

**CHAPTER I**  
**UNIVERSITY GOVERNANCE:**  
**STRUCTURE AND FUNCTIONS**

**Authorization and the Board of Curators (1.00 – 1.39)**  
**Authority of the University President (1.40 – 1.99)**

**Authorization and the Board of Curators**

**1.00 Authorization: Public Education and State Function**

The Tenth Amendment to the Constitution of the United States has been construed as making education a state function and responsibility. The Tenth Amendment states:

The powers not delegated to the United States by the constitution nor prohibited by it to the states are reserved to the states respectively or to the people.

**1.01 Establishment and State Support of Educational Institutions of Higher Learning in Missouri**

The government of the state university shall be vested in a board of curators consisting of nine members appointed by the governor, by and with the advice and consent of the Senate (Missouri State Constitution, Article IX, Section 9a).

The general assembly shall adequately maintain the state university and such other educational institutes as it may deem necessary (Missouri State Constitution, Article IX, Section 9b).

**1.02 Authority**

A university is hereby instituted in this state, the government whereof shall be vested in a board of curators (RSMo. 1939, 172.010).

It is hereby provided that the Board of Curators of the Lincoln University shall organize after the manner of the Board of Curators of the state University of Missouri; and it is further provided, that the powers, authority, responsibilities, privileges, immunities, liabilities and compensation of the Board of Curators of the Lincoln University shall be the same as those prescribed by statute for the Board of Curators of the state University of Missouri, except as stated in this chapter (RSMo. 1939, 175.040).

The Board of Curators of the Lincoln University shall be authorized to afford to its students training up to the standards furnished at the state University of Missouri. To this end the Board of Curators shall be authorized to purchase necessary additional land, erect

necessary additional buildings, to open and establish any new school, department or course of instruction, to provide necessary additional equipment, and to locate the respective units of the university wherever in the state of Missouri in their opinion the various schools will most effectively promote the purposes of this chapter (RSMo. 1939, 175.050).

### **1.03 Board to Prescribe Own Government**

The curators shall have power to make such bylaws or ordinances, rules and regulations as they may judge most expedient for the accomplishment of the trust reposed in them, and for the government of their officers and employees, and to secure their accountability, and to delegate so much of their authority as they may deem necessary to such officers and employees or to committees appointed by the Board (RSMo. 1939, 172.100).

### **1.04 Guiding Principle**

As its guiding principle in the control and administration of the university, the Board of Curators conforms to the following statement of policy:

It is a rather generally accepted opinion that the functions of boards of control and of committees of the board should be the consideration and approval of policies rather than the execution of these policies.

The Board may properly act either directly or through its committees on any question in which its legal responsibilities are involved or on matters affecting the administration of invested funds. On other matters the Board is expected to act through its constituted executive officers.

This principle does not preclude action of an advisory nature by the Board or by committees of the Board, but there should be no interference by the Board with the detailed administration of the institution.

The Board should act either as a whole or through committees with specifically delegated power. It should be clear that the members of the Board have no power individually or personally to make decisions concerning the institution except as that power has been specifically delegated to them by the Board itself.

The Board should have authority to make final decisions affecting the institution without the necessity of having such decisions reviewed, and possibly reversed, by any higher agency.

### **1.05 Qualifications**

The Board of Curators of Lincoln University of Missouri shall hereafter consist of nine members who shall be appointed by the governor, by and with the advice and consent of

the Senate. No person shall be appointed a curator who shall not be a citizen of the United States and who shall not have been a resident of the state of Missouri two years next prior to her or his appointment. Not more than five curators shall belong to any one political party (RSMo. 1939, 1965, 1986, 1998, 2001, 175.020).

#### **1.06 Non-voting Student Representative Appointed to the Board**

1. The governor shall, by and with the advice and consent of the Senate, appoint a student representative to the Board of Curators of Lincoln University, who shall attend all meetings and participate in all deliberations of the Board. Such student representative shall not have the right to vote on any matter before the Board.
2. Such student representative shall be a full-time student at the university as defined by the Board, selected from a panel of three names submitted to the governor by the student government association of the university, a citizen of the United States, and a resident of the state of Missouri. No person may be appointed who is not actually enrolled during the term of her or his appointment as a student at the university.
3. The term of the student representative shall be two years.
4. If a vacancy occurs for any reason in the position of student representative, the governor shall appoint a replacement who meets the qualifications set forth in subsection 2 of this section and who shall serve until her or his successor is appointed and qualified.
5. If the student representative ceases to be a student at the university, or a resident of the state of Missouri, or fails to attend any regularly called meeting of the Board of which the representative has due notice, the position shall at once become vacant, unless the absence is caused by sickness or some accident preventing the representative's arrival at the time and place appointed for the meeting.
6. The student representative shall receive the same reimbursement for expenses as other members of the Board of Curators receive pursuant to section 175.030.
7. Unless alternative arrangements for payment have been made and agreed to by the student and the university, the student representative shall have paid all student and tuition fees due prior to such appointment and shall pay all future student and tuition fees during the term of office when such fees are due (RSMo. 1986, 2001, 175.021).

## **1.07 Confidentiality**

1. For the purpose of this chapter, confidentiality, as determined by the Board and provided by law, shall apply to all members and representatives on the Board.
2. Any member or representative on the Board may excuse herself or himself from any deliberation or proceeding of the Board.
3. Upon a unanimous affirmative vote of the members of the Board who are present and who are not student representatives, a given meeting closed pursuant to sections 610.021 and 610.022, RSMo, shall be closed to the student representative (RSMo. 2001, 175.023).

## **1.08 Records Open to Public and Exceptions**

1. Any citizen of the state shall, at all times, have access to and be permitted to take copies of any or all the records, books, and papers of the Board except as described below or as otherwise prescribed by law or by action of the Board of Curators.
2. Designation of Closed Records

The following records and records relating to the following subjects, whether currently existing or hereafter created or received, are hereby designated as closed records:

- A. Legal actions, causes of action or litigation and any confidential or privileged communications with representatives and attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving the Curators of Lincoln University of Missouri or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011 RSMo; however, the amount of any moneys paid for settlement shall be disclosed, provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record.

- B. Leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration thereof. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate shall be made public upon execution of the lease, purchase or sale of the real estate.
- C. Hiring, firing, disciplining or promoting of particular employees when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken, to hire, fire, promote or discipline an employee shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two hour period before such decision is made available to the public. As used in this subdivision, the term “personal information” means information relating to the performance or merit of individual employees.
- D. The state militia or National Guard or any part thereof.
- E. Non-judicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment.
- F. Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years. This paragraph shall be subject to and construed to be consistent with existing and subsequent policies regarding maintenance and disclosure of educational records, including but not limited to policies issued in compliance with or in regard to the federal Family Educational Rights and Privacy Act (FERPA).
- G. Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again.
- H. Welfare cases of identifiable individuals.
- I. Preparation, including any discussions or work product, on behalf of the Board of Curators or its representatives for negotiations with employee groups.
- J. Software codes for electronic data processing and documentation thereof.

- K. Specifications for competitive bidding, until either the specifications are officially approved by the Board of Curators or the specifications are published for bid.
- L. Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected.
- M. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees once they are employed as such, and the names of private sources donating or contributing money to the salary of the president of the university and the amount of money contributed by the source.
- N. Records which are protected from disclosure by law.
- O. Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest.
- P. Records relating to municipal hotlines established for the reporting of abuse and wrongdoing.
- Q. Confidential or privileged communications with auditors, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to Chapter 610 RSMo.
- R. Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, it shall be affirmatively stated in writing that disclosure would impair the ability to protect the safety or health of persons, and shall in the same writing state that the public interest in non-disclosure outweighs the public interest in disclosure of the records. If the authority to close the records referred to above in this subsection sunsets and no replacement authorizing such records to be closed is adopted by the state of Missouri, this subsection shall thereafter lapse and be of no force or effect.
- S. Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is

voluntarily submitted by a non-public entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety.

- i. Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open.
- ii. When seeking to close specific information pursuant to this exception, the Board of Curators shall affirmatively state in writing that disclosure would impair the Board's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in non-disclosure outweighs the public interest in disclosure of the records.
- iii. Records that are voluntarily submitted by a non-public entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned or destroyed.
- iv. If the authority to close the records referred to above in this subsection sunsets and no replacement authorizing such records to be closed is adopted by the state of Missouri, this subsection shall thereafter lapse and be of no force or effect.

T. Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open.

U. Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using

a credit card or other method of payment for which reimbursement is made by a public governmental body.

- V. Investigative reports of the Department of Public Safety or other law enforcement agencies are hereby designated as closed records pursuant to section 610.100.2 RSMo. That section provides that “. . . investigative reports of all law enforcement agencies are closed records until the investigation becomes inactive.” Section 610.100.1(3) defines “inactive” as (a) when the agency has decided not to pursue the case, (b) the statute of limitations has expired, or (c) all resulting convictions have become final. Although investigation reports are closed records, arrest and incident reports are open records.
  - W. Records of, regarding or submitted to the Board of Curators during or in connection with a lawfully closed meeting or vote.
3. The purpose of this rule is to close all records that may legally be closed until such time as they are made open by majority vote of the Board of Curators or by written decision of the president of the university. Closed records shall not become open as a result of the negligent or unauthorized use or disclosure of those records.
  4. Closed records may be made available to individuals with a legitimate need to know as necessary for the accomplishment of university business and such availability and use shall not open the records generally. The university’s attorney may authorize disclosure of closed records when such disclosure may avoid litigation or settle disputes or as required by a court or in the process of litigation. Such disclosure shall not open the records generally. Individuals receiving or using closed records owe a duty to the Board of Curators to maintain the confidentiality of those records.
  5. This rule shall be construed to be consistent with applicable law and guided by the concept that all records allowed to be closed are and shall be closed until opened by majority vote of the Board or Curators or by written decision of the president of the university.
  6. If the laws governing public access to records are amended from time to time to limit the ability of the Board of Curators to lawfully close records, this rule shall be automatically amended to make it consistent with such newly adopted law. If a change in the applicable law allows the Board of Curators to close a new category of records, this rule shall be automatically amended to designate such records as closed.

(RSMo. 2007 Supp., Chapter 610 and RSMo. 2000, §172.180)



### **1.08.1 Records Access Policy**

Lincoln University has adopted the following policy with regard to the access to and/or release of copies of records of the curators of the university:

1. The university shall provide access to records of the Board which have not been designated “closed records” (as defined above in section 108 and in RSMo. 610). Copies of records which have not been designated as “closed records” shall be available upon request and as provided therein.
2. Requests for access to records shall be made to the university staff secretary to the Board of Curators (who has been named by the Board as the Custodian of Records).
3. Copies of public records shall be available. A fee for copying may be assessed.
4. Original documents may not be removed from the Office of the Custodian of Records.
5. The university reserves the right to revise this policy as staffing and circumstances require.

### **1.09 Attendance of Press at Board Meetings**

All open meetings of the Board of Curators shall be open to the news media.

News representatives may be seated in a designated area of the meeting room. They may not have direct contact or communication with the Board of Curators unless first recognized by the president of the Board of Curators. The news media is permitted to operate still and television cameras and other recording devices during the open session.

At the conclusion of the meetings, a press conference may be held for press representatives attending the meeting in order to clarify actions taken by the Board. Background materials, if available, will be distributed to the media in order to provide greater understanding of matters considered by the curators. At the press conference, still and television cameras and other recording devices will be permitted.

### **1.10 Communications with the Board**

All communications to the Board of Curators shall be filed in writing with the president of the university. The president of the university shall have authority to read the communications and to make thereon any comments he/she may see fit, but the president may have no authority to delay or withhold any communication addressed to the Board or to any of its committees or officers.

### **1.11 Presentations Before the Board**

Any individual or group desiring to make a presentation before the Board of Curators may be placed on the agenda for a regular meeting if a written request to the Board

through the Office of the President of the University is received at least two weeks prior to the meeting. The request shall include the name(s) of the individual or group making the request together with a summary of the presentation. It will be the responsibility of the Executive Committee of the Board of Curators to decide whether the request will be approved. If the request is approved, the president of the Board shall determine an appropriate amount of time to be allowed for the presentation and shall relay the decision to the initiator of the request.

A request by an individual or group to present a matter that should be handled by the university administration shall be denied.

Presentation request forms are available in the Office of the President of the University.

### **1.12 Effective Date of New Policies**

Each university policy statement, rule or regulation approved by the Board of Curators shall become effective at the beginning of the first business day following approval unless a different day and time is fixed, upon approval, as the effective day and time of said policy statement, rule or regulation.

### **1.13 Students' Right to Present Petitions**

No rule or regulation shall ever be established by the Board which shall in any way limit the right of the students of the university, or any of its departments, to present their grievances, and to ask for their redress by respectful petitions presented to the Board (RSMo. 1939, 172.370).

### **1.14 Authority to Confer Degrees**

The curators shall have the authority to confer, by diploma, under their common seal, on any person whom they may judge worthy thereof, such degrees as are known to and usually granted by any college or university (RSMo. 1939, 172.280).

Commencement will be held once each year in May for students who complete all degree requirements in the previous December or in May. Students who will complete all requirements during the summer semester will be allowed to participate providing they file for graduation, pay the graduation fee, enroll in all courses needed for graduation, and sign an agreement acknowledging that they understand that their degree will not be conferred until after the end of the summer session.

### **1.15 Relatives of Curators Not to be Employed**

No person who is related by blood or marriage to any member of the Board of Curators of the university shall be appointed to any position in the university as officer, member of any faculty or employee (RSMo. 1939, 172.310). (See Chapter VIII, section 8.58: Nepotism Policy.)

## **1.16 Employment of Faculty and Employees: Compensation, Retirement, Death and Disability Plans**

The curators may appoint and remove, at discretion, the president, deans, professors, instructors and other employees of the university; define and assign their powers and duties, and fix their compensation, and such compensation may include payments under, or provision for, such retirement, disability, or death plan or plans as the curators deem proper for persons employed by the university and paid out of any of its public funds for educational services, their beneficiaries or estates, and the curators may administer such plan or plans under such rules and regulations as they deem proper; and for these purposes the curators may use state-appropriated or other public funds under their control and pay or transfer such funds into a fund or funds for paying such benefits, and they may enter into agreements for and make contributions to both voluntary and statutory plans for paying such benefits (RSMo. 1939, 172.300).

## **1.17 Personnel Action Policy**

The following personnel actions are to be sent to the Board of Curators for **approval**:

1. All actions involving changes in compensation of vice presidents;
2. Certain personnel actions, as designated by the Board of Curators, during Board-declared periods of financial exigency, reductions in force, and/or administrative crises;
3. All recommendations for faculty promotion and tenure;
4. All recommendations for sabbaticals and leaves of absence.

The following personnel information will be furnished to the Board of Curators for **information only**:

1. All new, part-time and continuing appointments in the following categories:
  - a. administrative officers
  - b. administrative staff
  - c. academic administrative staff
  - d. any employee category if the personnel action has been recommended for a member of the immediate family of an administrative officer
2. All actions involving termination or non-reappointment of categories a, b, c, and d above.
3. A complete list of all university employees with their total salaries (twice yearly).

## **1.18 Salary Administration Policy**

The president of the university shall administer the salary program of the university. The president shall submit to the Board of Curators for approval the total amount requested

for salary increases and a listing of salary ranges for each job description annually.

### **1.18.1 Salaries—When Suspended**

Should the president, or any professor, instructor or other person holding office in the university, by selection, appointment, contract or engagement of the Board of Curators, fail to discharge for any length of time her/his official duties, without having obtained the permission of said Board, the salary or compensation of such president, professor, instructor or other person holding office in the university shall cease for the time he/she shall so fail to discharge her/his official duties, and no compensation shall be allowed for such time, but if said Board shall be satisfied that such president, professor, instructor or other person holding office in the university as aforesaid had good cause for failing to discharge her/his official duties, then no part of her/his salary or compensation shall be deducted or withheld on account of such failure (RSMo. 1939, 172.340).

### **1.19 Hiring Procedures Exemption**

Lincoln University, in compliance with the Equal Employment Opportunity Commission's "Uniform Guidelines for Employee Selection Procedures," has established the following hiring procedures exemption policy statement:

1. Any situation which, in the opinion of the area head or appointing officer, makes advertising impractical due to special circumstances may be considered for a hiring procedures exemption by the president of the university if so requested by the area head.
2. The presidential direct appointment procedure should be utilized under the special circumstances that make the regular selection and hiring process impractical. Hiring procedure exemptions shall be limited to **ten appointments** per fiscal year. Direct appointments will be monitored yearly by the Office of Human Resources to ensure that there is no adverse impact on the hiring, promotion, or other employment opportunities of members of any race, gender, or ethnic group. If a pattern of demographic appointments suggests such an adverse impact on any of the aforementioned groups, the president will be informed so that proper diversification of the workforce can be maintained and Equal Employment Opportunity guidelines can be met.
3. An intradepartmental promotion may be made without advertising a vacancy if the person promoted possesses the skills and qualifications required in the new assignment. All departmental personnel who are qualified will be considered.
4. Changes in titles and/or duties due to departmental reorganization shall not require the advertising of position vacancies.

## **1.20 Policy on Gifts and Donations**

All gifts to the university in the form of money and securities or in other forms, whether for the benefit of the entire institution or any of its departments or activities, must be reported to the president of the university and the Board of Curators. Gifts to the university may be accepted by the Board or by the president of the university or her/his designee. No officer or member of the staff of the university is permitted, without express permission of the Board of Curators, to accept a gift for building purposes or to accept a gift, the maintenance of which will add to the ordinary operating budget of the university.

Each gift is accepted subject to the general policy of the Board of Curators that the wishes of the donor(s) with respect to the disposition of the gift shall be observed, so long as in the opinion of the Board such wishes do not conflict with the proper administration of the university.

### **1.20.1 Accepting Gifts**

The vice president for Advancement ensures that all gifts are properly processed and acknowledged and that accounts are established for use of the proceeds. (See Chapter VI, section 6.10 and 6.11.)

Restricted gifts shall be accepted on condition that the university may use the funds or gift for other purposes if it becomes impractical or impossible to use the funds or gift for the original purpose.

The university reserves the right to dispose of gifts of tangible personal property as it deems appropriate and discourages such gifts that are made subject to the condition that they be kept for a certain period of time.

## **1.21 Expenditures from Gifts or Trust Funds**

Expenditures from gifts or trust funds or from income thereof shall be made in accordance with budgets approved by the Board of Curators and such expenditures shall be made in accordance with regular university policies and procedures and with requirements requested by the donors and approved by the Board. In all cases where no instructions have been provided by the donors, the Board shall approve the expenditures.

No pledge shall be made of or encumbrance placed upon any of the securities or other investments of the university, other than a pledge of securities in the General Fund upon the approval of the Board of Curators.

## **1.22 Student Loan Practices Code of Conduct**

The following policies are in regard to limitations on the university and its employees relative to lending institutions:

### **1.22.1 Prohibition of Certain Remuneration to University Employees**

1. No employee or agent of the university shall accept anything of more than nominal value on her or his own behalf or on behalf of another from or on behalf of a lending institution, except that this provision shall not be construed to prohibit any employee or agent of the university from conducting 1) non-university business with any lending institution, or 2) university business unrelated to education loans. As used in the preceding sentence and throughout the Student Loan Practices Code of Conduct, a lending institution is defined as:
  - a. any entity that itself or through an affiliate engages in the business of making loans to students, parents or others for purposes of financing higher education expenses or that securitizes such loans; or
  - b. any entity, or association of entities, that guarantees education loans; or
  - c. any industry, trade or professional association that, to the best of the university's knowledge after reasonable inquiry, receives money from any entity described above in subsections (a) and (b).

Nothing in this provision or throughout the Student Loan Practices Code of Conduct shall prevent the university from holding membership in any nonprofit professional association.

2. The prohibition set forth in the previous paragraph shall include, but not be limited to, a ban on any payment or reimbursement by a lending institution to a university employee for lodging, meals, or travel to conferences or training seminars unless such payment or reimbursement is related solely to non-university business or university business unrelated to education loans.

### **1.22.2 Limitations on University Employees Participating on Lender Advisory Boards**

No employee or agent of the university shall receive any remuneration for serving as a member or participant of an advisory board of a lending institution, or receive any reimbursement of expenses for so serving, provided, however, that participation on advisory boards that are unrelated in any way to higher education loans shall not be prohibited by the Student Loan Practices Code of Conduct.

### **1.22.3 Prohibition of Certain Remuneration to the University**

The university will not accept on its own behalf anything of value from any lending institution in exchange for any advantage or consideration provided to the lending institution related to its education loan activity. This prohibition shall include, but not be limited to 1) "revenue sharing" by a lending institution with the university, 2) the university's receipt from any lending institution of any computer hardware for which the university pays below-market prices, and 3)

printing costs or services. Notwithstanding anything else in this paragraph, the university may accept assistance as contemplated in 34 CFR 682.200 (b) (definition of “Lender”) (5) (I).

#### **1.22.4 Preferred Lender Lists**

In the event that the university promulgates a list of preferred or recommended lenders of similar ranking or designation (“Preferred Lender List”), then:

1. Every brochure, Web page or other document that sets forth a Preferred Lender List must clearly disclose the process by which the university selected lenders for said Preferred Lender List, including but not limited to the criteria used in compiling said list and the relative importance of those criteria.
2. Every brochure, Web page or other document that sets forth a Preferred Lender List or identifies any lender as being on said Preferred Lender List shall state in the same font and same manner as the predominant text on the document that students and their parents have the right and ability to select the education loan provider of their choice, are not required to use any of the lenders on said Preferred Lender List, and will suffer no penalty for choosing a lender that is not on said Preferred Lender List.
3. The university’s decision to include a lending institution on any such list and the university’s decision as to where on the list the lending institution’s name appears shall be determined solely by consideration of the best interests of the students or parents who may use said list without regard to the pecuniary interests of the university.
4. The constitution of any Preferred Lender List shall be reviewed no less than annually.
5. No lending institution shall be placed on any Preferred Lender List unless the said lender provides assurance to the university and to student and parent borrowers who take out loans from said lending institution that the advertised benefits upon repayment will continue to inure to the benefit of student and parent borrowers regardless of whether the lending institution’s loans are sold.
6. No lending institution that, to the best of the university’s knowledge after reasonable inquiry, has an agreement to sell its loans to another unaffiliated lending institution shall be included on any Preferred Lender List unless such agreement is disclosed therein in the same font and same manner as the predominant text on the document in which the Preferred Lender List appears.
7. No lending institution shall be placed on any one of the university’s Preferred Lender Lists or in favored placement on any one of the university’s Preferred Lender Lists for a particular type of loan, in exchange for benefits provided to

the university or to the university's students in connection with a different type of loan.

8. Beginning August 1, 2007, no lending institution shall be placed on any one of the university's Preferred Lender Lists unless said lending institution has agreed with the Missouri Attorney General to abide by a Lending Code of Conduct, unless the Missouri Attorney General informs the university that it no longer offers such agreements.

#### **1.22.5 Prohibition of Lending Institution's Staffing of University Financial Aid Offices**

No employee or other agent of a lending institution may ever be identified to students or prospective students of the university or their parents as an employee or agent of the university. No employee or other agent of a lending institution may staff the university financial aid offices at any time.

#### **1.22.6 Proper Execution of Master Promissory Notes**

The university shall not link or otherwise direct potential borrowers to any electronic master promissory notes or other loan agreements that do not allow students to enter the lender code or name for any lender offering the relevant loan.

#### **1.22.7 School as Lender**

If the university participates in the "School as Lender" program under 20 U.S.C. § 1085(d) (1) (E), the university may not treat School As Lender loans any differently than if the loans originated directly from another lender; all sections of the Student Loan Practices Code of Conduct apply equally to such School as Lender loans as if the loans were provided by another lender.

#### **1.22.8 Prohibition of Opportunity Loans**

1. As used herein, "override pools," "opportunity funds," and "opportunity loans" refer to any agreement, understanding or practice in which a lender applies more lenient loan underwriting criteria than it otherwise would to a certain class of loan applicants if the university meets certain milestones or metrics with respect to other loans with that lender, such as the number of loans initiated or in force, or the dollar amount of such loans, or where the lender agrees with the university to lend money to students outside the Federal Family Education Loan Program (FFELP), at the direction of the university, in exchange for the university dropping out of the federal direct loan program and/or marketing the lender's separate FFELP loans to students.



2. The university shall not arrange with a lending institution to participate in any override pools, opportunity funds, or opportunity loans, as defined above, if the participation in such program(s) prejudices any other borrower.

### **1.23 Social Security Number Policy**

Given that social security numbers are highly confidential and legally protected, Lincoln University shall protect the privacy and legal rights of its employees and students, including potential employees and potential students, by the institutionalization of safeguards on the collection and use of social security numbers. To this end, the university will work diligently toward the disuse of social security numbers as common identifiers, except where required for employment, financial aid, and other legal transactions. When the social security number is required or requested, a disclosure statement will be provided in compliance with the Federal Privacy Act of 1974, the Family Education Rights and Privacy Act (FERPA), and other applicable federal and state laws.

### **1.24 Lincoln University Code of Conduct**

This code establishes the university's expectation of integrity and ethical and professional conduct by the following members of the Lincoln University community: members of the Board of Curators; executive officers, faculty, staff, and other individuals employed by the university and using university resources or facilities; consultants, vendors and contractors when they are doing business with the university; and volunteers and representatives acting as agents of the university. The code is not an attempt to define specifically what one should and should not do, but to communicate that Lincoln University affirms that conduct consistent with accepted standards is an integral part of its mission.

Consequently, each Lincoln University community member must transact university business in compliance with all federal and state laws and in accordance with the university policies and regulations established by the Board of Curators. Executive officers, managers and supervisors are responsible for knowing the laws and regulations that are relative to their positions and responsibilities and for systematically teaching and monitoring compliance in their areas. Examples include but are not limited to human resources and employment regulations, conflict of interest policies, confidentiality, security and integrity of university documents and records, computer use and security policies, procurement guidelines, sound business practices, environmental health and safety regulations, and ethical stewardship of the university's property and resources. Located appropriately throughout the Rules and Regulations, these standards of conduct, supported through policies, procedures and workplace rules, provide guidance for making decisions and exemplify the institution's commitment to responsible and ethical behavior.

Students are not subject to this code unless they are employed by the university, but must comply with the university's Student Code of Conduct as described in the Student Affairs chapter and published in the official Student Handbook.

## **1.25 Tobacco Policy**

Lincoln University strives to present a healthy, safe and clean campus environment for its students, employees, and visitors. For this reason, use of any tobacco product, including but not limited to cigarettes, smokeless tobacco, and e-cigarettes is prohibited on campus. The policy applies to all buildings on and off the main campus whether owned or leased by Lincoln University, university vehicles, open-air spaces and common areas. Effective date January 2013. (Approved – Board of Curators – April 27, 2012)

***A separate document, the Complete Bylaws and Rules of Procedure of the Board of Curators, is available in the Office of the President. No changes were made to that document.***

## **Authority of the University President**

### **1.40 Authority of the University President**

The president of the university is appointed by and serves at the discretion of the Board of Curators. Units and personnel which report directly to the president are listed in the current university organizational structure. Chairpersons of ad hoc task forces and other committees appointed by the president also report directly to the president. The various vice presidents are the administrative officers of the university. They also serve on the President's Cabinet, along with other members selected by the president.

### **1.41 Duties and Responsibilities of the President**

The president shall have general supervision of all business and financial operations of the university, including but not limited to the following:

- May execute deeds and instruments necessary for the proper conduct of university business
- May sign contracts dealing with operations and capital improvements for \$150,000 or less (Approved - Board of Curators - November 14, 2011)
- Approves travel expenses and requisitions
- Presents annually to the Board of Curators a budget with estimates of income and expenditures
- When necessary, is authorized to transfer funds from one expenditure category to another (Funds transferred must not result in a subsequent over-expenditure in the category from which the transfer was made.)
- Serves as executive head of the university faculty and of all colleges and departments
- Recommends/appoints suitable persons to fill vacancies
- May assign, transfer or reassign any employee to best achieve the mission and goals of the university
- Assumes primary responsibility for the enforcement of discipline
- May, for just cause, alter teaching loads
- May initiate the procedure for suspension or termination of any employee
- Shall be the official medium of communication between faculty, staff, and students of the university on the one hand and the Board of Curators on the other
- Supervises all university announcements and publications, none of which shall be officially issued without presidential approval
- Advises and informs the Board of Curators fully and promptly on all matters relating to the operations and welfare of the university
- Prepares an annual report on the work of the past year and the needs of the current year for presentation to the Board of Curators
- Has the right of veto upon any action or resolution of any college or school faculty or administrative body, if in her/his judgment the larger

interests of the university so require

- In the event of the intervention of her/his veto, shall communicate at once in writing to the body immediately affected by the reasons for such veto, which reasons shall be entered into the minutes of the proceedings. Should the faculty or administrative body enacting the resolution vetoed reconsider and reenact the same by a 2/3 vote, the measure shall become effective unless the same is nullified or reversed by the Board of Curators.

#### **1.42 Vice President for Academic Affairs and Provost**

The vice president for Academic Affairs (VPAA) and provost is appointed by and reports to the president of the university. Areas reporting to the VPAA are listed in the current university organizational structure. The primary duties of the VPAA are outlined in Chapter III. The VPAA shall have additional duties and responsibilities as may be assigned by the president. In the absence of the president, the VPAA shall serve on her/his behalf.

#### **1.43 Vice President for Administration and Finance**

The vice president for Administration and Finance (VPAF) is appointed by and reports to the president of the university. Areas reporting to the VPAF are listed in the current university organizational structure. The primary duties of the VPAF are outlined in Chapter IV. The VPAF shall have additional duties and responsibilities as may be assigned by the president. In the absence of the president and the VPAA, the VPAF shall serve on their behalf.

#### **1.44 Vice President for Student Affairs**

The vice president for Student Affairs (VPSA) is appointed by and reports to the president of the university. Areas reporting to the VPSA are listed in the current university organizational structure. The primary duties of the VPSA are outlined in Chapter V. The VPSA shall have additional duties and responsibilities as may be assigned by the president. In the absence of the president, the VPAA, and the VPAF, the VPSA shall serve on their behalf.

#### **1.45 Vice President for University Advancement**

The vice president for University Advancement (VPUA) is appointed by and reports to the president of the university. Areas reporting to the VPUA are listed in the current university organizational structure. The primary duties of the VPUA are outlined in Chapter VI. The VPUA shall have additional duties and responsibilities as may be assigned by the president.

#### **1.46 Assistant to the President for Enrollment Management and Student Success**

The assistant to the president for Enrollment Management and Student Success (AEMSS) is appointed by and reports to the president of the university. Areas reporting to the AEMSS are listed in the current university organizational structure. The primary duties of the AEMSS are outlined in Chapter VII. The AEMSS shall have additional duties and responsibilities as may be assigned by the president.

#### **1.47 Director of the Center for Assessment, Institutional Research and Planning**

The director of the Center for Assessment, Institutional Research and Planning is appointed by and reports to the president and is responsible for the following:

- Monitoring of student participation in student learning assessment activities
- Reporting of assessment results, both internally and externally
- Preparing reports for the U.S. Department of Education, as required by the Higher Education Act of 1965, as amended
- Institutional planning and providing technical support for campus departmental and interdepartmental planning activities
- Data collection activities (as assigned by the president) for Class A information for submission to the Missouri Department of Higher Education per Chapter 173 RSMo. (A schedule of Class A information is maintained in the office.)
- Any additional responsibilities as may be assigned by the president

#### **1.48 Chief Information Officer**

The chief information officer is appointed by and reports to the president and is responsible for directing and coordinating the planning and implementation of information resources for the university, including administrative computer needs, academic computer needs, office automation, telecommunications, and local networking. The chief information officer also is responsible for providing leadership, consultation, and assistance to the entire university community relative to technology needs. The comprehensive Information Technology Policies document, including appendices as well as the policies listed below, is available under the OIT link on the Lincoln University Web site.

##### **1.48.1 Responsibility**

###### Lawful Use

All use of computing resources is subject to federal, state, and local law and university regulations. Users must abide by all use restrictions, whether or not safeguards are built into the system, and whether or not restrictions can be circumvented by electronic means.

### Copyright

Users of technological resources must observe intellectual property rights, in particular the software copyright law. Users must refrain from using university trademarks or logos without prior authorization and from implying, by use of Lincoln University technological resources, that the person speaks for the university. For further copyright considerations, see Appendix A: Copyright, under the OIT link on the LU Web site.

### Proper Authorization

Except in cases of explicitly authorized external access, such as for incoming electronic mail, anonymous ftp or similar services, or specially authorized external users, Lincoln University computing resources are limited to members of the LU community. Users must not permit or assist any unauthorized person in accessing OIT facilities.

Authorization for other external use of the university's computing resources by outside organizations or individuals requires written approval of the president, and will be granted only when that use is determined to further the university's mission.

### Account Ownership

Another person may not use an account assigned to an individual. Faculty, students and staff are individually responsible for the proper use of their accounts, including proper password protection and appropriate use of computing resources.

### Personal Identification

Users of university computing resources, including microcomputers, workstations, printers, or other public facilities, must show identification upon request by members of the Lincoln University Department of Public Safety, OIT staff, or any other authorized university official.

### Contracts

All use of university computers and networks must be consistent with all contractual obligations of the university, including limitations defined in software and other licensing agreements

### External Data Networks

Users shall observe all applicable policies of external data networks when using such networks, including sites visited via the Internet.

### Access to Data

Users must allow OIT personnel access to data files kept on OIT systems for the purpose of systems backups or diagnosing systems problems, including rules violations.

### For-Profit Use

Without specific authorization, all activities conducted through Lincoln University computing resources for personal profit or for the direct financial benefit of any non-Lincoln University organization are prohibited. However, this is not meant to restrict normal communications and exchange of electronic data, consistent with the university's education and research roles that may have an incidental financial or other benefit for an external organization. For example, it is appropriate to discuss products or services with companies doing business with Lincoln University or to contribute to Usenet bulletin boards discussing issues relating to commercial products. (See Attachment I, "MOREnet Acceptable Use Policy," under the OIT link on the LU Web site.)

### Incidental Personal Use

Incidental personal use of university computing resources may be allowed when such use does not interfere with university operations, does not compromise functioning of the university's network, or does not interfere with the user's employment or other obligations to the university.

### Threats and Harassment

University computing resources may not be used to threaten or harass any person. A user must cease sending messages or interfering in any way with another user's normal use of computing resources if the aggrieved user makes a reasonable request for such cessation. The university's Sexual Harassment policy is extended to include harassment via computing resources.

### Modification of Data or Equipment

Without specific authorization, users of OIT computing or network facilities may not cause, permit, or attempt any destruction or modification of data or computing or communications equipment, including but not limited to alteration of data, reconfiguration of control switches or parameters, or changes in firmware. This rule seeks to protect "data, computing, and communications equipment" owned by OIT, Lincoln University, or any other person or entity. "Specific authorization" refers to permission by the owner or designated administrator of the equipment or data to be destroyed or modified.

### Removal of Data or Equipment

Without specific authorization by the owner or designated administrator, users may not remove any university owned or administered equipment or documents from a university facility.

### Foreign Devices

Without specific authorization, users must not physically or electrically attach any foreign device (such as an external disk, printer, or video system) to OIT equipment or networks.

## **1.48.2 Security**

### Level of Security

Unless otherwise guaranteed, users should regard the network communication infrastructure as not secure from invasive technologies. OIT policy will ensure the greatest degree of confidentiality possible. (See “Privacy Considerations” under the OIT link on the LU Web site.)

### Concealed Identity

Users may not intentionally conceal their identity when using university computing resources.

### Unauthorized Data Access

Users may not make or attempt any deliberate, unauthorized access to or changes in data on a university computing resource, for example to read personal communications of other users or to access confidential university files.

### Security Compromise

Users shall not defeat or attempt to defeat or circumvent OIT security systems, such as by "cracking" or guessing user identifications or passwords or by compromising room locks or alarm systems.

### Data Interception

Users may not intercept or attempt to intercept data communications not intended for that user's access, for example, by "promiscuous" wiretapping.

### Denial of Service

Users may not deny or interfere with or attempt to deny or interfere with service to other users, e.g., by means of "resource hogging," distribution of computer worms or viruses, etc.

### Personal Responsibility

Users are responsible for the security of their OIT accounts and passwords. Any user changes of password must follow published guidelines for good passwords. Accounts and passwords are normally assigned to single users and may not be shared with any other person without OIT authorization. Users must report any observations of attempted security violations.

## **1.48.3 Software Use Policy**

Unauthorized copying of software is illegal. Copyright law protects software authors and publishers, just as patent law protects inventors. Further information on software use is found in Appendix A: Copyright, and Appendix B: Software Use Policy, under the OIT link on the LU Web site.



#### **1.48.4 World Wide Web Policies**

The Lincoln home page <http://www.lincolnu.edu> is an official publication of the university. Unless otherwise indicated, all materials, including text and photographs, appearing on the home page or subsequent official home pages of specific departments are copyrighted and shall not be reproduced without written permission from the university.

Web pages linked to the Lincoln University Web site may be created by academic departments, administrative departments, programs, centers or institutes, governance groups, and faculty and staff.

Recognized student groups may create home pages that are linked to the Lincoln University Web site with the approval of the vice president for Student Affairs.

The official Lincoln University root Web pages are the responsibility of the Web Content Manager. Content for all root Web pages must be submitted to the Office of Public Information and University Affairs for approval before being placed on the Lincoln home page. Content on subsequent official Lincoln University pages, such as academic department pages, administrative department pages, pages for programs, governance groups, or centers or institutes, must be approved by the department head, director, or person in authority to speak for that entity, and must conform to Lincoln University guidelines for Web page design. Class pages and faculty and staff personal pages must conform to Lincoln University guidelines for Web page design. (See Appendix C: World Wide Web Policies and Guidelines, under the OIT link on the LU Web site.)

Plagiarism of World Wide Web documents, graphics, or other resources is prohibited.

Hosting material that is illegal or dangerous is strictly forbidden. Examples of such material include pirated or unlicensed programs or applications, viruses or material containing viruses, documents containing information that is intended to be used in the perpetration of illegal activities, unlicensed music, art or other copyrighted material, or any material that causes disruption of the university network.

Further guidelines and procedures regarding Web pages and document design can be found in Appendix C under the OIT link on the LU Web site.

#### **1.48.5 Electronic Mail (E-Mail) Policies**

E-mail shall be used only for purposes that support the Mission Statement of the university. These uses are for research, education, or the support of academic pursuits. E-mail may not be used for commercial activities except in direct support of the mission of the university. Any harassment via e-mail is strictly

prohibited and will be grounds for the removal of e-mail privileges. Use of e-mail in opposition to the MOREnet acceptable use policies is not allowed.

Knowing or reckless distribution of unwanted e-mail or other messages is prohibited. Specifically, chain letters and other schemes that may cause excessive network traffic or computing load are prohibited.

Posting a message to multiple listservs, distribution lists, or news groups with the intention of reaching as many users as possible is prohibited, unless the posting is job or research related.

Further guidelines and procedures regarding electronic mail can be found in Appendix D: Electronic Mail Policies, under the OIT link on the LU Web site.

Official notices and information regarding the University will be sent through the LU e-mail system and/or posted on the Blue Tiger Portal. Each student, faculty member and staff member receives an official LU host e-mail account and network ID (user name) and password. Each individual who has an LU e-mail and/or access to the Blue Tiger Portal is responsible for monitoring, in a timely manner, their account as well as for any consequences of missing important messages.

#### **1.48.6 Violations and Enforcement Procedures**

Users must report any evidence of violation of these policies to appropriate OIT personnel and/or other university authorities. Users must not conceal or help to conceal or "cover up" violations by any party. The policies described herein (and in the comprehensive Information Technologies Policies document under the OIT link on the LU Web site) are those that Lincoln University intends to use in normal operation of its computing resources.

Any actual or suspected violation of the policies must be brought to the attention of the director of the Office of Information Technology, other appropriate OIT personnel, and/or other university authorities.

OIT is authorized by the university to enforce these policies and regulations. Such enforcement may include temporary or permanent reduction or elimination of access privileges with prior notification and approval by the Lincoln University administration, except in extraordinary cases in which any delay may seriously threaten the integrity of facilities, user services or data. In such extraordinary cases, OIT must, as soon as possible, notify the administration of any actions taken, including a statement describing the act, conduct or circumstances compelling OIT to act without prior notice and approval of the administration. When OIT believes it necessary to preserve the integrity of facilities, user services, or data, OIT may, with prior notice and approval of the administration, suspend any account, whether or not the account owner (the user) is suspected of

any violation. OIT will attempt to notify the user of any such action.

#### Sanctions

Violators of this policy will be subject to the existing student or employee disciplinary procedures. Sanctions may include the loss of computing privileges. Illegal acts involving Lincoln University computing and networking resources may also subject users to prosecution by state and federal authorities.

### **1.48.7 Technology Purchases**

All computer software and hardware purchases must be submitted to OIT for review, before purchase orders will be processed. OIT staff will review each recommendation/request in terms of compatibility, server resources, licensing agreements, etc.

Hardware and software requests that affect instructional or open labs must be made at least one month prior to the semester start date, to coordinate server resources and to investigate compatibility issues with other campus software.

### **1.48.8 Telecommunications Policies**

The university will maintain a telecommunications infrastructure to provide communication and information services to all authorized users to support teaching, research, and administrative functions.

#### Access

All university employees will be provided with access to a standard telephone to conduct university business. At the discretion of area heads and in line with purchasing protocols, mobile phones may also be provided.

The university will provide a minimum of one analog telephone jack per residence hall room. Student residents are responsible for providing their own telephone handset and long distance service.

#### Acceptable Use: Employees

Employees are not authorized to contract telecommunication services except through OIT.

Employees are expected to be judicious in the use of university telephones for personal calls. Employees are not permitted to use university phones for personal calls that incur costs. Except for emergencies, reverse-charge and personal calls may not be accepted or made on university telephones by employees. An employee who makes or accepts such calls may be liable for any costs incurred. Directory assistance calls (cost-incurred) should be limited to those of an essential nature.

The university switch board operator may not accept reverse charge calls to the university.

Administrative units wanting to make a toll-free number available to callers must use a university-authorized carrier.

Acceptable Use: Students

Students are not permitted to make long distance calls or accept collect calls or charge back services to university extensions. Students incurring such charges are liable for any costs incurred.

Compliance

The university may impose disciplinary procedures for misconduct in the area of telecommunications as provided under the Discipline Policy, Chapter VIII, section 8.61, and under the Student Code of Conduct.

**1.48.9 Employee Laptop Policies**

This policy applies to all faculty and staff who are issued a Lincoln University-owned laptop (portable computer).

University-issued laptops are intended for university-related business: as a productivity tool, a curriculum tool, for research, and/or for work-related communication. They are not intended to be replacements for personally-owned computers. Use of the university-issued laptop for other purposes must comply with OIT “Responsibility” policies. (See section 1.48.1.)

University-issued laptops remain the property of Lincoln University. Each unit must be labeled with a unique property ID. This property ID may not be removed from the laptop.

Employee Responsibilities

Employees who are issued a laptop should

1. minimize the storing of student and alumni data that is deemed “confidential”;
2. adhere to any encryption standards set by the university;
3. take appropriate precautions to prevent damage to or loss/theft of the computer. Employees may be held responsible for costs to repair or replace the computer if damage or loss is due to negligence or intentional misconduct;
4. report a lost or stolen laptop immediately to Public Safety and to the OIT Help Desk; for theft or loss off campus, employees must also notify the local police station. Any reports must include the laptop’s serial number.

## University Responsibilities

The university will

1. secure services to repair any laptop still under warranty should its operation be impaired by a component failure or by normal wear and tear;
2. ensure that all laptops are configured with a standard suite of programs that are appropriate for the computer, based on campus software standards and upon the professional needs of the employee to whom the laptop is issued.

Further information and an “Appropriate Use Statement” that must be signed by any employee issued a laptop is available under the OIT link of the LU Web site.

### **1.48.10 Student Residence Hall Network Connection Policies**

**Policies pending from OIT/LUTC.**

#### **1.50 Internal Auditor**

The internal auditor is appointed by and reports to the president and is responsible for the following:

- Reviewing and appraising the business activities of the university, the integrity of its records, and the general effectiveness of operations
- Development of a comprehensive audit program designed to ensure that internal control system safeguards are in place
- Performance of various types of audits, including financial, operational, performance, and compliance
- Any additional responsibilities as may be assigned by the president

#### **1.52 Director of Athletics**

The director of Athletics is appointed by and reports to the president and is responsible for the following:

- Planning, administering, coordinating, organizing, and evaluating the entire athletic program
- Ensuring compliance with all NCAA, Conference, and university regulations
- Preparing and implementing a long-range plan for intercollegiate athletics, including the development of a policy manual
- Budget preparation
- Management of athletic facilities
- Developing and conducting fund-raising activities within university guidelines

- Promoting athletics to the general public
- Promoting the educational welfare of the student athlete
- Any additional responsibilities as may be assigned by the president

#### **1.54 Counsel to the President**

The counsel to the president is appointed by and reports to the president, to whom he/she serves as legal advisor. The counsel is responsible for the following:

- Providing advice to the administration as directed by the president, wherever legal questions arise
- Drafting, revision and review of contracts
- Preparation of instruments for the conveyance of real property
- Review of institutional employment practices
- Review of policies governing student conduct, student discipline, requirements for non-discrimination in educational benefits, and other matters
- Review of institutional policies
- Examination of university activities as they may relate to possible tort liability
- Participation in all other areas of the university operation in which legal questions may arise
- Any additional responsibilities as may be assigned by the president

The counsel to the president shall not provide legal advice to individuals or university employees on matters unrelated to university business or on matters which create a potential or actual conflict of interest with respect to counsel's role as counsel to the university.

#### **1.56 Executive Assistant to the President**

The executive assistant to the president is appointed by and reports to the president. He/she shall have such duties and responsibilities as assigned by the president.

#### **1.58 University Marshal**

The university marshal is appointed by and reports to the president and is responsible for the following:

- Administers the details related to the planning, coordination and implementation of formal academic activities such as commencement, inaugurations, coronations, and convocations in which the university as a whole may be represented
- Participation in activities or programs in which special or official guests of the university are hosted
- Any additional responsibilities as may be assigned by the president

## **1.60 Development and Oversight of University Policies**

An individual, a committee, a department, a college, a unit, or any other university group may bring a proposal for a new policy, a change in policy, or a deletion of a policy to the appropriate chair(s) of one or both shared governance bodies or to the appropriate administrative officer. If the proposal is passed or accepted, it will then be sent through the appropriate chain of command. At any point in this process, the President may seek the advice of any individual or committee. The Board will be the final authority on all policies in the Lincoln University Rules and Regulations.

Once the proposal has final approval, it must be sent to the Rules and Regulations Review Committee (a standing university committee charged by the president). This committee shall be responsible for determining where the new policy should be placed in the Rules and Regulations document and whether it replaces or conflicts with an existing policy, in which case the existing policy would be revised to reflect adoption of the new policy or deleted. (Approved - Lincoln University Board of Curators - June 17, 2010)

## **1.61 Communicating University Policy Changes**

Policy changes affecting employees and students will be sent to the appropriate shared governance body for information and comment before being sent through the appropriate chain of command.

## **1.62 Honorary Degrees**

The president of the university awards honorary degrees upon approval by the Board of Curators.

The Board of Curators is authorized by the state of Missouri to award the honorary degrees of Doctor of Laws (Hon. LL.D), Doctor of Humane Letters (Hon. D.H.L.), Doctor of Science (Hon. D. Sc.), Doctor of Fine Arts (Hon. D.F.A.), Doctor of Divinity (Hon. D.D.), and Doctor of Letters (Hon. Litt.D). Individuals eligible for nomination and consideration for these degrees are persons who 1) have achieved records of distinction at the local, state, national or international level in education, public service, literature, business or other professions; and 2) have made a significant financial contribution to Lincoln University, *or* have made some other extraordinary, widely-recognized and noteworthy contribution to the enhancement of Lincoln University.

The names of candidates for an appropriate honorary degree must be submitted to the president of the university for consideration by September 1<sup>st</sup> for the December commencement and February 1<sup>st</sup> for the May commencement. The president makes the final selection and submits the name(s) of the candidate(s) to the Board of Curators for approval. The Board will act on the recommendation in closed session of the Board meeting.

Anyone submitting a name for consideration should provide to the president a letter of recommendation, a résumé including biographical information, and three letters supporting the nomination of the candidate.

During the nomination and approval process, the names of the nominees must be held in the strictest of confidence until the Board has approved the award(s) and the intended recipient(s) indicate(s) willingness to accept the honor and attend the commencement ceremonies.

## **1.64 Policy on Naming of Campus Facilities, Rooms & Programs**

### Procedural Guidelines

When it appears that a contribution to the University or to the Lincoln University Foundation, Inc. will result in a request to name a building, portion of a building or University program for a donor or individual, the Special Assistant to the President for Fundraising should be notified. A profile of the donor and of the honoree, the area of interest with any proposed stipulations, and information on how the gift will be paid should be provided.

The Special Assistant to the President for Fundraising will discuss the potential naming with the President, who may choose to convene the **Naming of Campus Facilities and Programs Committee**. This ad-hoc committee is appointed by the President of the University. Should a potential naming directly involve an academic department or program, the Special Assistant to the President for Fundraising will consult with the Provost and Vice President for Academic Affairs, who will consult with the faculty involved prior to convening the President and/or Naming of Campus Facilities and Programs Committee.

The Board of Curators of Lincoln University has the authority for naming (re renaming) buildings, components of buildings, open spaces, other physical facilities, and programs of the University. The ad-hoc committee, appointed by the President of the University, recommends for approval by the Board the names of individuals and organizations.

An acceptable written statement of intent from the donor must be made prior to the Board of Curators being asked to approve the naming.

### General Guidelines

Buildings, rooms and facilities may be named for:

- A. A corporation, individual or individuals deserving special recognition for a significant and substantial financial contribution toward the construction of the facility which otherwise would not be available.
- B. A former faculty member or administrator who has given outstanding service



to the University and/or has made noteworthy contributions in his/her profession or area.

- C. An Alumnus or former student who has given outstanding service to the University and/or has made noteworthy contributions in his/her profession or area.
- D. A former member of the Board of Curators who has distinguished and outstanding service to the University.
- E. Any individual who has received national or international recognition/distinction in a service or profession related to the use and purpose of the facility.
- F. Classroom facilities, administration facilities, and residence facilities shall use the term “Hall” in the name. Other facilities shall use “Building” in the name unless the facility is one that in common practice has a particular designation (library, chapel, for example).
  - 1. The official name of a facility names for an individual shall include the full name of the individual for whom it is names.
  - 2. A room or special use facility may be given a name suggestive of the general purpose for which the room or facility will be used.
  - 3. Name only shall be assigned to a single purpose building. Multi-wing buildings and buildings clearly designed and divided for major separate disciplines or purposes may be given a distinct name for each wing or division.
- G. Any other naming opportunity not specifically stated in this document will be submitted to the development office for proper evaluation and submission.

### Procedural Guidelines

In order for a building, facility, monument or program to be named based upon a contribution, the following will normally be met:

- A. The amount of the gift will comply with the guideline established for naming particular facilities.
- B. The gift must be in irrevocable form (e.g.: trust, contract for will, or to be paid over a period no longer than five years based upon a signed commitment and binding on the donor’s estate). A deferred gift is not normally acceptable for a facility where construction is dependent on the gift.

- C. The donor for whom the name is assigned has some reasonable connection to the University.
- D. Unless the gift is required to construct the facility to be named, consideration should be given to using the gift corpus to establish an unrestricted endowment. This endowment may carry the name of the donor.
- E. If a department or program is to be named, a restricted endowment supporting that department or program will be established.

Suggested Levels of Contributions

The following amounts are suggested to establish a naming opportunity for a University building, facility, monument or program. In general, the Board of Curators reserves the right to change the amounts below or to use a combination of gifts and service as criteria for naming. The University also reserves the right to recommend to the Board of Curators a change in the amounts below with the acceptable written justification.

| <b>Facility</b>  | <b>Minimum Contribution</b>                        |
|--|--|
| New Buildings (private funds)  | 20% to 50% of cost (50% of bldg. cost recommended) |
| Major University Programs  | \$ 750,000   |
| Additions to Existing Buildings  | \$ 500,000   |
| Department   | \$ 500,000   |
| Main Quad  | \$ 500,000   |
| Institutes / Program Centers   | \$ 150,000   |
| Major Components of facilities (major lecture halls, meeting rooms, lobby and reception areas) | \$ 100,000   |
| Office Suites, conference rooms (depending on scale)   | \$ 50,000  |
| Individual classrooms, faculty offices, study rooms  | \$ 30,000 and up depending on size                 |
| Student program offices  | \$ 25,000  |
| Residence Hall rooms   | \$ 25,000  |
| Renovation of Selected Campus Facilities   | To be determined                                   |

The amount required to name a University building shall be set at the same time the Board of Curators formally approves construction. The Curators shall take into account the percentage of the total estimated cost. Guidelines should reflect approximately 20% to 50% of the total cost for new buildings and at least 10% for additions. The suggested levels shall be reviewed periodically by the Board of Curators.

**NOTES:**

The term “Facilities” includes buildings, rooms, interior spaces, streets (including landscape material and associated exterior furnishings), courts, monuments, athletic

fields, open spaces, forests, and all other areas owned, operated, and controlled by Lincoln University.

The term “program” includes colleges, departments, institutes, centers, and other units associated with University functions.

Endowments and Scholarships

An endowed gift is one in which the original principal is never invaded; the gift exists in perpetuity. Endowments are generally funded within five years of the initial contribution. Income paid out of the fund is distributed annually according to approved policies. There is no minimum limit for gifts to already existing endowments, but the minimum amount for establishing an endowed fund is \$10,000. The following table lists the minimum requirements for establishing new endowments.

| <b>Student Support</b>  | <b>Minimum Contribution</b> |
|---|-----------------------------|
| <b>Endowed Scholarships/Fellowships (restricted):</b> Support to outstanding students based on exceptional academic achievement without regard to financial need. | \$10,000 - \$25,000         |
| <b>Endowed Scholarships/Fellowships (unrestricted)</b>  | \$15,000                    |
| Annual Academic Scholarships  | \$5,000 annually            |
| Research Awards: Support to students to pursue research awards  | \$20,000                    |

| <b>Faculty Support</b>  | <b>Minimum Contribution</b> |
|---|-----------------------------|
| Distinguished / Full Professorship  | \$1,000,000                 |
| Associate Professorship   | \$500,000                   |
| Assistant Professorship   | \$250,000                   |
| Visiting Professorship: Support for bringing outstanding visitors to teach, do research and be available as resources for the entire University community | \$200,000                   |
| Faculty Development Funds   | \$200,000                   |
| Research Awards   | \$100,000                   |
| Teaching Excellence Awards  | \$100,000                   |

**NOTES:**

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The term “program” includes colleges, departments, institutes, centers, and other units associated with

University functions.

(Approved - Lincoln University Board of Curators - June 11, 2015)

### **1.68 Use of the University Seal**

The official university seal, adopted by the Board of Curators, is circular shaped, measuring approximately 5.5 cm. with a profile likeness of Abraham Lincoln centered within and containing the following inscriptions:

1. LINCOLN UNIVERSITY, JEFFERSON CITY, MISSOURI (around the border)
2. LABORARE ET STUDERE (below Lincoln's profile)
3. FOUNDED 1866 BY THE 62nd and 65th COLORED INFANTRIES (above Lincoln's profile)

The official Keeper of the Seal shall be the president of the university. The following guidelines determine the official uses of the University Seal:

1. The seal may be affixed to all degrees, diplomas and certificates awarded by the university, or any official act of the Board of Curators.
2. Any legal agreement binding the university may have the seal affixed.
3. A facsimile of the seal may be reproduced to a desired scale in the school colors, in black and white, or other appropriate colors for uses on official university letterhead and official university invitations, announcements, and publications.

The Keeper of the Seal shall be consulted for other uses of the Seal. The following suggestions will be helpful in making any determination on the use of the seal:

1. Only scaled reproductions shall be made of the seal.
2. The seal should never be used alongside other symbols purely as decoration.
3. Care should be taken never to use the seal in any manner which appears to be in poor taste.

A copy of the Logo and Seal Users' Guide is available in the University Print Shop.