The Administrative Council met Monday, July 7, 2008, at 2:00 p.m. in the Priddy Conference Room of the Dillard Building. Present were Ms. Debbie Barrow, Acting Chair; Dr. Friederike Wiedemann, Dr. Howard Farrell, Dr. Robert Clark, Mr. Keith Lamb, Dr. Robert Redmon, and Mr. David Spencer.

**MSU Policies and Procedures Manual Changes**

The Council discussed the following policy changes. Following the discussion, it was recommended that the proposed policy changes be placed on the May Board of Regents agenda for consideration.

A. Policy 2.338, University Boards, Councils & Committees – council and committee changes regarding personnel and reporting structures were recommended as shown in Attachment 1 and summarized as follows:

   i. Graduate Council – replace Associate Provost with Dean of Graduate Studies
   ii. Academic Technology Committee – replace Associate Provost with Provost or the Provost’s designee.
   iii. Budget Oversight Committee – add the Director of Human Resources to the committee structure.
   iv. Student Success Committee – replace the Associate Provost with the Provost.
   v. Teaching and Learning Resource Center Committee – replace the Associate Provost with the Dean of Graduate Studies.
   vi. University Assessment Committee - replace the Associate Provost with a representative of Academic Affairs.

B. Policy 3.349 Employee Background Checks – the revision of this policy was recommended to exclude faculty from the background check requirement when granted tenure or promotion to a higher faculty rank (see Attachment 2).

**Key Requests**

The following key requests were approved.

<table>
<thead>
<tr>
<th>FACULTY</th>
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<tbody>
<tr>
<td>Joshua Packard</td>
<td>O’Donohoe Outside</td>
<td>Access to building-Sociology</td>
</tr>
<tr>
<td>Michael Shipley</td>
<td>Bolin Master</td>
<td>Professor needs access to labs for research</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>STAFF</th>
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</thead>
<tbody>
<tr>
<td>Patricia Hamilton</td>
<td>Hardin Outside</td>
<td>New Dean of Graduate Studies</td>
</tr>
<tr>
<td>Nathaniel Jones</td>
<td>2510 Hampstead Master</td>
<td>New football offices</td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
<td>Access/Duties</td>
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<tr>
<td>Richard Lage</td>
<td>2510 Hampstead Master</td>
<td>New football offices</td>
</tr>
<tr>
<td>Anissa McCune</td>
<td>CSC Master</td>
<td>New custodian needs access to building</td>
</tr>
<tr>
<td>Brian Nathan</td>
<td>2510 Hampstead Master</td>
<td>New football offices</td>
</tr>
<tr>
<td>Dean Norsworthy</td>
<td>2510 Hampstead Master</td>
<td>New football offices</td>
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<tr>
<td>Rich Renner</td>
<td>2510 Hampstead Master</td>
<td>New football offices</td>
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<tr>
<td>Amy Rogers</td>
<td>2510 Hampstead Master</td>
<td>New football offices</td>
</tr>
<tr>
<td>Amy Rogers</td>
<td>Ligon Outside</td>
<td>Moved from football to KNES – key transferred from Lynette Gill</td>
</tr>
<tr>
<td>Amy Rogers</td>
<td>Ligon KNES Master</td>
<td>Moved from football to KNES – key transferred from Lynette Gill</td>
</tr>
<tr>
<td>Amanda Snodgrass</td>
<td>CSC Master</td>
<td>Access needed to carry out job duties</td>
</tr>
<tr>
<td>Amanda Snodgrass</td>
<td>CSC Outside</td>
<td>Access needed to carry out job duties</td>
</tr>
<tr>
<td>STUDENT</td>
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<tr>
<td>Jeston Alger</td>
<td>Ligon Outside</td>
<td>Open and close wellness center</td>
</tr>
<tr>
<td>Tye Desiderio</td>
<td>2510 Hampstead</td>
<td>New football office</td>
</tr>
<tr>
<td>Chad Raymond</td>
<td>2510 Hampstead</td>
<td>New football office</td>
</tr>
<tr>
<td>Paul Robertson</td>
<td>Sikes Lake Center Outside, Room #400</td>
<td>Clean fitness equipment</td>
</tr>
<tr>
<td>Paul Robertson</td>
<td>Sikes Lake Center Outside Door</td>
<td>Clean fitness equipment</td>
</tr>
<tr>
<td>OTHER</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kathy Wells</td>
<td>Sikes Lake Center Outside Door</td>
<td>Volunteer fitness instructor</td>
</tr>
</tbody>
</table>

**Adjournment**

There being no further business, the meeting was adjourned at 2:12 p.m.

Deborah L. Barrow, Acting Chair
Graduate Council

Purpose
To advise the Associate Provost and Dean of Graduate Studies on policies affecting the graduate programs.

Personnel
Associate Provost and Dean of Graduate Studies (chair), graduate coordinators.

Academic Technology Committee

Purpose
To advise the Provost on technology needs and opportunities and to disseminate appropriate information when it is suitable for different areas within Academic Affairs to share equipment and software.

Personnel
The Associate Provost (chair), one faculty member from each of the six colleges, the Director of Extended Studies, the University Librarian, a representative of Information Systems, a representative of the Registrar’s Office, and the Director of Institutional Research, Planning, and Assessment.

Budget Oversight Committee

Purpose
To serve as an advisory group to the President concerning the university's operating budget.

Personnel
The Provost, Vice President for Administration and Finance, Vice President for University Advancement and Student Affairs, Vice President for Institutional Effectiveness and Enrollment Management, Associate Provost, Associate Vice President for Student Affairs, Associate Vice President for Facilities Services, Director of Budget and Management, Director of Institutional Research, Planning and Assessment, Director of Human Resources, Chair of the MSU Faculty Senate, one faculty member recommended by the MSU Faculty Senate, and the Executive Assistant to the President. The President will chair the committee.
Student Success Committee

Purpose
To plan, coordinate, and oversee first-year student programs as well as all efforts that support and enhance overall student success.

Personnel
The Director of the Academic Support Center and the Director of Student Activities and Orientation (co-chairs); the Dean of Students, the Director of Student Development, the Director of Housing and Residence Life, a representative from the Office of the Registrar, a representative from the Office of Admissions, a representative from Institutional Research and Planning, one representative from each of the six colleges, and two student representatives.

Reports To: Associate Provost and Associate Vice President for Student Affairs (jointly)

Teaching and Learning Resource Center Committee

Purpose
To advise the Associate Provost on all issues relating to the Teaching and Learning Resource Center including programs and workshops offered by the Center, effective strategies to enhance teaching and learning, and a faculty mentoring program.

Personnel
Associate Provost (chair), one faculty member from each college.

University Assessment Committee

Purpose
To facilitate a process of continual self-evaluation and improvement across all sectors of the university by providing assistance in the design and selection of assessment instruments, the implementation of assessments, as well as the analysis, reporting, and use of assessment results.

Personnel
The Director of Institutional Research, Planning and Assessment (chair); the co-chairs of the Student Success Committee; a representative from Academic Affairs, Enrollment Management, Student Affairs, Administration and Finance, Human Resources, University Advancement, Facilities Services and Athletics; the university Librarian; a representative and an alternate from each of the six colleges; the Associate Provost; and a representative from the Student Government Association.
3.349 Human Resources
EMPLOYEE BACKGROUND CHECKS
Date Adopted/Most Recent Revision: 02/15/2008

A. General
It is the goal of Midwestern State University to provide the safest possible environment for students, employees and visitors and to safeguard sensitive data, personal information, and personal and public property. In an effort to attain this goal, a criminal background check shall be conducted on each applicant hired to fill a position identified as security sensitive at Midwestern State University.

B. Definitions
1. Applicant. An applicant is an individual who applies for an open position at Midwestern State University. Within the scope of this policy, the term applies to all external and internal applicants who are finalists for positions designated as security sensitive. Additionally, for the purpose of this policy, the term applicant applies to current Midwestern State University employees who transfer to, are promoted to, or have a position reclassified to a security sensitive position. The term applicant applies to candidates for both benefits-eligible and non-benefits eligible positions but does not apply to persons hired through temporary employment agencies who are not considered to be employees of the university.
2. Security Sensitive Position. Positions determined to be security sensitive as defined and authorized by Texas Government Code 411.094 and Texas Education Code 51.215 shall be designated as security sensitive by the appropriate senior university administrator after consultation with the Director of Human Resources.
3. Criminal Background Check. A criminal background check consists of criminal history information collected by the university through the appropriate law enforcement agencies.
4. Criminal History Information. Criminal history information is a record of information collected about a person by a criminal justice agency that consists of identifiable descriptions and notations of arrests, detentions, indictments, and other formal criminal charges and their dispositions. Texas Government Code 411.082.

C. Procedures
1. Finalists selected for interview in a designated security sensitive position will be investigated prior to the issuance of a written offer, notice of employment, or contract.
2. Background checks for current employees who are promoted, transferred, or reclassified into positions designated as security sensitive will be requested by the Human Resources Department upon notification of the proposed change in employment status unless the employee has successfully completed a criminal background check by the university within the most recent eighteen month period.
3. **A criminal background check will not be required of a current faculty member upon promotion into another faculty rank or consideration for faculty tenure.**

4. The designation as a security sensitive position shall be included in the position's job description, announcements, and advertisements.

5. Prior to conducting the criminal background check, the Human Resources Department will obtain a signed, written consent and release form from the applicant.

6. The criminal background check will be requested upon receipt of the signed consent form and the results will be reported to the Human Resources Department.

7. The hiring supervisor in consultation with the Director of Human Resources shall be responsible for making a decision to hire, promote, transfer, reclassify, or retain the applicant based in part upon an evaluation of the contents of the criminal history report.

D. **Confidentiality**
   Criminal history information is privileged and confidential. It may not be released or otherwise disclosed without a legitimate need to know during the hiring process, except on court order. Criminal history information is relevant only for evaluation in the hiring/employment decision; it is not placed in the applicant or personnel file; and it is destroyed by the Chief of Police of Midwestern State University as provided in Texas Government Code 411.094.

E. **Nondiscrimination**
   Criminal history information shall in no way **not** be used to discriminate on the basis of race, color, national origin, religion, sex (gender), disability, or age. Disclosure of a criminal offense will not automatically exclude or disqualify an applicant from consideration for employment. The relevance of the applicant’s criminal history to the employment decision will be determined on a case-by-case basis in consideration of the following factors:

1. the length of time since an offense;
2. the number of offenses;
3. the nature of the offense;
4. the applicant’s subsequent employment history;
5. the applicant’s efforts at rehabilitation;
6. the specific duties of the position to be filled; and
7. the accuracy of criminal history information disclosed by the applicant.