



CHAPTER 2 – ADMINISTRATION OPERATIONS Table of Contents

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2. ADMINISTRATIVE OPERATIONS

2.1 RULES OF OPERATION

2.1.1 “The Oklahoma State Regents for Higher Education is the coordinating board of control for The Oklahoma State System of Higher Education with powers, duties, and responsibilities defined by [Article XIII-A](#) of the Oklahoma Constitution and State Statute (specifically 70 O.S. §§ [3202](#) through [3206](#)). As an arm of state government, State Regents’ operations are subject to such statutory regulation and requirements as the Open Meeting Act [[25 O.S. § 301 et seq.](#)], the Open Records Act [[51 O.S. § 24A.1 et seq.](#)], the Administrative Procedures Act [[75 O.S. § 250 et seq.](#)]....” ([OAC 610:1-7-1\(a\)](#)).

“The operational procedures for the coordinating board are set forth in this Subchapter within the above constitutional and statutory framework and are for the information and guidance of the State Regents and their staff, institutional officials, governing board members, legislators, and other state officials, the press, and citizens generally who may be interested in and concerned with business transacted by the board.” ([OAC 610:1-7-1\(b\)](#)).

2.1.2 The OSRHE, as the coordinating board of The Oklahoma State System of Higher Education pursuant to [Article XIII-A](#) of the Constitution of Oklahoma, conduct their business in regular and special meetings as necessary. The procedures for all meetings are in accordance with the Oklahoma Open Meeting Act and the case law and Attorney General Opinions that construe that Act.

2.2 OPERATIONAL PROCEDURES FOR MEETINGS

2.2.1 Meetings open to public

“All meetings of the State Regents are open to the press and the public pursuant to state law [[25 O.S. § 301 et seq.](#)].” ([OAC 610:1-7-10](#)).

2.2.2 Agenda preparation

(a) **“Submission of items by institutions.**

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

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

(b) **Submission of items by other constituencies.** Items submitted by students, federal and state governmental entities or representatives, and citizens generally must be submitted in writing 12 days prior to the meeting and must relate to the responsibilities of the coordinating board.

- (c) **Submission of items by the State Regents.** The agenda is prepared by the Chancellor at the direction of the Chair. Regents wishing to place an item on the agenda must submit that item to the Chair or the Chancellor.” [\(OAC 610:1-7-11\).](#)

2.2.3 Items for consideration at meeting

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

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

Appeals of State Regents’ actions which will be scheduled on the following regular agenda for further review.
 - (B) The proceedings described in (A) of this paragraph [may be conducted in any manner deemed suitable by the State Regents so long as adequate due process is provided].” [\(OAC 610:1-7-13\).](#)

2.2.4 Disposition of business

- (a) **“General guidelines.** Unless otherwise specified in their operations policy or unless contrary to state law, the State Regents will [generally follow ‘Robert’s Rules of Order’ (current edition), but strict adherence is not required].
- (b) **Quorum.** Meetings of the State Regents will be conducted only with a majority of members present, which shall constitute a quorum.
- (c) **Voting guidelines.** Guidelines for voting are as follows:
 - (1) The vote of each member will be publicly cast and recorded.
 - (2) Aye votes may be made by group acclamation.
 - (3) Any nay votes will necessitate an individual roll call.
 - (4) A simple majority vote of those present for the meeting is required for action on an agenda item.
 - (5) A majority vote of the quorum present is required to go into executive session. No vote or action may be taken in executive session; and action,

if any, must be taken after returning to open meeting in the usual manner.”
[\(OAC 610:1-7-15\).](#)

2.2.5 Record of proceedings

(a) **“Regular meetings.**

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

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

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

(d) **Executive sessions.**

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

(2) Such minutes shall be prepared by the designated record keeper, [ordinarily the OSRHE General Counsel].

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

(4) Written minutes of executive sessions shall be maintained by the [OSRHE General Counsel] in a separate location from the minutes of the open sessions of the State Regents and in such manner so as to ensure their security and confidentiality.” [\(OAC 610:1-7-16\).](#)

2.2.6 Review and approval of proceedings

“State Regents, at their regular meeting, shall move approval, approval with amendment, or tabling of open meeting minutes for acceptance into the official records of the State Regents.” [\(OAC 610:1-7-17\(e\)\).](#)

2.2.7 Request for records

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

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

(2) Requests...will be met...within a reasonable period....

- (b) Because of the State Regents’ desire to maintain a spirit of openness, to assist the public in its understanding of the workings of the higher education system, and to work cooperatively with its many constituencies, a no-charge policy will generally be observed....
- (c) Materials exempt from the Open Records Act under 51 O.S. §§ [24A.5](#) and [24A.7](#) and under the Family Educational Rights and Privacy Act will not be provided.” [\(OAC 610:1-7-18\)](#).

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

- (a) “Any interested persons may petition the OSRHE to request the promulgation, amendment, or repeal of an OSRHE rule.” [\(OAC 610:1-7-23\)](#).
- (b) See [OAC 610:1-7-23](#) for further information on requirements and process.

2.4 PETITIONS FOR DECLARATORY RULINGS; FORM AND PROCEDURE

- (a) “Any interested persons may petition the OSRHE for a declaratory ruling as authorized by [75 O.S. § 307](#) as to the applicability of any administrative rule of the OSRHE.” [\(OAC 610:1-7-24\)](#).
- (b) See [OAC 610:1-7-24](#) for further information on requirements and process.

2.5 STATE REGENTS’ COMMITTEES

2.5.1 Authority

Committees serve as focus tools of the State Regents and a resource for the Chancellor. The authority to act on all matters is reserved to the full Board. Committees serve only to advise and make recommendations to the full Board and take no formal action.

2.5.2 Standing Committees

The chair and members of standing committees will be appointed annually by the State Regents’ Chair with recognition of both continuity and new member factors. Standing committees will consist of 3-4 Regents: a chair and 2-3 other Regents. Standing committees include:

A. Strategic Planning, Personnel and Technology Committee (“SPP & Tech Committee”)

This committee provides guidance and support to the State Regents and Chancellor that may include, but is not limited to, the following:

1. Plan and formulate long-range strategies to implement goals and programs of the State Regents.
2. Consult and advise on organizational and personnel matters, including annual performance evaluations.
3. Review and recommend changes to administrative policies and procedures.
4. Assess and provide guidance on the operation and strategic use of OneNet including, but not limited to:

- a. Support development of annual OneNet business plan and setting of strategic goals;
 - b. Examine annual budget and quarterly reports of OneNet to ensure consistency of goals and expenditures; and
 - c. Monitor operations and applications of OneNet and receive regular reports.
5. Evaluate and enhance academic offerings and student services including, but not limited to:
- a. Assist in development of plans and strategies to utilize technology to enhance academic and support services;
 - b. Recommend assistance (policy, financial, staff assistance for statewide software licenses, consortia formation, benchmarking/best practices, grant writing, etc.) to institutions and students, as appropriate.
6. Consider and appraise financial and administrative issues including, but not limited to:
- a. Review and forward recommendations to full Board on administrative and financial issues relating to OneNet and to institutional initiatives; and
 - b. Develop a comprehensive plan for technology equipment replacement and merger of administrative and other functions (computing and systems support, personnel management, purchasing, financial aid, and other student services).
7. Evaluate and enhance higher education quality, efficiency, effectiveness, and flexibility through the use of technology including, but not limited to:
- a. Monitor and recommend technology standards, policy, and practices to improve the competitiveness of State System programs and services delivered via technology;
 - b. Link technology investment to economic development priorities of the state; and
 - c. Monitor and recommend strategies and initiatives that will use OneNet to drive state economic development.

B. Budget and Audit Committee

This committee provides guidance and support to the State Regents and Chancellor that may include, but is not limited to, the following:

- 1. Review and assess budget needs of the State System for presentation to the Governor, Legislature, and general public.
- 2. Review and assess budget needs of each institution and each OSRHE program in the State System.
- 3. Evaluate and make recommendations on allocation of appropriated and revolving funds to each institution and each

OSRHE program in the State System.

4. Evaluate and make recommendations on fiscal aspects of the endowment program, Academic Scholars program, and other financial aid programs.
5. Monitor and provide guidance to the Oklahoma College Assistance Program, as appropriate.
6. Evaluate and make recommendations on fiscal and resource management of OSRHE operations.
7. Review and recommend changes to State System fiscal policies.
8. Examine and assist in determination of appropriate tuition and fee rates.
9. Develop and support Campus Master Plan and capital priorities for the State System.
10. Initiate and assist with development of Scope of Work and issuance of Request for Proposals from auditing firms.
11. Solicit and obtain proposals for independent audit services and make recommendations to full Board for employment of auditor.
12. Monitor and assist in annual audits of OSRHE as well as annual or special audits of all components of the State System, as appropriate, and submit reports and recommendations to the full Board. The Board's review should also include timely discussions with the independent auditor regarding:
 - a. All critical accounting policies and practices;
 - b. All alternative treatments of financial information within the Generally Accepted Accounting Principles, ramifications of using such alternative disclosure and treatments, and treatment preferred by the independent auditor;
 - c. Other relevant written communications with the independent auditor, including the management letter;
 - d. The independent auditor's performance and recommending continuation or removal, as appropriate;
 - e. Any audit problems or difficulties;
 - f. Procedures for the receipt, retention and treatment of complaints regarding accounting, internal accounting, or auditing matters;
 - g. Procedures for the submission of information by employees regarding questionable accounting or auditing matters that assure protection of employees; and
 - h. Coordination with the State Auditor and Inspector, as appropriate.

C. **Investment Committee**

This committee provides guidance and support to the State Regents and Chancellor that may include, but is not limited to, the following:

1. Review and recommend an appropriate Investment Policy to the full Board.
2. Ensure implementation of the Investment Policy.
3. Recommend appropriate Investment Policy guidelines to the full Board, including:
 - a. The spending rate and calculation thereof;
 - b. The Endowment's real return need (i.e. sum of spending rate, management costs and desired growth rate, if any);
 - c. New guidelines as appropriate.
4. Establish appropriate implementation guidelines, including:
 - a. The time horizon for the portfolio;
 - b. The acceptable level of volatility for the portfolio;
 - c. The acceptable asset classes for investment (e.g. U.S. large-cap stocks, U.S. small-cap stocks, emerging markets stocks, etc.); and
 - d. The allocation of assets among the available asset classes.
5. Recommend and evaluate the Investment Consultant.
6. Establish investment practices including, but not limited to, determination of the portfolio's rebalancing rules.
7. Monitor, review, and evaluate investment results.
8. Monitor performance of individual fund managers, and recommend manager changes to the full Board as appropriate.
9. Confer at least quarterly to review the performance of the portfolio and its managers, interface with the administration and Consultant to address current issues, and develop recommendations for policy changes.
10. Report regularly on the status of the Endowment to the full Board.

D. **Academic Affairs and Student Services Committee (“Academic Affairs Committee”)**

This committee provides guidance and support to the State Regents and Chancellor on matters relating to the OSRHE's constitutional and statutory responsibilities with respect to academic affairs. The following subjects are included, among others, within the purview of the Academic Affairs Committee:

1. Standards for admission to, retention in, and graduation from institutions of the State System.
2. Functions of institutions.

3. Program review and approval, including both degree and non-degree programs of instruction, research, and outreach.
4. Degrees and other forms of academic recognition.
5. Accreditation and authorization to offer college-level courses, programs, and degrees in the State of Oklahoma.
6. Coordination of academic calendars.
7. Cooperative academic ventures, including ventures between public colleges and universities and between public institutions and other entities.
8. Review of quality initiative proposals.
9. Coordination of teacher education and other special programs.
10. Matters related to the Academic Common Market.
11. Coordination of comprehensive academic planning with financial and fiscal planning.

The Academic Affairs Committee also provides guidance and support to the State Regents and Chancellor on matters relating to student services that may include, but is not limited to, the following:

1. Enhance academic participation of each student to the highest attainable level.
2. Fair and equitable treatment of all individuals.
3. Design and review of student services programs operated by OSRHE such as scholarship and grant programs, Summer Academies, and Temporary Assistance to Needy Families (TANF).
4. Special projects, studies, and initiatives that will improve services, opportunities, and awareness for students.

E. System Innovations Committee

This committee provides guidance and support to the State Regents and Chancellor that may include, but is not limited to, the following:

1. Recommend to the full Board the adoption, modification or elimination of key performance indicators (e.g. fiscal viability, retention rates, graduation rates, employment outcomes, etc.) that can be used to assess institutional and State System performance.
2. Review predictive analytics data at least annually to monitor State System performance. Report to the full Board challenges to and achievements of the State System.
3. Collaborate or request the Chancellor and OSRHE staff to collaborate with institutional governing boards, Presidents and senior staff regarding the development and regular review of key performance indicators.

4. Request assistance for State System institutions in interpreting predictive analytics data to identify key trends and engage in data-driven decision making on an as-needed basis at the request of institutional governing boards or Presidents and in consideration of current OSRHE staff duties and responsibilities.
5. Identify and recommend to the full Board the implementation of special programs or pilot projects that can enhance institutional and State System student outcomes and do not conflict with existing State Regents' policy, unless a policy exception is approved by the State Regents.
6. Consider proposals for innovation from outside stakeholders, such as the Governor, members of the Legislature, members of the business community, national organizations, etc.

F. Special Committees

Committees may be established as needed by the OSRHE Chair and dissolved when their purpose is accomplished.

2.6 APPOINTMENT OF STATE REGENTS' OFFICERS

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

2.7 ORIENTATION OF NEW BOARD MEMBERS

The Chancellor will schedule and conduct a briefing for new State Regents within two weeks of the member's confirmation as provided by state law ([74 O.S. § 3101](#)).

2.8 DELEGATION OF AUTHORITY TO CHANCELLOR

2.8.1 The State Regents delegate authority to the Chancellor as below-indicated.

With respect to contracts entered into by State Regents, the Chancellor may establish internal office procedures for sub-delegation of that authority and for insuring that all OSRHE contracts conform to applicable legal requirements.

2.8.2 Authority delegated to Chancellor:

Item	Restrictions/Provisions
<p>ACADEMIC CALENDAR</p> <ul style="list-style-type: none"> - Receive annual and interim academic calendar requests from institutions. 	<p>Must be consistent with policy.</p>
<p>ACADEMIC COMMON MARKET</p> <ul style="list-style-type: none"> - Receive institutions' requests to offer programs in Common Market. 	<p>Must be an approved, quality program.</p>
<p>ADVISORY BODIES</p> <ul style="list-style-type: none"> - Establish, structure, and operate advisory bodies to the State Regents. 	<p>Establishment of an advisory group should be reported to State Regents. Updates on the group's work should be reported on an as-needed basis.</p>
<p>CAPITAL IMPROVEMENTS</p> <ul style="list-style-type: none"> - Approve requests for campus master plan changes. - Approve allotments of funds. - Approve requests for capital projects included for funding through the Master Lease Purchase Program. 	<p>Changes must be of a routine nature (generally not representing more than the lower of a 25% change or \$750,000 in cost). Changes must be consistent with the institution's mission and academic plan. Subject to ratification by State Regents at next full meeting of the Board.</p> <p>Allocation and allotment of funds must be consistent with any State Regents' funding designation and approved campus master plan. An annual report on allotment of state funds, Section 13, and New College Funds must be presented to the State Regents.</p> <p>Projects to be included must be emergency in nature and must meet the requirements outlined in Oklahoma Statute as acceptable for funding through the Master Lease Purchase Program. Subject to ratification by State Regents at next full meeting of the Board.</p>
<p>CONTRACTS</p> <ul style="list-style-type: none"> - Enter into contracts for amounts less than \$100,000; all routine renewal and extension contracts. 	<p>All contracts for amounts in excess of \$25,000 must be reported to the Budget & Audit Committee and may, but are not required, to be forwarded to the full Board for action.</p>
<p>COOPERATIVE AGREEMENTS</p> <ul style="list-style-type: none"> - Approve cooperative agreements. 	<p>Must be consistent with policy.</p>
<p>COURSES FOR COLLEGE ADMISSION</p> <ul style="list-style-type: none"> - Approve high school courses for college admission. 	<p>Must be consistent with policy. Subject to ratification by State Regents at the next full meeting of the Board.</p>
<p>DEGREES & ACADEMIC CREDENTIALS (Nonacademic--Posthumous and Honorary)</p> <ul style="list-style-type: none"> - Receive notification from institution. 	<p>Must be consistent with policy.</p>

<p>(Academic--Micro-credentials and Certificates)</p> <ul style="list-style-type: none"> - Receive notification from institution. <p>INTERAGENCY AGREEMENTS</p> <ul style="list-style-type: none"> - Approve agreements with agencies. <p>PERSONNEL/OFFICE BUDGET</p> <ul style="list-style-type: none"> - Approve any personnel action at the Director level or below. Approve routine expenditures. Approve routine funding transfers within agency. - Approve any personnel action at the Director level or above. <p>POLICY EXCEPTIONS</p> <ul style="list-style-type: none"> - Approve minor exceptions or clarifications to State Regents' policy. <p>PROGRAMS</p> <ul style="list-style-type: none"> - Receive routine program modifications. <p>REGENTS EDUCATION PROGRAM (REP)</p> <ul style="list-style-type: none"> - Approve REP credit events. <p>REMEDICATION</p> <ul style="list-style-type: none"> - Approve institutions' instruments for remediation of curricular deficiencies. <p>SCHOLARSHIP/MINORITY INCENTIVE GRANT PROGRAMS</p> <ul style="list-style-type: none"> - Approve awards for all scholarship programs. <p>STATE AUTHORIZATION RECIPROCITY AGREEMENT (SARA)</p> <ul style="list-style-type: none"> - Approve eligible institutions to participate in SARA. <p>SUMMER ACADEMIES AND K-12 STEM OPPORTUNITIES</p> <ul style="list-style-type: none"> - Approve academies and opportunities, allocate funds to institutions. <p>SUPPLEMENTAL ALLOCATIONS</p> <ul style="list-style-type: none"> - Approve supplemental allocations. 	<p>Must be consistent with policy.</p> <p>Must be consistent with policy. Subject to ratification by State Regents at next full meeting of the Board.</p> <p>Must not expand FTE or enlarge the salary/benefit portion of the budget approved for the fiscal year. A report on the office budget must be made to the Budget & Audit Committee, and an annual report presented to the State Regents.</p> <p>Subject to ratification at the next full meeting of the Board.</p> <p>All policy exceptions or clarifications should be reported quarterly to the State Regents.</p> <p>Must be consistent with policy.</p> <p>Must be consistent with policy. Subject to ratification by State Regents at the next full meeting of the Board.</p> <p>Must be consistent with policy. An annual report to the State Regents is required.</p> <p>Must be consistent with policy and previous Board action, otherwise State Regents approval is required. Awards are subject to ratification by State Regents at next full meeting of the Board.</p> <p>Must be consistent with policy. Subject to ratification by State Regents at the next full meeting of the Board.</p> <p>Must be consistent with policy. Subject to ratification by State Regents at the next full meeting of the Board.</p> <p>Subject to ratification by State Regents at the next full meeting of the Board.</p>
<p>SECTION 125 CAFETERIA PLAN-</p> <ul style="list-style-type: none"> - Approve technical amendments made necessary 	<p>Material amendments are subject to ratification by State Regents at the next full meeting of the Board.</p>

<p>by changes in applicable federal tax laws and regulations, and other non-material amendments including, but not limited to, the indexed statutory limit set by the IRS each year.</p>	
<p>POLICIES AND PROCEDURE MANUAL- Approve technical amendments made necessary by changes in applicable law, and other non-material amendments including, but not limited to, typographical errors and other non-substantive changes.</p>	<p>Substantive or material amendments are subject to ratification by State Regents at the next full meeting of the Board.</p>

- 2.8.3 Authority not delegated to the Chancellor is reserved for the State Regents, including but not limited to:
- A. AUTHORIZATION. State Regents take all action relating to authorization of institutions.
 - B. ADMINISTRATIVE PROCEDURES ACT. State Regents take all action relating to APA matters as required by law.
 - C. AUDITS. State Regents take all action relating to audit reports. State Regents take initial action to employ an audit firm not to exceed the limits provided by law.
 - D. BUDGET ALLOCATIONS & APPROVALS. State Regents take all action relating to the State System budget including, but not limited to, establishing the allocation for each institution and each OSRHE program.
 - E. POLICY & PROCEDURES MANUAL. State Regents take all action relating to their Policy and Procedure Manual, except as above-noted.
 - F. CAPITAL IMPROVEMENTS. State Regents take all action relating to the prioritization of capital improvement projects for State System institutions and designation of funds for those projects.
 - G. CONTRACTS. State Regents approve all contracts over \$100,000.
 - H. APPOINTMENT OF OFFICERS. State Regents take all action relating to appointment of their officers.
 - I. ENDOWMENT PROGRAM. State Regents take all action relating to establishment of or modification to their endowment accounts.
 - J. GRANTS/ASSIGNMENTS. State Regents take first-time action accepting all grants or assignments involving an exchange of funds. The Chancellor may accept subsequent grants and will notify the Board in the event of a substantial change in either grant amount or purpose.
 - K. FEES AND TUITION. State Regents take all action relating to fees and tuition (although charges will not be specified for the “at cost” types of fees.)
 - L. FUNCTION. State Regents take all action relating to the functions of State System institutions and constituent agencies. Academic Plans will also be reviewed and acknowledged by the State Regents because of

their relationship to the institution’s mission and to the goals of the State System.

- M. GOALS. State Regents take all action relating to “goals for the Chancellor” or other goals for the State System.
- N. MEETING DATES (ANNUAL ANNOUNCEMENT). State Regents announce annual meeting dates on or before December 15 each year. The Chancellor is authorized to make modifications in consultation with the Board Chair and with appropriate legal notice.
- O. AGENCY BUDGET. State Regents approve the fiscal year budget for OSRHE operations and the allocation of funds for each OSRHE program.
- P. PROGRAMS. State Regents approve all new programs, deletion of programs, major program modifications, and academic restructuring.
- Q. GRANTS. State Regents approve all first-time grants involving an exchange of funds. The Chancellor may allocate funds consistent with State Regents’ action.
- R. REVENUE BONDS. State Regents approve Statements of Essential Facts as required by state law.
- S. STUDIES. State Regents authorize and initiate all substantive studies and approve the use of external consultants for such studies.

2.8.4 Oklahoma Administrative Procedures Act

“State Regents shall follow all applicable portions of the Administrative Procedures Act.” ([OAC 610:1-7-19](#)). See also 75 O.S. § [250.4\(A\)\(6\)](#) (setting forth certain exemptions to OSRHE under Article I of APA); and 75 O.S. § [250.4\(B\)\(12\)](#) (providing exemption to OSRHE from Article II of APA).

2.8.5 Amendment of Policy and Procedures Manual

This Policy and Procedures Manual may be amended at any meeting of the State Regents by a majority vote, provided that the amendment(s) have been posted at a previous meeting. So that immediate action may be taken to address an emergency, or in other appropriate circumstances, the prior posting requirement may be waived following a majority vote of the Board to so act.

2.9 GOVERNMENTAL TORT CLAIMS ACT

Under the Oklahoma Governmental Tort Claims Act (“OGTCA”) ([51 O.S. § 151 et seq.](#)), employees of the OSRHE acting within the scope of their authority or employment pursuant to the OGTCA “shall be immune from liability for torts.” That immunity does not, however, extend to willful conduct that is either malicious or undertaken in bad faith, as such conduct falls outside the scope of employment under the OGTCA.

As both board “members” and “appointed officers,” individual State Regents are treated as employees of the OSRHE for purposes of the OGTCA and are also, therefore, entitled to that same immunity from torts when acting within the scope of their authority as State Regents in performing their duties and obligations. See [51 O.S. § 152\(7\)\(a\)\(1\)](#).

2.10 OSRHE ETHICS POLICY

2.10.1 Relationship to Oklahoma Ethics Commission Rules

- A. In addition to ethics laws found in the Oklahoma Constitution and statutory code, the State Regents acknowledge the applicability of the Oklahoma Ethics Commission Rules and incorporate them by reference into this policy. Conduct that is prohibited by the Oklahoma Ethics Commission Rules is likewise prohibited by this policy. Conduct permitted by the Oklahoma Ethics Commission Rules is permitted by this policy unless expressly prohibited by another part of this policy. A State Regent is both a board “member” and a state “officer” under the Oklahoma Ethics Commission Rules and serves in a position of trust.
- B. In addition to the sanctions provided by law for the violation of the Oklahoma Ethics Commission Rules, the State Regents expressly reserve the right to take any disciplinary action, when it is warranted by the facts, for violations of the Oklahoma Ethics Commission Rules or such other ethics policies as may be adopted by the State Regents.
- C. The Oklahoma Ethics Commission provides the complete set of annotated Ethics Laws as well as other helpful guides on its website at www.ethics.ok.gov. These guides provide an overview of the rules and examples to assist with compliance. The [Guide for State Officers and Employees \(ok.gov\)](#) is especially relevant to board members, officers and employees of The Oklahoma State System of Higher Education. The State Regents strongly recommend that all board members, officers and employees maintain familiarity with that document.

2.10.2 Relations with Institutions and Institutional Representatives

- A. Each and every segment of The Oklahoma State System of Higher Education is entitled to objective, impartial, fair, and equitable treatment by the officers and employees of the State Regents. The State Regents are determined that those attributes of fundamental fairness should not be compromised, in fact or in appearance, by inappropriate interactions between officers or employees of the OSRHE and institutional representatives. Neither Regents nor employees should accept any direct or indirect gift or personal benefit from any institution, board or office in the State System unless otherwise permitted by the Oklahoma Ethics Commission Rules.
- B. That does not prohibit the occasional acceptance, unless otherwise prohibited by the Oklahoma Ethics Commission Rules, of modest items of food/refreshment or personal gifts of a customary/traditional nature that are of nominal value (less than \$20.00, as a general guideline), under circumstances which make it clear that the gift is not motivated by the state officer or employee’s status as a state officer or employee, is not intended to influence the officer or employee in the conduct of the public’s business, and would not likely cause a reasonable person to question the officer’s or employee’s impartiality.
- C. Conversely, the receipt of gifts of even nominal value is improper if taken with knowledge of an improper motivation on the part of the giver or would cause a reasonable person to question the officer’s or

employee's impartiality.

D. Regents and employees are expected to be especially sensitive to issues that may arise with respect to their ability to conduct a particular duty with impartiality, both in fact and in appearance. Regents and employees are required to disqualify from participation in any matter that would likely have a direct and predictable effect on the material financial interest of either the Regent or employee, or their family member. Further, any time the circumstances of a particular matter would cause a reasonable person with knowledge of the relevant facts to question a Regent's or employee's impartiality in that matter, the Regent or employee should abstain from participating in any way. Regents and employees should always bring any such circumstances to the attention of the Chancellor and General Counsel in a timely fashion.

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

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

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

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

The annual disclosure statements required by this section will be distributed from the General Counsel's office on an annual basis and reviewed by the Strategic Planning and Personnel Committee. Prompt remedial action will be taken to mitigate or eliminate any perceived conflicts of interest identified during that process.

2.10.3 Outside Employment or Compensation

A. No Regent or employee may receive or ask for any outside employment or compensation that would impair the independence of judgment of the officer or employee in rendering service to the State Regents. Nor should employees accept outside employment that would impair their ability to meet their work-related obligations to the State Regents.

- B. Neither Regents nor employees may accept employment from institutions within the State System except and only to the extent permitted by Section 7-20, Outside Employment/Consultation, in the State Regents Personnel Policies and Procedures.
- C. That prohibition also extends to service as an officer or director of a higher education-related foundation of an institution for which the State Regents has regulatory authority. The prohibition does not extend to ordinary membership in alumni associations or institution-related foundations; nor does it prohibit donations or bequests to institutions within the State System.
- D. Regents and the Chancellor shall not hold any other public office unless expressly permitted by law.
- E. Regents and employees who are licensed professionals shall not accept professional engagements with State System institutions. Regents may accept professional engagements with entities doing business with State System institutions, subject to applicable disclosure rules.

2.10.4 Use of State Titles and Political Activities

- A. While higher education officers and employees have significant political rights under applicable state and federal law, an individual's political activities must not be represented or implied to represent that the individual is speaking on behalf of the State Regents, the State System, or any of its institutions.
- B. In exercising these rights, Regents and employees should act in a manner that does not compromise the neutrality, efficiency, or integrity of their official duties.
- C. Regents and employees may not, at any time imply, directly or indirectly, that the State System, or any of its governing boards or institutions, endorses the individual's personal political beliefs or activities, or any political party candidate, cause, or partisan or nonpartisan activity.
- D. However, it is recognized that public officers in the State System have a duty to advise the Legislature and citizenry as to the needs of higher education in Oklahoma. Such activities are permitted where they are directly related to fulfilling the duties and obligations set forth under Oklahoma law and as specifically authorized by the State Regents.

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

Regents and employees may not attempt to influence, directly or indirectly, the employment status of persons at State System institutions. Such activities are also prohibited by law. See [70 O.S. § 3203\(c\)](#).

2.11 EQUAL OPPORTUNITY, NONDISCRIMINATION, AND REASONABLE ACCOMMODATIONS FOR STATE REGENTS' PROGRAMS, SERVICES, AND ACTIVITIES

- 2.11.1 These policies are intended to address only those programs, services, and facilities operated or administered directly by the State Regents, and will be applied in a manner consistent with the requirements of state and federal law

regarding equal opportunity, nondiscrimination, and reasonable accommodations. State System institutions and their respective governing boards are subject to those same laws regarding equal opportunity, nondiscrimination, and reasonable accommodations and, thus, have an independent duty to comply.

2.11.2 Equal opportunity

The State Regents, in compliance with all applicable federal and state laws and regulations, will not discriminate on the basis of race, color, national origin, sex, sexual orientation, genetic information, gender identity, gender expression, age, religion, disability, political beliefs, status as a veteran, or any other lawfully protected status in any of its policies, practices, or procedures. This includes, but is not limited to, admissions, employment, financial aid, and educational services.

2.11.3 Complaints of alleged discrimination

- A. As to any program, service, or facility operated or administered directly by the State Regents, any person who believes they, or any specific class of persons, have been subjected to discrimination pursuant to Titles VI or VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, or any other applicable federal or state law or regulation may submit a complaint of discrimination - preferably in writing - to the OSRHE Office of General Counsel at 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104, (405) 225-9100.
- B. Complaints of discrimination as to any program, service, or facility operated or administered directly by the State Regents must be made with ninety (90) calendar days of the alleged act. The Chancellor may waive that time limit for good cause shown.
- C. The General Counsel's office will conduct, or cause to be conducted, a prompt and thorough investigation of the complaint and determine whether or not discrimination occurred within the program, service, or facility directly operated or administered by the State Regents. If, under the legal standards applicable, the complaint of discrimination is substantiated, the OSRHE will take all necessary action to correct the discriminatory practice. The complainant will be advised of the findings regarding their complaint in a timely manner.
- D. With respect to allegations of employment-related discrimination, officers and employees of the State Regents should refer to the OSRHE Personnel Policies and Procedures manual at Section 9-1 ("Discrimination and Workplace Harassment") and contact OSRHE's Director Human Resources.

2.11.4 Reasonable accommodations

- A. Any individual requiring a reasonable accommodation for any program, service, or facility operated or administered directly by the State Regents may submit their request - preferably in writing - to the OSRHE Office of General Counsel ("ADA Coordinator" for purposes

of this section) at 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104, (405) 225-9100. The accommodation request should include, at a minimum, the following information:

1. The program, service, or facility administered by the State Regents that is at issue;
 2. The individual's disability;
 3. An explanation of how that disability acts as a barrier to the State Regents' program, service, or facility at issue; and
 4. The accommodation(s) proposed by the individual and/or their healthcare provider to facilitate alleviating that barrier.
- B. As this policy applies only to programs, services, and facilities operated or administered directly by the State Regents, the ADA Coordinator will notify an institution when it, rather than the OSRHE, has been implicated by an individual's request for reasonable accommodation. The institution should, within a reasonable time thereafter, inform the State Regents' ADA Coordinator of the outcome of that individual's accommodation request.
- C. Once it is clear that the request applies to a program, service, or facility operated or administered by the OSRHE, the State Regents will reasonably accommodate an otherwise qualified individual with a disability unless such accommodation would pose an undue hardship or would result in a fundamental alteration of the program, service, or facility or would result in undue financial or administrative burdens.
- D. Requests for reasonable accommodation pertaining to programs, services, or facilities operated or administered by the State Regents are generally evaluated as follows:
1. The State Regents' ADA Coordinator will obtain a response from OSRHE staff who are most familiar with the program, service, or facility at issue. In their response, OSRHE staff should identify and justify the essential eligibility and participation requirements of the program, service, or facility. The staff response should also address whether any undue hardship (financial, administrative, or otherwise) would result in granting the requested accommodation(s), and whether there are any alternative accommodations available that could be granted in lieu of the accommodation(s) requested.
 2. If a request for accommodation is denied, or if the requesting party does not accept the alternative accommodation(s) presented by the ADA Coordinator with input from OSRHE staff, the request and response will be presented to the Chancellor for final review and recommendation.

2.12 COMPLIANCE AND INSTITUTIONAL DATA REPORTING REQUIREMENTS

- 2.12.1 The State Regents have adopted policies and procedures regulating the following coordinating responsibilities: administration, academic affairs, educational

outreach, fiscal affairs, planning and policy research, and student affairs. The authority for enacting and insuring compliance with those policies is derived from the Oklahoma Constitution, [Article XIII-A, § 2](#) and [70 O.S. § 3206](#), particularly subsection (o), which confers upon the State Regents the authority to “[e]xercise all powers necessary or convenient to accomplish the purposes and objectives of Article XIII-A of the Constitution of Oklahoma.”

2.12.2 Compliance Review: Standards and Process

A. General Standards

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

B. Review Process

Those institutional policies and practices selected for review will be reviewed for compliance with State Regents’ policies. In certain instances, the review may encompass compliance with federal and state law and regulations. Institutional policies and practices will be evaluated through review of the policies and practices, discussions with institutional staff, and examination of institutional records and data including, but not limited to, data provided through the Unitized Data System (“UDS”).

C. Preliminary Findings

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

D. Final Report

The final report will include a full disclosure of all findings and, if applicable, the institution’s plan for achieving full compliance. The State Regents will receive the final report at their next regularly scheduled meeting. Following the State Regents’ formal receipt of the final report, a copy will be provided to the institution.

E. Compliance Report Follow-up Procedure

The OSRHE will monitor the respective institutional activities planned to bring the institution into full policy compliance. Should the institution continue practices in violation of State Regents’ policy, the Chancellor will notify the institutional President of those violations in writing, requiring a written response from the institution either asserting that it is in compliance or setting forth any unforeseen circumstances that have rendered full compliance impossible. Upon receipt of the institutional response, the Chancellor will provide a formal report and recommendations to the State Regents for obtaining full compliance.

F. Compliance Expectations

In general, it is expected that institutions will comply with State Regents’

policy, and in particular that institutions will implement the compliance plans included in the final report received by the State Regents. Failure to fully and faithfully implement a compliance plan is unacceptable. Should such circumstances occur, the State Regents reserve the right to take any action(s) necessary, consistent with their constitutional and statutory authority, to bring about full institutional compliance.

G. Compliance Enforcement

In determining the budget allocation to any institution for the forthcoming fiscal year, the State Regents may consider, as one element of the allocation decision, any advantage - financial or otherwise - inuring to the benefit or advantage of the institution that would not have occurred but for the institution's violation(s) of State Regents' policy, as noted in a final report. The State Regents further reserve the right to reduce the institution's final allocation for the forthcoming fiscal year in a manner proportionate to any financial or other advantage obtained by the institution.

2.12.3 Institutional Data Reporting Requirements

A. Fall and Spring Preliminary Enrollment Report

1. All institutions shall submit preliminary fall and spring enrollment data online to the Oklahoma State Regents for Higher Education Strategic Planning and Analysis ("OSRHE SPA") division no later than 2 weeks after the last day to add a class each semester. The Fall Preliminary Enrollment Report shall be shared with the State Regents at a regularly scheduled meeting and then posted to the OSRHE website, to inform State System enrollment projections for the academic year. Both the Fall and Spring Preliminary Enrollment Reports shall be maintained by OSRHE SPA for reference.
2. The President shall certify that the data submission is the most accurate (including estimates of partial semester and other non-traditional semester courses) available on that date. Submission of the Fall and Spring Preliminary Reports to OSRHE SPA implies certification by the institutional President.
3. If an institution's data submission is not received by the due date, then the prior year's actual enrollment data shall be used in the Preliminary Enrollment Report and such substitute data will be footnoted.
4. Private institutions submitting data to OSRHE SPA shall comply with the same timeline. Submission shall imply certification by the institution's President.
5. Oklahoma Tuition Equalization Grant ("OTEG") funding and other forms of OSRHE-administered financial aid may be withheld from private institutions that do not comply with data submission requirements and timelines.

B. Final UDS Data Submission to the OSRHE

1. All institutions shall submit final, reportable UDS data by dates announced by OSRHE SPA. Specific UDS data reporting requirements and procedures can be found in the UDS Manual, which is updated by OSRHE SPA on an annual basis.
2. The President shall certify that the data submission is the most accurate available on that date. Submission of UDS data to OSRHE SPA implies certification by the institutional President.
3. Any institution not submitting data on time or in a form meeting the requirements of the UDS or Integrated Postsecondary Education Data System (“IPEDS”) will be excluded from participating in the Complete College America Performance Budget model and may be excluded from initial system budget allocations by a majority vote of the State Regents.
4. Private institutions submitting data to OSRHE SPA shall comply with the same timeline. Submission shall imply certification by the institution’s President.
5. OTEG funding and other forms of OSRHE-administered financial aid may be withheld from private institutions that do not comply with UDS data submission requirement and timelines.
6. The OSRHE shall review and provide comment on compliance with UDS instructions and the UDS Manual for each institution as part of institutional audits.

C. Other Data Submissions to the OSRHE

The policies above also apply to other data submitted to OSRHE SPA for reporting purposes including, but not limited to, the Oklahoma IDeA Network of Biomedical Research Excellence National Institutes of Health (OK-INBRE NIH) Student Tracking Report, the Oklahoma Louis-Stokes Alliance for Minority Participation (OK-LSAMP) Report, the Perkins Report for CareerTech, the Facilities Inventory Report, and Postsecondary Employment Outcomes (PSEO) data.

2.13 REGENTS EDUCATION PROGRAM

2.13.1 Authorization

[70 O.S. § 3228\(A\)](#) provides that “each person appointed...as a member of the board of regents for an institution or group of institutions within the Oklahoma State System for Higher Education shall be required to attend a minimum of fifteen (15) clock hours of continuing education during the first two (2) years of the term of office of the member.” The OSRHE is charged with selecting the continuing education courses that will satisfy those requirements.

2.13.2 Program Name

The name of the program is the Regents Education Program (“REP”).

2.13.3 Definitions

- A. Regents Education Courses - Include, but are not limited to, courses, seminars, lectures, videotapes, webinars, and orientations approved by the OSRHE as part of the REP and offered for credit.
- B. Credit - Credit in the context of the REP refers to clock hour credit earned to satisfy requirements of this program only. It does not refer to “college” credit, which is applied to college/university transcripts.
- C. Hours - The unit of credit assigned by the OSRHE to Regents Education Courses, not to exceed the actual hours and minutes of course duration.
- D. Date of Taking Office - The date on which a duly qualified person (one who meets the age requirements and other qualifications set by law and their respective board) “takes office,” thereby triggering the continuing education requirement of [70 O.S. § 3228](#). It is the date on which the first of the following set of criteria is satisfied:
 - 1. The predecessor’s term has expired, the successor has been nominated by the Governor and confirmed by the Senate, and the appointed successor has taken the oath as provided by law; or
 - 2. The predecessor has resigned (or the office has otherwise become vacant per [51 O.S. § 8](#)), the appointed successor’s nomination has been submitted to the Senate (but has not yet been confirmed), the Governor has appointed the successor to hold the office on an interim basis per [74 O.S. § 2.2](#), and the appointed successor has taken the oath as provided by law.

2.13.4 Eligibility

- A. All regents and trustees serving on boards of institutions or groups of institutions in Oklahoma’s State System of Higher Education will complete the REP as required by law.
- B. All regents and trustees will continue to be notified and given the opportunity to participate in the REP even after their 15-clock hour requirement is satisfied.
- C. Opportunities to participate in portions of the program may also be made available to presidents and other senior-level institutional representatives.

2.13.5 Delivery

- A. REP courses offered through the OSRHE will be delivered via (1) an annual in-person conference and (2) electronic media including, but not limited to, videoconferencing, streaming, webinars, and recordings.
- B. Additional courses may be offered and hosted by the following: colleges/universities, government agencies, civic groups, national education or other professional organizations, and other qualified individuals. All such courses and their credit must be approved in advance by the OSRHE.
- C. The OSRHE will maintain an official “Regents Education Course Inventory” and will provide official notice of credit opportunities to all regents, trustees, and presidents.

- D. Education sessions offered by institutions and board offices for their respective boards of regents or trustees may qualify for credit with advance approval from the OSRHE.

2.13.6 Program

- A. Each appointed or reappointed regent or trustee must complete 15 hours of continuing education within two years of the date on which the regent or trustee takes office. Individuals appointed to a board for a term less than two years (to fill an unexpired term, for example) are still expected to participate in the REP. However, serving an initial term of two years or less and a successive appointment to the same or another board in the State System will be treated as a single term for purposes of the REP.
- B. Two of the 15 hours must be in ethics as required by law ([70 O.S. § 3228\(A\)](#)). The remainder of the REP curriculum may be comprised of:

1. Orientation

New regents and trustees must be briefed on the duties and responsibilities of their office within two weeks of appointment as required by 74 O.S. §§ [3101-3102](#). Orientations are offered at the institutional campus or system board site and conducted by the board secretary, president, or other executive officer familiar with the responsibilities of the board.

Board orientation sessions may qualify for up to four hours of REP credit upon submission to and approval by the OSRHE.

2. Course Topics

Courses for REP credit should be relevant to higher education and lay governance. Topics may include, but are not limited to:

- Academic freedom and tenure;
- State System policies;
- State System structure and differences between coordinating and governing boards;
- Governance systems in higher education and the role of lay governance;
- The distinction between policy development and day-to-day management;
- Faculty and student roles in the governance process;
- Policy issues and trends in higher education;
- Higher education finance;
- Legal aspects of higher education and legal responsibilities of regents, trustees, officers/employees;
- Strategic planning;
- Accountability in higher education;
- Student success initiatives (e.g., student support services, student retention and graduation, advising and counseling, serving non-traditional learners); and
- Ethical issues facing individual regents, boards, and institutions (two clock hours required by law).

2.13.7 Notification and Certification

- A. REP offerings will be announced via periodic communications.
- B. Class instructors or board offices will certify course completion to the State Regents' office.
- C. The OSRHE will issue "Certificates of Achievement" following completion of 15 hours of credit.
- D. The OSRHE will provide notification and alerts for regents and trustees regarding final opportunities to satisfy education requirements.

2.13.8 Charges

Insofar as state-appropriated funds or external private funds are available, the OSRHE will incur costs of speakers, materials, printing, postage, copying, and meeting room charges. Regents and trustees will incur the cost of meals, lodging, and travel and may be reimbursed in the usual manner according to State Travel Reimbursement Act ([74 O.S. § 500.1 et seq.](#)).

2.14 STUDENT ADVISORY BOARD

2.14.1 "The [OSRHE] recognize the value of a formal structure for student input and a strengthened linkage to its most important constituency-students. Consequently, the State Regents have created a Student Advisory Board to assist the State Regents in enhancing their relationship with students." ([OAC 610:1-3-1\(a\)](#)).

"The purpose of the Student Advisory Board is to communicate to the State Regents the views and interests of all Oklahoma college and university students on those issues that relate to the constitutional and statutory responsibilities of the State Regents. In representing students, the Student Advisory Board shall combine the opinions of students with good sound research to develop the best proposals and recommendations for the State System...." ([OAC 610:1-3-1\(b\)](#)).
See also 70 O.S. §§ [3205.5](#) and [3205.6](#).

2.14.2 Membership

- (a) "The Student Advisory Board consists of seven members elected by delegates to the Oklahoma Student Government Association (O.S.G.A.) at its annual meeting.
- (b) Board members will be selected as follows:
 - (1) Two members will be elected at large to represent the comprehensive universities in the Oklahoma State System of Higher Education.
 - (2) Two members will be elected at large to represent the regional universities in the State System.
 - (3) Two members will be elected at large to represent the community colleges in the State System.
 - (4) One member will be elected at large to represent the accredited independent colleges and universities in the state.
- (c) The term of office of the Student Advisory Board is one year. A member may serve a maximum of three terms.

- (d) A member must be enrolled in at least 12 semester credit hours at an Oklahoma college or university and must have a minimum cumulative grade-point average of 2.8 on a 4.0 scale. A member must attend the type of institution they are elected to represent.
- (e) Members will take office each year at the State Regents' May meeting.
- (f) A member who wishes to resign before their term expires must notify the State Regents and the Oklahoma Student Government Association in writing.
- (g) Members are required to attend all regularly scheduled Student Advisory Board meetings...
- (h) A member may be removed from office if they do not continue to meet the requirements as set forth in (d) of this Section during the term of office.
- (i) The Student Advisory Board members shall have the powers to recommend removal of a fellow Student Advisory Board member to the Board of Directors of the O.S.G.A for violations of duties set forth in [610:1-3-3](#).
- (j) The Board of Directors of the O.S.G.A shall by majority vote have the power to remove a Student Advisory Board member congruent to any such recommendation made from the Student Advisory Board..." [\(OAC 610:1-3-2\)](#). See also [70 O.S. § 3205.5](#).

2.14.3 Duties

- (a) "So that members of the Student Advisory Board may adequately represent the views of other state students, each member will visit at least two other schools within the State System during their term of office. These other schools may not be under the same governing board as the institution that the member is attending. During these visits, the member should speak with student government leaders on important issues of student concern.
- (b) The Student Advisory Board will serve as an avenue for the student community to express its opinions and interests to the State Regents.
- (c) The Student Advisory Board will elect a chair at its first meeting following election to serve as its liaison to the State Regents' office.
- (d) The chair will work with the State Regents' office through a staff liaison designated by the Chancellor.
- (e) The Student Advisory Board will elect a vice-chair at its first meeting following election to take official minutes of the Student Advisory Board meetings, maintain a file of Student Advisory Board actions, and preside over Student Advisory Board meetings in the absence of the chair.
- (f) Members of the Student Advisory Board will be called upon by the Chancellor to provide informal counsel and advice and to make presentations at public hearings, legislative meetings, etc.
- (g) The Student Advisory Board will hold eleven (11) regular meetings each term excluding extraordinary, unforeseen circumstances which prevent

holding a regular meeting.

- (h) The Student Advisory Board, by a majority vote of its members, may submit recommendations to the State Regents on matters relating to the duties and responsibilities of the State Regents.
- (i) Members of the Student Advisory Board are encouraged to attend all regularly scheduled meetings of the State Regents. The board's elected representative has speaking privileges at such meetings....
- (j) The representative at the State Regents' meetings will be responsible for recognizing other members of the Student Advisory Board for the purposes of:
 - (1) Speaking on issues that concern students and relate to the State Regents' duties and responsibilities.
 - (2) Presenting recommendations that relate to the State Regents' duties and responsibilities.
- (k) The Student Advisory Board will work with the Chancellor and the designated staff liaison in developing an annual list of priorities and goals for rendering advice to the State Regents.
- (l) The chair or other designated spokesperson of the Student Advisory Board shall have a place on the agenda of regular State Regents' meetings for the purpose of making a report.
- (m) The Student Advisory Board will submit an annual written report of its activities to the State Regents and the Oklahoma Student Government Association and will also maintain regular contact with the Association to appraise it of significant developments.
- (n) The Student Advisory Board will follow the requirements of the Oklahoma Open Meeting Act ([25 O.S. § 301 et seq.](#)).
- (o) Members of the Student Advisory Board shall be reimbursed for travel expenses incurred in the official performance of their duties as members of the Student Advisory Board in accordance with the State Travel Law ([74 O.S. § 500.1 et seq.](#)). Reimbursements will be paid from the operating budget of the State Regents and must have the prior approval of the Chancellor's office and the Student Advisory Board chair.
- (p) Clerical and administrative assistance to the Student Advisory Board will be provided by the Chancellor's office and the designated liaison in the conduct of the Student Advisory Board business." ([OAC 610:1-3-3](#)). See also 70 O.S. §§ [3205.5](#) and [3205.6](#).

2.14.4 Guidelines for operation

- (a) "The Student Advisory Board will operate under the provisions of 70 O.S. §§ [3205.5](#) and [3205.6](#).
- (b) The Student Advisory Board will also operate under guidelines established by the Student Advisory Board and approved by the State Regents." ([OAC 610:1-3-4](#)).

2.14.5 Meetings

- (a) “A schedule of regular meetings of the Student Advisory Board will be filed annually with the Secretary of State and with the State Regents’ office.
- (b) A record of the Student Advisory Board meetings shall be kept on official file in the office of the State Regents.
- (c) An individual designated by the Chancellor shall be invited to attend official meetings of the Student Advisory Board.” [\(OAC 610:1-3-5\)](#).

2.14.6 Amendments

“The[se] provisions...may be amended by a two-thirds (2/3) vote of the Student Advisory Board and approval of the State Regents.” [\(OAC 610:1-3-6\)](#).

2.15 FACULTY ADVISORY COUNCIL

The State Regents recognize the value of a formal structure for faculty input. Consequently, the OSRHE created the Faculty Advisory Council (“FAC”) to assist and inform the State Regents.

2.15.1 Article I - Name

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

2.15.2 Article II - Purpose

The purpose of the FAC is to communicate to the OSRHE the views and interests of Oklahoma college and university faculty on those issues that relate to the constitutional and statutory responsibilities of the State Regents. The FAC shall strive to accurately represent the positions of faculty and develop proposals and recommendations for State Regents’ consideration.

2.15.3 Article III - Membership

- A. The FAC consists of 14 total members elected by tier at the annual meeting of the General Faculty Assembly.
- B. Members of the FAC must be faculty members at a college or university within the state and should, at the time of their election, be the current president, chair, or designee of their institution’s faculty organization. In the event an institution does not have an official faculty organization, an individual receiving the consent and support of the faculty of that institution will be eligible for election to the FAC.
- C. The term of office for FAC members is two years, beginning January 1 in the year following election.
- D. Members of the FAC are elected at large by delegates attending the annual meeting of the General Faculty Assembly, and consist of:
 - (1) Four members representing the two research universities in the State System - two members from the University of Oklahoma and two members from Oklahoma State University.
 - (2) Four members representing the regional universities in the State System.

- (3) Four members representing the community colleges in the State System and the OSU Technical Branches in Oklahoma City and Okmulgee. Representation will consist of two members from the metropolitan institutions (Oklahoma City Community College, Tulsa Community College, Rose State College, and OSU-Oklahoma City) and two members from all remaining community colleges.
 - (4) Two members representing the accredited independent colleges and universities in the state.
- E. Each institution's delegate to the annual meeting of the General Faculty Assembly will be the current president, chair, or designee of the faculty organization from each of the colleges and universities in Oklahoma.
 - F. At each annual meeting of the General Faculty Assembly, elections for FAC membership shall be held for:
 - two research university positions;
 - two regional university positions;
 - two community college positions; and
 - one accredited independent college or university position.
 - G. If a tie vote occurs in an election for a membership position, the delegate from the institution with the longest time gap in representation on the FAC will be declared the new member.
 - H. A FAC member who wishes to resign before their term expires must notify the Chancellor and FAC chair in writing as soon as practical.
 - I. A member who will be unable to attend meetings for an extended period of time but does not wish to resign from the FAC may be granted a leave-of-absence at the discretion of the FAC chair.
 - J. A member may be removed from office for failure to meet requirements and/or perform duties. A member subject to removal shall have the opportunity to respond to a motion for removal in person and/or in writing prior to a removal vote being taken by the FAC.
 - K. Replacement appointments to fill leave-of-absence, resignation, or removal vacancies will be made by the chair of the FAC consistent with membership requirements and with the advice of the FAC. Alumni of the FAC may serve as replacement FAC members. If a replacement due to resignation or removal occurs during a member's first year of service, the appointed replacement will serve until the annual meeting of the General Faculty Assembly, at which time the service tier represented will vote on whether to continue that appointment for the remainder of the term.

2.15.4 Article IV - Duties

- A. The FAC will serve as a conduit for the faculty community to express input to the State Regents.
- B. The FAC will elect a member to serve as chair according to the

following guidelines:

- Two elections will take place each year, one in December and one in May, in which a chair and chair-elect are elected;
 - The chair and chair-elect are selected from the representing tiers and cannot succeed themselves or serve twice in one year;
 - Terms of office are three months beginning in September of the election year (omitting the months June, July and August); and
 - In the absence of the chair, the chair-elect will represent the FAC; and in the absence of the chair-elect, the former chair will represent the FAC.
- C. The FAC chair will work with the State Regents' office through OSRHE staff.
- D. The Chancellor may appoint OSRHE staff to take official minutes of FAC meetings and maintain a file of FAC actions.
- E. Members of the FAC may be called upon by the Chancellor to provide informal counsel and advice and to make presentations at public hearings, legislative meetings, etc.
- F. The FAC may, by a majority vote of its members, submit recommendations to the State Regents on matters relating to the constitutional and statutory responsibilities of the OSRHE.
- G. The FAC shall submit an annual written report of its activities to the State Regents and will also maintain regular contact with the state's faculty organizations to apprise them of significant developments.
- H. The Chancellor will meet with the FAC upon invitation.

2.15.5 Article V – Meetings

A schedule of regular meetings of the FAC will be provided annually to the OSRHE.

2.15.6 Article VI - Amendments

These provisions may be amended by a majority vote of the FAC and subject to ratification by the State Regents.

2.16 COUNCIL ON INSTRUCTION

The Council on Instruction (“COI”) considers academic and related issues affecting Oklahoma higher education, proposes academic and related policy and procedures, and serves as the principal statewide advisory council rendering advice and counsel to the OSRHE in the review of current and recommended academic and related policy and procedures. In performing these responsibilities, the COI renders service to the whole State System including, but not limited to, communicating with various bodies such as the Council of Presidents.

2.16.1 Membership and Voting Privileges

The chief academic officer as designated by the President of each of the twenty-five institutions in the State System shall be eligible for membership. Members

shall have equal standing. Only COI members are eligible to vote.

2.16.2 Officers

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

- A. Duties of the chairperson include:
 - 1. Preside at COI meetings;
 - 2. Prepare agenda for COI meetings, with assistance from OSRHE staff;
 - 3. Appoint committees to study issues affecting higher education.
- B. The chairperson-elect shall serve in the capacity of chairperson during the absence of the chairperson.

2.16.3 Committees

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

In addition to ad-hoc committees formed as needed, the one standing committee of the COI is the:

- A. Nominating Committee
 - 1. Composition: Three members, one from each higher education tier.
 - 2. Terms: Each member will serve a three-year term with the terms being staggered so that one term expires each year. At the beginning of each year the new chairperson of the COI will appoint a replacement for the committee member whose term has expired.
 - 3. Duties: At the last meeting of each academic year, the nominating committee will present to the COI one or more candidates for the position of chairperson-elect. If for any reason the chairperson-elect for the previous year is unable to succeed the chairperson, then the nominating committee will also select and present to the COI one or more candidates for the position of chairperson.

2.17 COUNCIL ON STUDENT AFFAIRS

2.17.1 Mission

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

2.17.2 Membership

Members of the COSA shall be comprised of chief student affairs officers from each institution in the State System. In addition, a representative of the accredited independent colleges and universities will be selected from nominations provided by the Independent College Association and invited to serve on the COSA.

2.17.3 Voting Privileges

Members will have equal standing for purposes of voting; however, no voting privileges will transfer to an assigned delegate should the chief student affairs officer be unable to attend a COSA meeting.

2.17.4 Meetings

Meetings of the COSA shall generally be held on the first Thursday of each month (except August), at 10:00 a.m. in the State Regents’ Conference Room, 655 Research Parkway, Suite 200, Oklahoma City, OK 73104.

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

2.17.5 Officers of the Council

Officers of the COSA shall consist of a chair and a vice chair who shall serve one-year terms. The chair will preside at COSA meetings. In the chair’s absence, the vice chair shall preside.

2.17.6 Selection of Officers and Executive Committee

A. On a rotating basis, and by institutional tier (research, regional, two-year), the vice chair shall be nominated by the tier filling the chair role during the following year (vice chair is considered chair-elect and automatically becomes chair the following year). For purposes of this section, OSU Institute of Technology and OSU-OKC are included in the two-year tier. The election process should take place during the June meeting of COSA each year.

B. Once the vice chair is confirmed by a majority of the COSA during the June meeting, two members from each tier shall be designated (by tier) to serve on the executive committee. The tier filling the chair role during the following year shall only designate one additional member since the COSA chair serves as chair of the executive committee and, as chair-elect, the vice chair also serves on the executive committee.

The chair and vice chair shall be seated at the July meeting of the COSA.

- C. Duties of the chair include:
1. Prepare agenda for COSA meetings, with assistance from OSRHE staff;
 2. Appoint members to committees as necessary; and
 3. Preside at executive committee meetings.

2.17.7 Chair, Vice Chair, Executive Committee Vacancies

Should the chair of the COSA be unable to serve for a full term, the vice chair will preside. Should the vice chair be unable to serve for a full term, the council shall use the procedure presented in 2.17.6, above, to replace the vice chair.

2.17.8 Committees

- A. Executive Committee: Develop a slate of issues to be addressed or discussed by the COSA during the upcoming year to insure timely management of matters affecting student welfare.
- B. Standing Committees: Each standing committee will be chaired by a member of the executive committee, with responsibilities to include -
1. Bylaws and Procedures Committee: Assess the adequacy of the council's operating procedures and propose amendments, when and where required.
 2. Research Committee: Develop and present reports and studies pertaining to issues affecting student support services.
 3. Legislative Issues Committee: Identify student related matters with legislative oversight or implications; provide appropriate advice and counsel, with assistance from OSRHE staff.
 4. Programming Committee: Present topics and discuss issues during monthly meetings that the COSA would like to know more about.

The COSA chair will annually review the responsibilities and operations of each standing committee. The chair, with input and advice from the executive committee, may propose changes in current committee responsibilities and, when necessary, appoint new committees with consent of the council.

- C. Ad-Hoc Committees: From time to time the chair of the council, in coordination with the executive committee, may establish an ad-hoc committee.

2.17.9 Parliamentary Procedure - The COSA will generally follow Robert's Rules of Order (current edition), but strict adherence is not required.

2.17.10 Amendments - These provisions may be amended by a majority vote of the COSA and subject to ratification by the State Regents.

2.18 COUNCIL OF BUSINESS OFFICERS

2.18.1 Function of the Council of Business Officers

The Council of Business Officers (“COBO”) considers financial and business-related issues affecting Oklahoma higher educational institutions. The COBO shall serve in an advisory capacity to the OSRHE, the Council of Presidents, and serve the State System as a whole on issues and policies affecting the best practices of institutions.

2.18.2 Bylaws and Operational Procedures

A. Article I - Name

The name of this organization shall be the Council of Business Officers.

B. Article II - Purpose

Purposes of the COBO shall include, but not be limited to, the following:

1. Serve as an advisory council to the OSRHE, the Council of Presidents, and any other advisory councils as requested;
2. Consider business and related issues affecting higher education;
3. Conduct studies and issue reports in review of business affairs;
4. Provide support and guidance to other OSRHE councils in rendering advice for matters of business affairs; and
5. Propose business and related policies and procedures.

C. Article III - Membership

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

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

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

D. Article IV - Meetings

1. Meetings of the council shall generally be held on the first Thursday of each month, with meeting schedule determined by the membership.
2. A schedule of regular meetings of the COBO will be provided annually to the OSRHE office.

E. Article V - Governance and Officers

1. The COBO may constitute an executive committee that will include five institutional representatives. Membership on the executive committee will be allotted as follows:
 - a. Two representatives from the Regional Universities;
 - b. Two representatives from the Community Colleges; and
 - c. One representative from the Research Universities.

2. Members of the executive committee will select the chairperson and chairperson-elect. Each of these officers will serve for one academic year (August through July), and the annual transfer of leadership will take place in August. An officer may serve no more than two consecutive terms in the same position.
3. Duties of the chairperson include:
 - a. Preside at COBO meetings;
 - b. Prepare the agenda for COBO meetings, with assistance from OSRHE staff;
 - c. Appoint committees to study issues affecting higher education;
 - d. The chairperson-elect shall serve in the capacity of chairperson during the absence of the chair.

F. Article VI - Committees

The chairperson may appoint ad-hoc committees to study issues affecting higher education. Members of these committees should be voting COBO members. While non-COBO members may be named to committees as deemed necessary to aid in the work of the committee, they will not have voting privileges.

G. Article VII - Amendments and Bylaws

These provisions may be amended by a majority vote of the COBO and subject to ratification by the State Regents.

2.19 COMMUNICATORS COUNCIL

2.19.1 Purpose

The Communicators Council serves in advisory role to the OSRHE and other state officials; and, as a forum to discuss matters of common interest and implement strategies designed to communicate the benefits received from the state's investment in its higher education system.

2.19.2 Membership

The Communicators Council shall be comprised of chief public relations professionals or official institutional designees from colleges, universities, technical branches and higher education programs in the State System, and the OSRHE Associate Vice Chancellor for Communications.

2.19.3 Voting Privileges and Quorum

Members shall have equal standing for purposes of voting. Except as to the OSRHE Associate Vice Chancellor for Communications, no voting privileges may be transferred to another council member or to an assigned delegate should the institution's official representative be unable to attend a council meeting.

A quorum shall consist of the voting members present. Guests are welcome, but discussion of issues before the council will be limited to council members.

2.19.4 Meetings

The executive committee will present an annual calendar of meeting dates at each September meeting for approval by the full council. Meetings will generally be held in the State Regents' Conference Room.

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

2.19.5 Officers of the Council

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

Duties of the chair include presiding at executive committee meetings and full council meetings; appointing members to ad hoc committees as necessary; and, preparing the agenda for council meetings, with assistance from OSRHE staff. The chair, or a representative appointed by the chair, will serve as the council's representative at various meetings and functions.

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

2.19.6 Election of Officers

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

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

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

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

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

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

2.19.7 Vacancies of Offices

Should the chair be unable to serve a full term, the vice chair will assume the position of chair for the remainder of the term. Should the vice chair be unable to serve a full term or should both positions become vacant, the council shall use the nominating procedure outlined in 2.19.6, above, to replace the officer(s). Should an executive committee member be unable to serve a full term, the chair shall appoint a new member to the committee from the respective tier.

2.19.8 Executive Committee

The executive committee provides leadership for the Communicators Council.

Members also serve as liaisons to standing and ad-hoc committees.

The executive committee is composed of nine members:

- four members from the four-year tier;
- four members from the two-year tier; and
- the chair of the council, who votes only in the event of a tie.

The vice chair and the past chair will be two of the voting members of the executive committee. The OSRHE Associate Vice Chancellor for Communications will serve as an ex-officio (non-voting) member of the executive committee.

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

Voting members of the executive committee shall be selected as outlined above in 2.19.6.

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

2.19.9 Committees

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

Council members may volunteer for committees at any time by informing a committee chair. Members may serve on more than one committee. Committees will present projects to the full council for approval, as needed.

Standing committee responsibilities are as follows:

Member Orientation/Mentoring Committee

Conceptualizes and delivers a framework for member orientation or peer mentoring and recommends plans of action for council consideration.

2.19.10 Annual Plan

The Communicators Council shall approve an annual plan of work, which shall remain active until outlined goals are achieved.

2.19.11 Parliamentary Procedure

The council will generally follow Robert's Rules of Order (current edition), but strict adherence is not required.

2.19.12 Amendments

These provisions may be amended by a majority vote of the council and subject to ratification by the State Regents.

2.20 ECONOMIC DEVELOPMENT COUNCIL

2.20.1 Purpose

To establish the Economic Development Council (“EDC”) as an advisory council to the OSRHE, the Council of Presidents, and other state officials. The EDC is a statewide panel of economic development professionals from each State System institution.

2.20.2 Mission of the Economic Development Council

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

2.20.3 Bylaws

The EDC are organized through the following rules governing:

A. Membership and Voting Privileges

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

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

A quorum at EDC meetings will consist of a majority of the voting membership of EDC.

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

B. Selection of Officers and Executive Committee

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

Once the vice chairperson is confirmed by a majority of the voting members of the council during the June meeting, the remaining members from each tier shall be designated by their tier to serve on the executive committee.

C. Executive Committee

The executive committee provides leadership for the EDC. The executive committee is composed of four to six members: two to three members from the comprehensive/regional tier; and three members from the two-year tier. The chairperson and vice chairperson positions will be held by a council member from each tier, alternating each fiscal year.

The officers shall serve for one year with the annual transfer of leadership taking place in or around August of each year. The vice chairperson will automatically become chairperson.

Election of officers shall be at the last regular EDC meeting of the year.

Duties of the chairperson include:

- preside at EDC meetings;
- prepare agenda for council meetings, with assistance from OSRHE staff;
- appoint working committees to study issues affecting economic development.

Duties of the vice chairperson include:

- serve in the capacity of chairperson during the absence of the chairperson; and
- assist the chairperson and perform other duties deemed appropriate.

D. Committees

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

E. Meetings

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

When deemed appropriate, the EDC may hold meetings at other locations as recommended by the chairperson and approved by the executive committee.

Executive committee meeting dates and locations will be determined by the officers and presented to the executive committee for approval no later than each September. A quorum at executive committee meetings consists of a majority of the voting membership.

Official business of EDC meetings and executive committee meetings can only be conducted if a quorum is present at the meeting.

F. Parliamentary Procedures

The EDC will generally follow Robert’s Rules of Order (current edition), but strict adherence is not required.

G. Amendments

These provisions may be amended by a majority vote of the EDC and subject to ratification by the State Regents

2.21 COUNCIL ON INFORMATION TECHNOLOGY

The Council on Information Technology (“CoIT”) considers issues affecting Oklahoma higher education and how technology, policies and procedures, and best practices can positively impact the State System. CoIT serves as the principal statewide advisory council rendering advice and counsel to the OSRHE in the review of current and recommended technology and related policies and procedures. In performing those responsibilities, CoIT renders service to the whole State System, including coordination with the Chief Information Officers of each institution and communicating with various bodies such as the Council on Instruction, the Council on Student Affairs, the Council of Business Officers, among others.

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

2.21.1 Membership

Members of CoIT shall be comprised of principal information technology officers (or the “top-most” information technology position) from each institutional campus and higher education center, as appropriate, in the State System. In the event the principal information technology officer is unable to participate on the council, they may propose to the chair of the council an information technology professional, from their campus, as their delegate to the council acting on their behalf. Any such proposal will be presented to the executive committee for consideration. If approved, the delegate will be considered a voting member of the council. A representative from the independent sector may be invited by the council’s executive committee to serve on the council and shall be selected from nominations provided by the council.

2.21.2 Voting Privileges

CoIT members shall have equal standing with only one vote from each of the 25 higher education institutions within the State System.

2.21.3 Officers

Officers of the CoIT shall consist of a chairperson, past chair, and chairperson-elect. Each officer shall serve a term of one fiscal year beginning July 1st and ending June 30th.

Duties of the chairperson include:

- Preside at the CoIT meetings;
- Prepare the agenda for CoIT meetings, with assistance from OSRHE staff; and

- Appoint committees to study issues as needed.

The chairperson-elect shall serve in the capacity of chairperson during the absence of the chairperson. On a rotating basis (four-year/comprehensive and two-year), the chairperson-elect shall come from the nominations received from the tier whose term it is to serve as chairperson the following year. Elections will occur by email prior to the July council meeting.

Once the chairperson-elect is confirmed by a majority of the council by email, two members from each tier shall be designated (by tier) to serve on the executive committee.

2.21.4 Committees

Committees shall be chaired by a member of the CoIT as named by the executive committee, and shall meet on an as-needed or pre-defined basis.

The chairperson may recommend formation of ad-hoc committees to study specific issues of interest to the council. Non-CoIT members may be named to standing and ad-hoc committees as deemed necessary to aid in the work of the committee. Non-CoIT members that are officially named to a committee by the CoIT chairperson shall attend committee meetings and have voting privileges within that committee. Resource persons may also be named to committees by the committee chair but shall be non-voting members of the committee.

The council may form or dissolve standing committees and ad-hoc committees by a majority vote of the members present.

Standing committees shall consist of:

- Executive Committee
- Research & Find the Savings Committee
- Policy and Legislative & Advocacy Committee
- Cross-Institutional Policies and Partnerships & Shared Services Committee
- Professional Development Committee
- Cybersecurity and Risk Committee

- A. Executive Committee
Develop a slate of issues to be addressed or discussed by the council during the year to ensure timely management of matters affecting technology and related university welfare. The executive committee will meet prior to each council meeting either in person or via teleconference or videoconference.
- B. Research & Find the Savings Committee
Develop and present reports or studies pertaining to issues affecting information technology in the State System and identify opportunities for the State System to collaborate on technology purchases to generate cost savings.
- C. Policy and Legislative & Advocacy Committee
Identify technology-related matters that have legislative implications or oversight. Provide appropriate advice and counsel, along with OSRHE

staff, when needed.

D. Cross-Institutional Policies and Partnerships & Shared Services Committee

Identify topics and areas of potential collaboration with regard to system IT functions and responsibilities. Research and investigate relevant policies that can either facilitate expansion of institutional partnerships or hinder their formation.

E. Professional Development Committee

Identify opportunities for professional development of State System IT staff and share those with the council.

F. Cybersecurity and Risk Committee

Monitor and identify cybersecurity and risk issues that affect the State System and provide appropriate recommendations and counsel as needed.

2.21.5 Meetings

Meetings of the council shall be every two months in conjunction with State Regents' meetings and other councils. Meeting dates shall be announced on the CoIT website at the beginning of each fiscal year.

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

Designees and non-COIT members may be invited to attend council meetings and other events when pre-approved by the council.

2.21.6 Parliamentary Procedure

The council will generally follow Robert's Rules of Order (current edition), but strict adherence is not required.

2.21.7 Amendments

These provisions may be amended by a majority vote of the CoIT and subject to ratification by the State Regents

2.22 CONSTITUTION OF THE COUNCIL OF PRESIDENTS

2.22.1 Article I – Name

The name of this organization shall be the Council of Presidents (“COP”) of the Oklahoma State System of Higher Education.

2.22.2 Article II – Purposes

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

1. To promote and encourage harmonious and productive working relationships among State System institutions of various types and levels.
2. To provide a forum for the discussion of issues confronting Oklahoma higher education or any of its components.

3. To provide an opportunity for a coordinated approach to the identification and solution of common problems.
4. To foster an economic, social, and political climate favorable to development and proper functioning of the state higher education system and its individual units.
5. To promote public understanding of the significance of higher education to the quality of life in Oklahoma.

2.22.3 Article III – Membership and Governance

A. Membership

The President of each college or university in the Oklahoma State System of Higher Education shall be eligible for membership and have equal standing. Branch campus Presidents may attend meetings but will not have voting rights.

B. Powers of the Council of Presidents

The power of the COP shall include, but may not be limited to, the following:

1. Set dues and assessments.
2. Set meeting dates, schedules, activities, and events.
3. Define duties of officers and delegate authority for specific actions.
4. Authorize and define the functions of committees.
5. Adopt position papers, statements, resolutions, or take other actions as appropriate.
6. Initiate proposals for the improvement of the State System and its services to the public.
7. Provide for release of information and the promotion of positions taken through any appropriate methods.
8. Provide for seminars and other educative and social activities for its membership and for others significant to organizational purposes.
9. Take any appropriate measure, which may be agreed upon to foster the welfare of the State System and its members.
10. Adopt budgets, authorize expenditures, employ staff, and do all things necessary to provide for the orderly conduct of council business.

C. Advisory Role to Chancellor

1. When called into session by the Chancellor or chair, the COP acts in an advisory capacity to the Chancellor, giving advice and counsel regarding projects, problems, and policies of the State System.
2. During such sessions the Chancellor participates fully, with the exception of motions and voting. The Chancellor participates with the chair in setting the agenda for that meeting. Minutes of

the meeting are kept by a designated member of the OSRHE staff. Senior members of the OSRHE staff may attend.

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

2.22.4 Article IV – Officers

Officers of the council shall be a chair, a vice-chair (chair-elect), and secretary treasurer. Each of these officers will serve terms of one calendar year. An officer may serve no more than two consecutive terms in the same position. Elections shall be held in June or as soon thereafter as the council meets. An executive committee of the council may perform duties as assigned by the council. The executive committee shall consist of the three officers normally associated with each office or as otherwise prescribed by the COP.

2.22.5 Article V – Meetings

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

2.22.6 Article VI – Institutional Dues

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

2.22.7 Article VII – Amendments and Procedure

A. Amendments

Amendments to this Constitution may be made by a two-thirds majority with proposed amendments emailed or otherwise provided to each member at least five days prior to the meeting. With unanimous consent, that 5-day notice requirement may be waived. Amendments are subject to ratification by the State Regents.

B. Procedure

The COP will generally follow Robert’s Rules of Order (current edition), but strict adherence is not required.

2.23 USE OF TOWERS & FACILITIES AND INTERNET & TECHNOLOGY SERVICES

2.23.1 Purpose

“The Oklahoma State Regents for Higher Education will make available the use of the towers and facilities of OneNet, the State of Oklahoma’s official telecommunications and information network, to educational entities,

governmental agencies, and commercial businesses; provided, however, the proposed use does not interfere with the normal maintenance and operations of OneNet. Each request to utilize the towers and facilities must meet standard industry engineering requirements and must be consistent with state and federal laws and regulations.” [\(OAC 610:15-1-1\)](#).

2.23.2 Use of towers and facilities

(a) “All proposed installations shall be in accordance with good engineering practices and shall be subject to the approval of the OneNet engineering staff. Requests for installation of microwave antennas on the OneNet towers shall be approved only after a tower wind load study is performed by an approved and qualified registered professional engineer. Costs of the study are to be paid for by the proposed user. Any structural modifications required to the tower resulting from the proposed antenna installation will be at the expense of the proposer. Generally, 2-way radio antenna installations will not require a tower analysis to be performed; however, it shall be at the discretion of the ETN engineering staff as to whether an analysis is required.” [\(OAC 610:15-1-2\(a\)\)](#).

(b) “The Oklahoma State Regents for Higher Education will develop a schedule of monthly rates for the use of OneNet’s towers and facilities.” [\(OAC 610:15-1-2\(b\)\)](#).

(c) “The Chancellor or the Chancellor’s designee may waive any or all monthly rates specified in the rate schedule if use of OneNet’s towers and facilities is determined to be in the best interest of the State.” [\(OAC 610:15-1-2\(c\)\)](#).

(d) “The State Regents reserve the right to change the rates or cancel service with a 90-day advance notice to the user.” [\(OAC 610:15-1-2\(d\)\)](#).

(e) The OSRHE will make the OneNet towers and facilities available on a monthly basis at the following rates:

1. Two-way radio antenna \$1.00 per foot of tower height (subject to increase if transmission lines are greater than .500" in diameter).
2. Microwave antennas \$200.00 per antenna and \$1.00 per foot of tower height.
3. Building space \$10.00 per sq. foot.
4. A.C. electrical power (2-way radio) \$10 per month.
5. D.C. electrical power \$12/Amp.
6. Land \$2.00 per sq. foot.

2.23.3 Use of internet and technology services

(a) “The Oklahoma State Regents for Higher Education will make OneNet’s voice, data and video communications services and infrastructure available to educational entities, governmental agencies, and commercial businesses provided, however, that the proposed use does not interfere with the normal maintenance and operation of OneNet. Each request to utilize the voice, data and/or video communications services will be reviewed on an individual basis to ensure it is consistent with state and federal laws and regulations. The State Regents will develop a schedule of rates to be utilized for the services provided

and shall have the ability to offer discounted rates on a case-by-case basis if it is determined to be in the best interest of the State.” [\(OAC 610:15-1-3\(a\)\)](#).

(b) “The State Regents reserve the right to change the rates or cancel service with a 90- day advance notice to the user.” [\(OAC 610:15-1-3\(b\)\)](#).

2.24 ONENET ACCEPTABLE USE POLICY

OneNet® provides access to resources originating within its network, resources provided by its subscribers, and resources provided by entities NOT ASSOCIATED WITH ONENET (external networks), through its connections to the commodity internet (11), private peerings, and the Internet2 network (12). Therefore, this policy is intended to provide subscribers with a framework as to the acceptable and unacceptable use of OneNet. These policies are non-exclusive, and are provided for the subscriber’s benefit and guidance. If subscriber is uncertain whether any contemplated use or action is permitted, subscriber should inquire of OneNet via e-mail to info@onenet.net.

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

OneNet will review violations of this Acceptable Use Policy (“AUP”) on a case-by-case basis. Clear violations of the policy, which are not promptly resolved by the subscriber organization, may result in appropriate action by OneNet, up to and including termination of OneNet network services and forfeiture of all monies paid to date. OneNet also cooperates fully with all duly constituted law enforcement agencies in cases of violation of applicable law.

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

2.24.1 Policy Guidelines

Institutions and organizations that are eligible for a direct connection to OneNet are identified in the Subscriber Connection Policy.

- A. Except as specifically provided herein, OneNet services may not be resold, provided without charge, or otherwise shared with institutions or organizations regardless of whether that institution or organization is eligible for a direct connection as described in the Subscriber Connection Policy. (See also [17 O.S. § 139.108\(B\)](#) (“Any government agency or entity using OneNet facilities is hereby prohibited from reselling OneNet access directly to the general public at any nonpublic site.”)).
- B. Use of OneNet® must be consistent with its mission and with its goals, which include facilitating and disseminating knowledge, providing public service, aiding technology transfer to Oklahoma businesses for educational purposes, promoting economic development, conducting the affairs of government, and building broader infrastructure in support of

education and research.

- C. It is acceptable for a OneNet educational subscriber to enter into a “Distance Learning” partnership with a commercial “for-profit” entity in Oklahoma for the purpose of providing education to the employees of that entity. Such Distance Learning Partnerships are acceptable under the following conditions:
- The sponsoring OneNet educational subscriber must sign the Subscriber Agreement with OneNet and process a purchase order for the service;
 - The sponsoring educational subscriber must accept responsibility to ensure the connection is used exclusively for distance learning and not abused by the “for-profit” corporation, and that all conditions and requirements are satisfied; and
 - The sponsoring educational subscriber will be held responsible for payment for the service.
- D. It is acceptable for a OneNet subscriber that has entered into a written agreement with the Oklahoma Department of Commerce to “sponsor” a small business incubator facility, pursuant to the Small Business Incubators Incentives Act ([74 O.S. § 5071 et seq.](#)), to share OneNet services with a “tenant” of such incubator, so long as the sponsor and the tenant remain qualified under the Act and all applicable rules and regulations. Such arrangements are acceptable under the following conditions:
- The sponsoring OneNet subscriber must sign the Subscriber Agreement with OneNet and process a purchase order for the service;
 - The sponsoring educational subscriber must accept responsibility to ensure the connection is not abused by the “for-profit” corporation, and that all conditions and requirements of the Act are satisfied with regard to the incubator; and
 - The sponsoring educational subscriber will be held responsible for payment for the service.

2.24.2 Unacceptable uses of OneNet

- A. It is not acceptable to use OneNet for commercial activities that are inconsistent with the mission and goals of OneNet or of the OneNet subscriber. Activities recognized by the State Regents as economic development initiatives are permissible uses of OneNet.
- B. It is not acceptable to use OneNet® for illegal purposes. Use of OneNet must be consistent with all applicable federal, state, and local laws. Transmission of any material in violation of federal, state, local law, or regulation is prohibited. This includes, but is not limited to: Copyrighted material, libelous or defamatory material, material protected by some right of privacy or material protected by trade secret.

- C. It is not acceptable to use OneNet® to willfully transmit threatening, obscene, or harassing materials that rise to an unlawful level; or, to knowingly cause such materials to be transmitted.
- D. It is not acceptable to use OneNet® so as to interfere with or disrupt network users, services, or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer viruses or worms, and use of the network to make unauthorized entry to any other machine accessible via the network.
- E. It is assumed that information and resources available through OneNet® are private to those individuals and organizations that own or hold rights to those resources and information and unless specifically stated otherwise by the owners or holders of rights. It is therefore not acceptable for an individual to use OneNet® to access information or resources unless permission to do so has been granted by the owners or holders of rights to those resources and information.

2.24.3 Early termination policy

All OneNet circuits are contracted for one year in advance. Billing continues until OneNet receives written notice of cancellation from subscriber's authorized administrator. Depending on the configuration of the subscriber's circuit(s), the termination of OneNet services may incur service fees from one or more telecommunications partners. OneNet will hold subscribers responsible for such fees levied as the result of subscriber's voluntary cancellation.

2.24.4 Linking policy

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

2.25 ONENET FEE STRUCTURE

The OneNet fee structure is based upon the bandwidth, or network capacity, requested by each subscriber on an individual case basis (ICB). The type of data application(s) the subscriber chooses to transmit throughout the network will ultimately determine the overall bandwidth required.

OneNet may acquire an intermediate circuit through a last-mile provider for connection to the OneNet backbone for network access. The subscriber will be responsible for providing equipment on its premises beyond the subscriber demarcation point, unless specifically requested in the quoting process. In addition, the subscriber is responsible for site readiness, such as conduit, backboard and power installation, unless specifically requested in the quoting process.

All rates are determined on an individual case basis (ICB). Factors that affect a subscriber's rate are the bandwidth requested, the cost of the intermediate last-mile service, and applicable construction fees.

OneNet rates include access to the internet, distributed denial of service (DDoS) attack mitigation, DNS services, domain registration, Quality of Service (QoS), Multiple Protocol Label Switching (MPLS), access to contract discounts on technology products and services, and 24/7 technical support and troubleshooting.

2.26 PRIVACY, DATA ACCESS AND MANAGEMENT

2.26.1 Purpose

To set forth the principles governing access to and the disclosure of information gathered and maintained by the OSRHE with respect to applicable privacy laws, regulations, and standards.

2.26.2 Definitions

The following words or terms shall have the following meaning, unless the concept clearly indicates otherwise:

“Confidential information” means non-public information including, but not limited to, education records, personally identifiable information (PII) and protected health information (PHI) provided by students, schools, institutions, employees, vendors, or other partners.

“Data” means all information, records, numbers, figures, and statistics collected and maintained by OSRHE and includes confidential information.

“Education records” means, except as otherwise provided in 20 U.S.C.A. § 1232g(a)(4)(B), those records, files, documents, and other materials which: (i) contain information directly related to a student; and (ii) are maintained by an educational agency or institution or by a person acting for such agency or institution.

“Legitimate educational interest” for purposes of this policy, is an endeavor meant to further the understanding or application of educational practices, research, and activities necessary for carrying out duties officially assigned to school officials and that is performed in a manner consistent with the Family Educational Rights and Privacy Act (“FERPA”) (20 U.S.C.A. § 1232g).

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

“Parent” means a parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

“Personally identifiable information (PII)” means information that can be used to distinguish or trace an individual’s identity, alone or when combined with other personal or identifying information, which is linked or linkable to a specific individual.

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

“School official” is an individual currently serving as a member of the OSRHE, OSRHE employees, contractors, volunteers, and other non-employees performing agency functions related to education.

“Third party” means a contractor, consultant, volunteer, organization or other party that is not an Oklahoma school, school system, or postsecondary institution.

2.26.3 Scope and Applicability

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

- A. FERPA (20 U.S.C.A. § 1232g) and its implementing regulations (34 C.F.R. Part 99);
- B. Gramm-Leach-Bliley Financial Modernization Act of 1990 (15 U.S.C.A. §§ 6801-6827);
- C. The privacy and information security aspects of the Health Insurance Portability and Accountability Act and its implementing regulations including without limitation 45 C.F.R Part 160 and Subparts A, C, and E of Part 164 (collectively, “HIPAA”);
- D. Privacy Act of 1974 (5 U.S.C.A. § 552a);
- E. Regulation 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data (EU General Data Protection Regulation), as well as any national, state, or territorial implementations of such laws as may be amended, superseded or replaced (collectively, “GDPR”); and
- F. Any other applicable federal or state law regarding privacy.

2.26.4 Access to data is restricted by the OSRHE and significantly limits who can view data and for what purposes.

- A. OSRHE employees are granted access to those data and information resources required to carry out the responsibilities of their position. No OSRHE employee will knowingly damage or misuse computing resources or data.
- B. Access capabilities and restrictions apply to all administrative computing resources owned by the OSRHE. Safeguards are taken to ensure the security of the resources and to maximize the integrity of the data.
- C. Access privileges are determined based on the duties and responsibilities of each position. Users with access privileges are assigned an access Identification Number (“ID”). Use of another person’s access ID is prohibited.
- D. Access to data in OEIS

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

1. Level 1 access allows authorized OSRHE staff to read and write to all records and fields in the database. This access level is only permitted to a minimal number of authorized staff members who operate or manage OEIS or are responsible for maintaining the accuracy and security in the performance of their duties.
2. Level 2 access places limits on individual records but not fields. Specifically, institutional representatives shall have read-and-resubmit access to records of their own students or their own personnel. Institutions shall not have access to student or personnel records outside of their institutions. The purpose is to allow institutions to verify their own data. Institutions are the originators of the data and are allowed read-and-resubmit privileges in the OEIS Warehouse to change the records they have already submitted.
3. Level 3 places limits on fields. The most sensitive fields are excluded from access at this level including, but not limited to, names and social security numbers. This read-only access level is limited primarily for the purposes of audits, operations, accreditation, and reporting to state and federal government agencies. Professionals may obtain authorization at this level for research purposes. Authorization at this level is for the sole purpose of increasing the existing body of knowledge about Oklahoma education and not for vending. Researchers must submit a restricted access form that explains the purpose of the research and how the researchers will ensure data confidentiality and security.
4. Level 4 applies to state government agencies other than the OSRHE, as well as state legislators, legislative aides, and the executive branch. Data on individual students or staff will not be accessed by anyone at this read-only level. However, it will be possible to

perform limited data mining of the core data sets to produce aggregate reports containing averages or totals that relate to groups of students and professionals. It is possible that some of the searches described at level 4 would be based on a very small population of students or educational personnel, which could reveal information about the individuals in that group. The OSRHE will block any aggregate results with a statistical cutoff in which five or fewer students or educational personnel might be disclosed.

Data access provisions may change if mandated by federal or state law.

5. Requests for OEIS Data Access

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

6. Upon request of individuals under 20 U.S.C.A. § 552a(f)(1) of the Privacy Act of 1974 or 34 C.F.R 99.20 of FERPA to gain access to their records contained in the OSRHE data system, OSRHE shall provide a copy of all or any portion in a comprehensible form and will consider requests to amend the record.

7. Processing Request

Completed requests will be reviewed and a response provided in an appropriate manner. If a request is rejected, specific reasons shall be given and, as appropriate, may include information concerning possible alternatives. Requests may be rejected if information on the application form is incomplete.

2.26.5 Security

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

A. Data Security

While recognizing OSRHE responsibility for data security, the procedures established to protect those data must not unduly interfere with the efficient conduct of OSRHE business or be unnecessarily expensive to implement; however, procedures necessary to comply with privacy laws must be established and maintained.

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

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

B. Physical Security

Data center facilities that house confidential data will be protected in a physically secure location with controlled access. Physical security shall be required depending on the value and sensitivity of the data processed, the resources accessed, and cost. This security is the responsibility of the Chief Information Security Officer.

C. The OSRHE maintains an information security program that is consistent with industry standards, including appropriate administrative, physical, and technical safeguards to (i) maintain the security, confidentiality, and integrity of data; (ii) protect against any anticipated threats or hazards to the security, confidentiality, and integrity of data; and (iii) protect against any security incident.

D. The OSRHE communicates all policies, procedures, guidelines, and best practices to employees, non-employees, and third parties to make them aware of their responsibilities in protecting confidential information and physical assets.

2.26.6 Disclosure of Confidential Information

Confidential information on an individual shall not be created, collected, stored, used, maintained, or disclosed by the OSRHE in violation of privacy laws and shall not be used for any purpose other than those stated. Confidential information involving students shall not be disclosed to individuals outside of OSRHE unless the individual has a legitimate educational interest. If the State Regents enter into a contract with a private person or third party to perform any OSRHE functions, that agreement shall require that the confidential information be protected in a manner consistent with privacy laws.

A. No personally identifiable information from education records shall be disclosed except:

1. To staff of the higher education institutions who have released the data to OSRHE and other school officials within the agency determined to have legitimate educational interests, under 34 C.F.R. 99.31 and consistent with OSRHE procedures.
2. To a third party whom OSRHE has outsourced institutional services or functions and who is considered a school official. In order to be considered a school official, a third party shall:

- a. Perform an institutional service or function for which OSRHE would otherwise use employees;
 - b. Be under the direct control of the agency or institution with respect to the use and maintenance of education records; and
 - c. Be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and redisclosure of PII from education records.
3. To school officials at a school, school system, or institution of postsecondary education where the student seeks to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer and the disclosure is subject to the requirements of 34 C.F.R. 99.34.
 4. To appropriate parties in connection with federal and state student financial aid processing and servicing administered by the OSRHE for such purposes as to determine eligibility for the aid, amount of the aid, or conditions for the aid, or to enforce the terms and conditions of the aid.
 5. To comply with a judicial order or lawfully issued subpoena, under 34 C.F.R. 99.31(a)(9).
 6. To educational officials in connection with an audit or evaluation of a federal or state supported education program, under 34 C.F.R. 99.32(c)(3).
 7. To appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals, subject to the requirements in 34 C.F.R. 99.36.
 8. To the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education or an official or employee of the Department of Education acting for the Secretary under a delegation of authority, or state and local educational authorities; subject to the requirements of 34 C.F.R. 99.35.
 9. To state and local officials or authorities to whom this information is specifically allowed to be reported or disclosed pursuant to state statute if the allowed reporting or disclosure concerns the juvenile justice system and the system's ability to effectively serve the student whose records are released, subject to the requirements of 34 C.F.R. 99.31(a)(5).
 10. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate, or administer predictive tests, administer student aid programs, or improve instruction, subject to the requirements of 34 C.F.R. 99.31(a)(6)(iii).
 11. To accrediting organizations to carry out their accrediting functions.

12. To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986.
 13. To parents of a student under the age of 18 years of age, to parents of a student who is not attending an institution of postsecondary education, or to the student.
 14. For information OSRHE has designated as “directory information,” under the conditions described in 34 C.F.R. 99.37.
 15. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements in 34 C.F.R. 99.31(a)(13) and 99.39.
 16. In connection with a disciplinary proceeding at an institution of postsecondary education, subject to the requirements in 34 C.F.R. 99.31(a)(14) and 99.39.
 17. A disclosure that concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the educational agency or institution under 42 U.S.C. § 14071 and applicable federal guidelines.
- B. Disclosure of education records to a third party shall only be made in consultation with the Legal Division and the Chief Information Security Officer.
 - C. The Chancellor may require approval by the Chancellor or designee for any disclosure of confidential information.
 - D. If it is determined that confidential information was disclosed in violation of this policy, appropriate actions shall be taken to revoke access to any OSRHE data as necessary. In addition, all violations shall be reported to the appropriate federal and state enforcement agencies.

2.26.7 Privacy Notices

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

2.27 CHIEF INFORMATION OFFICER FOR THE OKLAHOMA STATE SYSTEM OF HIGHER EDUCATION

The OSRHE shall appoint a Chief Information Officer (“CIO”) for State System of Higher Education. The CIO shall report directly to the Chancellor.

2.27.1 The OSRHE and each institution in the State System, including constituent agencies, shall submit to CIO an annual report detailing all Information Technology (IT) and network related initiatives including information security related projects.

This annual report should include information on all expenditures and purchasing initiatives for the previous fiscal year, including salaries. In addition, the annual

report should include a count of IT positions and contact information for Accessibility Compliance Officers.

- 2.27.2 The CIO shall coordinate with the Council on Information Technology (CoIT) to maintain activities regarding the operation of IT, network and information security related systems at each institution in the State System.
- 2.27.3 The CIO shall manage and coordinate the collection and dissemination of information between and among all member institutions for the purpose of collaboration to achieve optimum system operations and cost savings. The CIO will ensure that higher education leverage economies of scale through purchasing consortiums, shared services and development of best-practices to optimize effectiveness and efficiencies.
- 2.27.4 The CIO shall provide a final system report to the Chancellor on or around November 1 of each calendar year detailing all designated initiatives related to optimizing system operations and cost savings.

2.28 THE OKLAHOMA FREE SPEECH COMMITTEE TO THE OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION

A. Statutory Authority of Committee

There is hereby created the Oklahoma Free Speech Committee to the Oklahoma State Regents for Higher Education (the “Committee”). [70 O.S. § 3205.11](#). The Committee shall be advisory in nature and shall, among other duties and responsibilities, provide recommendations regarding free speech policies, training, and complaints. [70 O.S. § 3205.12](#).

B. Committee Preamble

The Oklahoma State System of Higher Education is committed to free and open inquiry in all matters. Oklahoma’s public colleges and universities support the right of members of an institution’s community to have the broadest possible latitude to speak, to write, to listen, to challenge, and to learn. Except insofar as limitations on that freedom are necessary to the functioning of an institution of higher education, the Oklahoma State System of Higher Education fully respects and supports the freedom of all members of a college or university community to discuss any topic that presents itself.

Without a vibrant commitment to free and open inquiry, an institution of higher education ceases to fulfil its mission. This is especially true of a public institution of higher education. For over 200 years, the First Amendment to the Constitution of the United States has protected against abridgements of the right of freedom of speech. Moreover, since statehood, Article 2, Section 22, of the Oklahoma Constitution has provided that: “Every person may freely speak, write, or publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press.” Commitment to the principle of freedom of expression lies at the very core of the Oklahoma State System of Higher Education.

Of course, the ideas of different members of a college or university community will often and quite naturally conflict. But it is not the proper role of a college or university to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Oklahoma’s colleges and

universities greatly value civility. All members of a college or university community share in the responsibility to maintain a climate of mutual respect. Concerns about civility and mutual respect, however, can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of a college or university community.

The freedom to debate and to discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever or whenever they wish. A college or university may restrict expression that violates the law, that falsely defames an individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise incompatible with the functioning of the institution. In addition, a college or university may reasonably regulate the time, place, and manner of expression, to ensure that it does not disrupt the ordinary activities of the institution. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the commitment of the Oklahoma State System of Higher Education to a completely free and open discussion of ideas.

A fundamental commitment of the Oklahoma State System of Higher Education is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even most members of a college or university community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of a college or university community, not for the institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting ideas they oppose. Indeed, fostering the ability of members of a college or university community to engage in debate and deliberation in an effective and responsible manner is an essential part of an institution's educational mission.

As a corollary to the commitment to protect and to promote free expression, members of a college or university community must also act in conformity with the principle of free expression. Although members of the community are free to criticize and to contest the views expressed on campus, and to criticize and to contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, each college or university has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it. The colleges and universities of the Oklahoma State System of Higher Education shall adopt such policies and procedures as they deem necessary and appropriate to implement this standard.

C. Committee Membership

1. Nominations may be solicited by or submitted to the Chair of the Oklahoma State Regents for Higher Education (OSRHE), who initially selects eight public members for 3-year terms, and thereafter fills any positions that become vacant in order to cover the remainder of any incomplete term or to begin a new 3-year term.

2. In addition to the eight public members, there shall be one standing Regent appointed by the Chair of the OSRHE on an annual basis.
3. The Chair of the OSRHE will also annually appoint a Chair of the Committee.
4. The Chair of the Committee, as well as its members, all serve at the pleasure of the Chair of the OSRHE.

D. Duties and Responsibilities of the Committee

1. To “[r]eview the free speech policies of Oklahoma public universities.” [70 O.S. § 3205.12\(1\)](#). The Committee will review the free speech policies of the institutions comprising the Oklahoma State System of Higher Education and make any recommendations directly to the institutions for improvements. [70 O.S. § 3205.12\(4\)](#).
2. To “develop a process of collecting complaints of free speech violations on public university campuses and advise complainants of their rights. Universities shall publish contact information on how to report free speech concerns to the Oklahoma Free Speech Committee on its website.” [70 O.S. § 3205.13](#).
3. To “[r]eview any free speech complaints filed with the Committee.” [70 O.S. § 3205.12\(2\)](#). The Committee will review complaints filed with the Committee and make any recommendations directly to the institution. While not required, potential complainants are encouraged to first take advantage of the internal grievance process of their respective institution before filing any complaint with the Committee.
4. To “[r]eview university training on free speech for improvements.” [70 O.S. § 3205.12\(3\)](#). The Committee will review the free speech training provided by the institutions comprising the Oklahoma State System of Higher Education and make any recommendations directly to the institutions for improvements. [70 O.S. § 3205.12\(4\)](#).
5. To “develop a First Amendment training or approve of an outside First Amendment training that shall be required for all college deans, heads of departments, and individuals responsible for establishing university free speech policies or handling free speech complaints. The Committee shall either revise or reapprove the training every two (2) years. The training will be required every two (2) years, or upon hire or promotion to one of the positions described by this section.” [70 O.S. § 3205.14](#).

E. Meetings of the Committee

1. The presence of five (5) members of the Committee shall constitute a quorum.
2. Though not required, given the public nature of its business the Committee should adhere to the Open Meetings Act ([25 O.S. § 301 et seq.](#)) to the extent practical.

F. Travel Reimbursement of Committee Members

Members of the Committee shall not receive compensation for serving on the Committee, but may receive travel reimbursement as follows:

1. Legislative members for the Committee may be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with [74 O.S. § 456](#) from the legislative body in which they serve;
2. State agency employees who are members of the Committee shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies in accordance with the State Travel Reimbursement Act ([74 O.S. § 500.1 et seq.](#)); and
3. All other Committee members may be reimbursed for travel expenses incurred in the performance of their duties by the OSRHE in accordance with the State Travel Reimbursement Act.

G. Administrative Support

OSRHE staff will provide administrative support to the Committee as needed and as available.

2.29 CAREER SERVICES COUNCIL

Mission

The Career Services Council (“CSC”) shares best practices, promotes institutional collaboration, and identifies actions that provide high-quality career services to all students in the State System. The CSC serves as an advisory body to the OSRHE, the Council of Presidents, and other state officials.

Bylaws

The CSC is organized through the following rules governing:

A. **Membership**

The CSC shall be comprised of the principal career services professional, as designated by the President, from each of the higher education institutions within the State System. Representatives from each of the other State Regents’ councils consisting of the Economic Development Council, the Council on Instruction, the Council on Student Affairs, the Communicators Council, and a distance education professional may participate as ex officio (non-voting) members.

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

A quorum at CSC meetings will consist of a majority of the voting membership of the CSC.

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

B. **Committees**

The CSC may appoint ad-hoc committees to study issues affecting career services or workforce development. Each working committee will be chaired by a member of the CSC. Membership on committees may be members of CSC, as well as non-members deemed necessary in providing aid.

C. **Meetings**

The OSRHE shall present an annual calendar of meeting dates and locations for the CSC. Meetings will be held quarterly in September, December, March, and May. Meeting dates will be presented to the full council for approval.

CSC meetings may be attended via video conference and teleconference.

The council will generally follow Robert's Rules of Order (current edition), but strict adherence is not required.

D. **Amendments**

These provisions may be amended by a majority vote of the CSC and subject to ratification by the State Regents.