the University's reputation is ultimately determined by those who earn a degree, Amberton University will insist upon evidence of personal integrity in addition to academic excellence.

All instructors authorized to teach at Amberton University are selected because of their academic credentials, their professional experience, and their personal character. Instructors at Amberton University are considered uniquely qualified to render objective and subjective judgments not only upon the academic performance of students but also upon the students' personal character. Both factors, intelligence and character, will be considered in the awarding of grades or degrees from Amberton University.

Number: 812

**Subject: RETENTION & DISMISSAL POLICY FOR AMBERTON UNIVERSITY -
SCHOOL COUNSELING STUDENTS**

Candidates applying for and students enrolled in Amberton University's Master of Arts School Counseling Program are expected to understand and adhere to the ethical and academic standards as outlined in the current Amberton University Catalog, Educators' Code of Ethics (Chapter 247, Title 19, Texas Administrative Code), Texas Counseling Association Code of Ethics, and American School Counselor Association Code of Ethics. Those standards are incorporated by reference into this document. In addition, domestic violence, dating violence, sexual misconduct, including assault, stalking, or any form of sexual harassment is unethical and will not be tolerated by Amberton University. See the University's website for the complete Sexual Misconduct and Non-discrimination (Title IX and Title VII) Statements.

Amberton University caters to working adults. Each student's behavior is to reflect a refined maturity and attitude that complies with the academic and ethical standards outlined in the University's current catalog and the Codes of Ethics referenced above. The Amberton School Counseling Program is obligated by professional ethics and University procedure to assess students on an ongoing basis as to their potential for meeting expectations of school counseling professionals. Attendance at Amberton University is a privilege, not a right. If, in the judgment of the University, a student's academic performance or personal conduct is substandard, the University retains the right to deny the student further enrollment.

Violations of the Amberton University's academic or ethical standards or the Codes of Ethics referenced above that are expected of school counseling students may result in disciplinary action. Such action may take the form of a reprimand, probation, suspension, legal sanctions, and/or expulsion from the University. Suspension and any discipline short of expulsion are not considered punishment, but a part of the educational process. A student may be suspended for an indefinite period, depending upon the offense. Expulsion from the School Counseling Program and from Amberton University is permanent.

"Due Process" in the handling an alleged violation will follow the specific guidelines presented in the current Amberton University Catalog under "Due Process in Handling Violations of Ethical Standards" should a student be accused of violating academic or ethical standards.

All students desiring to be admitted to the School Counseling program at Amberton University will receive a copy of this statement and must attest to their understanding of and compliance with the policies contained herein before and during acceptance into the program. It is the responsibility of the student to review this document and to thoroughly understand its contents before accepting admission into and enrolling in the program.

Number: 815

Subject: DISABILITY SERVICES FOR STUDENTS

Amberton University is designed for the working adult. The facility and services offered should accommodate students who can function in the work place. While limited funds and no federal or state support limits the reasonable accommodation Amberton University can provide to disabled students, the institution continues to develop its facilities and services to meet the needs of disabled, working adults.

ADMISSION FOR STUDENTS WITH DISABILITES

- Identify on the application (space provided) the disability status.
- Submit documentation of the disability
- Be prepared to meet the academic performance standards of the class after accommodation is provided.

EQUAL OPPORTUNITY OFFICE

- Evaluate the disability and the appropriate accommodation.
- Submit a verification letter to the student and faculty outlining the accommodation considered appropriate for both the University and student.
- Submit a verification letter to other offices (library, etc.) as appropriate for accommodating the student and services.
- Store records of students with disabilities in a safe and confidential area.

Number: 817

Subject: DRESS CODE

As an institution that adheres to Christian principles and seeks to maintain a relaxed, professional, educational environment, dress may be casual but must appropriately support the adult, modest, professional atmosphere desired by the faculty and administration of the University.

Number: 822

Subject: STUDENT PUBLICATIONS

The University provides various publications designed to inform students of university information. These publications include, but are not limited to, the University catalog, recruiting brochures, e-mails, and a class schedule each session. Information is also disseminated through the University's web site, bulletin boards, and distribution boxes. The University has concluded that no publications, surveys, opinion polls, etc. may be distributed at the University without prior approval from the Administration.

Number: 825

Subject: STUDENTS' RIGHTS-EDUCATIONAL RECORDS

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records. They are:

- (1) The right to inspect and review the student's educational records within 45 days of the day the University receives a request.

Students should submit written requests to the Vice President for Strategic Services that identify the record(s) they wish to inspect. The University official will notify the student of the time and place where the records may be inspected.

- (2) The right to request the amendment of the student's educational records that the student believes are inaccurate or misleading.

Students may ask, in writing, for the University to amend a record that they believe is inaccurate or misleading. If the University decides not to amend the record as requested, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to University officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Number: 840

Subject: PRIVACY RIGHTS ON GRADES

Faculty members must not post as public information on websites, bulletin boards, office doors, or elsewhere any grades (daily quiz, hour quiz, mid-term grade, final examination, or session grade) of any student by name. Such practices, including associating a student's grade with his or her initial, have been determined by the courts to constitute an invasion of privacy. In addition, the practice of leaving graded quiz papers indiscriminately outside faculty offices or on classroom tables could be interpreted as an invasion of privacy and is, therefore, prohibited.

Number: 860

Subject: STUDENT GOVERNMENT/PARTICIPATION IN DECISION MAKING

The students of Amberton University, being adults who for the most part take only three hours per session, have expressed little interest in forming a traditional student government structure. This is not to say that students are not interested in the operations and development of the institution. However, participation by students is more through the process of committees and/or special task force groups than through a formalized student government structure.

Because of the mature nature of the University's students, their participation in the decision-making process is critical to the development of the institution. Therefore, the following guidelines will be observed:

- * There will be student participation on all major discrimination appeal committees.
- * Before the development of a new degree or program, in addition to community, alumni and professional advisory committees, the University will convene a student committee that will be allowed to provide input and recommendations.
- * Students will evaluate each instructor and course each session.
- * Graduating students will provide an "overall" appraisal of the University and its programs through the graduate's questionnaire.
- * Surveys and questionnaires will be provided periodically for student participation relative to all major development trends at Amberton University.
- * New students will be asked to complete a questionnaire providing the University with insight as to why they chose Amberton University.

Number: 905

Subject: OFFICE OF FINANCIAL AID – Principles of Good Practice

Amberton University has adopted the following Principles of Good Practice in Administering Financial Aid:

1. The purpose of any financial aid program – governmental or private – should be to assist students who can benefit from further higher education but who find it difficult to do so without some means of financial assistance. The primary purpose of financial aid received by students of Amberton University should be to cover educational costs directly related to the student's attendance (tuition, fees, books, supplies, etc.) rather than to cover those expenses the student normally would have if s/he were not enrolled.
2. Financial aid should be awarded only after determination that the student's resources are insufficient to meet educational expenses. The amount of aid offered should not exceed the amount needed to meet the difference between the student's total educational expenses and the student's resources.
3. All students must complete and submit the appropriate forms when applying for financial assistance.
4. All federal Title IV funds available for financial assistance and private loans shall be administered through the Financial Aid Office.
5. The Financial Aid Office shall maintain adequate records to ensure proper administration of aid funds. This includes ensuring that aid given is not in excess of need and or the cost of attendance and that aggregate awards do not exceed total expenditures of funds under each program.
6. Selection of student to receive financial aid will be made without regard to age, sex, race, color, religion, sexual orientation, national origin, disability, or marital status.
7. All students applying for aid are required to apply annually for federal assistance.
8. An audit of the operations of the Financial Aid Office will be performed in accordance with the required accounting standards as a part of the University's annual financial audit.

Number: 907

Subject: CODE OF CONDUCT FOR FINANCIAL AID OFFICE STAFF

Students should be aware that personnel working in the Financial Aid Office of Amberton University have not been implicated in any investigations into prohibited practices in the student loan industry.

Amberton University:

- Does not have any revenue sharing agreements with lenders.
- Has not accepted any offers of funds from lenders to be used for private educational loans in exchange for processing federal or private loans for a particular lender.
- Has not received gifts of stock or other financial compensation from lenders in return for service on the advisory board of a lender.
- Does not have staff who serve on any lender advisory boards.
- Prohibits staff from accepting gifts from a representative of a student loan provider. Gifts include meals, travel, lodging, entertainment, and in-kind services.
- In addition, Amberton University will not provide any commission, bonus, or other incentive payment based directly or indirectly on securing enrollments or federal financial aid, including Tuition Assistance Funds, to any persons or entities engaged in any student recruiting, admission activities or making decisions regarding the award of student financial assistance.
- In the recruitment of students, Amberton prohibits high pressure recruitment tactics, such as, but not limited to making multiple unsolicited contacts (3 or more), including contacts by phone, email, or in-person, and engaging in same-day recruitment and registration for the purpose of securing Service member enrollment or securing financial aid funds.

Number: 909

Subject: ADMINISTRATIVE ORGANIZATION OF THE FINANCIAL AID OFFICE

Division of Responsibility between Financial Aid and Fiscal Offices

There exists a clear and separate division of responsibility for the administration of financial aid programs, which are divided between the Financial Aid Office and the Business Services Office. In order to maintain this division, each office is accountable for the following responsibilities:

The Financial Aid Office

The Amberton University Financial Aid Office responsibilities include but are not limited to:

- Preparing Required Reports and Reconciliations
- Maintaining Financial Aid Records
- Monitoring Financial Aid Operations
- Processing Private Loans to Students
- Maintaining Accurate Records in Financial Aid Systems
- Providing Financial Aid Support to Students
- Awarding Financial Aid to Students
- Working with Business Services in the refunding process to return federal financial aid as needed

The Business Services Office

The Amberton University Business Services Office responsibilities include but are not limited to:

- Collecting payments for student accounts
- Maintaining accurate billing for student accounts
- Disbursing statements to students in a timely manner
- Disbursing funds to students as authorized
- Maintaining accurate records in the A/R System
- Working with the Financial Aid Office in the refunding process to return federal financial aid as needed.

Number: 912

Subject: CONFIDENTIALITY OF FINANCIAL AID RECORDS

The protection and security of financial aid records follow the same confidentiality procedures established for the protection of all student records at Amberton University. Amberton University ensures the confidentiality of student educational records in accordance with Amberton University policies and procedures and state and federal laws, including the Family Educational Rights and Privacy Act of 1974.

To protect student privacy, all records and conversations between the student and the Office of Financial Aid are confidential. No public announcement shall be made of need-based amounts awarded to students. No information concerning the students' financial aid records will be released to anyone outside of the Financial Aid/Business/Administrative Services Offices without the student's permission in accordance with FERPA. If the student wants information released, a letter of consent must be submitted.

Active Records

The Financial Aid Office maintains a master record for each student receiving financial assistance. All financial aid folders are retained for three years after the student's last session of attendance. Any records involved in any claim or expenditure, which has been questioned by the annual federal audit, are retained until the question is resolved.

Number: 915

Subject: ENROLLMENT STATUS FOR FEDERAL TITLE IV, HEA FINANCIAL AID:

According to federal requirements, financial aid enrollment status is defined as:

Undergraduate – less than half time:	5 or less credit hours attempted
Undergraduate – halftime:	6-8 credit hours attempted
Undergraduate – $\frac{3}{4}$ time:	9-11 credit hours attempted
Undergraduate – full time:	12 or more credit hours attempted
Graduate – half time:	3 credit hours attempted
Graduate – full-time:	6 or more credit hours attempted

All financial aid recipients should contact the Financial Aid Office before dropping a class. Dropping a class may result in cancellation of certain types of grants or loans and could result in the student being responsible for payment of these funds back to the program.

Number: 918

Subject: SATISFACTORY ACADEMIC PROGRESS FOR FEDERAL FINANCIAL AID RECIPIENTS

Federal Financial Aid regulations require Amberton University to monitor students' progress towards earning a degree. If a student is a financial aid recipient, he or she must meet the University's minimum progress standards to remain eligible for federal financial aid. If the student is **not** a federal financial aid recipient and would like to apply for federal financial aid, s/he must meet these minimum progress standards to receive federal financial aid. Failure to meet any one of these minimum requirements will result in the student losing financial aid eligibility. The four components of the Satisfactory Academic

Progress policy are:

1. Degree Seeking Program – A student must be enrolled in a degree seeking program to receive financial aid; AND
2. Quantitative Measure – A student must complete at least 75% of his/her attempted term hours with a grade of “D” or better; AND
3. Qualitative Measure – A student must maintain a cumulative grade point average (GPA) of 2.0 for undergraduates or maintain a cumulative GPA of 3.0 for graduates; AND
4. Time Frame Maximum – Students must complete their degree program within 150% of the credit hours required for the degree program.

The Financial Aid Office is responsible for ensuring that all students applying for or receiving federal, state of Texas, or designated institutional financial aid funds, are meeting these standards. The Standards of Satisfactory Academic Progress apply for all applicable financial assistance programs including Federal Pell Grant, Direct Loans, PLUS Loans. (Amberton University does not participate in any Federal Title IV Financial Aid, except the Federal Pell Grant.)

These standards are applied to a student's entire academic history at Amberton, including periods when financial aid was not received. If a student meets these standards, he/she is eligible to be considered for Title IV, HEA federal financial aid. If a student does not meet these standards, he/she is not eligible to receive Title IV, HEA federal financial aid. Procedures for re-establishing federal financial aid eligibility are described in this policy statement.

For the purposes of this policy statement, “Financial Aid” is defined as all federally funded aid programs and all state-funded student assistance programs. It does not include private funds or private education loans.

In this policy, “eligible for financial aid” means that a student meets the standards of the Satisfactory Academic Progress Policy for Financial Aid Eligibility but must also meet all other financial aid requirements in order to receive financial aid.

Satisfactory Academic Progress (SAP) Criteria

In order to meet satisfactory academic progress requirements, financial aid applicants and recipients must meet the qualitative and quantitative measurements outlined below:

1. Degree Seeking Program:

A student must be enrolled as a regular student in an eligible program to receive federal financial aid. A regular student is defined as a student who is enrolled for the purpose of obtaining a degree offered by Amberton University. A student who is not officially declared as degree seeking is not eligible for federal financial aid.

2. Quantitative Measure - Minimum semester credit hour completion rate:

In an effort to help students complete their programs on time, Amberton University has selected a Quantitative measure of 75%. A student must earn 75% of the credit hours attempted in an academic year (summer, fall, winter, spring) in order to continue to receive financial aid. Only grades of A,B,C, and D are considered passing grades. All other grades will be counted as if the student received a letter grade of F. The formula used to figure your completion rate is to divide the hours completed by the hours attempted.

Example: An undergraduate student registers for 12 hours in the Fall Session and drops to 9 hours after the drop/add period. The student goes on to complete all 9 credit hours in the Fall Session with a grade of D or better. In the Winter Session, the same student registers for 12 credit hours and goes on to complete all 12 credit hours with a grade of D or better. For the Spring Session, the student again enrolls for 12 credit hours but drops to 6 credit hours after the drop/add period. The student completes the remaining 6 credit hours with a grade of D or better. Does the student meet the quantitative measure of the AU Satisfactory Academic Progress Policy?

Evaluation:

Fall Session credit hours attempted (12)+Winter Session credit hours attempted (12)+Spring Session credit hours attempted (12)= 36 attempted credit hours

Fall Session credit hours completed (9)+Winter Session credit hours completed (12)+Spring Session credit hours completed (6)=27 completed credit hours

Total credit hours completed (27) divided by total credit hours attempted (36)=75% completion rate

In this example, the student does meet the minimum requirement and will retain his/her financial aid eligibility.

3. Qualitative Measure – Minimum Grade Point Average (GPA):

Graduate Degree students must maintain a minimum cumulative grade point average of 3.0.

Undergraduate students must maintain a minimum cumulative grade point average of 2.0. All undergraduate degree programs at Amberton University require students to earn a GPA of at least 2.0 to meet the GPA requirements for graduation. Any undergraduate student whose GPA falls below 2.0 will lose financial aid eligibility. Graduate students must earn a minimum GPA of 3.0 to meet graduation standards and to retain eligibility for federal financial aid.

Example: An undergraduate student starts in the Summer Session and earns a 1.9 GPA. After completing the Fall Session, his GPA improves to a 2.1. Upon completion of the Winter Session, the student's GPA again falls to a 1.9. After the Spring Session, the GPA improves to a 2.5. Does the student retain federal financial aid eligibility?

Yes! Amberton University checks for Satisfactory Academic Progress at the conclusion of the Spring Session. The student maintained the minimum GPA requirement at the time Amberton University performed the SAP Evaluation.

4. Time Frame Maximum :

Students must complete their degree program within 150% of the credit hours required for the degree program. Federal regulations require that Amberton University place a maximum timeframe in which a student can receive federal financial aid to complete a program of study. Amberton University allows students to attempt 150% of the required credit hours it takes to complete the student's degree of choice. If a student attempts more than 150% of the credit hours needed to complete his/her degree program, the student loses federal financial aid eligibility.

Example: An undergraduate student is pursuing a Bachelor of Business Administration degree, which will take 120 hours to earn. How many hours can this student attempt and still retain federal financial aid eligibility?

In this example, the student can attempt 180 credit hours before losing federal financial aid eligibility.

Students enrolled in eligible licensure and certificate programs may receive financial aid only for those courses that are required to complete the license or certificate program.

General Information on Satisfactory Academic Progress (SAP):

Transfer Students

Amberton University will use your transfer hours to calculate your maximum timeframe to determine financial aid eligibility. Cumulative grade point average will be calculated on work completed only at Amberton University.

Incomplete Courses

If a coursework extension is approved, an Incomplete will be given for 30 days and will not be considered in the GPA. If the Incomplete is changed to a letter grade of A, B, C, D or F, it will be calculated into the GPA.

Withdrawals

An official withdrawal from a course will be marked as a “W” and will not be calculated into the GPA. Merely ceasing to attend class does not constitute an official withdrawal and may result in the student receiving a failing grade for the course.

Appeals Process

If a student does not meet Amberton University’s minimum SAP standards and loses his/her federal financial aid eligibility, the student may file an appeal to have his/her financial aid reinstated. These appeals are generally based upon extenuating circumstances that occurred during the academic year that may have caused the student’s GPA or completion rate to decline. These extenuating circumstances might include: prolonged illness, accidents that require the student’s hospitalization or the hospitalization of an immediate family member, and/or the death of an immediate family member, or another type of special extenuating circumstance.

The student must provide information as to why he or she did not make SAP and what has changed and improved that will allow the student to make SAP by the next evaluation point.

All appeals submitted to the Financial Aid Office MUST have documentation attached before presented for consideration by the Financial Aid Appeals Committee. Students should submit their appeals no later than July 15 of each year. A completed Appeals Form

must have appropriate documentation attached to the form to verify and support the purpose of the appeal. The decision made by the Financial Aid Appeals Committee is final.

Financial Aid Probation

Upon approval of a student's appeal, the student will be placed on financial aid probation and federal financial aid eligibility will be reinstated. If a student is placed on financial aid probation, his/her SAP will be checked after each term completed until the student either loses financial aid eligibility through financial aid suspension or the student proves a satisfactory progression toward earning his/her degree. To prove a satisfactory progression toward earning a degree, the student must complete 100% of the courses attempted for the term the student is under probation with a GPA of 2.0 or higher for undergraduates or a GPA of 3.0 or higher for graduates. If the student does not complete all attempted hours and/or does not meet GPA requirements, the student will be placed on financial aid suspension and will lose financial aid eligibility. The Financial Aid Office reserves the right to impose different standards of a student's probation based on the severity of the student's Satisfactory Academic Progress offense.

Financial Aid Suspension

If the student's appeal is denied, he/she will be placed on financial aid suspension and will not receive financial aid. To regain financial aid eligibility, the student will need to attempt and complete, at the student's own expense, the same number of hours attempted before the student was placed on financial aid suspension. The hours must be attempted at Amberton University.

Satisfactory Academic Progress (SAP) Evaluation/Appeals Procedures

1. The student's academic record is reviewed once a year in May after the conclusion of the Spring Session.
2. The Financial Aid Office notifies suspended students (students who failed to meet SAP standards) of their status and provides access to the Financial Aid Appeals Form.
3. Student completes the Financial Aid Appeals Form, attaches appropriate documentation, and files appeal with the Financial Aid Office.
4. Financial Aid Appeals Committee meets and determines outcome of the appeal.
5. Financial Aid Administrator informs student of the outcome of the appeal.
6. Student may be able to reapply for federal financial aid as determined by the outcome of the Appeals Committee.

Number: 921

Subject: FINANCIAL AID POLICY ON REPEATED COURSEWORK

Per federal regulations (34 CFR Section 668.2) repeated coursework that falls under the following conditions cannot be included in a student's enrollment status for federal aid eligibility. This regulation will also include federal, state, and institutional funding.

- Repeating a previously passed course more than once. A course is considered passed if the student receives a grade of D or better.
- Repeating a previously passed course due to failing other coursework.
- Repeating a previously passed course for the sole purpose of gaining eligibility for financial aid.

Federal aid is calculated according to need and the student's adjusted enrollment status.

Recalculation will be applied regardless of whether a student received aid for previous courses and is based solely on how many times a course has been taken and passed.

Example 1:

A student is taking a previously passed 3 credit hour course for the third time. The student is enrolled in a total of 12 credit hours for the term. Per federal regulations, the repeated course must be excluded from the student's aid eligibility. Only 9 of the student's 12 hours can be used to calculate aid eligibility. The student's aid will be adjusted to $\frac{3}{4}$ time instead of full-time enrollment.

Example 2:

A student repeats a previously passed course. The student receives an F on the second attempt. The student attempts the course for the third time. The third course attempt will not be counted in total enrollment hours for financial aid.

Example 3:

A student repeats a previously passed course. The student withdraws from the course on the second attempt. The student attempts the course for the third time. The third course attempt will not be counted in total enrollment hours for financial aid.

Number: 924

Subject: FEDERAL RETURN OF TITLE IV, HEA FUNDS (R2T4) POLICIES

When a student applies for Federal Title IV Financial Aid, he or she signs a statement that the student will use the funds for educational purposes only. Therefore, if the student withdraws before completing his/her program, a portion of the funds received may have to be returned. Amberton University will calculate the amount of tuition to be returned to the Title IV, HEA Federal fund programs according to the policies listed below.

This policy applies to students who complete 60% or less of the enrollment period (Summer, Fall, Winter, Spring) for which they received Federal Title IV, HEA Aid. A student who drops a class but still completes one or more classes does not qualify for the Return of Title IV Funds policy.

Withdraw Before 60%

If the student withdraws before 60 percent of the session has elapsed, a percentage of Title IV, HEA funds will be returned to the federal program(s) based on the length of time the student is enrolled prior to withdrawal.

For example, if the student withdraws when 50 percent of the session has elapsed, 50 percent of Title IV, HEA funds will be returned to the federal programs.

Withdraw After 60%

After 60 percent of the session (payment period) has elapsed, the student is considered to have earned 100% of the Title IV, HEA funds he or she was scheduled to receive during this payment period. The institution must still perform a R2T4 to determine the amount of aid that the student has earned.

Earned AID:

Title IV, HEA aid is earned in a prorated manner on a per diem basis (calendar days for credit hour institutions) up to the 60% point in the semester. Title IV, HEA aid is viewed as 100% earned after that point in time. A copy of the worksheet used for this calculation can be requested from the financial aid director.

Unearned Aid

If the student has an unearned portion of funds to be returned, the Office of Financial Aid will notify the student within 30 days of the procedure to repay the unearned funds. If a student receives less Federal Student Aid than the amount earned, the University will offer a disbursement of the earned aid that was not received, called a Post Withdrawal Disbursement. If the student received more than the amount earned, the University and the student, or both must return the unearned funds to the Department of Education within 45 days.

R2T4 Policy Application

This policy applies to students who **withdraw officially, unofficially or fail to return from a leave of absence or who are dismissed from enrollment** at Amberton University. It is separate and distinct from the Amberton University refund policy. (Refer to the University's tuition refund policy on page XX of this Manual, on the website (www.Amberton.edu) and in the current Schedule of Classes.

The calculated amount of the Return of Title IV, HEA (R2T4) funds that are required for the students affected by this policy, are determined according to the following definitions and procedures as prescribed by regulations.

The amount of Title IV, HEA aid earned is based on the amount of time a student spent in academic attendance, and the total aid received; it has no relationship to student's incurred institutional charges. Because these requirements deal only with Title IV, HEA funds, the order of return of **unearned** funds do not include funds from sources other than the Title IV, HEA programs.

Title IV, HEA funds are awarded to the student under the assumption that he/she will attend school for the entire period for which the aid is awarded. When the student withdraws, he/she may no longer be eligible for the full amount of Title IV, HEA funds that were originally scheduled to be received. Therefore, the amount of Federal funds earned must be determined. If the amount disbursed is greater than the amount earned, unearned funds must be returned.

The institution has 45 days from the date that the institution determines that the student withdrew to return all unearned funds for which it is responsible. The institution is required to notify the student if a repayment is owed via written notice.

The institution must advise the student that he or she has 14 calendar days from the date that the institution sent the notification to accept a post withdrawal disbursement. If a response is not received from the student within the allowed timeframe or the student declines the funds, the institution will return any earned funds that the institution is holding to the Title IV, HEA programs.

Definition of Official and Unofficial Withdrawal

Officially Withdrawing from the University:

Official withdrawal means that the approved procedure to withdraw from a course was followed by the student. To be considered official, the withdrawal must be in writing and signed by the student requesting the withdrawal; no withdrawal is accepted verbally. The official date of the withdrawal is the date the written notice is formally received by the University, NOT the postmarked date or the date stated in the notice. The University's record concerning a withdrawal is indisputable, unless the student can provide reliable evidence of an earlier receipt date.

An official withdrawal may be submitted by completing the Request for a Change of Schedule form or by written notice containing the student's name, signature, I.D.number, and course(s) to be dropped. The notice may be faxed, mailed, e-mailed, or hand delivered to the University. (Refer to the University's web site for the fax number and e-mail information.) For the student's convenience, the notice may be submitted in the Student Services Office (Garland Campus and Frisco Center) or placed in one of the designated drop boxes located inside and outside the Garland Main Campus facility. The official withdrawal procedure applies to all courses, irrespective of delivery mode or course length. A student may rescind his/her notification in writing and continue enrollment. If the student subsequently withdraws from the University, the student's withdrawal date is the original date of notification of intent to withdraw.

Unofficially Dropping a Course or Withdrawing from the University

Beware of *unofficially* dropping a course. It will adversely affect your grades and student account. An *Unofficial drop* means that the approved procedure to withdraw from a course or the university was not followed by the student. Students are prohibited from dropping a course/withdrawing by:

- Not attending the course;
- Communicating their desire to drop the course/withdraw other than by submitting the Request for Change of Schedule Form or other document containing the student's name, signature, I.D. number, and course(s) to be dropped to Amberton University.

Federally Defined Leaves of Absence Policy (FLOA)

Amberton University does not grant federally defined Leaves of Absence for Financial Aid purposes. Instead of utilizing a federally defined Leave of Absence, the University assists students by:

- Allowing students to work with faculty to finish incomplete coursework
- Allowing an official appeal of the Financial Aid Refund calculation based on unusual circumstances

- Allowing students to “lay-out” for one or more sessions
- Allowing students to drop courses with a “W” rather than an “F” during specific time-frames during the session
- Allowing students to appeal a determination of insufficient satisfactory academic progress under the Financial Aid Satisfactory Academic Progress Policy requirements.

The “*Federally Defined Leave of Absence*” policy listed above is for student financial aid purposes only and does not address University policy for employees (i.e. FMLA regulations)

Determining Withdrawal Date for R2T4 Funds

Official Withdrawals:

The date of the termination for return and refund purposes will be the earliest of the following for official withdrawal: The date the University receives the student’s written communication of intent to drop a course or withdraw from the University.

Unofficial Withdrawals:

The date of the termination for return and refund purposes will be determined by the following for unofficial withdrawals:

For Lecture Classes:

For the student who does not provide official notification of his or her intent to withdraw and is absent for more than two consecutive class meetings (Amberton University classes meet once weekly for a period of approximately four hours), the date of termination for return and refund purposes will be the student’s last recorded date of academic attendance or the midpoint of the payment period or period of enrollment for which Title IV assistance was disbursed (unless the University can document a later date)

For Distance Education Classes:

For the student who does not provide official notification of his or her intent to withdraw and is enrolled in a distance education course requiring no on-campus attendance, the date of termination for return and refund purposes will be the midpoint of the payment period or period of enrollment for which Title IV assistance was disbursed or the last day of student registered activity in the course depending on which is later.

Upon Receipt of an Official Withdrawal:

Amberton University will:

1. Determine the student's last date of attendance.
2. Perform the following calculations:
 - a. The student's account and date of official withdrawal are reviewed to determine the calculation of Return of Title IV, HEA funds the student has earned, and if any, the amount of Title IV funds for which the University is responsible. Returns made to the Federal Funds Account are calculated using the Department's Return of Title IV, HEA Funds Worksheets, scheduled attendance and are based upon the payment period.
 - b. Calculate the University's refund requirement (see University's refund schedule)
3. The student's grade record for the session will be updated to reflect his/her final grade for the course(s) dropped.
4. Amberton University will return the amount for any unearned portion of the Title IV funds for which the institution is responsible within 45 days of the date the official notice of withdrawal was provided.
5. Amberton University will provide the student with a letter explaining the Title IV, HEA requirements:
 - a. The amount of Title IV assistance the student has earned. This amount is based upon the length of time the student was enrolled in the program, based on scheduled attendance and the amount of funds the student received.
 - b. Any returns that will be made to the Title IV, HEA Federal program on the student's behalf as a result of exiting the program. If a student's scheduled attendance is more than 60% of the payment period, he/she is considered to have earned 100% of the Federal funds received for the payment period. In this case, no funds need to be returned to the Federal funds.
 - c. Advise the student of the amount of unearned Federal funds and tuition and fees that the student must return, if applicable.
6. Supply the student with an account record noting outstanding balance due to the University and the available methods of payment. A copy of the completed worksheet, check, letter, and final account record will be kept in the student's file.

In the event a student decides to rescind his or her official notification to withdraw, the student must provide a signed and dated written statement that he/she is continuing his or her program of study, and intends to complete the payment period. Title IV, HEA assistance will continue as originally planned. If the student subsequently fails to attend or ceases attendance without completing the payment period, the student's withdrawal date is the original date of notification of intent to withdraw.

Upon Determination of an Unofficial Withdrawal:

Amberton University will follow the following procedures within one week of determining the student may have unofficially withdrawn:

1. Make three attempts to notify the student regarding his/her enrollment status.
2. Determine and record the student's last date of attendance.
3. Notify the student in writing of his/her failure to contact the University when requested to do so and notify the student of his/her current termination of enrollment.
4. Calculate the amount of Federal Title IV Funds student has earned, and if any, the amount of Federal Funds for which the University is responsible.
5. Calculate the University's refund requirement (See University Refund Schedule).
6. Upon completing the calculations, Amberton University will return to the Federal Funds program any unearned portion of Title IV funds for which the University is responsible within 45 days of the date the withdrawal determination was made and make a record of the return on the student's account and financial aid file.
7. If applicable, Amberton University will provide the student with a refund letter explaining Title IV requirements:
 - a. The amount of Title IV aid the student has earned based upon the length of time the student was enrolled and scheduled to attend in the program and the amount of aid the student received.
 - b. Advise the student in writing of the amount of unearned Title IV aid and tuition and fees that he/she must return, if applicable.
 - c. Supply the student with a final accounting showing outstanding balance due the University and the available methods of payment.
8. A copy of the completed worksheet, check, letter, and final account record will be kept in the student's financial aid file.

Return to Title IV Funds Calculation

The calculation required determines a student's earned and unearned Title IV aid based on the percentage of the enrollment period completed by the student. The percentage of the period that the student remained enrolled is derived by dividing the number of days the student attended by the number of days in the period. Calendar days (including weekends) are used, but breaks of at

least 5 days are excluded from both the numerator and denominator. Until a student has passed the 60% point of an enrollment period, only a portion of the student's aid has been earned. A student who remains enrolled beyond the 60% point is considered to have earned all awarded aid for the enrollment period. Earned aid is not related in any way to institutional charges. In addition, the University's refund policy and Return of Title IV Funds procedures are independent of one another. A student who withdraws from a course may be required to return unearned aid and still owe the University for the course.

Example of Calculation: - CREDIT HOUR UNIVERSITY

1. Determined the percentage of Title IV, HEA aid earned by the student by taking the calendar days completed in the payment period, divided by the total calendar days in the payment period (excluding breaks of **5** days or more *and* days the student was on an approved LOA

$$18(\text{completed days}) = 15.3\% (\% \text{ of completed calendar days})$$

118 (total days)

2. Determine the amount of Title IV aid earned by the student by multiplying the percentage of Title IV, HEA aid earned times the total of the Title IV aid disbursed **plus** the Title IV aid that could have been disbursed for the payment period.

$$15.3 \% \times \$2805.00 = 429.17 \text{ (Amount of aid earned by student)}$$

3. If this percentage is greater than 60%, the student earns 100% of the disbursed Title IV, HEA funds or aid that could have been disbursed.
4. If this percentage is less than 60%, then the percentage earned is equal to the calculated value.
5. Funds are returned to the appropriate federal program based on the Percentage of aid earned using the following formula:

Aid to be returned = (100% minus the percent earned) multiplied by the amount of aid disbursed toward institutional charges. If a student earned less aid than was disbursed, the institution may be required to return a portion of the funds and the student may be required to return a portion of the funds. All Title IV funds to be returned by the institution must be made no later than 45 calendar days after the date the school determines that the student withdrew.

6. When Title IV, HEA funds are returned, the student may owe a balance to the institution.

Order of Return of Title Federal IV, HEA Funds

In accordance with Federal regulations, when Title IV, HEA financial aid is involved, the calculated amount of the R2T4 Funds" is allocated in the following order:

- Unsubsidized Direct Stafford loans (other than PLUS loans)
- Subsidized Direct Stafford loans
- Parent PLUS loans
- Direct PLUS loans
- Federal Pell Grants for which a Return is required
- Iraq and Afghanistan Service Grant for which a Return is required
- Federal Supplemental Educational Opportunity Grant
- Other Title IV assistance
- State Tuition Assistance Grants (if applicable)
- Private and institutional aid
- The Student

Amberton University does not participate in any Federal Financial Aid Program, **except** the Federal Pell Grant Program.

Timeframe for returning an unclaimed Title IV, HEA Credit Balance

If the University attempts to disburse the credit balance by check and the check is not cashed, the University must return the funds no later than 240 days after the date the University issued the check.

If a check is returned to Amberton University or an EFT is rejected, the University may make additional attempts to disburse the funds, provided that those attempts are made no later than 45 days after the funds were returned or rejected. When a check is returned or EFT is rejected and the University does not make another attempt to disburse the funds, the funds must be returned before the end of the initial 45-day period.

The University must cease all attempts to disburse the funds and return them no later than 240 days after the date it issued the first check.

Institution Responsibilities

Amberton University's responsibilities in regards to Title IV, HEA funds follow:

- Providing students information with information in this policy;
- Identifying students who are affected by this policy and completing the return of Title IV funds calculation for those students;
- Returning any Title IV, HEA funds due to the correct Title IV programs.

The institution is not always required to return all of the excess funds; there are situations once the R2T4 calculations have been completed in which the student must return the unearned aid.

Overpayment of Title IV, HEA Funds

Any amount of unearned grant funds that the student must return is called overpayment. The student must make arrangements with Amberton University or the U.S. Department of Education to return the amount of unearned grant funds.

Post Withdrawal Disbursement

The institution must disburse any Title IV, HEA grant funds a student is due as part of a post-withdrawal disbursement within 45 days of the date the institution determined the student withdrew and disburse any loan funds a student accepts within 180 days of that date.

The institution will offer any post-withdrawal disbursement of loan funds within 90 days of the date it determines the student withdrew.

If the student did not receive all of the funds earned, the student may be due a post-withdrawal disbursement. Amberton University may use a portion or all of the student's post-withdrawal disbursement for tuition and fees (as contracted with Amberton University). For all other school charges, Amberton University needs the student's permission to use the post-withdrawal disbursement. If the student does not give permission, the student will be offered the funds. However, it may be in the student's best interest to allow the University to keep the funds to reduce the student's debt at the institution.

Student Responsibilities in regards to Return of Title IV, HEA funds

- Returning to the Title IV, HEA programs any funds that were disbursed to the student in which the student was determined to be ineligible via the R2T4 calculation.
- Any notification of withdrawal must be in writing and addressed to the appropriate institutional official following Amberton University withdrawal procedures
- A student may rescind his or her notification of intent to withdraw. Submissions of intent to rescind a withdrawal notice must be filed in writing.
- These notifications, to either withdraw or rescind to withdraw must be made to the official records/registration personnel at Amberton University.

Refund vs. Return to Title IV, HEA Funds

The requirements for the Title IV, HEA program funds when a student withdraws are separate from any refund policy that Amberton University has in order to return to the student any funds due from a cash credit balance. Therefore, students may still owe funds to Amberton to cover unpaid institutional charges. Amberton University may also charge the student for any Title IV, HEA program funds that the University was required to return on the student's behalf.

For information on the Amberton University refund policy, refer to the current Schedule of Classes, the current University Catalog, the Amberton University website (www.Amberton.edu) or contact an advisor in the Student Services Office.

Return to Title IV, HEA Questions

If you have questions regarding Title IV, HEA program funds after visiting with the financial aid personnel, please call the Federal Student Aid Information Center at 1-800-4-fedaid (800-433-3243). TTY users may call 800-730-8913. Information is also available on student aid on the web www.studentaid.ed.gov.

Number: 925

Subject: RETURN OF TUITION ASSISTANCE FUNDS FOR ACTIVE MILITARY SERVICE MEMBERS

Amberton University will return any Tuition Assistance (TA) Program funds directly to the Military Service and not to the Service member. Up to the start date of the session, Amberton will return all (100%) of TA funds to the appropriate Military Service when the Service does not:

- a) Begin attendance at the institution or
- b) Start a course, regardless of whether the student starts other courses.

Amberton will return any TA funds paid for a course that is cancelled by the University.

Amberton will return any unearned TA funds on a proportional basis through at least the 60% portion of the session for which the funds were prorated. TA funds are earned proportionally during an enrollment period with unearned funds returned based upon when a student stops attending. In instances when a Service member stops attending due to military service obligation, Amberton will work with the Service member student to identify solutions that will not result in a student debt for the returned portion.

Number: 927

Subject: FINANCIAL AID AUDITS AND PROGRAM REVIEWS

Audits and Program Reviews

Federal regulations require the Financial Aid Office to have its records and student files audited annually. Each audit must cover the time period since the last audit. An independent auditing firm audits Amberton University annually. The auditing firm reviews a sample of student files to ensure the Financial Aid Office is in compliance with federal, state, and institutional policies. Any exceptions found during the audit will be addressed. The auditing firm then submits findings to the University for review and after that review, the auditing firm then submits the findings to the U.S. Department of Education.

Federal reviews are conducted by the U.S. Department of Education on a basis determined by the Department. Institutions are notified ahead of time when the review will take place. Typically, the reviewers will randomly select a specific number of students from each of the Title IV programs. The files are pulled and given to the reviewers. Any additional assistance requested must be responded to promptly. A complete listing of financial aid audit guidelines can be found in the Audit Guide published by the U.S. Department of Education. See this reference document for more information.

Number: 930

Subject: FINANCIAL AID DISCLAIMERS AND NOTICES

Revision and Cancellation

Amberton University reserves the right to review, revise, or terminate all or a portion of financial aid at any time due to the changes in students' financial and/or academic status or failure to comply with laws and regulations, including financial verification and institutional policies. In addition, all financial aid is subject to revision based on the funds received by the University from all financial aid resources and any federal laws, regulations, or policies.