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## SECTION I. BOARD PROCEDURES

### A. Board of Trustees

The Board of Trustees of Eastern Illinois University (“the Board”) is a body corporate and politic of the State of Illinois created to operate, manage, control, and maintain Eastern Illinois University (“the University”).

### B. Board Regulations

Board Regulations are general statements of policy or procedure adopted by the Board concerning the conduct and operation of the Board or the University under its jurisdiction within the framework of the Board's Governing Policies. Guidelines, policies, or other Board actions directed to specific situations are not to be construed as Board Regulations.

### C. Adoption, Amendment, or Repeal of Board Regulations

1. Board Regulations may be adopted, amended, or repealed at any regular meeting of the Board by a majority vote of the voting membership of the Board. Requests for the adoption, amendment, or repeal of Board Regulations shall be submitted to the Chairperson, who shall notify the Board of such requests. Except as specified in paragraphs 3. and 4. below, the adoption, amendment, or repeal of Board Regulations shall occur only after a proposal for adoption, amendment, or repeal has been presented to the Board for first reading.
2. Board action on the proposal shall not be taken earlier than the next regular meeting following first reading, except as provided in paragraphs 3. and 4. below. Whenever practicable, such notices shall occur fifteen (15) days prior to the meeting at which action is taken. No less than (10) days prior to the Board meeting at which action is to be taken, members of the faculty, staff, and student body may submit their views and comments in writing, via a written correspondence or email, to the Chairperson for distribution to the Board together with a recommendation for action on the proposal. Public comment at any Board meeting at which action is taken that is consistent with Board Regulations and the Illinois Open Meetings Act, 5 ILCS 120/1, *et seq.*, shall be permitted.



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3. The President is authorized to make non-substantive amendments to the Board Regulations as may be necessary for such purposes as name or title changes, correcting typographical errors and cross-references, and updating citations.
4. When justified by timing considerations or the nature of the subject matter, proposals for adoption, amendment, or repeal of Board Regulations may be acted upon by the Board at the time of first reading.
5. Subject to approval of the Board, interpretations of Board Regulations shall be issued in writing by the President upon request of Board members or upon the President's own initiative.

### D. Compilation of Bylaws, Governing Policies, and Regulations

The President shall maintain an official written compilation of the Board's Bylaws, Governing Policies, and Regulations and shall provide copies to Board members. Copies shall be: (1) distributed to appropriate staff and student body officers of the University, (2) placed in the university library; and (3) posted on the University's official website for use by interested persons. The written compilation maintained by the President is the only official version of the Board's Bylaws, Governing Policies, and Regulations and shall be the final authority on all questions.

### E. Delegation of Authority

1. The authority delegated by the Board Regulations to the President may be further delegated in writing by the President to appropriate and responsible officials of the University.
2. The President shall identify by position the persons authorized to act in his/her place in the event of absence from the office of more than a week or other unavailability. The President shall notify the Board in writing, via a written correspondence or email, of such delegation of authority.



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### F. Board Meetings

#### 1. Agenda

The President, in consultation with the Chairperson of the Board, shall develop an agenda prior to each Board meeting. The President shall distribute meeting materials, via mail or email, to Board members and other appropriate parties at least seven (7) working days prior to the next scheduled meeting. Distribution of meeting materials may be subject to reasonable limitations in the case of special or emergency meetings.

#### 2. Reports

The President shall develop a format and schedule for reports to the Board. Items presented to the Board shall be submitted either for action or information. Each item presented for action shall be accompanied by an appropriate resolution or recommendation to provide a clear record of the action taken by the Board.

#### 3. Presentations

At each regular and special meeting that is open to the public, members of the public and employees of the university shall be afforded time to make comments or to ask questions of the Board subject to reasonable constraints; however, comments which interfere with the due process of law, or discussions on matters the Board is restricted from having will not be approved. Examples include pending grievances, student judicial proceedings, and bids or solicitations. The Board of Trustees in its discretion may allow public comment on matters deemed appropriate.

At the end of each Board meeting, a period of time shall be set aside for public comment provided that the Board Chairperson may permit comments related to action items prior to a Board vote. Any individual desiring to address the Board shall be allowed up to five (5) minutes for comments or questions. Only one (1) person may speak on behalf of an organization.

The Board Chairperson shall have the ability to limit comments if deemed irrelevant, repetitious or disruptive. (*Revised 1/18/13; 9/22/17*)



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The following procedures shall be followed:

- a. Persons desiring to address the Board shall contact the Board Secretary prior to the beginning of the Board meeting and provide their name and the subject of their comments. (*Revised 9/22/17*)
- b. Because of heavy demands on the Board, the total time for presentations shall be limited to twenty (20) minutes unless the Board moves for and approves a longer period. Persons wishing to address the Board, but are unable to do so, may submit a signed written statement, including their phone number and/or email address, to the Board.

#### 4. Recording of Meetings

Any person may record by tape, film, or other means the meetings of the Board or its committees required to be open by Illinois law, provided that, if the recording process interferes with the overall decorum and proceeding of a meeting, such recording shall be discontinued at the request of the Chairperson or other presiding officer.

#### 5. Publication of Proceedings

A report of the Board proceedings shall be published for each fiscal year, and shall be placed in the university library and posted on the University's official website for use by interested persons.



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**SECTION II. EMPLOYEES****A. Employees Generally****1. Coverage**

This Section II applies to all Eastern Illinois University (“the University”) faculty, administrative, civil service, and other employees of the Board of Trustees (“the Board”) unless otherwise provided by these Regulations, by relevant state or federal laws, including, but not limited to, personnel policies adopted by the Illinois Board of Higher Education in compliance with the State Officials and Employees Ethics Act (“Ethics Act”), 5 ILCS 430/1-1 *et seq.*, by the terms of applicable collective bargaining agreements, or any pertinent written employment contracts.

**2. Authority to Employ**

The Board is the employer of all faculty, administrative, civil service, and other University employees. All civil service employees within the University are employed in accordance with the provisions of the State Universities Civil Service Act, 110 ILCS 70/36b *et seq.*, as amended, the Ethics Act, and the rules of the Merit Board, and are entitled to all the rights and subject to all the requirements contained therein.

**3. Delegation of Authority**

- a. Board approval shall be required for creation, elimination, or significant modification of the position of any Vice President. The President shall inform the Board of the appointment, promotion, resignation, retirement, or other event concerning the employment of any Vice President.
- b. Board approval shall be required for the award of tenure, the final, involuntary separation of an employee to be effective during the term of an employment contract, the final approval of contracts with any collective bargaining representative, and, where applicable, creation, elimination, or modification of the categories of appointment specified in paragraph 4. below.



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- c. All other appointments and promotions shall be made by the President, who has the authority to sign all papers necessary to effect the same.
  - d. Acceptance of an employee's resignation may be made by the President or his or her designee on behalf of the Board.
4. Categories of Employment
- a. Faculty employees shall be categorized as follows:
    - (1) Type of Appointment: (a) Probationary, (b) Tenure/tenure-track and (c) Temporary;
    - (2) Rank: (a) Lecturer, (b) Instructor, (c) Assistant Professor, (d) Associate Professor, and (e) Professor; and
    - (3) Bargaining Unit Status
  - b. Administrative and professional employees shall be employees that are not categorized as faculty members, civil service employees, or other employees.
  - c. Civil Service employees shall be categorized pursuant to guidelines established by the President in accordance with the State University Civil Service System.
  - d. Other employees as defined in Article II, Section 3.D.
5. Appointment Procedures
- a. Adoption of Appointment Procedures

The University shall develop procedures for the appointment (including acting appointment) of faculty, administrative, and civil service, and other employees. The procedures shall contain such provisions as are necessary and appropriate and shall be: (a) consistent with the Board's delegation of authority in Section II.A.3.; (b) consistent with the Board's commitment to diversity and nondiscrimination in employment practices; and (c)



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consistent with the Board's policy on participation in university governance. The procedures and any changes shall take effect when approved by the President. The President shall submit a copy of the procedures and any changes to the Chairperson.

- b. Policy on the Avoidance of Nepotism or the Appearance thereof by Administrative Officers
- (1) All University employees who have control or influence over decisions involving the use of public resources or authority have the responsibility to exercise that control or influence in a manner which maintains public confidence in the integrity of institutional decision making processes. This responsibility includes the expectation that, in their exercise of this control or influence, employees shall avoid nepotism and creating the appearance of nepotism as well as other forms of conflict of interest. This expectation is generally best enforced through such normal processes of institutional shared governance and self-regulation as the submission of the decision in question to open review by disinterested third parties or the withdrawal from the decision making process of those persons who may directly or indirectly influence the process for the benefit of family members.
  - (2) To attract high-quality employees to the University it may be desirable to occasionally hire family members or members of the households of Administrative Officers of the University. In those situations where the employment decision-maker is the President, the President shall recuse himself or herself from any decision making involving said family or household member. Any such employment decision shall be made by the Chairperson of the Board /designee. In those situations where the employment decision-maker is a Vice-President, the Vice-President shall recuse him/herself from any decision making involving said family or household member. Any such employment decision shall be made by the President. In either instance, the President or Vice President shall not be present during any such activity nor intervene on behalf of his/her family or household member with any employee of the University on any matter involving said family or household



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member's employment, promotion, tenure, discipline, compensation or any employment related matter of whatsoever kind or nature; provided, however, that the President or Vice President may take action applicable to all employees generally, even though such action may incidentally involve the President's or Vice President's family or household member. In all instances, the Board or Executive Committee shall approve the hiring decision of a family or household member of the President or of any Vice President.

- (3) This policy shall not apply to employment decisions made before its adoption. The President shall be responsible for ensuring compliance with this policy by the campus.

### 6. Educational Requirements

- a. The University shall develop a policy concerning the educational requirements necessary for appointment to faculty rank, including:
  - (1) the minimum educational requirements necessary for appointment;
  - (2) any exceptions to the minimum requirements; and
  - (3) such other provisions as are necessary and appropriate.
- b. A policy on educational requirements shall become effective when approved by the President. The President shall submit a report to the Board when any educational requirements are changed.

### 7. Position Descriptions

A description shall be prepared for each administrative position, including Chairpersons excluding the position of President, whose position is described in the Board's Governing Policies, and for each civil service position. The President shall develop guidelines for the preparation, review, modification, and maintenance of position descriptions.





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### 8. Administrative Organization

An organization chart of the administrative structure shall be prepared for the University. A current version of the organization chart of the University shall be annually submitted to the Board Chairperson.

### 9. Employee Benefits

#### a. Eligibility

The following provisions apply to faculty, administrative, and civil service employees not covered by a collective bargaining agreement, subject to the eligibility requirements stated in these Regulations.

#### b. Military Leave

(1) An employee who is a member of any reserve component of the United States Armed Forces or of any reserve component of the Illinois State Militia (National Guard) shall be granted administrative leave for any period actively spent in such military service, including:

- (a) basic training;
- (b) any special or advanced training;
- (c) annual training; and
- (d) active duty or deployment.

(2) During such leaves, the employee's seniority and other benefits shall continue to accrue.

(3) During leaves for annual training the employee shall continue to receive his/her regular compensation. During leaves for basic training and for up to sixty (60) calendar days of special or advanced training, if such employee's compensation for military activities is less than his/her compensation as an employee of the



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University, the employee shall receive his/her regular compensation as an University employee, minus the amount of his/her base pay for military activities. The deduction of military pay from the compensation of an University employee shall be reflected in the first payroll prepared after verification of the amount of the employee's military pay.

- (4) A member of the National Guard (or other state military component) who is called to temporary active duty in case of civil disturbance or natural disaster declared to be an emergency by the Governor; called for active duty by the federal government, may receive a combined wage from the University and the military equal to, but not exceeding, the employee's straight time daily rate for work days absent. If the daily rate received for temporary active duty exceeds the daily rate of the employee from the University, the employee may elect to accept the higher rate in which instance the employee shall receive no compensation from the University as the case may be. The amount of compensation received for temporary active duty shall be reported to the university within thirty (30) days after release from temporary active duty. Appropriate adjustment to offset the amount received shall be made in the next regular payroll. Time used for temporary active duty shall not be deducted from the time allowed for regular military training periods in accordance with the preceding paragraphs.

c. Administrative Leave for Court Required Service

- (1) An employee who is summoned for jury duty or subpoenaed as a witness before a court of competent jurisdiction or as a witness in a proceeding before any federal or state administrative agency shall be granted administrative leave with pay, upon presentation of a duly authorized summons to the supervisor. Any jury or witness fees shall be turned over the University.
- (2) In granting an administrative leave for jury duty or job related court appearances, employees shall be expected to work on any given day only the number of hours that, when added to the hours



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required to be at court, equal the normal workday for the employee. Employees may be granted the use of accrued leave or compensatory time for work hours to equal their normal work day, when added to the hours required to be at court. Employees may be requested to present a court voucher to verify dates and hours of service.

- (3) No employee shall be given administrative leave with pay for:
- a. appearing as a party in a non-job related proceeding involving such employee;
  - b. appearing as an expert witness when the employee is compensated for such appearance;
  - c. appearing as a plaintiff or complainant in a proceeding involving such employee; or
  - d. appearing as a plaintiff or complainant in a proceeding in which the University is a defendant or respondent.

d. Benefits While on Compensated Leave

- (1) An employee shall earn vacation leave and sick leave while on compensated leave other than educational leave or administrative leave.
- (2) An employee on compensated leave may continue to contribute toward and receive the benefits of any State or Board insurance program and may continue to contribute toward and receive retirement credit in the State Universities Retirement System if the laws, rules, regulations, policies, and procedures governing the administration of such insurance programs or the State Universities Civil Service Act, 110 ILCS 70/36b *et seq.*, so permit.
- (3) Upon return to the University from a compensated leave, an employee's salary shall be adjusted to reflect nondiscretionary increases that the employee would have received if not on leave.



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e. Emergency Leave

- (1) If an emergency arises (such as a natural disaster, civil uprising, terrorist attack, etc.) in which the safety, health, or welfare of employees is a matter of concern, the President may order employees to absent themselves from work with pay.
- (2) Civil Service employees ordered to absent themselves from work under such circumstances shall not lose seniority because of such absence.
- (3) Employees not excused from work under such circumstances who fail to report for work as scheduled may be denied compensation for such absence.

f. Implementing Policies

The University may develop policies implementing the benefits specified above. The policies and any changes shall become effective when approved by the President.

10. Outside Employment

An employee's participation in outside employment must be consistent with the employee's obligation to the University as the primary employer and is subject to such conditions as may be imposed by federal or state law or the terms of a collective bargaining agreement. The President shall establish guidelines concerning outside employment.

11. Retirement

- a. Employees are subject to the statutes and rules governing the State Universities Retirement System or any other retirement system designated by the Board.
- b. An employee who is receiving a retirement annuity from the State Universities Retirement System ("SURS") may be employed at the



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University, subject to the limitations outlined by the SURS state statute, 40 ILCS 5/15-101 *et seq.*

### 12. Voluntary Tax-Deferred Retirement Plan

- a. In accordance with the applicable provisions of the Internal Revenue Code, 26 U.S.C. § 1 *et seq.*, and the State Finance Act, 30 ILCS 105/1 *et seq.*, the Board has adopted a Section 403(b) elective deferral program for its employees including, through investment, Section 403(b) annuity contracts and Section 403(b)(7) custodial accounts. This plan shall be known as the "Voluntary Tax-Deferred Retirement Plan".

#### (1) Approval of Companies

No companies shall write tax deferred annuity contracts or provide custodial accounts for investment in regulated investment company stock under this plan unless they are approved by the Board upon the recommendation of the President/designee.

#### (2) Conditions of Agreement with Employees

Each person now employed or hereafter employed by the University shall, while this plan remains in effect, have the privilege of electing to participate in the Voluntary Tax-Deferred Retirement Plan in consideration for which the University shall pay the amount of adjustment in earnings agreed to by the employee to any of the companies approved by the Board.

#### (3) Administration of Voluntary Tax-Deferred Retirement Plan

- (a) This plan shall be administered by the President/designee who shall have the authority to prescribe such additional guidelines, not inconsistent herewith, as are deemed appropriate for accomplishing the purposes herein set forth.
- (b) The Board may remove a company from the Board's list of approved companies at any time. Such removal shall not



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affect the rights of University employees who have commenced contributions to the company prior to the effective date thereof but shall preclude the company from issuing additional tax-deferred retirement contracts to University employees.

### 13. Official Residence, Office, and Automobile

- a. The Board shall provide the President with an annual housing allowance at a rate to be determined by the Board. The housing allowance shall be used for expenses including, but not limited to, rental or mortgage payments, taxes and assessments, insurance, and maintenance of the residence and its grounds, housekeeping, furnishings and other related items. The President is expected to be available by phone or other appropriate device in order to maintain contact with the institution and perform official duties on an on-call basis.
- b. The President shall conduct official entertainment at the President's residence from time to time each year. The University shall pay for catering costs of such entertainment, and any other reasonable expenses related to such entertainment at the President's residence.
- c. Prior Board approval shall be required for each project involving the construction, remodeling, furnishing, or refurbishing of the office and conference areas of the President if the aggregate expenditures for labor, materials, or furnishings for the project, irrespective of the source of funds, will be ten thousand dollars (\$10,000) or more by the time the project is completed or if all such projects relating to the President's office or conference area will total ten thousand dollars (\$10,000) or more in a fiscal year. Requests for Board approval of such projects shall be accompanied by a description of the project, a project budget, and a statement of justification.
- d. The Board shall provide the President with an automobile for official business and personal use.
- e. The President shall review his/her travel and other reimbursable expenses quarterly with the Chairperson/designee.



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### 14. Employees Licensed to Practice Law

Unless appearing *pro se*, University employees who are licensed to practice law may not represent any person or entity in any litigation, administrative proceeding, or other matter (other than proceedings conducted pursuant to Board or university regulations or procedures or a collective bargaining agreement to which the Board is a party) in which any of the following is an adverse party: the Board, the University, or Board employees.

### 15. Labor Relations

- a. Authority for the negotiation, administration, and coordination of all collective bargaining agreements and overall responsibility for labor relations activities is delegated by the Board to the President, subject only to Board approval of collective bargaining agreements.
- b. No collective bargaining agreement shall be effective or implemented until first ratified by the certified employee representative and then approved by the Board.
- c. All collective bargaining agreements shall be signed by the President and appropriate Vice President after all necessary approvals are received from the Board.

### 16. Copyright and Patent Policies

- a. Copyrights
  - (1) The Board recognizes that the creation of scholarly materials can be of benefit to the author and the University and thus is to be encouraged. Therefore, the Board's copyright policy is intended to foster the traditional freedoms of faculty, staff, and students with regard to the creation and publication of copyrightable works. At the same time, this policy is intended to provide a fair and reasonable balance of the interests in such works among authors, sponsors, the Board, and the University.



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- (2) Works subject to copyright include, but are not limited to, the following:
  - (a) books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests, and proposals;
  - (b) lectures, dramatic or musical works, and unpublished scripts;
  - (c) films, film strips, charts, transparencies, and all other visual aids;
  - (d) pictorial, graphic, and sculptural works;
  - (e) audio and video tapes, cassettes, compact discs, digital recording, etc.;
  - (f) programmed instruction materials; and
  - (g) computer programs, websites, internet blogs, and podcasts.
- (3) Under federal copyright law the right to copyright any of the above, or the right to assign any rights to a publisher or producer, normally belongs to the work's author. However, in the case of a "work for hire," the employer or other person for whom the work has been prepared is considered the copyright owner. Ownership in copyrightable works produced by authors who are faculty, staff, or students at the University shall remain with the faculty, staff, or student authors except in the following situations, in which ownership of all rights in copyrightable works produced shall belong to the Board (for the benefit of the University):
  - (a) works prepared under an agreement with an external party (e.g., a grant or contract) where the terms of the agreement require the University to hold or transfer ownership in the copyrightable work;





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- (b) works expressly commissioned in writing by the Board or the University; or
- (c) works created as part of the employee's assigned duties and activities, excluding: (i) works created as part of sabbaticals or employee-initiated research release time or (ii) works submitted to journals for publication. (However, works created as part of an employee's unassigned duties and activities are not considered to be "works for hire," and ownership of copyrights for these works shall remain with the author.) If an author is uncertain about the ownership of a work arising out of a particular assignment, before undertaking the assignment the author shall be entitled to request in writing and to receive a clarifying written statement from the President of the University. The ownership of works created as part of the employee's assigned duties or activities may be specifically discussed or addressed in that employee's employment contract. If the University and any individual employee have reached a negotiated agreement concerning the ownership of such works, that agreement shall prevail over this subsection.
- (4) If more than half the cost of production of a copyrightable work not considered a "work for hire" hereunder was provided through university resources, the faculty, staff, or student author shall grant the University an irrevocable, non-exclusive, royalty-free license to use, copy, and sell such work in connection with its teaching, research, and public service programs.
- (5) With respect to copyrightable works owned or used by the University pursuant to paragraph (3) or (4) above, the author may be required to execute such documents as are necessary to vest ownership or a royalty-free license to copy, use, and sell such works by the Board or its designee and to warrant that such works do not infringe any pre-existing copyright.
- (6) When the Board or the University commissions the preparation of a copyrightable work by an author who is not a University faculty



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or staff member or student, the contract with such author shall specify that the work shall be considered a "work for hire."

- (7) Works owned by the author may be copyrighted, published, and distributed by the author, or by others to whom the author has assigned such rights, subject only to any license referred to in paragraph (4) above. Authors may request that the work be produced through the University. If such a request is granted, an agreement shall be drawn up specifying the duties of the author and the University, the distribution of any income received between the author and the University and other mutually agreed upon terms. The agreement shall be approved by the President for the University, after considering the recommendations of the Provost and the appropriate research administrator or committee.
- (8) To avoid the appearance of impropriety, faculty-authors who require their students to purchase or rent their works should:
  - (a) donate the equivalent amount of any royalties received from such purchases to the University for use in an appropriate fund (e.g., department or college scholarship);  
or
  - (b) consider other appropriate methods of divesting themselves of the equivalent amount of any such royalties.
- (9) In the event that income is received by the Board or the University from any copyrightable works belonging to the Board, an appropriate share shall be paid to the author. The amount of said share shall be determined by the President for the University, after considering the recommendations of the Provost and the appropriate research administrator or committee.
- (10) The University's share of copyright income shall be used and controlled in ways to produce the greatest benefit to the University and to the public in a manner to be determined by the President for the University, after considering the recommendations of the Provost and the appropriate research administrator or committee.



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### b. Patents

- (1) The principle is recognized that discoveries, inventions, and patents which are the result of research carried on by, or under the direction of, faculty, staff, or students on university time, with their facilities, or from funds under their control belong to the Board (for the benefit of the University) and shall be used and controlled in ways to produce the greatest benefit to the University and to the public.
- (2) Patentable inventions or discoveries covered by paragraph (1) above shall be submitted to the appropriate research administrator or committee to be considered for submission to a research corporation which may patent and commercialize the invention or discovery without expense to the inventor or discoverer or to the University. If an invention is not submitted to or accepted by such research corporation, its disposition shall be determined by the President for the University, after considering the recommendations of the Provost and the appropriate research administrator or committee.
- (3) In the event that a University employee obtains a patent using University resources, an appropriate share of the income and ownership of said patent shall be paid to the inventor or discoverer. This share is to be determined by the President for the University, after considering the recommendations of the Provost and the appropriate research administrator or committee.
- (4) Agreements with sponsors, which provide that the sponsor may determine disposition of patentable inventions or discoveries, may be accepted when required by applicable state or federal statutes or when the action of the Board in waiving its rights to such inventions or discoveries is determined to be in the public interest. Any such waiver requires the approval of the President of the University.



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- (5) The share of any income to the Board resulting from the commercial development of inventions or discoveries shall be used primarily for support of further research. Such use shall be determined by the President for the University, after considering the recommendations of the Provost and the appropriate research administrator or committee.
- (6) Approval by the President shall be required for use of the name of the University in advertising or promoting commercial development resulting from research.

c. University Policies, Copyrights and Patents

The University may develop policies implementing the provisions of paragraphs a. and b. above. Any changes to such policies shall become effective after approved by the President after consultation with the Board of Trustees.

17. Governing Law

The benefits described in these Regulations shall be subject to the applicable provisions of state and federal law, and such benefits shall be automatically modified or terminated as required by such law or any amendment or repeal thereof.

B. Faculty and Administrative and Professional Employees

1. Coverage

This Subsection II.B. applies to all Eastern Illinois University (“the University”) employees unless otherwise provided by these Regulations, by relevant state or federal laws, by the terms of applicable collective bargaining agreements, or any pertinent written employment contracts. All administrative and professional employees shall be employed on a probationary status for a period of no less than six (6) months and no more than twelve (12) months. The probationary period shall commence upon the employee’s formal acceptance of employment. The length of the probationary period shall be determined by the appropriate vice president. Should the probationary period be interrupted by an approved, unpaid



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leave of absence or layoff, the probationary period shall be extended by the same amount of time as the break in service.

### 2. Salaries and Compensation

The President shall develop annually guidelines for the award of salary increases. The President shall review such guidelines with the Board of Trustees (“the Board”) before implementation.

### 3. Administrative Employees with Faculty Rank

The following provisions shall apply to administrative employees with faculty rank (including Chairpersons) and shall not apply to employees covered by a collective bargaining agreement.

#### a. Faculty Rank and Promotion

- (1) An administrative employee may retain faculty rank in a department (or equivalent academic unit) in which the University has granted the employee such rank prior to appointment as an administrative employee. Furthermore, an administrative employee may be granted faculty rank at the time of appointment or subsequent thereto or may be promoted in faculty rank if such employee satisfies the educational requirements specified in Section II.A.6 and faculty rank or promotion in faculty rank is recommended by the President upon consideration of recommendations by the appropriate department (or equivalent academic unit), the Dean, and the Provost/Vice President for Academic Affairs. Granting faculty rank in a department to an administrative employee at the time of appointment or subsequent thereto shall not result in tenure unless the Board expressly grants tenure. Unless tenure is also expressly granted, appointment does not guarantee the existence of an approved faculty position in the department at any later point in time if the employee did not already have a faculty appointment in that department prior to becoming an administrative employee.



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- (2) The University may establish policies such that the President may promote in rank an administrative employee with faculty rank and/or recommend to the Board the granting of tenure to said employee. Such policies shall take effect when approved by the President.

b. Tenure

- (1) An administrative employee with faculty rank granted tenure by the Board in a given department shall retain such tenure, which shall not be transferred from one department (or equivalent academic unit) to another except by approval of the Board upon recommendation by the President after consultation with the departments (or equivalent academic units) involved.
- (2) At the time of initial employment by the University or subsequent thereto, an administrative employee may be granted tenure by the Board upon the recommendation of the President in consideration of recommendations by the appropriate department (or equivalent academic unit), the Dean, the Provost/Vice President, and the President and approved by the Board.
- (3) Administrative employees shall be eligible for consideration for tenure during their term of administrative service if they hold at least the rank of Assistant Professor and meet the following requirements set forth below. Such employees may be considered for promotion to Associate Professor or higher and tenure in the same year.

c. Educational Requirements

An administrative employee shall be eligible for consideration for tenure by meeting the educational requirements established by the University for tenure for faculty employees covered by a collective bargaining agreement.



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d. Years of Service Applicable to Department Chairpersons

An administrative employee appointed as a Department chairperson with faculty rank shall be subject to mandatory consideration for tenure according to the provisions in this subsection and shall be treated as a probationary employee until tenure is granted.

- (1) Except as provided in paragraph (e) below, a Department Chairperson may not apply for tenure before his/her sixth probationary year of employment at the University.
- (2) A Department Chairperson who has no previous full-time teaching or professional service in a service at a regionally accredited baccalaureate degree-granting institution of higher education shall be placed in probationary year one (1) at the time of initial appointment.
- (3) A Department Chairperson who has one (1) year of prior full-time teaching or professional service in a baccalaureate degree-granting institution of higher education shall be placed in probationary year two (2) at the time of initial appointment.
- (4) A Department Chairperson who has two (2) years of prior full-time teaching or professional service at a regionally accredited baccalaureate degree-granting institution of higher education shall be placed in probationary year three (3) at the time of initial appointment.
- (5) A Department Chairperson who has three (3) or more years of prior full-time teaching or professional service at a regionally accredited baccalaureate degree-granting institution of higher education shall be placed in probationary year four (4) at the time of initial appointment.
- (6) A Department Chairperson may elect to be placed in a lower-numbered probationary year by written notification to the



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appropriate Provost/Vice President of Academic Affairs by the close of the first academic term following the initial appointment.

- e. Consideration for Tenure on the Basis of Exception
  - (1) An administrative employee who does not satisfy the educational requirements for tenure established pursuant to paragraph c. above or, in the case of a Department Chairperson, the years of service requirement specified in paragraph d. above may apply for consideration for tenure on the basis of exceptional teaching at the University and exceptional performance of primary duties, research/creative activity, or service.
  - (2) An administrative employee applying for consideration for tenure as an exception to the educational requirements or, in the case of a Department Chairperson, years of service requirements shall present evidence in support of his/her claim for an exception.
- f. Tenure for an administrative employee shall not be acquired automatically but only by specific action of the Board after receipt of a specific recommendation of the President following an evaluation as prescribed by University policy. Tenure shall be in an academic department or equivalent unit.
- g. The performance of an administrative employee during the entire term of employment shall be considered in determining whether to grant tenure.
- h. A Department Chairperson in probationary status for tenure must apply annually to the Dean of the college (or equivalent unit) for the retention of probationary status for tenure and must submit an application for tenure in the sixth tenure probationary year to be considered for tenure. In the event that an eligible administrative employee does not submit an application for tenure in the sixth probationary year, such employee shall receive a terminal contract for the next subsequent academic year at the discretion of the President.





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i. Removal from Office of a Department Chairperson

Removal of a departmental Chairperson from office may be initiated by vote of a two-thirds majority of all probationary and tenured faculty members of the department, or by the Dean of the College after consultation with members of the department and the Provost/Vice President for Academic Affairs. The President shall make any final decision with respect to removal of a departmental Chairperson. In the event of removal from office, a departmental Chairperson shall be entitled to return to his/her department to assume faculty responsibilities at his/her then current faculty rank, although continuation in such position is subject to other provisions in these regulations concerning reassignment, modification of compensation, tenure, or other terms specified in these regulations or in any applicable collective bargaining agreement. The President may establish guidelines, concerning the removal of a Chairperson from office.

4. Reassignment, Nonrenewal, and Termination

a. Reassignment

(1) University faculty and administrative employees may be reassigned by the President without notice in advance. The President shall consult with the Board Chairperson prior to the reassignment of a Provost or a Vice President. Employees, other than employees with a temporary appointment (including employees whose appointment is supported by grant or contract funds), who are reassigned shall receive written notice of any reduction in monthly compensation, such reduction shall be at the sole discretion of the President, as follows:

- (a) in the first year of employment at the University, not later than three (3) months prior to the effective date of reduction in monthly compensation; and
- (b) in the second or subsequent year of employment at the University, not later than six (6) months prior to the effective date of reduction in monthly compensation.



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- (2) Unless an employment contract specifies otherwise, the Board may reassign the President without notice in advance. Unless an employment contract specifies otherwise, the President who is reassigned shall receive written notice of any reduction in monthly compensation as follows:
- (a) in the first year of employment as President, not later than three (3) months prior to the effective date of reduction in monthly compensation; and
  - (b) in the second or subsequent year of employment as President, not later than six (6) months prior to the effective date of reduction in monthly compensation.
  - (c) This paragraph a. does not apply to the removal from office of Chairpersons.
- b. Nonrenewal of Contract
- (1) The President shall be employed by and serve at the pleasure of the Board unless the employment contract specifies otherwise. If the President agrees, the Board may accept a resignation in lieu of termination or nonrenewal of the President's contract without stated reasons. Unless the employment contract specifies otherwise, the President shall receive written notice of nonrenewal, signed by the Chairperson of the Board, as follows:
    - (a) in the first or second year of employment as President, not later than six (6) months prior to the final date of employment specified in the notice;
    - (b) in the third or subsequent year of employment as President, not later than twelve (12) months prior to the final date of employment specified in the notice.
  - (2) Other employees, except those with a temporary appointment (including employees whose appointment is supported by grant or



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contract funds), shall receive written notice of nonrenewal signed by the President as follows:

- (a) in the first year of employment at the University, not later than three (3) months prior to the final date of employment specified in the notice;
  - (b) in the second through fifth year of employment at the University, not later than six (6) months prior to the final date of employment specified in the notice; and
  - (c) in the sixth or subsequent year of employment at the University, not later than twelve (12) months prior to the final date of employment specified in the notice.
  - (d) notice provisions regarding non-renewal of contracts have no application to separations during an employee's probationary period.
- (3) Employees whose contracts are not renewed in accordance with this paragraph b. shall not be entitled to invoke the procedures for hearing provided in paragraph c. below. If such employees have academic rank (but not tenure) they shall not be entitled to return to a teaching position. If such employees have academic rank with tenure, they shall be entitled to return to a teaching position but not at his/her administrative salary. Unless an employment contract specifies otherwise, the starting salary for such teaching positions shall be at the sole discretion of the President, or in the case of the President at the sole discretion of the Board, with the exercise of such discretion to be made after consultation with the Dean of the College where the employee will be assigned to teach. The provisions for prior notice set forth in this paragraph b. shall not be applicable in cases involving termination for cause, in which cases the procedures specified in paragraph c. below shall apply. The President shall consult with the Board Chairperson prior to issuing a written notice of termination to a Provost/Vice President. This paragraph b. does not apply to the removal from office of Chairpersons.



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### c. Termination for Cause

#### (1) Employees Covered by a Collective Bargaining Agreement

Termination of a tenure appointment at any time or of a probationary, temporary, or other nontenure appointment before the end of the specified term shall be governed by the appropriate collective bargaining agreement or written employment contract.

#### (2) Employees Not Covered by a Collective Bargaining Agreement

Termination of employees not covered by a collective bargaining agreement or other written employment contract before the end of any specified term of employment may be effected at any time for adequate cause after notice and an opportunity to be heard. Termination proceedings shall be initiated by the President, or in the case of the President by the Board. The President shall consult with the Board prior to the initiation of a termination proceeding against a Provost/Vice President of Academic Affairs.

"Adequate cause" as used herein shall mean one or more acts or omissions which, singly or in the aggregate, have directly and substantially affected or impaired an employee's performance or fulfillment of his/her duties.

#### (3) A President being considered for termination by the Board shall be accorded the following:

- (a) The President shall have the right to a hearing by the Board.
- (b) Prior to issuance of a notice of intent to seek termination of a President, the Chair of the Board shall hold at least one (1) meeting with the President to discuss possible remedial actions by the President or to discuss settlement of the matter.



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- (c) Prior to the initial meeting, the Chair of the Board shall provide the President with a written statement of the purpose of the meeting, including an identification of the topics to be discussed.
- (d) Additional meetings to discuss possible remedial actions by the President or to discuss settlement of the matter may continue until either the Chair of the Board or the President notifies the other in writing of his/her belief that further meetings will not be productive.
- (e) Not later than six (6) months from the date of the first meeting (a time limitation that may be extended by agreement of the parties) the Board shall provide the President, in writing with one of the following:
  - (i) A statement that further action on the matter will not be pursued and that all references to it will be removed from the President's personnel file;
  - (ii) A statement that further action on the matter will not be pursued at that time but that reference to it shall remain in the President's personnel file;
  - (iii) Specification of any remedial actions to be taken by the President, the date by which the remedial actions are to be taken, the method to be used to evaluate whether the remedial actions have been successful, and a statement that no notice of intent to seek termination will be issued before evaluation of the remedial actions;
  - (iv) The terms upon which the matter is to be settled; or
  - (v) A notice of intent to seek termination.
- (f) If the Board issues a notice of intent to seek termination, the following procedure shall apply:



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- (i) A termination proceeding shall be initiated by the Board, providing a notice of intent to seek termination with a statement of reasons for termination to the President. The statement shall not be considered exhaustive, but is intended to fairly state a significant reason or reasons that led to the decision for termination. This shall constitute notice of the hearing and the written charges.
  - (ii) During the proceedings the President may be assisted by a counselor or advisor of his/her choice, but the counselor or advisor may not speak for the President or otherwise actively participate in the proceeding. The President must sign any written submissions that are made indicating they are written or adopted by the President in full.
  - (iii) A verbatim record of the hearing will be taken and a typewritten copy will be provided to the President. The burden of proof that adequate cause exists rests with the Board, and shall be satisfied only by a preponderance of the evidence in the record considered as a whole. The President will be afforded an opportunity to present witnesses and to confront and cross-examine all witnesses.
  - (iv) A termination hearing shall be conducted within fifteen (15) working days after the Board establishes the hearing committee. The hearing shall not exceed three (3) working days, from 9:00 A.M. to 12:00 P.M. and 1:00 P.M. to 5:00 P.M., unless mutually agreed otherwise by the President and Board. The findings and recommendations of the hearing committee shall be reduced to writing and furnished to the Board, if the committee is not comprised of the Board as whole, and the President within ten (10) work days after the conclusion of



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the hearing. If the Board concludes that adequate cause has not been established by the evidence in the record, it will so report to the President. If the President or designated representative or Board rejects the report, he/she/it shall state the reasons for doing so in writing within ten (10) working days after receipt of the report to the hearing committee and the President and provide an opportunity for a written response. If the hearing committee concludes that adequate cause for termination has been established, it will so recommend, with supporting reasons in writing, to the President. If the hearing committee concludes that adequate cause for a sanction less than termination has been established, it will so recommend, with supporting reasons in writing, to the Board and the President.

- (4) For all other employees, the University shall establish policies to afford reasonable opportunities for remediation, opportunities to resolve the concerns and opportunities for a review of the issue(s). Such policies shall take effect when approved by the President.
- (5) Notice provisions regarding non-renewal of contracts have no application to separations during an employee's probationary period.

### 5. Suspension

The President may suspend an employee from duty with or without pay when there is reason to believe the employee has been involved in criminal activity or in actions involving incompetence, moral turpitude, insubordination, dereliction of duty, or otherwise poses a threat to the campus community, pending the outcome of an appropriate investigation and evaluation.



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### 6. Compulsory Medical Leave

- a. If the President believes an employee is unable to perform the essential functions of the position due to illness or injury, he/she may inform the employee in writing of the basis for such belief and require the employee to obtain a medical examination by a physician chosen and paid for by the University, or by a physician chosen and paid for by the employee who is acceptable to the President. The employee shall sign all appropriate releases permitting the physician and/or any entity possessing relevant medical records to provide the result to the University. Refusal of an employee to submit to a medical examination or to sign appropriate releases may result in suspension of the employee or other disciplinary action up to and including termination. The physician shall submit an opinion to the President, as to whether the employee: (1) has a physical or mental condition constituting a health or other hazard to the employee, fellow employees, or others with whom the employee may come in contact; or (2) has a physical or mental condition preventing the employee from performing the essential functions required by the position of employment. A copy of the physician's opinion shall be given to the employee. At the employee's discretion and expense, the President may obtain for consideration a second medical opinion. When obtaining such second opinions, the employee shall provide the medical professional with the duties required by the position of employment and the appropriate releases permitting the physician and/or any entity possessing relevant medical records to provide the results to the University. The physician shall submit an opinion to the President as stated above. These duties shall be attached to the medical opinion.
- b. In such circumstances, if the medical evidence indicates that the employee: (1) has a physical or mental condition constituting a health or other hazard to the employee, fellow employees, or others with whom the employee may come in contact; or (2) has a physical or mental condition preventing the employee from satisfactorily performing the essential functions required by the position of employment, the President may place the employee on compulsory leave consistent with applicable state and federal laws including those for employees where medical evidence shows the





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employee is disabled. The President shall notify the employee in writing of the duration of the compulsory leave period. Any earned leave credits shall be used during the compulsory leave period. That portion of the compulsory disability leave, if any, which is not covered by earned leave credits shall be without pay.

- c. After expiration of one-half of the compulsory disability leave period, the employee may, upon prior notice to the President, and at the employee's expense, seek a medical opinion from a physician acceptable to the President, as to the ability of the employee to return to work. The opinion shall contain the information required in Section 6.a above. If the opinion, which shall include reference to and attach the duties required by the position of employment, indicates the employee is able to return to work, the employee may return to work at a time mutually agreed upon between the employee and the employer.
- d. If, in the opinion of a physician chosen and paid for by the University, or of a physician chosen and paid for by the employee who is acceptable to the President, an employee is unable to return to work at the end of a compulsory disability leave, the President may: (1) extend the leave without pay; (2) request the employee's resignation; (3) terminate the employee's employment; or (4) take any other appropriate action.

### 7. Employee Benefits

#### a. Application

- (1) The benefits described in this paragraph 7. are applicable only to faculty and administrative employees who are not covered by a collective bargaining agreement.
- (2) An employee with a full-time appointment shall be eligible to receive the benefits described in this paragraph 7. An employee whose appointment is at least half-time but less than full-time shall be eligible to receive such benefits on a pro-rated basis, provided that such employee shall not be eligible for educational leave or leave without salary.



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- (3) An employee who receives an appointment on an "acting" basis shall, if not prohibited by or inconsistent with a collective bargaining agreement, be eligible for the benefits described in this paragraph 7. during the term of his/her "acting" appointment.

b. Full-Time Temporary Employee

- (1) An employee hired specifically for a full-time temporary position shall, during the first fiscal year of such appointment, earn non-cumulative sick leave at the rate of ten (10) days per year (credited to the employee at the beginning of the appointment), shall be eligible for holidays, bereavement leave, and leave for court required service, but shall not be eligible for any other benefits provided by this paragraph 7. Such employee shall not receive any benefit for unused sick leave at the end of the fiscal year, or at the end of the appointment, whichever is earlier. If such appointment is at least half-time but less than full-time, the employee shall be eligible to receive the benefits listed in this paragraph (4) on a pro-rated basis.
- (2) An employee hired specifically for a full-time temporary position, who is appointed to said position for more than one (1) consecutive fiscal year, shall be eligible for holidays, bereavement leave, and leave for court required service.
- (3) In addition, effective at the beginning of the second consecutive fiscal year of such appointment, such employee shall become eligible for educational benefits, shall earn non-cumulative sick leave at the rate of one (1) day per month of appointment (credited to the employee at the beginning of the fiscal year), and, if employed on a twelve (12) month basis, shall earn vacation leave as specified in paragraph d. below. Employees whose appointment is supported at least fifty percent (50%) by grant or contract funds shall not receive any benefit for unused sick leave at the end of the fiscal year, or at the end of the appointment, whichever is earlier. (*Revised June 21, 2010*)



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- (4) If the foregoing appointment is at least half-time but less than full-time, the benefits listed in this paragraph (4) shall be provided on a pro-rated basis, and the employee shall not become eligible to earn the benefits listed in paragraph (b) above until the beginning of the third consecutive fiscal year of such appointment.
- c. Part-time faculty employees paid on a per-course basis and employees with appointments for less than half-time shall not be eligible for any benefits described in this paragraph 7.
- d. Vacation Leave
- (1) Faculty and administrative employees with twelve (12) month appointments shall earn vacation leave at the rate of two (2) days per month during each month, or major fraction thereof, of service in pay status. Employees with less than twelve (12) month appointments shall earn no vacation leave. Vacation leave may be accrued up to a maximum of forty-eight (48) days. An employee who accrues the maximum will, except as provided below, earn no further vacation leave until the employee's use of vacation leave reduces the accrual below the maximum. An employee who is required to work on a special assignment may, at the discretion of the President be permitted to earn up to twelve (12) days of vacation leave beyond the maximum of forty-eight (48) days. Such additional vacation leave must be used within twelve (12) months after the employee completes work on the special assignment.
- (2) Vacation leave shall ordinarily be earned before being taken. In exceptional circumstances, an employee may, at the discretion of the President or designated representative be permitted to take up to six (6) days of vacation leave before it is earned. In such case, the employee shall accrue no further vacation leave until the amount taken in advance



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has been earned. If the employee terminates his/her employment prior to earning the amount of vacation leave taken in advance, the unearned amount shall be deducted from his/her salary upon termination.

- (3) All requests for vacation leave shall be submitted in advance to the immediate supervisor.
- (4) Approval of the dates on which an employee wishes to take vacation leave shall be at the discretion of the immediate supervisor, and shall be subject to the consideration of maintaining efficiency of operations.
- (5) Vacation Time Upon Termination of Employment
  - (a) Upon termination of employment, and provided that the employee is not reemployed at the same place of employment within thirty (30) calendar days, an employee, or such employee's estate, shall be entitled to a lump sum payment for accrued vacation leave. Vacation time earned by an employee while employed in a position supported at least fifty percent (50%) by grant or contract funds is not compensable upon termination of employment. *(Revised June 21, 2010)*
  - (b) Vacation leave days eligible for lump sum payment shall be computed by determining the number of days, or fractions thereof, accrued by the employee in accordance with paragraph (1) above and subtracting any days, or fractions thereof, used by the employee.

e. Sick Leave

- (1) An employee, while in pay status, shall earn non-cumulative sick leave at the rate of ten (10) days per year of employment, which shall be credited to the employee at the



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beginning of the employment year, starting with the first year of employment.

- (2) An employee, while in pay status, shall earn cumulative sick leave at the rate of one and a half (1.5) days per month.

After January 1, 1998, there shall be no limit on the amount of such leave that may be accumulated, provided that the total accumulation shall consist of the employee's total unused cumulative sick leave as of January 1, 1998 plus all unused cumulative sick leave earned after that date.

- (3) An employee may use accumulated sick leave only when the employee is prevented from performing assigned duties because of illness, injury, pregnancy, or temporary disabilities, or is obtaining medical or dental consultation or treatment, or for special circumstances stipulated under the Family Medical Leave Act ("FMLA"), 29 U.S.C. § 2601 *et seq.*, or the Bereavement Leave provision described in paragraph f. below. An employee not eligible for the FMLA may use up to twelve (12) days of earned sick leave per calendar year for absences resulting from the illness or injury of a parent, spouse, or child. Upon approval of the President or designated representative an employee may use additional accrued sick leave for such absences.
- (4) Deductions of sick leave shall not be made during any Board approved holiday. One (1) day of sick leave shall be deducted for each day an employee is absent because of injury or illness. No more than five (5) days of sick leave shall be deducted in any one (1) calendar week.
- (5) Sick Leave Upon Termination of Employment
- (a) Upon termination of employment, and provided the employee is not reemployed at the same place of employment within thirty (30) calendar days, an employee, or such employee's estate, shall be



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entitled to a lump sum payment for accrued sick leave earned after December 31, 1983 and before January 1, 1998. The lump sum payment for accrued sick leave shall be computed as the product of the employee's daily rate of compensation and one-half of the lesser of the following: (i) the number of days, or fractions thereof, of cumulative sick leave earned by the employee, in accordance with paragraph (2) above, minus any days, or fractions thereof, of cumulative sick leave used by the employee; or (ii) the number of days, or fractions thereof, of cumulative sick leave earned by the employee in accordance with paragraph (2) above after December 31, 1983 and before January 1, 1998. Non-cumulative sick leave days shall be used first, and cumulative sick leave days shall be used in the order in which they have been accrued. No lump sum payment shall be made for non-cumulative sick leave.

- (b) An employee may waive payment for all or part of his/her eligible accrued sick leave (one-half of the employee's accumulated and unused sick leave earned after December 31, 1983 and before January 1, 1998) by executing an appropriate waiver form prior to termination of employment.
- (c) An employee who has received a lump sum payment for accrued sick leave and who, within two (2) years, is reemployed by the University may, if separated in good standing, have his/her accrued sick leave restored if, within thirty (30) days after commencement of such reemployment, the employee repays said lump sum payment to the University. For each day of sick leave to be restored, the employee shall repay the gross amount he/she was paid for one (1) day of accrued sick leave. An employee may have part or all of his/her



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accrued sick leave restored in this manner; however, if the employee does not make any such repayment to the University, he/she shall not be entitled to have any such sick leave so restored.

- (6) The University reserves the right to require acceptable evidence of illness or disability with respect to the use of sick leave.
- (7) The payment for qualifying accrued sick leave after employee's death, retirement, resignation, or other termination of service provided by Public Act 83-976 and 30 ILCS 105/14a of the State Finance Act, 30 ILCS 105/1 *et seq.*, shall be for sick leave days earned on or after January 1, 1984 and before January 1, 1998. Sick leave accumulated on or after January 1, 1998 is not compensable under this Section at the time of the employee's death, retirement, resignation, or other termination of service, but may be used to establish retirement system service credit as provided in the Illinois Pension Code, 40 ILCS 5/1-101 *et seq.*
- (8) Beginning January 1, 1998, sick leave used by an employee shall be charged against his/her accumulated sick leave in the following order: first, sick leave accumulated before January 1, 1984; then sick leave accumulated on or after January 1, 1998; and finally sick leave accumulated on or after January 1, 1984 but before January 1, 1998.

(Source: P.A. 87-384; 87-721; 87-895; 87-1234.)

f. Holidays

- (1) All University facilities will be closed except for necessary operations on the following principal holidays: New Year's Day, Martin Luther King, Jr.'s Birthday, Lincoln's Birthday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving Day, Christmas Day, and two (2) supplemental



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holidays designated as the day before or after New Year's Day and the day before or after Christmas Day, unless it is necessary to change these days for purpose of academic calendar.

- (2) Supplemental holidays will be observed on days designated by the President but shall be limited to work days, except Saturday and Sunday, immediately preceding or following the observance day of the respective principal holiday.
- (3) Principal holidays which fall on a Saturday shall be observed on the preceding Friday; principal holidays which fall on a Sunday shall be observed on the following Monday.
- (4) Employees will be excused with regular pay on said holidays unless otherwise determined by the President.
- (5) Employees who are required to work on an observed holiday shall be granted, by mutual agreement between the employee and the employer, paid time away from work equivalent to the number of hours worked on the holiday.

g. Bereavement Leave

- (1) Leave with pay of three (3) consecutive days per occurrence, to be taken within a period of five (5) consecutive work days commencing with the date of occurrence, will be granted to an employee in the event of the death of the employee's husband, wife, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, child, son-in-law, daughter-in-law, grandmother, grandfather, grandchild, aunt, uncle, niece, nephew, or first cousin, or a member of the employee's immediate household. Bereavement leave shall be taken in not less than one-half day increments and may not be accumulated.
- (2) Bereavement leave of longer duration than set forth above may be approved under special circumstances by the President or designated representative and will be deducted either from





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vacation leave or sick leave at the employee's choice, provided an accrual balance is available.

h. Family and Medical Leave

The stated purpose of the Family and Medical Leave Act (“FMLA”), 29 U.S.C. § 2601, *et seq.*, is to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity and to entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse, or parent who has a serious health condition. According to the FMLA, this purpose is to be accomplished in a manner that accommodates the legitimate interests of employers and that is consistent with the laws involving equal protection and employment discrimination. The University shall establish a policy that is consistent with this purpose.

i. Educational Leave

Employees shall have the right to apply for an educational leave after having completed a period of five (5) years of service at the University. Employees shall submit requests for leave in writing to their supervisor. If such supervisor approves the request, it shall be forwarded to the President of the University for approval together with the written recommendation of the supervisor and a statement indicating whether the work of the administrative or academic unit in which the applicant serves can be so arranged as to be carried forth effectively during the period of leave. The supervisor shall further set forth in detail a report summarizing the work the employee intends to perform during the leave and shall further indicate how such work is consistent with the goals of the University or the professional development of the applicant. The President shall consult with the Board prior to the award of an educational leave to a Provost/Vice President.

- (1) Applications for educational leave may be approved for the following purposes:
  - (a) study and research, including related travel; or



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- (b) creative work in the employee's field of endeavor.
- (2) The employee shall, prior to the granting of educational leave, enter into a written agreement with the University that, upon the termination of such leave, the employee will return to service for a full year and that, in default of completing such service, will refund, unless excused therefrom by the President for reasons satisfactory to him/her, an amount equal to such proportion of salary received while on leave as the amount of service not actually rendered as agreed bears to the whole amount of service agreed to be rendered. No such refund shall be necessary should the employee be terminated prior to the completion of the service agreed upon.
  - (3) Ordinarily, educational leaves may not result in an increase in net salary cost.
  - (4) An educational leave shall not be awarded more than once in every seven (7) years, and educational leave time shall not be cumulative.
  - (5) Salary payments during educational leave shall be: one-half pay if leave is granted for a full year; full pay if leave is granted for one-half year.
  - (6) The maximum number of educational leave units that may be used during each fiscal year at the University shall be one unit for each twenty-five (25) full-time faculty and administrative employees who are not covered by a collective bargaining agreement, or major fraction thereof. Each unit so derived shall generate twelve (12) half-pay months or six (6) full-pay months of educational leave.
- j. Leave Without Salary
    - (1) An employee may apply for a leave without salary. Ordinarily, such leave may be granted only after the employee has completed



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at least two (2) consecutive years of full-time service at the University.

- (2) A leave without salary may be granted at the discretion of the President following a determination that the employee intends to return to service at the end of such leave. The initial grant of a leave without salary may be for a period of up to one (1) calendar year. The leave may be extended upon the agreement of the President for a period of up to two (2) successive calendar years.

An administrative employee may not rescind a leave without salary or leave extension later than sixty (60) days prior to the approved beginning date of the leave or leave extension.

- (3) An application for leave without salary shall ordinarily be submitted to the individual's immediate supervisor in sufficient time to allow receipt by the President at least three (3) months prior to the starting date of the requested leave. The application must state the purposes of the leave and the time period for which the leave is requested. The reasons for which a leave without salary may be requested are: (a) personal, (b) research, (c) advanced study, or (d) professional development.
- (4) Upon return to the University from a leave without salary, an employee's salary shall be adjusted to reflect non-discretionary increases that the employee would have received if not on leave.
- (5) While on leave without salary, an employee shall retain accrued sick leave and vacation leave earned prior to the commencement of the leave without salary, but shall not earn additional sick leave or vacation leave.
- (6) An employee on leave without salary may continue to contribute toward and receive the benefits of any State or Board insurance program and may continue to contribute toward and receive retirement credit in the State Universities Retirement System if the laws, rules, regulations, policies, and procedures governing the



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administration of such insurance programs or the State Universities Retirement System so permit.

- (7) Time spent by an employee on a leave without salary shall not be creditable for the purpose of determining eligibility for educational leave.

k. Educational Benefits

- (1) An employee may enroll at the University for a maximum of two (2) courses, or six (6) credit hours, whichever is greater, in any academic term with exemption from the payment of tuition and fees. The fees waived by the University include registration, application fees, credit evaluation fees, admission fees, activity fees, graduation fees, textbook rental fees and other service fees, such as those imposed to secure revenue for bond retirement.

The following course and semester hour maxima shall apply to employees who enroll in courses at the University:

<u>Employee Status</u>	<u>Academic Term (the greater of:)</u>
Full-time employee	6 sem. hrs. or 2 courses
3/4 time employee	4 sem. hrs or 1 course
1/2 time Employee	3 sem. hrs. or 1 course

These maxima are employee benefit limitations and do not apply to enrollment in approved work-related training programs, the purpose of which is to improve service.

- (2) Employees are encouraged to enroll in courses having scheduled class hours outside their scheduled work hours. For courses held



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during the employee's work schedule, the employee may be excused to attend classes subject to a maximum of four (4) clock hours per week or the number of clock hours required to attend one (1) course, whichever is greater. Requests for excused absences to attend class must be submitted to the supervisor for approval prior to enrollment and request for waiver of tuition and fees. When such approval is granted, employees shall make up the time at the discretion and approval of the supervisor by: (i) working outside of regularly scheduled hours during the work week in which the excused absence occurs, or (ii) deducting the time spent in class from the employee's accumulated vacation leave. Overtime shall not be earned for make-up time under (i) above.

- (3) The natural, adopted, foster, and step-children and the spouse of full-time employees (including employees on sick leave or compulsory disability leave) who dies while in service at the University shall be entitled to a waiver of tuition and fees (as defined in paragraph (1) above) up to and including the baccalaureate degree at the University. Should both parents be full-time employees, the death of one parent makes the child eligible for the waiver of tuition and fees. Children of a deceased employee who is divorced shall be eligible for a waiver of tuition of fees if such employee was contributing to the children's support at the time of the employee's death.
- (4) An employee who has retired from the University may enroll at the University for a maximum of one (1) course, or three (3) semester hours, whichever is greater, in any one academic term with the exemption from payment of tuition and such fees as may be waived in accordance with paragraph (1) above.
- (5) See Board Regulations Section IV.B.2.a. and the applicable section of Eastern Illinois University Law at 110 ILCS 665/10-90 for provisions governing the award of 50% tuition waivers to the children of seven (7) year or more employees.



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### 1. Administrative Leave

The following provisions shall apply only to persons employed in positions referred to therein as of September 22, 1977.

- (1) In the event that the President, the Vice Presidents, or administrative officers holding the title of Dean, Associate or Assistant Dean, Department Chairperson, Director or Registrar elect to terminate employment in those positions, they shall be eligible, upon approval by the Board (following recommendation of the President) to receive a six (6) month leave at full pay or a twelve (12) month leave at half pay if they meet all the following criteria at the time of retirement:
  - (a) they do not continue in a tenured teaching appointment at the University;
  - (b) they have been in one or more of the aforementioned positions for a period of at least ten (10) years prior to retirement; and
  - (c) they have not had a sabbatical or educational leave during the ten (10) years immediately preceding retirement.
- (2) In addition, individuals employed in positions specified in paragraph (1) above may be afforded continued employment as follows:
  - (a) Vice Presidents who elect to terminate employment in those positions in accordance with paragraph (1) above may, upon recommendation by the President and approval by the Board, be reassigned on a year-to-year basis to teaching positions in the departments (or equivalent academic units) in which they hold rank, if any, with the approval of the departments (or equivalent academic units) involved. Approval of the departments (or equivalent academic units) involved shall not be required for persons



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holding tenure immediately prior to termination of employment in an administrative position listed above.

- (b) Administrative officers holding the title of Dean, Associate or Assistant Dean, Department Chairperson, Director or Registrar who elect to terminate employment in those positions in accordance with paragraph (1) above may, upon recommendation by the President and approval by the Board, be reassigned on a year-to-year basis to teaching positions in the departments (or equivalent academic units) in which they hold rank, if any, or to other positions for which they are qualified, with the approval of the departments (or equivalent academic units) involved. Approval of the departments (or equivalent academic units) involved shall not be required for persons holding tenure immediately prior to termination of employment in an administrative position listed above.

m. Alternative Benefits for Coaches

The following provisions shall apply only to coaches, who for purposes of this subsection are defined as temporary administrative employees appointed for terms of not longer than twelve (12) months, and more than half of whose assignment is coaching intercollegiate athletics.

- (1) Notwithstanding any of the other benefits provisions of these Regulations, coaches may be given an appointment entitling them to the employee benefits described in Section II.A.9. and Section II.B.7. above, (subject to the requirements thereof concerning application and eligibility), but with the following exceptions:
- (a) Instead of the vacation leave described in Section II.B.7.a., coaches appointed hereunder shall be entitled to earn vacation leave at the rate of two (2) days per month during each month or major fraction thereof, of service in the pay status. Vacation leave may be accrued up to a maximum of twenty-four (24) days. An employee who accrued the maximum will earn no further vacation leave until the



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employee's use of vacation leave reduces the accrued below the maximum. There shall be no lump sum payment or other benefit provided to such coaches for unused vacation leave at the end of their term of appointment.

- (b) Instead of the sick leave described in Sections II.B.7.c., coaches appointed hereunder shall be entitled to cumulative sick leave of one day per month of appointment (credited at the beginning of the appointment). There shall be no lump sum payment or other benefit provided to such coaches for unused sick leave at the end of their term of appointment.
- (c) Vacation leave privileges shall be effective July 1, 2001.

### C. Civil Service Employees

#### 1. Coverage

This Subsection II.C. applies to all Eastern Illinois University ("the University") civil service employees unless otherwise provided by these Regulations, by relevant state or federal laws, by the terms of applicable collective bargaining agreements, or any pertinent written employment contracts.

#### 2. Work Week

- a. The standard work week (exclusive of unpaid meal periods) for all full-time employees shall consist of thirty-seven and a half (37.5) hours per week, except for those classifications maintaining twenty-four (24) hour per day operations including, but not limited to, University Police and Heat and/or Power Plant Employees, for which the standard work week shall consist of forty (40) hours per week.
- b. Any change in the standard work week for full-time employees shall require approval of the appropriate employer representative and the President.





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### 3. Work Schedules and Shift Assignments

A schedule of work days and shift assignments shall be maintained for each civil service employee. Work day schedules and shift assignments may be changed to meet operating conditions and needs of the University upon reasonable notice to the civil service employees affected.

### 4. Performance Evaluation

The University shall develop a performance evaluation program for employees consistent with these Regulations and the statutes and rules governed by the State Universities Civil Service Act, 110 ILCS 70/36b *et seq.* (“the Civil Service Act”). The programs and any changes shall become effective when approved by the President. Each performance evaluation program shall include the following elements and such other elements as are necessary and appropriate: (a) a description of the evaluation structure; (b) an identification of the roles and responsibilities of employees and supervisors; (c) a statement of job related criteria for performance evaluation; and (d) a description of the employee appeal procedure with respect to recommendations or decisions made pursuant to a performance evaluation.

### 5. Grievance Procedure

a. The University shall establish a grievance procedure for the resolution of employee grievances. An employee may file a grievance when a dispute arises concerning the interpretation or application of these Regulations and/or policies established by the University. Each grievance procedure shall contain the following elements and such other elements as are necessary and appropriate:

- (1) provisions for informal resolution;
- (2) formal procedures for filing a grievance; and
- (3) provisions for a formal employer representative decision and an appeal by the employee of that decision.



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- b. The decision made at the conclusion of the appeal shall be final and binding and shall be consistent with these Regulations.
  - c. If an employee seeks resolution of the grievance in any other forum, whether administrative or judicial, or pursuant to a grievance procedure under a collective bargaining agreement, the employer representative shall have no obligation to process the grievance under the procedure established in accordance with this regulation.
  - d. An employee grievance committee may be established for the purpose of advising the employer representative on employee grievances.
  - e. The grievance procedures described above and any changes therein shall become effective when approved by the President.
6. Employee Discipline Program
- a. The University shall develop and maintain an employee discipline program specifying reasonable rules of conduct, descriptions of inappropriate behavior, and corrective disciplinary measures. Each program shall contain the following elements and such other elements as are necessary and appropriate:
    - (1) rules of conduct with examples of unacceptable behavior;
    - (2) the following levels of disciplinary action: (a) oral reprimand; (b) written reprimand; (c) suspension; and (d) discharge.
    - (3) an employee appeal procedure.
  - b. The discipline programs described above and any changes therein shall become effective when approved by the President.



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### 7. Employee Benefits

#### a. Limitations and Eligibility

Except as otherwise indicated for prevailing wage rate groups, employee benefits shall be made available to employees in status positions, as defined by the Civil Service Act including, for the purposes of this paragraph 7., employees in appointments designed to qualify employees for status in the class, i.e. learner, trainee, apprentice, and, where appropriate, provisional. Civil Service employees in other types of non-status appointments will not be extended employee benefits under this paragraph 7. except that employees with temporary appointments shall be eligible for holiday pay in accordance with paragraph c. below. An employee with a full-time appointment shall be eligible to receive the benefits specified in this paragraph 7. An employee whose appointment is at least half-time but less than full-time shall be eligible to receive such benefits on a pro-rated basis. An employee whose appointment is for less than half-time shall not be eligible for benefits under this paragraph 7., except that such an employee shall be eligible for holiday pay in accordance with paragraph c. below on a pro-rated basis.

#### b. Vacation Leave

- (1) Non-exempt employees, as defined by Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.*, criteria, shall earn vacation leave in accordance with the following schedule:

Years of Service Completed		Rate Earned/Hr. of Pay Status	Equiv. Days per Year
At Least	Not More Than		
0	3	.0462	12
3	6	.0577	15
6	9	.0692	18



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9	14	.0808	21
14+		.0962	25

- (2) Exempt employees, as defined by FLSA criteria, shall earn vacation leave in accordance with the following schedule:

Years of Service Completed		Leave Days Earned per Year
At Least	Not More Than	
0	3	25
3	6	26
6	9	27
9+		28

- (3) Beginning October 1, 1972, where there has been a break in service, the service year shall be determined by the addition of all previous periods of State service which qualified for earning of vacation leave.
- (4) An employee who leaves the service of the University for any reason, provided that the employee is not reemployed within thirty (30) calendar days at the same place of employment, shall receive pay for vacation leave to the extent of any accrued balance as of the date of separation from service. No vacation leave will be available or payable for employees whose service is terminated prior to the completion of the probationary period.
- (5) Except as provided below, an employee may not accumulate more than two (2) times the appropriate annual level of vacation leave. Upon reaching this maximum, vacation leave will cease to be earned except as the accumulation is reduced. An employee who is required to work on a special assignment may, at the discretion of



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the President, be permitted to earn up to twelve (12) days of vacation leave beyond the maximum provided above. Such additional vacation leave must be used within twelve (12) months after the employee completes work on the special assignment. Extra pay in lieu of vacation leave will not be allowed. An employee's preference as to time of leave shall be considered, but the appropriate supervisor shall have the right to assign leave periods. Observed holidays that occur during the approved vacation leave shall not be charged against vacation leave.

- (6) Vacation leave shall not be taken during the probationary period, except for good cause and upon approval of the employer representative.

### c. Holidays

- (1) All University facilities will be closed except for necessary operations on the following principal holidays: New Year's Day, Martin Luther King, Jr.'s Birthday, Lincoln's Birthday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving Day, Christmas Day, and two (2) supplemental holidays designated as the day before or after New Year's Day and the day before or after Christmas Day, unless it is necessary to change these days for purpose of academic calendar.
  - (a) Principal holidays which fall on a Saturday shall be observed on the preceding Friday; principal holidays which fall on a Sunday shall be observed on the following Monday.
  - (b) Supplemental holidays will be observed on days designated by the President but shall be limited to work days, except Saturday and Sunday, immediately preceding or following the observance day of the respective principal holiday.
- (2) Holiday Pay
  - (a) Employees with full-time status, provisional,



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apprenticeship, trainee, or temporary appointments, except prevailing rate craft employees and those employees covered by collective bargaining agreements, will be excused on the observed day of each of the aforementioned principal and supplemental holidays. Such employees with less than full-time appointments shall be eligible for holiday pay on a pro-rated basis. All other employees, except for prevailing rate craft employees and employees covered by collective bargaining agreements, will be excused without pay.

- (b) For employees who work other than a Monday through Friday work schedule, the calendar date on which a principal holiday falls shall be considered the holiday for purposes of receiving premium pay if work is performed on that date, in which case premium pay will not apply to work performed on the date the principal holiday is observed by the employer representative. If departmental needs permit, employees may be granted the calendar holiday off with full pay instead of the observed holiday in which case premium pay will not apply to work performed on the observed holiday.

- (3) Prevailing Rate Craft Employees

- (a) Prevailing rate craft employees will be excused for all holidays designated in their area agreements and shall be compensated as stipulated and in accordance with provisions contained in said area agreements for said holidays.
- (b) Five (5) additional holidays shall be granted with pay to prevailing rate craft employees and shall be observed on days designated by the employer representative. These additional holidays are: the day before or after New Year's Day, Martin Luther King, Jr.'s Birthday, Lincoln's Birthday, day after Thanksgiving, and the day before or after Christmas Day.



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- (c) Prevailing rate craft employees shall have the option of charging any unpaid area agreement holiday to vacation leave which they have available on holidays on which they are excused.
- (4) Employees covered by a collective bargaining agreement shall be granted paid holidays in accordance with the express terms of that agreement.
- (5) In the event that work is required on any observed holiday as specified in paragraph (1) above, compensation shall be determined as follows:
- (a) Pay for Work Done on Holidays
- (i) Employees who are eligible for holiday pay shall receive straight time pay for the holiday, plus compensation at the rate of time and one-half for hours worked or, by mutual agreement between the employee and employer representative, shall be credited with compensatory time equal to one and one-half times the number of hours worked.
- (ii) Employees who are not eligible for holiday pay shall be compensated at the rate of time and one-half for hours worked, or, by mutual agreement between the employee and employer representative, shall be credited with compensatory time equal to one and one-half times the number of hours worked.
- (iii) Exempt employees, as defined by FLSA criteria, who are required to work on an observed holiday shall be granted, by mutual agreement between the employee and the employer representative, paid time away from work equivalent to the number of hours worked on the holiday.



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- (b) Prevailing rate craft employees shall be compensated in accordance with the terms of their area agreement for holidays designated in the area agreement. For the five (5) additional holidays referred to in paragraph (3)(b) above, these employees shall be compensated in accordance with either paragraph (a)(i) or (ii) above.
- (c) To be eligible for holiday compensation, employees must be on the active payroll on their last scheduled work day preceding the observed holiday and their first scheduled work day following the observed holiday, unless they are absent on such day(s) for good cause and such absence is approved by the employer representative.

### d. Sick Leave

- (1) Status Employees
  - (a) An employee in a status position shall earn credit for sick leave with full pay at the rate of .0462 hours of sick leave for each hour in pay status, equivalent to one regular work day for each completed calendar month of service or twelve (12) regular work days per year.
  - (b) A status employee who fails to complete a full month of service shall have sick leave credit pro-rated for the shortened period of that month.
- (2) There shall be no limit in the amount of sick leave that may be accumulated.
- (3) An employee whose employment or reemployment by the University commences within two (2) years after termination from an entity covered by the State Universities Civil Service Act, 110 ILCS 70/36b *et seq.* shall, if separated in good standing, be allowed to transfer accrued sick leave earned prior to January 1, 1984, to the University.





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### (4) Sick Leave Upon Termination of Employment

- (a) Upon termination of employment at the University, an employee, or an employee's estate, shall be entitled to a lump sum payment for one-half the accrued sick leave earned on or after January 1, 1984, and before January 1, 1998.
- (b) The lump sum payment in paragraph 4(a), less any sick leave used, shall be computed using the employee's current daily rate of compensation. If any employee has a sick leave balance earned prior to January 1, 1984, present sick leave usage will be subtracted first from this balance.
- (c) The payment for qualifying accrued sick leave after the employee's death, retirement, resignation, or other termination of service provided by Public Act 83-976 shall be for sick leave days earned on or after January 1, 1984, and before January 1, 1998. Sick leave accumulated on or after January 1, 1998, is not compensable under this Section at the time of the employee's death, retirement, resignation, or other termination of service, but may be used to establish retirement system service credit as provided in the Illinois Pension Code, 40 ILCS 5/1-101 *et seq.*
- (d) Beginning January 1, 1998, sick leave used by an employee shall be charged against his/her accumulated sick leave in the following order: first, sick leave accumulated before January 1, 1984; then sick leave accumulated on or after January 1, 1998; and finally sick leave accumulated on or after January 1, 1984, but before January 1, 1998.

(Source: P.A. 87-384; 87-721; 87-895; 87-1234.)

- (e) An employee may waive payment for all or part of his/her eligible accrued sick leave by executing an appropriate waiver form prior to termination of employment.



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- (f) A person reemployed in any capacity with the University within thirty (30) days of the termination must, as a condition of employment, repay the lump sum amount within thirty (30) days after reemployment.
- (g) A person reemployed by the University within a two (2) year period shall be eligible to restore part or all of the lump sum payment for accrued sick leave received upon previous termination. The employee shall repay the gross amount within thirty (30) days of reemployment.
- (5) An employee may use accumulated sick leave only when the employee is prevented from performing assigned duties because of illness, injury, pregnancy, or temporary disabilities, or is obtaining medical or dental consultation or treatment, or for special circumstances stipulated under the Family Medical Leave Act ("FMLA"), 29 U.S.C. § 2601 *et seq.*, or the Bereavement Leave provision described in paragraph f. below. An employee not eligible for the FMLA may use up to twelve (12) days of earned sick leave per calendar year for absences resulting from the illness or injury of a parent, spouse, or child.
- (6) The University reserves the right to require acceptable evidence of disability, illness, or injury before allowing use of any sick leave benefits.
- (7) Unless approved in writing by the University's Designated Employer Representative, sick leave requested during a work stoppage may be denied and the absence from work treated as unexcused.
- e. Family Medical Leave

The stated purpose of the FMLA is to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity and to entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the



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care of a child, spouse, or parent who has a serious health condition. According to the FMLA, this purpose is to be accomplished in a manner that accommodates the legitimate interests of employers and that is consistent with the laws involving equal protection and employment discrimination. The University shall establish a policy that is consistent with this purpose.

f. Bereavement Leave

- (1) Bereavement leave with pay of three (3) days per occurrence, to be taken within a period of five (5) consecutive work days commencing with the date of occurrence, will be granted to an employee in the event of the death of the employee's parent, spouse, child, son-in-law or daughter-in-law, grandparent, brother or sister, brother-in-law or sister-in-law, mother-in-law or father-in-law, aunt or uncle, niece or nephew, grandchild, or first cousin, or a member of the employee's immediate household. Bereavement leave shall be taken in not less than one-half day increments and may not be accumulated.
- (2) Bereavement leave beyond this amount may be approved by the employer representative under special circumstances and will be deducted from either vacation leave or sick leave at the employee's choice, provided an accrual balance is available.

g. Leaves of Absence

Requests for a leave of absence without pay for reasons other than disability (including but not limited to leaves of absence without pay for advanced study), upon recommendation of a supervisor, may be granted by the designated employer representative after vacation leave is reduced to not more than five (5) days. Each request will be considered on the basis of its individual merits and the operational needs of the University. The designated employer representative may waive the above vacation reduction requirement when it is determined to be in the best interests of the University to do so.



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h. Educational Benefits

- (1) Tuition and fee waivers shall be granted to status civil service employees of the University. The following course and semester hour maxima shall apply to employees who enroll in courses at the University:

<u>Employee Status:</u>	<u>Academic Term (the greater of):</u>
Full-time employee	6 sem. hrs. or 2 courses
3/4 time employee	4 sem. hrs or 1 course
1/2 time employee	3 sem. hrs. or 1 course

These maxima are employee benefit limitations and do not apply to enrollment in approved work-related training programs, the purpose of which is to improve service.

- (2) Employees are encouraged to enroll in courses having scheduled class hours outside their scheduled work hours. For courses held during the employee's work schedule, the employee may be excused to attend classes subject to a maximum of four (4) clock hours per week or the number of clock hours required to attend one (1) course, whichever is greater. Requests for excused absences to attend class must be submitted to the supervisor for approval prior to enrollment and request for waiver of tuition and fees. When such approval is granted, employees shall make up the time at the discretion and approval of the supervisor by: (i) working outside of regularly scheduled hours during the work week in which the excused absence occurs, or (ii) deducting the time spent in class from the employee's accumulated vacation leave. Overtime shall not be earned for make-up time under (i) above.



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- (3) The natural, adopted, foster, and step-children and the spouse of full-time employees (including employees on sick leave or compulsory disability leave) who dies while in service at the University shall be entitled to a waiver of tuition and fees (as defined in paragraph (1) above) up to and including the baccalaureate degree at the University. Should both parents be full-time employees, the death of one parent makes the child eligible for the waiver of tuition and fees. Children of a deceased employee who is divorced shall be eligible for a waiver of tuition of fees if such employee was contributing to the children's support at the time of the employee's death.
  - (4) An employee who has retired from the University may enroll at the University for a maximum of one (1) course, or three (3) semester hours, whichever is greater, in any one academic term with the exemption from payment of tuition and such fees as may be waived in accordance with paragraph (1) above.
  - (5) See Board Regulations Section IV.B.2.a. and the applicable section of Eastern Illinois University Law at 110 ILCS 665/10-90 for provisions governing the award of 50% tuition waivers to the children of seven (7) year or more employees.

- i. National, State, and Local Elections

Upon the approval of their supervisors, employees may be granted time off up to two (2) hours without pay to vote in any national, state, or local election.

8. Overtime Compensation

- a. Employees in Non-negotiated Classifications

- (1) Except as provided in paragraph 7.h.(2) above, employees in non-negotiated classifications that are covered by the overtime provisions of the FLSA will be compensated at time and one-half either in cash or by allowing compensatory time off, for all time in excess of the number of hours of work comprising an established



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full-time daily or weekly work schedule. Employees shall not receive overtime compensation on both a daily and weekly basis for the same work time.

- (2) For the purpose of computing overtime, paid benefit time for which work is not performed shall count as time worked in any work week.

- b. Employees Paid On a Prevailing Rate Basis

For employees paid on a prevailing rate basis, the number of hours before daily and/or weekly overtime is payable, and the rate of overtime pay will depend on the number of hours and the rate being paid locally pursuant to the appropriate multi-employee area agreement.

- c. Employees in Negotiated Classifications

For employees in a negotiated classification, overtime payment shall be in accordance with the provisions of the applicable collective bargaining agreement.

- d. Employees Exempt From Overtime Pay

Employees in positions that are exempt from the overtime provisions of the FLSA shall work as required by their position.

9. Compulsory Disability Leave

- (a) If the employer representative believes an employee is unable to perform the essential functions of his/her position due to illness, injury, or disability, the employee shall be informed in writing on the basis of such belief. The employee may be required to obtain medical examinations and may be placed on leave for disability in accordance with the State Universities Civil Service Act, 110 ILCS 70/36b *et seq.* Refusal of an employee to complete a medical examination may result in disciplinary action.



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- (b) The employer representative shall notify the employee in writing of the duration of the compulsory disability leave period. Any earned sick leave or vacation leave may be used during the compulsory disability leave period. That portion of compulsory disability leave for which earned sick leave or vacation leave credits are not used shall be without pay.

### D. Other Employees

This Subsection II.D. applies to all other Eastern Illinois University (“the University”) employees. For University employees other than faculty, administrative, and civil service employees, the President shall develop guidelines concerning appointment, benefits, and other conditions of employment. All such guidelines shall comply with any relevant state or federal laws, the terms of applicable collective bargaining agreements, or any pertinent written employment contracts.



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### SECTION III. ACADEMIC AFFAIRS

#### A. University Calendar

1. Eastern Illinois University (“the University”) shall develop a University Calendar containing significant academic dates and events during the twelve (12) month period commencing with each fall term. The University Calendar shall become effective when approved by the President and shall be published each academic year in the official University Catalog.
2. The University Calendar shall contain the following dates and such other dates as are necessary and appropriate: (1) opening and closing dates of each term; (2) registration periods, including the date after which a fee for late registration will be charged; (3) last day for withdrawal; (4) final examination periods; (5) recognized holidays; (6) vacations; and (7) commencement.

#### B. Degrees

##### 1. Earned Degrees

- a. The University shall develop requirements for earned degrees. The requirements and any changes shall become effective when approved by the President.
- b. The President shall submit to the Board of Trustees (“the Board”) an annual report on earned degrees awarded.
- c. Earned degrees shall be conferred by the University pursuant to the authority vested in the Board upon satisfactory completion of all degree requirements and recommendation to the President by the faculty.

##### 2. Honorary Degrees

###### a. Criteria

The University may award honorary degrees to persons who have achieved a record of major distinction at the state, national, or international level in such areas as education, public service, research,





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humanities, business, or the professions. In exceptional circumstances, the University may award honorary degrees to persons who, though they have not achieved national or statewide recognition, have made an especially outstanding and significant contribution to the University.

b. Procedure

Honorary degrees may be awarded only by approval of the Board upon the recommendation of the President. The President shall establish a representative committee, which shall recommend to the President proposed honorary degree recipients selected from nominations by the faculty, students, staff, alumni, and members of the Board of Trustees. Before requesting Board approval, the President shall submit to the Chairperson written information concerning the candidate's achievements and any significant contributions to the University, the Board, higher education, or the State of Illinois. Unless the Chairperson approves an exception, Board approval of candidates must be obtained at least two (2) months prior to the award of the degree and the University may not award more than four (4) honorary degrees each year.

c. Limitations

Elected or appointed public officials in state or local government, members and employees of the Board or University, and members and employees of the Board of Higher Education are ineligible for award of an honorary degree during their term of office or employment.

C. Academic Programs and Plans

1. A request for initiation of a new degree program or a new organizational unit of instruction, research, or public service, including the establishment of a college, school, department, division, center, or institute, shall be presented to the Board for approval and, where applicable, to the Board of Higher Education. The President shall make recommendations to the Board concerning such matters.
2. A request for initiation of an off-campus program requiring Board of Higher Education approval shall be submitted to the Board for approval prior to being



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submitted to the Board of Higher Education. The President shall make recommendations to the Board concerning such matters.

3. A request for a reasonable and moderate extension of an existing program shall be submitted to the President for approval and, where applicable, to the Board of Higher Education.

D. Grants

1. The University shall develop policies concerning grants. The policies and any changes shall become effective when approved by the President. The President shall submit any such policies and changes to the Chairperson.

The policies shall contain the following provisions and such other provisions as are necessary and appropriate:

- a. Provisions for the review and administration of grants that shall insure their consistency with the University's academic mission, instructional commitments, and financial capabilities.
  - b. Provisions to insure that persons engaged in grant-funded activities do not have conflicts of interest that could compromise the integrity of the activities and the university.
  - c. Provisions to safeguard human and animal subjects involved in research activities.
  - d. Provisions ensuring the administration of grants shall meet all federal and state requirements.
2. The President shall submit to the Board an annual report on grants.



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## SECTION IV. STUDENTS

### A. Admission Policies

The Eastern Illinois University (“the University”) shall develop policies for the admission of undergraduate and graduate students. The policies shall become effective when approved by the President and shall be:

1. Consistent with the Board of Trustee’s (“the Board”) commitment to equal opportunity for qualified students to attend the University.
2. Consistent with admission standards approved by the Board of Higher Education.
3. Published in appropriate university catalogs and posted on the University’s website.

The President shall submit to the Board a report of any change in the admission policies.

### B. Student Financial Aid

#### 1. Definition

Student financial aid includes: tuition waivers, scholarships, grants, loans, and employment opportunities which are provided for students to assist them in meeting the costs of university attendance whether from university, state, federal, or private resources.

#### 2. Financial Aid Policies

The University shall develop policies for the administration of its financial aid program. The policies shall become effective when approved by the President.

Financial aid policies shall be consistent with the Board's commitment to provide an equal opportunity to qualified Illinois residents to attend the University. The policies shall include the following provisions and such other provisions as are necessary and appropriate:



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- a. Policies and procedures concerning the award of tuition waivers. The policies and procedures shall describe all tuition waivers issued by the University and the criteria for their award. The policies and procedures shall comply with Board of Higher Education tuition waiver policies and the other applicable laws, policies, rules, or requirements.
  - b. In compliance with Eastern Illinois University Law on partial tuition waivers, 110 ILCS 665/10-90, the University's policies and procedures for the award of tuition waivers shall provide that each eligible child of any Illinois Public University employee who has been employed for at least seven (7) years by an Illinois Public University shall, upon proper application and verification of eligibility, be offered a fifty percent (50%) tuition waiver for any academic year for which he/she:
    - (1) is under the age of twenty-five (25) at the commencement of the academic year during which the partial tuition waiver is to be effective. Eligibility for this purpose will be verified on a year-by-year basis;
    - (2) qualifies for admission to a degree program as a matriculated student under the same admissions requirements, standards, and policies which the University generally applies to applicants for admission to its respective undergraduate programs;
    - (3) is the natural, adopted, or step-child of a current University employee who has been employed for a total of at least seven (7) cumulative years. Academic years shall count as calendar years for those employees normally employed on an academic year basis. Employment which is or was contingent upon an individual's status as an enrolled student shall not be counted as part of this seven (7) cumulative years of employment;
    - (4) has, if the application is for a renewal of the award, maintained satisfactory academic progress toward graduation as this would be determined by the established rules of the University; and
    - (5) has not expended a total of four (4) years of undergraduate fifty percent (50%) tuition waiver benefits as provided under this



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section. For purposes of this subsection, four (4) years shall be considered to be either twelve (12) academic terms or the number of hours necessary to complete an undergraduate degree as defined by the University, whichever is completed first.

- c. Policies and procedures concerning the employment and compensation of student hourly workers. The policies and procedures shall comply with the rules of the State Universities Civil Service System and with applicable state and federal employment law.
- d. Policies and procedures concerning the appointment, hours of work, and compensation of graduate assistants. Graduate assistants may not hold faculty rank and must hold at least the baccalaureate degree or its equivalent.

### 3. Financial Aid Report

The President shall submit to the Board an annual report on student financial aid programs at the University.

## C. Residency Status

### 1. Definition of Residence

"Residence" means legal domicile. The University shall establish criteria to document a student's establishment of legal domicile.

### 2. Residency Determination

The University shall determine the residency status of each student enrolled in the University for the purpose of determining whether the student is assessed in-state or out-of-state tuition. Each applicant for admission to the University shall submit at the time of application evidence for determination of residency. The office responsible for admissions shall make a determination of residency status. The University shall establish policies to handle changes in residency status and address any errors made in such determination.



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### 3. Residency Status Appeal Procedure

Students who take exception to their residency status classification shall pay the tuition assessed but may file a claim in writing to the university office responsible for reconsideration of residency status. The written claim must be filed within thirty (30) calendar days from the date of the tuition bill or the student loses all rights to a change of residency status for the term in question. If the student is dissatisfied with the ruling in response to the written claim made within said period, the student may file a written appeal within ten (10) calendar days of receipt of the decision to the responsible university office. Such written appeals shall be forwarded to the appropriate university vice president, who shall consider all evidence submitted in connection with the case and render a decision which shall be final.

### 4. Special Situations

- a. Upon recommendations of the President, the Board may, in special situations, grant residency status for the purpose of tuition to categories of persons otherwise classified as non-residents under this regulation.
- b. For employees and their immediate families, the President, in special situations, may grant in-state residency status for the purpose of tuition to categories of persons otherwise classified as non-residents under this regulation.

### D. Student Conduct

1. The University shall develop policies concerning student rights and conduct. The policies and any changes shall become effective when approved by the President.
2. The policies shall include the following provisions and such other provisions as are necessary and appropriate:
  - a. Recognition of basic student rights.
  - b. Clarification of the distinction between university conduct standards and standards established by civil and criminal statutes.



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- c. Specific prohibited conduct, with sanctions that may be imposed for such conduct.
  - d. Procedures for presenting complaints of prohibited conduct and a due process for determining whether violations have occurred.
  - e. Grievance procedures.
- E. Student Activities and Organizations
- 1. The University shall develop policies concerning student activities and organizations. The policies and any changes shall become effective when approved by the President.
  - 2. The policies shall include the following provisions and such other provisions as are necessary and appropriate:
    - a. Procedures for recognition of approved university activities and organizations.
    - b. Procedures for the approval of allocations and expenditures of student activity funds.
- F. Student Publications and Broadcasting Policies
- 1. The University shall develop policies consistent with Illinois law concerning the operation of all student media that are supported in whole or in part by university funds. The policies and any changes shall become effective when approved by the President.
  - 2. The policies shall include the following provisions and such other provisions as are necessary and appropriate:
    - a. Necessary management elements for the conduct of student media organizations, including specifying the line of authority and responsibility from the President to the staff of each organization.
    - b. Method of funding and procedures for budget approval.



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- c. Establishment of a staff organization, of fiscal authority responsibility, and of guidelines for the conduct of operations.
- d. Provisions for a faculty/staff advisor and for selection of principal student staff and advisors.
- e. Establishment of appropriate ethical and professional standards.
- f. Complaint procedures.
- g. Requirements for assuring compliance with all applicable laws and regulations.

### G. Student Legal Services

1. The University may develop policies concerning the provision of student legal services. The policies and any changes shall become effective when approved by the President.
2. The policies shall include the following provisions and such other provisions as are necessary and appropriate:
  - a. That the attorney may be an independent contractor or an employee of the University.
  - b. That the attorney acts on behalf of students and not as an attorney or agent for the Board or the University.
  - c. Functions of the attorney, types and limitations of legal service that may be provided.
  - d. Establishment of an Advisory Board.

### H. Student Housing

1. The University shall develop policies concerning student housing. The policies and any changes shall become effective when approved by the President.





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2. The policies shall include the following provisions:
  - a. Eligibility for housing.
  - b. Procedures for assignment of housing.
  - c. Billing and refund procedures.
  - d. Sanctions for violations of housing policies.
  - e. Any other provisions as deemed necessary.

### I. Military Service

1. The University shall develop policies concerning credit for students who are called into active military service. The policies and any changes shall become effective when approved by the President.
2. The policies shall include the following provisions:
  - a. Provisions for course credit and residence credit for students who withdraw during the term.
  - b. Provisions for make up of coursework missed while attending annual training.
3. Provisions permitting a tuition freeze for those full-time students called into active duty.
4. Any other provisions as deemed necessary and appropriate.

### J. Intercollegiate Athletics Policy

1. An intercollegiate athletics program is an important and worthwhile activity. A properly administered program can make a significant contribution to the quality of campus and student life.



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2. The primary responsibility for management of an intercollegiate athletics program rests with the University President. The President's exercise of that responsibility is subject to applicable law and Board policies, including the following:
    - a. The President shall inform the Board in advance of any action or proposal significantly affecting the intercollegiate athletics program, including: (1) proposals to change conferences; (2) athletic associations or divisions; or (3) to add or drop sports.
    - b. State appropriations may be used to support the intercollegiate athletics program, but no more than one and a half percent (1.5%) of the University's annual state appropriation may be expended for intercollegiate athletics unless approved by the Board.
    - c. Student athletic fees may be used to support the intercollegiate athletics program, but increases in such fees should normally not exceed the projected rate of inflation for the year in which the increase is to take effect. Proposals to increase student athletic fees should not be presented for Board approval without prior consultation with appropriate student advisory bodies.
    - d. Every effort should be made to minimize reliance on state appropriations and student fees as revenue sources for intercollegiate athletics.
    - e. The President shall prepare an annual report for the Board on intercollegiate athletics that shall include appropriate financial and program information.

**SECTION V. ADMINISTRATIVE AFFAIRS****A. Budget and Appropriations Process****1. Budget Requests**

The President shall establish guidelines and procedures for preparation of operating and capital budget requests for Eastern Illinois University (“the University”). The President shall review and make recommendations concerning the requests and submit them to the Board of Trustees (“the Board”) for approval. The President shall review employee salaries at the University, and, as appropriate, present recommendations concerning employee salaries as part of the operating budget request. The President shall submit budget requests approved by the Board to the Board of Higher Education and shall take such actions on the Board's behalf as are necessary and appropriate during the Board of Higher Education budget review process.

**2. Appropriations Requests**

The President shall prepare the Board’s requests for operating and capital appropriations for the University. The President shall submit the initial requests for operating and capital appropriations to the Board for approval prior to their introduction in the General Assembly. The President shall take such actions on the Board’s behalf as are necessary and appropriate during the appropriations process.

**3. Financial Plans and Reports**

- a. The President shall establish guidelines and procedures for the preparation of an annual internal budget for appropriated and non-appropriated funds for the University.
- b. The President shall establish guidelines and procedures for the preparation of financial reports for the Board.



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### 4. Line Item Transfers

The President, subject to the provisions of State law, may approve appropriation line item transfer requests for the University. The President shall annually present a report on appropriation line item transfers approved during the preceding fiscal year.

### B. Purchases

Purchases consist of contracts, purchase orders, or other agreements (collectively referred to in this Subsection B. as "contracts") for the receipt of services or the acquisition of real or personal property obligating financial resources of the Board. The financial resources of the Board include all funds received by or belonging to the Board, and the University, including income received and retained in accordance with Section 105/6a(2) of the State Finance Act ("State Finance Act"), 30 ILCS 105/6a(2). All purchasing transactions shall be conducted in accordance with applicable State and federal statutes and regulations and applicable regulations adopted by the Board.

#### 1. Approval

Approval of purchases shall be obtained, prior to the obligation of financial resources of the Board, as follows:

- a. All transactions involving the acquisition of real property and purchases of two hundred and fifty thousand dollars (\$250,000) or more (except as specified in paragraph d. below) shall require the Board's approval.
- b. Except as specified in paragraph d. below, purchases by the University of at least one hundred thousand dollars (\$100,000) but less than two hundred and fifty thousand dollars (\$250,000) shall require the President's approval.
- c. The Chairperson may grant an exception to the requirement of Board approval of a purchase if, in the opinion of the Chairperson: (1) immediate action is required; (2) a reasonable effort has been made by the Chairperson/designee to consult individually with members of the Board or the Executive Committee; and (3) there is insufficient time to obtain approval by the Board or the Executive Committee before action must be



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taken. The President shall present a report on exceptions granted under this provision at the next regular Board meeting.

- d. Approval by the Board or the President under paragraph a. or b. above is not required for the following purchases: natural gas, utility services, fire protection, library books and periodicals, textbooks, food products, entertainment services paid for with student fees and/or ticket sales receipts, resale items, postal charges, approved projects funded through the Capital Development Board, and approved items bid through the Illinois Public Higher Education Cooperative or State of Illinois.

### 2. Reports

At each regular Board meeting, the President shall present a report on purchases of at least one hundred thousand dollars (\$100,000) but less than two hundred and fifty thousand dollars (\$250,000) made since the preceding regular Board meeting, excluding purchases listed in paragraph 1.d. above.

### 3. Letters of Intent

A letter of intent (or similar document) may be signed by the President/designee for the University when the President determines that a letter of intent is necessary to insure receipt of an advantageous price or delivery date for goods or services and approval of the purchase by the Board as required by paragraph 1. above cannot be obtained in a timely manner. Such letters of intent shall provide that the purchase may be terminated without any cost, liability, or obligation if approval of the Board as required by paragraph 1. above is not obtained by a specified date and shall contain such other conditions as may be considered appropriate by the person signing the letter of intent.

### 4. Internal Management Guidelines

- a. The University shall promulgate a policy concerning purchases, which shall include the following provisions and such other provisions as are necessary and appropriate.
  - (1) Provisions intended to ensure the fair and equitable treatment of all persons who provide goods or services to the Board or University.



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- (2) Provisions intended to foster competitive bidding and economical procurement to the greatest extent possible.
  - b. The policy and any changes shall become effective when approved by the President.
5. Change Orders
- a. The President/designee is authorized to approve and sign construction project change orders for the University.
  - b. A change order or series of change orders authorizing or necessitating an increase in either the cost of a contract by a total of ten thousand dollars (\$10,000) or more or the time of completion by a total of thirty (30) days or more shall not be approved unless it is first determined in writing by the President/designee that the circumstances necessitating the change were not reasonably foreseeable at the time the contract was signed, or the change is germane to the original contract as signed, or the change order or series of change orders is in the best interest of the University and is authorized by law. Such written determination and the written change order resulting from that determination shall be preserved in the contract's permanent file which shall be open to the public for inspection.
  - c. In accordance with Section I.E. of these Regulations, the President shall further delegate the authority granted to him/her in the preceding paragraphs so that the same individual does not both approve a change order under paragraph a. and make a determination in writing that the change order is justified under paragraph b.
  - d. Approval by the President/designee shall be required for each change order which results in a contract amount of less than two hundred and fifty thousand dollars (\$250,000) if the change order: (1) increases a contract to one hundred thousand dollars (\$100,000) or more; (2) exceeds a contingency previously approved by the President; or (3) increases a contract previously approved by the President without a contingency.



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- e. Board approval shall be required for each change order: (1) increasing a contract to two hundred and fifty thousand dollars (\$250,000) or more; (2) exceeding a contingency previously approved by the Board; or (3) increasing a contract previously approved by the Board without a contingency.

### C. Contracts

#### 1. Contract Preparation and Signature

- a. The Board, as a duly constituted body corporate and politic, is the contracting entity for all contracts involving the Board or the University. All such contracts shall bear the name of the Board and, as appropriate, shall also include the name of the University as follows: "Board of Trustees of Eastern Illinois University."
- b. All contracts and agreements must be reviewed and approved by the Office of the Vice President for Business Affairs/designee. The Vice President for Business Affairs/designee is responsible for ensuring appropriate review by the office of University Counsel. All contracts and agreements must be signed by the Vice President/designees for Business Affairs.
- c. The President/designee is authorized to sign all contracts for the Board and the University after any necessary Board approval is obtained.
- d. Any new contract or contract renewal in the amount of two hundred and fifty thousand dollars (\$250,000) or more in a fiscal year, or any order against a master contract in the amount of two hundred and fifty thousand dollars (\$250,000) or more in a fiscal year, or any contract amendment or change to an existing contract that increases the value of the contract to or by two hundred and fifty thousand dollars (\$250,000) or more in a fiscal year, shall be signed or approved in writing by the President, and shall also be signed or approved in writing by the University General Counsel and Vice President for Business Affairs.



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### 2. Income-producing Contracts

- a. Income-producing contracts include, without limitation, grants or contracts with public or private agencies for instruction, research, or service, as well as concession contracts and contracts for the conveyance, lease, license, encumbrance, or other disposition of real or personal property of the Board.
- b. The President shall present to the Board an annual report on income-producing contracts received by the University.

### D. Travel

Travel regulations issued by the Travel Regulation Council, as may be amended from time to time, shall govern the reimbursement of employees and members of the Board from all fund sources.

### E. Business Expenses

1. The University shall develop a policy concerning the reimbursement from any Board or University funds of expenses incurred in connection with the conduct of official business for individuals, organizations, or situations not covered by regulations of the Travel Regulation Council. The policy shall be consistent with regulations issued by the Travel Regulation Council to the extent possible and shall, except as otherwise provided herein, take effect when approved by the President. Any such policies shall comply with any relevant personnel policies adopted by the Illinois Board of Higher Education in compliance with the State Officials and Employees Ethics Act ("Ethics Act"), 5 ILCS 430/1-1 *et seq.*<sup>1</sup>
2. The policy shall include the following:
  - a. Provisions concerning the reimbursement of expenses for transportation, meals, and living expenses.
  - b. Provisions concerning the reimbursement of expenses for institutional advancement and development efforts.

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<sup>1</sup> 430/5-5(c) directs the adoption of personnel policies relating to documentation for reimbursement for travel on official State business. See also expanded number 5 below (adding reference to relevant state law).





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- c. Provisions concerning the reimbursement of expenses for candidates for faculty, administrative and staff positions.
- d. Provisions concerning the source of funds for reimbursement of business expenses.
- e. Any such other provisions as are appropriate and necessary for the University to comply with any relevant state laws.

### F. Moving and Relocation Expenses

- 1. The term "employee," as used herein, includes all full-time faculty and selected administrative and civil service employees recruited outside the commuting area of the post of duty of the assignment.
- 2. Moving or relocation expenses associated with the appointment of the President shall be limited to reasonable and actual expenses and shall be subject to approval by the Board. Moving or relocation expenses associated with the appointment of other employees shall be limited to reasonable and actual expenses and shall be subject to the maximum specified by University policy.
- 3. If two (2) or more individuals occupying the same household who qualify for reimbursement for moving and relocation expenses are hired with commencement dates not more than thirty (30) calendar days apart, they shall be eligible for a single reimbursement for that household to be divided equally between or among such individuals.

### G. Non-Appropriated Funds

- 1. The State Finance Act provides that certain non-appropriated funds may be retained by the University for use in the manner and for the purposes set forth therein. Non-appropriated funds retained by the University shall be subject to the following provisions.



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### a. Depositories

- (1) Non-appropriated funds may be deposited in depositories approved by the Board. The only financial institutions eligible for consideration as depositories are: (a) banks located in Illinois and insured by the Federal Deposit Insurance Corporation (FDIC); or (b) savings and loan associations located in Illinois and insured by the Saving Association Insurance Fund (SAIF).
- (2) As a general rule, all deposits at a depository in excess of the amount insured by the FDIC or SAIF shall be secured by the pledge of: (a) United States government securities; (b) securities guaranteed by the full faith and credit of the United States government; or (c) any other security permitted by law and approved by the Board.

### 2. Investment of Funds

Non-appropriated funds shall, unless otherwise provided for by terms of a bond resolution or needed for operational expenses, be invested in accordance with the provisions of the Public Funds Investment Act, 30 ILCS 235/2.5 *et seq.*, and the Uniform Management of Institutional Funds Act, 760 ILCS 50/1-10 *et seq.* The President or designee shall have the authority to prescribe guidelines, not inconsistent herewith, as are deemed appropriate for accomplishing the purposes herein set forth.

### 3. Records and Audits

The University shall maintain detailed financial records of operations and prepare formal financial reports in accordance with generally accepted accounting principles as are necessary for sound financial management and adequate disclosure. The University shall annually file with the Board a copy of its annual financial report and its audit supervised by the Auditor General.



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### 4. Bond Resolutions

In the event of a conflict between the provisions of these Regulations and the requirements of specific bond resolutions adopted by the Board, the latter shall govern.

### 5. Reserves

Board approval shall be required to establish or change non-instructional facilities reserves or other reserves authorized by the University Guidelines 1982, as amended 1997 ("Guidelines"), issued by the Legislative Audit Commission. The President shall issue guidelines for such reserves consistent with the Guidelines.

## H. University-Related Organizations

### 1. General

University-related organizations include foundations, alumni associations, athletic associations, and other not-for-profit organizations established for the purpose of assisting the Board and the University in the accomplishment of their educational objectives.

### 2. Audit Commission Guidelines

The relationship between university-related organizations and the University shall be governed by the Guidelines. The University shall develop a written contract describing this relationship with each of its university-related organizations. These contracts shall be subject to approval by the Board.

### 3. Establishment of University-Related Organizations

Proposals to create a new university-related organization shall be submitted to the President for review by the Board before the organization is established.

### 4. Contributions

A report shall be submitted to the Board by the President describing any significant commitment of Board or University resources for the operation,



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maintenance, or administration of a contribution to a university-related organization intended for use by the University. The Board's approval shall be required before such a commitment is made. For purposes of this requirement, a significant commitment of resources shall be defined as one which totals fifty thousand (\$50,000) or more in cash and/or in-kind expenditures annually.

### 5. Reports

- a. The President shall submit to the Board copies of the annual audits of each university-related organization.
- b. The President shall present an annual report to the Board on contributions received by all university-related organizations and the significant activities and financial condition of such organizations.

## I. Contributions

### 1. General

The Board is charged by statute to succeed to and administer all trusts, trust property, and gifts belonging or pertaining to the University. Contributions may be accepted by the Board or on behalf of the Board by authorized Board or University officials. All such contributions and regulations thereof shall comply with the Ethics Act.

### 2. Definition

For the purpose of this regulation, contributions are defined to include gifts, endowments, trusts, bequests, devises, and other donations made to the Board or the University.

### 3. Authority to Accept

The President is authorized to accept contributions to the University. Board approval shall be required prior to acceptance in the case of contributions involving a significant commitment of resources for the operation, maintenance, or administration of the contribution. For purposes of this requirement, a



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significant commitment of resources shall be defined as one totaling fifty thousand dollars (\$50,000) or more in cash and/or in-kind expenditures annually.

#### 4. Reports

The President shall present an annual report to the Board on contributions to the University. More specific information relative to contributions to the University will be made available to Board members upon request.

#### J. Tuition and Mandatory Fees

##### 1. Definition

Mandatory fees are defined as tuition and other fees established by the Board which all students are assessed as a prerequisite for registration unless a waiver or other exemption has been authorized by the Board or by statute.

##### 2. Tuition

The Board shall annually review and establish tuition rates.

##### 3. Other Mandatory Fees

Board approval shall be required to establish or change the amount of any mandatory fee. In addition to tuition, mandatory fees which may be established at the University include the following:

- a. Activity fee
- b. Revenue Bond fee
- c. Health Service fee
- d. Health and Accident Insurance fee
- e. Athletic fee
- f. University Union fee
- g. Computer Technology fee
- h. Pharmacy fee
- i. Textbook Rental fee
- j. Grant in Aid fee



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- k. Recreation Center fee
  - l. Any other fee which is a prerequisite for registration.
4. Waivers
- Board approval is required to waive mandatory fees, except when a waiver is required by statute or authorized by Board regulation.
5. Advance Deposit
- Subject to Board approval, the University may require an advance deposit from a student who has been accepted for admission or who preregisters for a subsequent term. This deposit will be applied to the registration fees for that term.
6. Collections
- All registration fees must be collected prior to or during the academic term to which they apply. The University offers a plan which permits students to pay their tuition and fees in installments during the academic term. A finance charge may be added for students who elect to pay in more than one installment, in accordance with an approved University plan. Unless an exception is granted by the President, individuals must meet all financial obligations to the University to maintain their status as enrolled students.
7. Refunds
- Board approval shall be required for any refund of tuition and mandatory fees other than in accordance with the following provisions. The term "refund" is defined as the cancellation of an unpaid obligation as well as an actual refund of an amount previously paid.
- a. (1) Any student canceling registration prior to the beginning of late registration, in accordance with established University procedures, shall be eligible for a 100% refund of any funds advanced to that date. Cancellation of registration must occur by 4:30 p.m. the last working day prior to the beginning date of late registration.
  - (2) Any student who has registered and officially withdraws from the University in accordance with established University procedures on or before the tenth day of regularly scheduled classes shall receive a refund of all tuition and mandatory fees. The insurance fee will not be refunded if institutional policy is to maintain coverage for students who withdraw, or if a claim has been submitted.



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- (3) After the first ten regularly scheduled class days, but before or on the twenty-first regularly scheduled class day, any student who completely withdraws from the University shall be eligible for a refund equal to one half of all tuition and mandatory fees.
  - (4) The University designates pro rata refund periods for summer and other sessions that are scheduled in formats that differ from the established fall and spring semesters.
    - b. All refunds for students receiving Title IV Financial Aid Programs are subject to applicable rules and regulations governing those programs.
    - c. Any student withdrawing from the University in accordance with established rules and whose tuition and/or mandatory fees were paid by a scholarship shall have the eligible refund paid back to said scholarship.
    - d. A student may receive a refund of mandatory tuition and fees, if declared ineligible by the University for enrolled status.
    - e. A student who changes from full-time to part-time status on or before the tenth day of regularly scheduled classes shall receive a refund of all mandatory tuition and fees not applicable to part-time status. A student receiving a refund of mandatory fees may not be eligible for activities and benefits covered by such fees.
    - f. A student may receive a refund of the insurance fee, if within the first ten days of the Fall or Spring terms (first 5 days of Summer term), the student applies for said refund and demonstrates equal or better insurance coverage. A student may also receive a refund in accordance with established university policy.
8. Students Studying Abroad
- All students who are permitted to enroll for study abroad shall be charged a single fee which shall be approved following the procedures for all other non-mandatory fees.
9. Tuition Rate for Courses Delivered Using Distance Education Technologies
- Students registering for University academic credit course sections designated as "technology delivered" on the course file will be assessed tuition at a single rate determined by the President irrespective of the student's residency status. Other



program-specific market-based academic credit program tuition rates may also be approved by the President.

10. Activity Fee

- a. Student activity fees, upon collection by the University, become State funds and are subject to statutes, regulations, and University policies and procedures applicable to State funds generally.
- b. The University shall develop policies concerning the administration of student activity fees. The policies and any changes shall become effective when approved by the President.

The policies shall contain the following provisions and such other provisions as are necessary and appropriate:

- (1) Provisions for collection of all student activity fees at regular intervals.
- (2) Provisions for allocation by a body which includes representation of appropriate student organizations and of students generally.

11. Tuition Rates for International Students in Approved International Partnership Agreements.

International students who enroll at the University pursuant to an approved partnership agreement will be assessed tuition at a rate determined by the President. (*Added January 27, 2017*)

K. Special Fees and Charges

1. Special Fees

Special fees are defined as all fees other than mandatory fees and shall include the following:

- a. Room and board fee
- b. Graduation fee
- c. Late registration and/or late payment fee
- d. Finance fee for installment payments
- e. Transcript fee
- f. Any other fee which is required for graduation.





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Board approval shall be required to establish or change the amount of any special fee.

2. Charges

Approval of the President is required to establish or change the amount of the following charges:

- a. Laboratory, material, or other course-related charge
- b. Locker and towel charge
- c. Late examination charge
- d. Duplicate schedule charge
- e. Library fine charge
- f. Lost identification or activity card charge
- g. Test charge
- h. Traffic fine charge
- i. Yearbook charge
- j. Parking charge
- k. Other nonmandatory charges.

3. Waivers and Refunds

Special fees may be waived or refunded in accordance with Board Regulations or by specific approval of the Board. Charges may be waived or refunded in accordance with university policy or by specific approval of the President.

L. Internal Offset Procedures

The University shall develop procedures whereby University-initiated payments to its debtors may be offset in accordance with State law and the rules of the State Comptroller. These procedures and any changes shall become effective when approved by the President.



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## VI. PHYSICAL FACILITIES

### A. Use of University Facilities

1. Eastern Illinois University (“the University”) shall develop policies concerning the use of university facilities. The policies and any changes thereto shall become effective when approved by the President.
2. The policies shall include the following provisions and such other provisions as are necessary and appropriate. All such policies shall comply with the State Officials and Employees Ethics Act (“Ethics Act”), 5 ILCS 430/1-1 *et seq.*<sup>2</sup>
3. Protection of the right of free speech, subject to reasonable limitations on the time, place, and manner of exercise of that right.
  - a. Restriction of the use of university facilities to events and meetings sponsored by: (a) university groups and organizations; (b) non-university groups and organizations; and (c) individuals.
  - b. Only when the event or meeting is of educational, cultural, or social significance or serves the general community welfare may non-university individuals, groups, and organizations use University facilities. Use of university facilities for official activities or by university groups and organizations shall have priority over use by individuals or non-university groups and organizations.
  - c. Prohibition of fundraisers, canvassers, solicitors, vendors, and their agents from pursuing their occupations on university property except on official university business or in accordance with approved university regulations and relevant state law.
  - d. Provisions concerning compliance by individuals, groups, and organizations using university facilities with university requirements regarding insurance to protect the Board of Trustees (“the Board”), its members, and employees.

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<sup>2</sup> 430/5-15 addresses prohibited political activities – a term also defined at 430/1-5 (the definitional section).



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### B. Construction

#### 1. Selection Procedures for Architects and Engineers

The University shall develop policies and procedures for the selection of architects and engineers for university projects. The policies and procedures shall become effective when approved by the President. [have such policies been developed? If so, state here or reference their location?]

#### 2. Change Orders

The provisions of Section V.B.5. of these Regulations shall govern construction contract change orders.

### C. Naming of Property

#### 1. The University shall develop policies for the naming of property. The policies and any changes shall become effective when approved by the President.

- a. Property may be named for notable former employees of the University, distinguished former Board members, donors of substantial funds, or any notable public persons.
- b. Property shall not be named for persons holding elective or appointive office in national, state, or local government, current Board members or employees, or members or employees of the Board of Higher Education during the term of their office or employment.

#### 2. The President shall make recommendations to the Board regarding the naming of property for individuals.

#### 3. The Board shall approve the naming of all University facilities. "University facilities" include buildings, major portions of buildings, rooms or areas within buildings, campus streets, grounds, and campus areas.



D. Alcoholic Beverage Policy

The University shall develop policies concerning the sale, delivery, possession, use or consumption of alcoholic beverages on University property. The policies shall require compliance with all applicable statutes and shall become effective when approved by the President.

E. Campus Disturbances or Demonstrations

1. To ensure that normal educational processes can continue without interruption and to ensure that individual safety, personal freedom, and property rights can be enjoyed without impairment, the Board has established this policy:

a. Unauthorized Activities

(1) Criminal Damage

Criminal damage to State property is committed by any of the acts specified in the Illinois criminal statute addressing criminal damage to government supported property, 720 ILCS 5/21-4.

(2) Criminal Trespass

(a) Criminal trespass to State property is committed by one who enters upon the campus or a building with legal notice that entry is forbidden or who remains in an area after notice to depart.

(b) Persons who violate established university regulations for the use of university facilities shall be notified to depart. This notification should be given publicly and orally by an authorized university representative. If such persons remain, a police officer or other authorized university representative should read applicable portions of the Illinois criminal trespass statute 720 ILCS 5/21-5, and advise them that they are in violation of the law and may be arrested. In appropriate circumstances, court action of an injunctive or criminal nature should be sought.



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### (3) Interference

Interference with a public institution of higher education is committed by one who, without authority from the institution, through force or violence, actual or threatened, willfully acts as prohibited by law under the Illinois criminal statute addressing interference with public institution of higher education, 720 ILCS 5/21.2-2. In appropriate circumstances court action of an injunctive or criminal nature should be sought.

#### b. Penalties

- (1) Persons who willfully damage State property, commit trespass on the campus, or interfere with the University's operations shall be penalized in accordance with the Illinois Criminal Code, 720 ILCS 5/21-1 *et seq.*
- (2) Members of the campus community who participate in unlawful activities disrupting educational functions shall be dealt with in accordance with established disciplinary and administrative processes. Such processes may be invoked regardless of either civil or criminal actions arising out of the same event.

#### c. Outside Assistance

When the President believes that unlawful activities are disrupting educational functions, he/she is authorized by the Board to make prompt application to those agencies provided by the State for the purpose of dealing with those who break the law.

### F. Motor Vehicle and Bicycle Regulatory Policies

The University shall develop policies concerning the registration and use of motor vehicles on university property and may develop policies concerning the registration and use of bicycles, scooters, skateboards, roller blades, etc. on university property.



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The policies and any changes shall become effective when approved by the President. The policies shall include the following provisions and such other provisions as are necessary and appropriate:

1. Regulations which govern the use of vehicles on university property in accordance with applicable federal, state, and local laws, which preserve the safety and protect the property of both individuals and the university, and which provide for enforcement by authorized university personnel.
2. Sanctions to be imposed for violations, with an appropriate appeal process for those sanctions.
3. Registration and parking regulations with fees, which shall stipulate that such fees shall be devoted to defraying costs associated with registration and parking activities.
4. Disposal of abandoned vehicles, bicycles, scooters, skateboards, roller blades, etc.

### G. Use of University Personal Property

The University shall develop policies concerning the use of university personal property that shall comply with all Illinois constitutional provisions and statutes, including the Illinois State Property Control Act, 30 ILCS 605/1 *et seq.* and the Ethics Act. The policies and any changes shall become effective when approved by the President.