

Compliance Matrix

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Academic Programs	Age Discrimination Act of 1975 - 42 U.S.C. §§ 6101-6107	Prohibits discrimination based on age in educational or academic programs or activities that receive federal financial assistance. Prohibits retaliation for filing a complaint with OCR or for advocating for a right protected by the Act.	Title IX Office	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026 David Hammonds
Academic Programs	Americans with Disabilities Act - 42 U.S.C. §§ 12101-12213	Provides broad nondiscrimination protection in employment, public services, and public accommodations (including colleges and universities) for individuals with disabilities. Requires reasonable accommodations (e.g., a modification or adjustment to the status quo inherent in the program or activity) to allow a qualified person with a disability to participate fully in the educational or academic programs and activities of the university. Enforced by multiple federal agencies, including the Department of Justice, Department of Labor, and the EEOC.	Disability Services	Kelley Osborn Director of Services for Students with Disabilities cko002@shsu.edu (936)294-1719
Academic Programs	Higher Education Opportunity Act - Public Law No. 110-315	Sections 152 and 153 require the following disclosures to enrolled students: . . . c) transfer of credit policies; . . . f) diversity statistics; g) retention rates; h) employment placement data; i) fire safety report; . . . k) along with the course schedule, the International Standard Book Number (ISBN) of every required and recommended textbook and supplemental material and retail price info . . . Disclosures c) - k) must be available to prospective students as well.	Multiple	Scot Mertz Associate VP of Enrollment Management sdm007@shsu.edu (936)294-1423
Academic Programs	Higher Education Opportunity Act - Public Law No. 110-315	Section 488: Requires each institution to disclose information about any plans to improve the academic program to current and prospective students on an annual basis. Section 497: Provides to institutions of higher education an adequate opportunity to review and respond to any program review report and relevant materials related to the report before any final program review report is issued. Section 206: Requires institutions of higher education (IHE) to set goals for preparing teachers in shortage areas including math, science, special education and ELL. IHEs must also assure the Secretary of Education that they are preparing general education teachers to teach children with special needs, preparing special education teachers in content areas, preparing teachers that will meet the needs of local education areas (LEAs) and states where graduates are likely to teach, preparing teachers to meet the needs of K-12 schools, preparing teachers for urban and/or rural schools as applicable.	Assessment and Accreditation	Andrew Oswald, Programmer Analyst III andy@shsu.edu (936)294-4891 Christina Ellis, Director of Accreditation & Accountability Services cellis@shsu.edu (936)294-1956 Jannah Nerren, Associate Dean for Planning and Assessment jwn012@shsu.edu
Academic Programs	Section 504 of The Rehabilitation Act of 1973 - 29 U.S.C. § 701	Prohibits discrimination on the basis of disability at any federally-funded institution. This covers admissions, recruitment, educational and/or academic programs and services	Disability Services	Kelley Osborn Director of Services for Students with Disabilities cko002@shsu.edu (936)294-1719
Academic Programs	Title IX of the Education Amendment of 1972 - 20 U.S.C. §§ 1681-1688	Prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance including employment. Any grievance records relating to a Title IX violation or complaint must be retained for the period of time cited in state law for personal injury actions.	Title IX Office	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026
Academic Programs	Title VI of the Civil Rights Act of 1964 - 42 U.S.C. §§ 2000d-2000d-7	Prohibits discrimination based on race, color, or national origin in educational and/or academic programs or activities receiving federal financial assistance.	Title IX Office	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026
Accounting	Bankruptcy Abuse Prevention & Consumer Protection Act of 2005 - Public Law No. 109-8 - 11 U.S.C. §§ 101-1532	Prohibits the discharge of most student loans in bankruptcy, when the loans were obtained from the government or non-profit higher educational institutions. There is an exception for undue hardship and for loans that became due more than seven years before the filing of the petition.	Financial Aid	Amy Wilson, Assistant Director for Compliance anw001@shsu.edu (936)294-1774
Accounting	Clayton Antitrust Act of 1914 - 15 U.S.C. §§ 12-27	Enacted as a supplement to the Sherman Act. Prohibits price discrimination; conditioning sales on exclusive dealing; mergers and acquisitions when they may substantially reduce competition; and serving on the board of directors for two competing companies.	Finance and Operations	Carlos Hernandez, Vice President of Finance and Operations

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Accounting	Fair Credit Reporting Act (FCRA) - 15 U.S.C. §§ 1681-1681v	Requires employers to advise applicants if employment was denied based on a credit report. Employers, before obtaining a consumer report (including criminal background checks), must disclose in writing to the applicant or employee that it may obtain a consumer report for employment purposes, and secondly, secure the written consent of the applicant or employee. When using a third party consumer reporting agency to request motor vehicle record checks for employment purposes, notice must be given to the applicant or employee. Employers must certify to the consumer reporting agency that they will comply with the Act's disclosure requirements and that any information obtained will not be used in violation of any applicable federal or state equal employment opportunity law or regulation.	Human Resources	Cynthia Bennett Director of Human Resources bennett@shsu.edu (936)294-1064 David Hammonds Associate VP for HR and Risk Management david.hammonds@shsu.edu (936)294-2709
Accounting	Federal Insurance Contributions Act (FICA) - 26 U.S.C. §§ 3101-3128	FICA defines which employers and employees are subject to taxation and levies the tax. Provides that service performed in the employ of a school, college, or university by a student who is enrolled and regularly attending classes at such school, college, or university is exempt from the FICA tax. An employer must pay social security taxes on employees but an exemption exists for most students also working for the university and for clergy whose services are performed in the exercise of their ministry.	Payroll	Charity Walker, Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Accounting	Federal Unemployment Tax Act - 26 U.S.C. §§ 3301-3311	Provides for payments of unemployment compensation to workers who have lost their jobs. If your FUTA tax is more than \$500 for the calendar year, you must deposit at least one quarterly payment. If not, alternate rules apply.	Payroll	Charity Walker, Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Accounting	Higher Education Opportunity Act - 20 U.S.C. § 1011f	The University is required to submit a disclosure report for gifts and contracts of \$250,000 or more with a foreign source to the Department of Education.	University Advancement	Patty Lewis Director of Advancement Services pal007@shsu.edu (936)294-4265 Frank Holmes VP for University Advancement holmes@shsu.edu (936)294-3625
Accounting	OMB A-21: Cost Principles for Educational Institutions	OMB Circular establishing principles for determining costs applicable to grants, contracts, and other agreements with educational institutions. OMB- A-21 will be superseded by new guidance, upon implementation: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.	Office of Research Administration (ORA)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Accounting	Regulation E: Electronic Fund Transfers - 15 U.S.C. § 1693b	Establishes the basic rights, liabilities and responsibilities of consumers who use electronic fund transfer services and of financial institutions that offer these services.	Finance and Operations	David Verghese Treasurer dverghese@shsu.edu
Accounting	Sarbanes Oxley Act of 2002 (SOX) - Public Law No. 107-204	Designed to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws.	N/A	N/A
Accounting	Sherman Antitrust Act of 1890 - 15 U.S.C. §§ 1-7	This law has been applied to colleges and universities in a number of instances regarding purchases. The Department of Justice interpreted this law to mean that financial aid awards must be established independently and not in concert with other institutions. May also apply to establishing prices for items in a bookstore based on collaboration with a wholesaler or another retailer.	Finance and Operations Enrollment Management Student Affairs	Carlos Hernandez, Vice President of Finance and Operations Heather Thielemann, Vice President for Enrollment Management Frank Parker, Vice President for Student Affairs

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Accounting	Social Security Act - 42 U.S.C. §§ 301-1397mm	An employer must pay social security taxes on employees but an exemption exists for most students also working for the university, and for clergy whose services are performed in the exercise of their ministry. To avoid penalty for reporting incorrect SSN on W-2 forms, transmit data file electronically to the Social Security Administration (SSA). Report all employees hired in the specific quarter listing name (as it appears in HR System), SSN, sex, and date of birth. After information is queried against SSA's database, mismatches are sent back for resolution.	Human Resources/Payroll	Karyl Horn Director of Payroll & Tax Specialization pay_krh@shsu.edu (936)294-1096 Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4420
Accounting	Truth in Lending Act - 15 U.S.C. §§ 1601-1693r	Requires disclosure statements for loans and credit plans, but exempts Perkins Loans and Federal Family Education Loans. Loans made, insured or guaranteed pursuant to programs authorized by Title IV are exempt.	Financial Aid	Amy Wilson, Assistant Director for Compliance anw001@shsu.edu (936)294-1774
Accounting	Tuition Payment Credit Reporting Requirements - 26 U.S.C. § 6050S	Under IRC 6050S, lenders, including most colleges and universities that participate in the Perkins Loan Program or operate institutional loan programs, must report student loan interest payments to the IRS.	Financial Aid	Judy Dohrman Accountant III jld051@SHSU.EDU (936)294-3059 Amy Wilson Assistant Director for Compliance anw001@shsu.edu (936)294-1774
Accounting	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards - OMB Final Guidance	This guidance will supersede OMB A-21 for audits of all fiscal years beginning on or after December 26, 2014.	Office of Research Administration (ORA)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Accounting	Unrelated Business Income Tax - 26 U.S.C. § 511	Regulates unrelated business income, which is income from a trade or business, regularly carried on, that is not substantially related to the charitable, educational, or other purpose that is the basis of the organization's exemption.	Payroll	Charity Walker, Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Accreditation	Higher Education Opportunity Act - Public Law No. 110-315 - 20 U.S.C. § 1099b	Section 495: Recognition of accrediting agency or association. The association enforces standards that respect the stated mission of the institution of higher education, including religious missions, and that ensure that the courses or programs of instruction, training, or study offered by the institution of higher education, including distance education or correspondence courses or programs, are of sufficient quality to achieve, for the duration of the accreditation period, the stated objective for which the courses or the programs are offered. Section 496: Each school must make available to prospective and enrolled students: Names of associations, agencies, or governmental bodies that accredit, approve, or license the school and its programs; and Procedures for obtaining or reviewing documents describing accreditation, approval, or licensing.	Academic Planning & Assessment	Somer Franklin Associate Vice President for Academic Affairs/SACSCOC Accreditation Liaison somer@shsu.edu (936)294-1009
Admissions	Age Discrimination Act of 1975 - 42 U.S.C. §§ 6101-6107	Prohibits discrimination based on age in the admission of educational and/or academic programs or activities that receive federal financial assistance. Prohibits retaliation for filing a complaint with OCR or for advocating for a right protected by the Act.	Undergraduate Admissions	Angie Taylor, Director of Admissions/Recruitment agb003@shsu.edu (936)294-1845
Admissions	Higher Education Opportunity Act - Public Law No. 110-315 - 20 U.S.C. § 1092	Section 488 requires institutions to provide each student, upon enrollment, with a "separate, clear, and conspicuous written notice" that provides information on the penalties associated with drug-related offenses.	Alcohol and Drug Abuse Initiative	Megan Richardson Assistant Director Office of Health Promotion mar112@shsu.edu (936)294-4347

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Admissions	Higher Education Opportunity Act -Public Law No. 110-315 - 20 U.S.C. § 1092	Section 484C requires that the University readmit students who left in order to join the military. The student must be readmitted in the same academic status. Generally, the length of absence cannot be greater than five (5) years. Exceptions to this law include those veterans receiving a dishonorable discharge, or bad conduct charge, or those who were court marshaled.	Undergraduate Admissions	Angie Taylor, Director of Admissions/Recruitment agb003@shsu.edu (936)294-1845
Admissions	Title IX of the Education Amendment of 1972 - 20 U.S.C. §§ 1681-1688	Prohibits discrimination on the basis of sex in the admission of education programs or activities receiving federal financial assistance including employment. Under the Title IX common rule, a recipient may not discriminate against any person on the basis of sex in the counseling or guidance of students or applicants for admission. Specifically, in appraising or counseling students, a recipient must not use different testing or other materials on the basis of sex or use materials that permit or require different treatment of students on the basis of sex. Such different materials may be used, however, where they cover the same occupational interest areas and their use is shown to be essential to eliminate sex bias. Any grievance records relating to a Title IX violation or complaint must be retained for the period of time cited in state law for personal injury actions.	Title IX Office	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026
Admissions	Title VI of the Civil Rights Act of 1964 - 42 U.S.C. §§ 2000d-2000d-7	Prohibits discrimination based on race, color, or national origin in the admission of educational and/or academic programs or activities receiving federal financial assistance.	Financial Aid	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026 Amy Wilson Assistant Director for Compliance anw001@shsu.edu (936)294-1774
Affirmative Action		Required TWC-Civil Rights Division	Human Resources	Cynthia Bennett Director of Human Resources hrd_cab@shsu.edu (936)294-1064
Athletics	Equity in Athletics Disclosure Act - 20 U.S.C. § 1092(g)	The Equity in Athletics Disclosure Act requires co-educational institutions of postsecondary education that participate in a Title IV federal student financial assistance program and have an intercollegiate athletic program, to prepare an annual report to the Department of Education on athletic participation, staffing, and revenues and expenses, by men's and women's teams.	Athletics	Bobbie Hilliard, Associate Athletic Director for Finance ath_bjh@shsu.edu (936)294-1727 John Holder, Assistant Athletic Director for Finance ath_jch@shsu.edu (936)294-2799
Athletics	Title IX - 20 U.S.C. §§ 1681-1688	Requires that no person shall on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person, or otherwise be discriminated against in any interscholastic, intercollegiate, club or intramural athletics offered by a recipient, and no recipient shall provide such athletics separately on such basis.	Athletics/TIX Office	Chris Thompson, Associate Athletic Director for Student Services ath_cat@shsu.edu (936)294-3542 Jeanine Bias, Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026

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Auxiliary Services	Higher Education Opportunity Act -20 U.S.C. § 1015b - Public Law No. 110-315	Section 112: Each school must disclose on the school's internet course schedule used for preregistration and registration purposes, the ISBN and retail price of required and recommended textbooks and supplemental materials for each course listed. If no ISBN is available, the institution may provide the textbook's author, title, publisher, and copyright date. If the disclosure is not practical for a certain text, a designation of *to be determined* can be noted. Written course schedules should indicate where on the university web page this information will be posted. The bookstore operated by or affiliated with the school, the school must make available as soon as practicable the most accurate information regarding the schools course schedule, information for recurred and recommended textbooks and supplemental materials and number of students enrolled in each course or class and maximum student enrollment for each course or class. HEOA encourages schools to disseminate information regarding book rentals, used textbooks, buyback programs, and alternative delivery programs or other cost saving strategies. Schools shall make available to the college bookstore, upon request, the most accurate information regarding the course schedule for the next academic period and for each course offered, the information described above, the number of students enrolled in such course, and the maximum enrollment for each class.	Office of Student Affairs	Lynn Clopton Dir Stdnt Affrs Fin and Bdgt clopton@shsu.edu (936)294-1780
Campus Safety	Americans with Disabilities Act - 42 U.S.C. §§ 12101-12213	Although the Americans with Disabilities Act (ADA) does not require employers to have emergency evacuation plans, if organizations covered by the ADA opt to have such plans they are required to include people with disabilities.	Public Safety Services	David Yebra Director of Emergency Preparedness & Safety david.yebra@shsu.edu (936)294-2474
Campus Safety	Campus Sex Crimes Prevention Act (§ 1601 of the Victims of Trafficking and Violence Protection Act of 2000) Public Law No. 106-386 (Title VI)	The Campus Sex Crimes Prevention Act requires sex offenders who are required to register under state law to provide notice of enrollment or employment at any institution of higher education (IHE) in that state where the offender resides, as well as notice of each change of enrollment or employment status at the IHE. In turn, this information will be made available by the state authorities to the local law enforcement agency that has jurisdiction where the IHE is located.	UPD	Joe Thornton Police Officer III jft010@shsu.edu (936)294-1065 Kevin Morris Director of Public Safety Services upd_khm@shsu.edu (936)294-1753
Campus Safety	Clery Act - 20 U.S.C. § 1092(f)	As an institution receiving federal financial aid, the University must keep information about crime on and near its respective campuses and provide an annual report (including crime statistics, security measures and policies, and where crimes should be reported) to all students, employees, and the Department of Education. Effective March 7, 2014: Institutions must comply with the following additional requirements under the amendments to the Clery Act: Collect and publish in the Annual Security Report (ASR) statistics on incidents of domestic violence, dating violence and stalking that are reported to campus security authorities or local police agencies; Expand the definition of reportable hate crimes to include Clery crimes motivated by bias against a victim's national origin or gender identity; Revise policies and procedures to include the establishment of educational prevention and awareness programs that address issues of domestic violence, dating violence, sexual assault and stalking for all incoming students and new employees; and Develop step-by-step procedures for the reporting, investigation and adjudication of reports of domestic violence, dating violence, sexual assault, or stalking, including information on confidentiality and privacy.	UPD	Joe Thornton Police Officer III jft010@shsu.edu (936)294-1065 Kevin Morris Director of Public Safety Services upd_khm@shsu.edu (936)294-1753
Campus Safety	Drug Free Schools and Communities Act - 20 U.S.C. § 1011i	Requires distribution of the college or university's drug and alcohol prevention and policy information every year and biennial review of drug and alcohol prevention program.	Alcohol and Drug Abuse Initiative	Megan Richardson Assistant Director Office of Health Promotion mar112@shsu.edu (936)294-4347

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Campus Safety	Emergency Planning and Community Right to Know Act (EPCRA) 42 U.S.C. §§ 11001 - 11050	Requires the establishment of state/tribe emergency response commissions (SERCs/TERCs), which are responsible for coordinating certain emergency response activities and for appointing local emergency planning committees (LEPCs). Requires facilities to notify the SERC and LEPC of the presence and/or release of any extremely hazardous substance. All information submitted pursuant to EPCRA regulations is publicly accessible, unless protected by a trade secret claim.	Environmental Health & Safety and Risk Management	Paul Battles Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu David Yebra, Director of Emergency Preparedness & Safety david.yebra@shsu.edu (936)294-2474
Campus Safety	Higher Education Opportunity Act - Public Law No. 110-315 - 20 U.S.C. § 1011i	Section 107: Requires an institution of higher education, in its biennial review, to determine the number of drug and alcohol-related violations and fatalities that have occurred on the institution's campus or as part of the institution's activities and that are reported to campus officials.	Alcohol and Drug Abuse Initiative	Megan Richardson Assistant Director Office of Health Promotion mar112@shsu.edu (936)294-4347
Campus Safety	Higher Education Opportunity Act - Public Law No. 110-315 - 20 U.S.C. § 1092	Section 488: Requires institutions to notify the campus community in the event of a significant emergency and publish the procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation, unless this would compromise efforts to contain the emergency. Requires institutions to report and make public an annual fire safety report and requires the Secretary to make policies public, including the installation of fire detection and prevention technologies in student housing, dormitories, and other buildings. Requires institutions to implement procedures for managing reports of missing persons and notify on-campus residing students to that the institution is required to notify a parent or guardian 24 hours after the time that the student is deemed to be missing.	UPD	Kevin Morris/Julia May/Mark Adams/Doug Odom/Wayne Bennett
Campus Safety	Higher Education Opportunity Act - Public Law No. 110-315 - 20 U.S.C. § 1092	Section 493: When requested, institutions must disclose to the alleged victim of any violent crime or non-forcible sex offense the final results of any institutional disciplinary proceeding conducted against the alleged perpetrator of such crime or offense. The alleged victim's next of kin must be informed, if the alleged victim dies as a result of the crime.	Title IX Office/Dean of Students	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026 John Yarabeck Dean of Students slo_jxy@shsu.edu (936)294-1783
Campus Safety	Higher Education Opportunity Act - Public Law No. 110-315 - 20 U.S.C. § 1092	Section 485: The University must have security policies that encourage accurate and prompt reporting of crimes to campus police and law enforcement agencies, and include procedures for immediate notification of emergencies and for the University. The University must publicize those procedures on an annual basis in a manner designed to reach students and staff, and must test annually emergency response and the University procedures and document the testing. The University also must develop a Missing Student Policy and procedures.	UPD	Joe Thornton Police Officer III jft010@shsu.edu (936)294-1065 Kevin Morris Director of Public Safety Services upd_khm@shsu.edu (936)294-1753
Campus Safety	Higher Education Opportunity Act - Public Law No. 110-315 - 20 U.S.C. § 1092(j)	Sections 485(a) and (f) Missing Student Notification Policy and Procedures: Any institution participating in a Title IV federal student financial aid program that maintains on campus housing facilities must establish a missing student notification policy and related procedures for those students who live in on campus housing and who have been missing for 24 hours.	Residence Life	Wayne Bennett Assistant Director of Residence Life hou_dwb@shsu.edu (936)294-4225

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Campus Safety	Occupational Safety and Health Act of 1970 - 29 U.S.C. §§ 651-678	The University must have a written emergency action plan kept in the workplace and available for employee review upon request, as required under OSHA standards.	Environmental Health & Safety and Risk Management/Public Safety Services	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921 David Yebra, Director of Emergency Preparedness & Safety david.yebra@shsu.edu (936)294-2474 Paul Battles, Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu
Campus Safety		traffic and pedestrian stops. In accordance with Texas regulations, all patrol cars use in-car video and audio to capture these transactions.	UPD	Kevin Morris Director of Public Safety Services upd_khm@shsu.edu (936)294-1753
Campus Safety		Collection of monetary data as it reflects assets that are seized in accordance to Texas Statutes.	UPD	Kevin Morris Director of Public Safety Services upd_khm@shsu.edu (936)294-1753
Campus Safety		Collection of data in reference to all juvenile offenders arrested by department	UPD	Kevin Morris Director of Public Safety Services upd_khm@shsu.edu (936)294-1753
Campus Safety		Collection of data in reference to all searches that are conducted using the State of Texas Databases.	UPD	Kevin Morris Director of Public Safety Services upd_khm@shsu.edu (936)294-1753
Contracts & Procurement	Anti-Kickback Act of 1986 - 41 U.S.C. §§ 8701-8707	Prohibits any payment or gratuity made for the purpose of inducing award of a subcontract or prime contract with the federal government.	Office of Research and Sponsored Programs (ORSP)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Contracts & Procurement	Byrd Amendment - 31 U.S.C. § 1352	Prohibits grantees from lobbying with federal funds. Requires disclosure of lobbying activities when receiving federal contracts, grants, loans or cooperative agreements.	Office of Research and Sponsored Programs (ORSP)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Contracts & Procurement	Copeland Anti-Kickback Act -18 U.S.C. § 874 - 40 U.S.C. § 3145	Requires contractors and subcontractors on public buildings or works financed by loans or grants from the U.S. to furnish a weekly statement of wages paid.	Office of Research and Sponsored Programs (ORSP), Office of Research Administration (ORA)	Susan Hurley Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-48642 Dee Myall Associate Director of ORSP ldm021@shsu.edu (936)294-4032

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Contracts & Procurement	E-Verify (Executive Order 1289)	For federal contracts of more than \$100,000 and subcontracts greater than \$3,000, the University must utilize the E-Verify electronic system to confirm the employees working on those contracts/subcontracts are lawfully eligible to work in the U.S.	Office of Research and Sponsored Programs (OSRP) & Human Resources	Susan Hurley Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862 Samantha Patteson Human Resources Senior Manager snp021@shsu.edu (936)294-2330
Contracts & Procurement	Trading with the Enemy Act -22 U.S.C. §§ 7201-7211	Foreign Assets Control Regulations of the U.S. Department of Treasury require persons subject to U.S. jurisdiction to have a license to engage in certain transactions related to travel to, from and within regulated countries.	Office of Research and Sponsored Programs (OSRP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Copyright & Trademark	Copyright Act - 17 U.S.C. §§ 101-1332	Protects the rights of authors from unauthorized reproduction/adaptation/performance/display/distribution of protected works of authorship, including computer software, books, journals etc. Software licenses required. Includes an exception for "fair use" in criticism, comment, teaching, scholarship and research.	Newton Gresham Library	Erin Cassidy Associate Professor ecassidy@shsu.edu (936)294-1975 Lisa Shen Associate Professor lcs009@shsu.edu (936)294-3587
Copyright & Trademark	Copyright Term Extension Act - Public Law No. 105-298	Extends by 20 years the length of protection afforded to copyrighted works, and thus lengthens the amount of time it will take for a work to enter the public domain. For copyrights in their renewal term at the time of the effective date of this new law, the term of copyright is extended to 95 years from the date the copyright was originally secured. For works created but not published or registered before January 1, 1978, the term endures for life of the author plus 70 years, but in no case will expire earlier than December 31, 2002.If the work is published before December 31, 2002, the term will not expire before December 31, 2047.Includes an exception that allows libraries, archives and nonprofit educational institutions to treat a copyrighted work in the last 20 years of protection as if it were in the public domain for purposes of preservation, scholarship or research. Conditions that apply to this usage in the last 20 years require a good faith investigation to determine that the work is not subject to normal commercial exploitation, the work or phone record cannot be obtained at a reasonable price, and use of the work stops if the copyright owner provides notice to the contrary.	Newton Gresham Library	Erin Cassidy Associate Professor ecassidy@shsu.edu (936)294-1975 Lisa Shen Associate Professor lcs009@shsu.edu (936)294-3587
Copyright & Trademark	Digital Millennium Copyright Act (DMCA) - Public Law No. 105-304	Imposes rules prohibiting the circumvention of technological protection measures. Sets limitations on copyright infringement liability for online service providers (OSPs).Expands an existing exemption for making copies of computer programs. Provides a significant updating of the rules and procedures regarding archival preservation.	Newton Gresham Library	Erin Cassidy Associate Professor ecassidy@shsu.edu (936)294-1975 Lisa Shen Associate Professor lcs009@shsu.edu (936)294-3587
Copyright & Trademark	Higher Education Opportunity Act - Public Law No. 110-315	Sections 152 and 153 require the following disclosures to enrolled students: a) Policies/sanctions for copyright infringement; and b) annual disclosure detailing federal copyright penalties.	Newton Gresham Library	Erin Cassidy Associate Professor ecassidy@shsu.edu (936)294-1975 Lisa Shen Associate Professor lcs009@shsu.edu (936)294-3587



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Copyright & Trademark	Lanham Act - 15 U.S.C. §§ 1051-1141n	Prohibits trademark infringement, trademark dilution, and false advertising.	Newton Gresham Library	Erin Cassidy Associate Professor ecassidy@shsu.edu (936)294-1975 Lisa Shen Associate Professor lcs009@shsu.edu (936)294-3587
Copyright & Trademark	Small Webcasters Settlement Act of 2002 - Public Law No. 107-321	Applies to "Noncommercial Webcasters" and to "Small Commercial Webcasters." Enables SoundExchange, the recording industry's royalty collection clearinghouse, to enter into royalty rate agreements with small commercial and all noncommercial webcasters.	Newton Gresham Library	Erin Cassidy Associate Professor ecassidy@shsu.edu (936)294-1975 Lisa Shen Associate Professor lcs009@shsu.edu (936)294-3587
Copyright & Trademark	Technology Education and Copyright Harmonization Act (TEACH ACT) of 2002 - Public Law No. 107-273	Permits an instructor to display virtually all types of works during on-line instruction at accredited nonprofit educational institutions without consent of copyright owner, provided that instruction is mediated by an instructor, transmission is intended only for students enrolled in course, and measures are employed to prevent redistribution of transmission and prevent its retention for longer than the class session.	Newton Gresham Library	Erin Cassidy Associate Professor ecassidy@shsu.edu (936)294-1975 Lisa Shen Associate Professor lcs009@shsu.edu (936)294-3587
Disabilities	Americans with Disabilities Act - 42 U.S.C. §§ 12101-12213	Provides broad nondiscrimination protection in employment, public services, and public accommodations including colleges and universities for individuals with disabilities. The university must make appropriate accommodations for employees and students with disabilities. Enforced by multiple federal agencies, including the Department of Justice, Department of Labor, and the EEOC.	Disability Services, Facilities Management and Residence Life	Kelley Osborn Director of Services for Students with Disabilities cko002@shsu.edu (936)294-1719 Chad Huff Assistant Director of Facilities Planning & Construction chadhuff@shsu.edu (936)294-1915 Joellen Tipton Executive Director of Residence Life hou_jnt@shsu.edu (936)294-1810

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Disabilities	Section 504 of The Rehabilitation Act of 1973 - 29 U.S.C. § 701	Prohibits discrimination on the basis of disability at any federally-funded institution. This covers admissions, recruitment, programs and services. If an existing facility is not accessible, redesign of equipment, reassignment of classes or other services to accessible buildings is an alternative to new construction. Newly constructed facilities must be readily accessible to persons with disabilities. Each facility or part of a facility which is altered in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by persons with disabilities.	Disability Services, Facilities Management and Residence Life	Kelley Osborn Director of Services for Students with Disabilities cko002@shsu.edu (936)294-1719 Chad Huff Assistant Director of Facilities Planning & Construction chadhuff@shsu.edu (936)294-1915 Joellen Tipton Executive Director of Residence Life hou_jnt@shsu.edu (936)294-1810
Disabilities	The Family and Medical Leave Act of 1993 - Public Law 103-3	Entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.	Human Resources	Jessica Smith Human Resources Specialist jessica10@shsu.edu (936)294-1872 Cynthia Bennett Director of Human Resources cbennett@shsu.edu (936)294-1064
Diversity / Affirmative Action	Affirmative Action/Equal Employment Opportunity - Executive Order 11246	Affirmative action must be taken by covered employers to recruit and advance qualified minorities, women, persons with disabilities, and covered veterans.	Human Resources	Cynthia Bennett Director of Human Resources hrd_cab@shsu.edu (936)294-1064
Diversity / Affirmative Action	Age Discrimination Act of 1975 - 42 U.S.C. §§ 6101-6107	Prohibits discrimination based on age in educational or academic programs or activities that receive federal financial assistance. Prohibits retaliation for filing a complaint with OCR or for advocating for a right protected by the Act.	Human Resources	
Diversity / Affirmative Action	Age Discrimination Employment Act of 1967 - 29 U.S.C. §§ 621-634	It is unlawful for the University to fail to hire, discharge, segregate, classify, or otherwise discriminate against any individual with respect to compensation, terms, conditions or privileges of employment because of age.	Human Resources	
Diversity / Affirmative Action	Americans with Disabilities Act - 42 U.S.C. §§ 12101-12213	Provides broad nondiscrimination protection in employment, public services, and public accommodations including colleges and universities for individuals with disabilities. Enforced by multiple federal agencies, including the Department of Justice, Department of Labor, and the EEOC.	Human Resources	
Diversity / Affirmative Action	Equal Employment of Veterans - 38 U.S.C. §§ 4211-4215	For federal subcontracts of \$25,000 or more the University shall include in each of its subcontracts a clause that the subcontractor will not discriminate against any employee or applicant for employment because he or she is a special disabled veteran, veteran of the Vietnam era, recently separated veteran, or other protected veteran in regard to any position for which the employee or applicant for employment is qualified. The university must agree to take affirmative action to employ and advance qualified individuals without discrimination based on such status.	Office of Research and Sponsored Programs (OSRP)	Robert "Bob" Effinger Sr. Contract Research Administrator rte003@shsu.edu (936)294-4993

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Diversity / Affirmative Action	Equal Pay Act of 1963 - 29 U.S.C. § 206(d)	Prohibits sex-based wage discrimination between men and women in the same establishment who perform jobs that require substantially equal skill, effort and responsibility under similar working conditions.	Human Resources	Cindy Bradfield Assistant Director of HR (Staff compensation) csb017@shsu.edu (936)294-2329 David Hammonds Assoc VP for HR & Risk Mgmt (Faculty/Executive Staff compensation) david.hammonds@shsu.edu (936)294-2709
Diversity / Affirmative Action	Genetic Information Non-Discrimination Act of 2008 - Public Law No. 110-233	Prohibits use of genetic information in employment decision-making. Requires that genetic information be maintained as a confidential medical record, and places strict limits on disclosure of genetic information.	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Diversity / Affirmative Action	Immigration and Nationality Act - 8 U.S.C. §§ 1101-1106	The INA, as amended sets forth the laws governing the admission and employment of foreign nationals in the United States, including provisions that address employment eligibility and employment verification.	Human Resources	Cynthia Bennett Director of Human Resources hrd_cab@shsu.edu (936)294-1064
Diversity / Affirmative Action	Lilly Ledbetter Fair Pay Act of 2009 - Public Law No. 111-2	An individual subjected to compensation discrimination under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, or the Americans with Disabilities Act of 1990 may file a charge within 180 (or 300) days of any of the following: 1) when a discriminatory compensation decision or other discriminatory practice affecting compensation is adopted; 2) when the individual becomes subject to a discriminatory compensation decision or other discriminatory practice affecting compensation; or 3) when the individual's compensation is affected by the application of a discriminatory compensation decision or other discriminatory practice, including each time the individual receives compensation that is based in whole or part on such compensation decision or other practice. The Act has a retroactive effective date of May 28, 2007, and applies to all claims of discriminatory compensation pending on or after that date.	Human Resources	Cindy Bradfield Assistant Director of HR (Staff compensation) csb017@shsu.edu (936)294-2329 David Hammonds Assoc VP for HR & Risk Mgmt (Faculty/Executive Staff compensation) david.hammonds@shsu.edu (936)294-2709
Diversity / Affirmative Action	Section 504 of The Rehabilitation Act of 1973 - 29 U.S.C. § 701	Prohibits discrimination on the basis of disability at any federally-funded institution. This covers admissions, recruitment, programs and services. If an existing facility is not accessible, redesign of equipment, reassignment of classes or other services to accessible buildings is an alternative to new construction. Newly constructed facilities must be readily accessible to persons with disabilities. Each facility or part of a facility which is altered in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by persons with disabilities.	Disability Services, Facilities Management and Residence Life	Kelley Osborn Director of Services for Students with Disabilities cko002@shsu.edu (936)294-1719 Chad Huff Assistant Director of Facilities Planning & Construction chadhuff@shsu.edu (936)294-1915 Joellen Tipton Executive Director of Residence Life hou_jnt@shsu.edu (936)294-1810
Diversity / Affirmative Action	Title IX of the Education Amendment of 1972 - 20 U.S.C. §§ 1681-1688	Prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance including employment. Any grievance records relating to a Title IX violation or complaint must be retained for the period of time cited in state law for personal injury actions.	Title IX Office	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026
Diversity / Affirmative Action	Title VI of the Civil Rights Act of 1964 - 42 U.S.C. §§ 2000d-2000d-7	Prohibits discrimination based on race, color, or national origin in educational and/or academic programs or activities receiving federal financial assistance.	Title IX Office	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026 David Hammonds

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Diversity / Affirmative Action	Title VII of the Civil Rights Act of 1964 - 42 U.S.C. §§ 2000e-2000e-17	Title VII prohibits discrimination in hiring, firing, training, promotion, discipline, or other workplace decisions on the basis of an employee or applicant's race, color, sex, national origin, or religion. Sexual harassment is also prohibited under this law. Prohibits discrimination on the basis of pregnancy, childbirth, or related illness in employment opportunities, health or disability insurance programs, or sick leave plans.	Human Resources	Cynthia Bennett Director of Human Resources hrd_cab@shsu.edu (936)294-1064 David Hammonds Associate VP for HR and Risk Management david.hammonds@shsu.edu (936)294-2709 Jessica Smith
Diversity / Affirmative Action	Uniformed Services Employment and Reemployment Rights Act (USERRA) - 38 U.S.C. §§ 4301-4335	Seeks to ensure that members of the uniformed services are entitled to return to their civilian employment upon completion of their service. Qualified employees must be reinstated with the seniority, status, and rate of pay they would have obtained had they remained continuously employed by their civilian employer. The law also protects individuals from discrimination in hiring, promotion, and retention on the basis of present and future membership in the armed services.	Human Resources	Human Resources Specialist jessica10@shsu.edu (936)294-1872 Cynthia Bennett Director of Human Resources cbennett@shsu.edu (936)294-1064
Environmental Health & Occupational Safety	Asbestos Hazard Emergency Response Act - 15 U.S.C. § 2651	To prevent exposure to asbestos in school buildings, AHERA requires that all public and non-profit schools inspect each school building for asbestos-containing building material and prepare an asbestos management plan to prevent disturbance of asbestos.	Facilities Management	Ted Norris Sr. Construction Inspection & Observation ppl_ten@shsu.edu (936)294-3811
Environmental Health & Occupational Safety	Chemical Facility Anti-Terrorism Standards - Executive Order 13563 and 12866	This rule establishes risk-based performance standards for the security of the nation's chemical facilities. It requires covered chemical facilities to prepare Security Vulnerability Assessments, which identify facility security vulnerabilities, and to develop and implement Site Security Plans, which include measures that satisfy the identified risk-based performance standards.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	Clean Air Act - 42 U.S.C. §§ 7401-7671q	Regulates air emissions from stationary and mobile sources. Requires annual fees to be paid based upon total tons of actual emissions of each regulated pollutant.	Environmental Health & Safety and Risk Management/Facilities	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	Clean Water Act - 33 U.S.C. §§ 1251-1387	Establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Facilities are governed by local wastewater pretreatment standards issued by local wastewater treatment plants.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) - 42 U.S.C. §§ 9601-9675	Establishes prohibitions and requirements concerning closed and abandoned hazardous waste sites; Provides for liability of persons responsible for releases of hazardous waste at these sites; and Establishes a trust fund to provide for cleanup when no responsible party can be identified.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	Emergency Planning and Community Right Act (EPCRA) - 42 U.S.C. §§ 11001 - 11050	Helps communities plan for emergencies involving hazardous substances. The Act establishes requirements for federal, state and local governments, Indian tribes, and industry regarding emergency planning and "Community Right-to-Know" reporting on hazardous and toxic chemicals. The Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. States and communities, working with facilities, can use the information to improve chemical safety and protect public health and the environment. Hazardous chemical training must be conducted annually.	Environmental Health & Safety and Risk Management	Paul Battles Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu David Yebra, Director of Emergency Preparedness & Safety david.yebra@shsu.edu (936)294-2474

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Environmental Health & Occupational Safety	Energy Policy Act - 42 U.S.C. §§ 13201-13574	Addresses energy production and contains Underground Storage Tank provisions. Underground Storage Tank Training must be conducted every seven years.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	Federal Insecticide, Fungicide and Rodenticide Act - 7 U.S.C. §§ 136-136y	Provides for federal regulation of pesticide distribution, sale, and use.	Environmental Health & Safety and Risk Management	Scott Dolezal Director of Building and Landscape Services ppl_sgd@shsu.edu (936)294-1890 Rick Ballinger Director of PGA/PGM Programs & Golf Course Operations rmb002@shsu.edu (936)294-4810 Dennis Stepp Agriculture Resources Manager agr_dos@shsu.edu Tim Pannkuk Associate Professor agr_trp@shsu.edu (936)294-3333
Environmental Health & Occupational Safety	Guarding and Use of Hand & Portable Powered Tools	The University is responsible for the safe condition and guarding of portable powered tools/equipment (ex: saws/drills/drivers/sanders/grinders/ pneumatic tools/explosive fasteners, etc.) including tools furnished by employees.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	Hazardous and Solid Waste Amendments of 1984 - 42 U.S.C. §§ 6921-6939g	Regulation of underground storage tanks and land-based disposal of hazardous substances.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	Hazardous Materials Transportation Act - 49 U.S.C. §§ 5101-5128	Primary objective is to provide adequate protection against the risks to life and property inherent in the transportation of hazardous material in commerce by improving the regulatory and enforcement authority of the Secretary of Transportation. Training is required 90 days after employment or change in job function, followed by recurrent training once every three years.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	Housing & Urban Development Lead Based Paint Poisoning in Certain Residential Structures - 42 U.S.C. § 4852d	The University must provide lessees with a federally-approved pamphlet on lead poisoning prevention.	Residence Life	Jeff Vienneau Director Residence Life Maintenance & Facilities wjv001@shsu.edu (936)294-1918
Environmental Health & Occupational Safety	Mandatory Reporting of Greenhouse Gases - Public Law No. 110-161	Effective December 29, 2009, and implemented under the Environmental Protection Agency's (EPA) powers under the Clean Air Act, the rule requires that the University submit an annual report on the University's greenhouse gas emissions. Gases covered by the rule include carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydro fluorocarbons (HFC), per fluorocarbons (PFC), sulfur hexafluoride (SF6) and other fluorinated gases and hydro fluorinated ethers.	Facilities	Sandra Gray Campus Energy Manager skg009@shsu.edu (936)294-1867

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Environmental Health & Occupational Safety	Medical Waste Tracking Act - 42 U.S.C. § 6992	If the University is a generator of medical (biological) waste it must track it from "cradle to grave" and make all records available to the Environmental Protection Agency upon request. Medical waste includes but is not limited to: Cultures of infectious agents, discarded vaccines, tissues, organs, body parts, blood products, sharps, soiled dressings and surgical gloves, etc.	Environmental Health & Safety and Risk Management/Student Health Center	Paul Battles Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu Erica Bumpurs Director of Student Health Center stdemb17@shsu.edu (936)294-1843
Environmental Health & Occupational Safety	Motor Carrier Act of 1980 - 49 U.S.C. §§ 13101-14916	Institutions are liable for any pollution-related incident that occurs during the transportation of hazardous material.	Environmental Health & Safety and Risk Management	Paul Battles Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu
Environmental Health & Occupational Safety	Oil Pollution Act - 33 U.S.C. §§ 2701-2762	Regulation requires container inspection and integrity, testing, recordkeeping, annual training for employees who handle oil, and annual discharge prevention briefings.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	OSHA - 29 U.S.C. § 651-678	Requires employers to train employees on hazards in the workplace, to provide information to employees, to report occupational injuries and illnesses to the federal government, and to keep records of same, and to provide controls and protective equipment as well.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	OSHA - Bloodborne Pathogens Standard	The University must maintain a written exposure control plan and provide appropriate instruction on precautions to all workers who might become exposed to blood or other potentially infectious materials.	Environmental Health & Safety and Risk Management/Student Health Center	Paul Battles Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu Erica Bumpurs Director of Student Health Center stdemb17@shsu.edu (936)294-1843
Environmental Health & Occupational Safety	OSHA Asbestos in Construction Standard	Applies to construction only. No employee may be exposed to an airborne concentration of asbestos in excess of 0.1 fiber per cubic cm of air as an 8 hour time-weighted average. The University must use enumerated safety procedures, monitor subject areas and notify potentially affected employees of results within five days.	Facilities Management	Ted Norris Sr. Construction Inspection & Observation ppl_ten@shsu.edu (936)294-3811 John Christ Assistant Director of Residence Life Facilities & Maintenance Operations
Environmental Health & Occupational Safety	OSHA Asbestos in General Industry Standard	The University must ensure that no employee is exposed to an airborne concentration of asbestos in excess of 0.1 fiber per cubic centimeter of air as an eight hour time-weighted average. Applies to occupational exposure other than construction. The University must perform initial monitoring where employees are or may reasonably be expected to be exposed at or above the exposure limit, and must promptly notify such employees of the results within 15 working days. Required, repeated monitoring depends on the initial results. Additional safety and compliance procedures are required.	Facilities Management	Ted Norris Sr. Construction Inspection & Observation ppl_ten@shsu.edu (936)294-3811 John Christ Assistant Director of Residence Life Facilities & Maintenance Operations

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Environmental Health & Occupational Safety	OSHA Enforcement Guidance for Personal Protective Equipment (PPE) in General Industry	OSHA requires the use of Personal Protective Equipment (PPE) to reduce employee exposure to hazards when engineering and administrative controls are not feasible or effective in reducing these exposures to acceptable levels. The new guidance, effective February 10, 2011, clarifies what type of PPE employers must provide at no cost to workers and when employers are required to pay for PPE.	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921 Paul Battles, Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu
Environmental Health & Occupational Safety	OSHA Lead in Construction Standard	Applies to exposure to lead during construction only. The University must conduct lead exposure assessments for construction jobs (alternation, repair, demolition, painting, decorating) with possible exposure to lead to determine if exposure threshold met (i.e. > 50 micrograms concentration per cubic meter of air averaged over an 8 hours). If threshold met, the University must notify affected employee, institute engineering and work practice controls to reduce exposure to permissible levels, and conduct repeat monitoring. Also applies to contractors.	Facilities Management	Ted Norris Sr. Construction Inspection & Observation ppl_ten@shsu.edu (936)294-3811 John Christ Assistant Director of Residence Life Facilities & Maintenance Operations jjc001@shsu.edu (936)294-1924
Environmental Health & Occupational Safety	OSHA Lead in General Industry Standard	Applies to occupational exposure to lead by employees in non-construction setting. The University must ensure no employee is exposed to > 50 micrograms lead concentration per cubic meter of air averaged over an 8 hours. Where there is potential exposure, the University must make a determination as to whether employees are so exposed, and if so must notify the employee, institute corrective action via engineering and work practice controls, and repeat monitoring activities.	Facilities Management	Ted Norris Sr. Construction Inspection & Observation ppl_ten@shsu.edu (936)294-3811 John Christ Assistant Director of Residence Life Facilities & Maintenance Operations jjc001@shsu.edu (936)294-1924
Environmental Health & Occupational Safety	OSHA Welding, Cutting, and Brazing	Before cutting/welding can be permitted, the area must be inspected by the individual responsible for authorizing cutting/welding operations, and who must designate precautions to be followed in granting authorization, preferably in the form of a written permit. Cutting/welding shall be permitted only in areas that are or have been made fire safe, and appropriate PPE and clothing based on the type of work performed must be used. (Note: Per OSHA, to minimize carbon monoxide hazard, maintain 3-4 feet of clear ventilation space around generators).	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Environmental Health & Occupational Safety	OSHA's Hazard Communication Standard	To comply with employees' right to know about the hazards associated with materials/substances they use on the job, the University must compile and maintain chemical inventories, and make Material Safety Data Sheets readily available upon employee request.	Environmental Health & Safety and Risk Management	Paul Battles Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Environmental Health & Occupational Safety	Resource Conservation and Recovery Act - 42 U.S.C. §§ 6901-6992k	Gives the EPA authority to control hazardous waste – generation, transportation, treatment, storage and disposal. If the University is a hazardous waste generator it must: Certify there is a program in place to reduce quantity and toxicity of waste to the degree economically practicable; Establish record-keeping practices for waste generated; 3. Use appropriate containers and labeling practices for storage, transport or disposal, and use a manifest system. If the university is a small quantity generator, it must provide to the EPA every year setting out quantities and nature of waste generated, how disposed, efforts to reduce volume and toxicity, and changes in volume and toxicity achieved. Underground Storage Tank training must be conducted every 7 years.	Environmental Health & Safety and Risk Management	Paul Battles Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu
Environmental Health & Occupational Safety	The Public Health Security and Bioterrorism Preparedness and Response Act - 18 U.S.C. § 175b	All colleges and universities that possess select agents, which are certain biological agents and toxins, need to register with the Secretary of the U.S. Department of Health and Human Services. Requires prompt notification of the release of a select agent outside of the biocontainment area, or of theft or loss of a select agent. The university must also deny access to the agents/toxins by restricted persons.	Environmental Health & Safety and Risk Management	Paul Battles Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu
Environmental Health & Occupational Safety	Toxic Substances Control Act - 15 U.S.C. § 2601-2629	Regulates the use and disposal of certain chemicals, including PCBs used in electrical transformers. Must comply with regulations concerning use, service, storage, and disposal of transformers containing PCBs. The Act requires the identification, inventory, marking and quarterly inspection of PCB transformers.	Facilities Management	Robert Smith Head Electrician ppl_rrs@shsu.edu
Ethics	Ethics in Government Act (Amended by Ethics Reform Act and Honest Leadership and Open Government Act of 2007) - 5 U.S.C. § 7353	Members of Congress and officers and employees of the executive, legislative, and judicial branches are barred from soliciting or accepting anything of value from anyone seeking official action from, doing business with, or conducting activities regulated by the individual's employing entity or whose interests may be substantially affected by the performance or nonperformance of the individual's official duties. A private university that does not employ a lobbyist is subject to restrictions.	Texas State University System	Kelly Wintemute TSUS System Compliance Officer kelly.wintemute@tsus.edu
Ethics	House and Senate Gift Ban and Ethics Rules	Both the House and Senate have banned gifts from registered lobbyists or private entities that retain or employ them. Non-lobbyists can give gifts valued at less than \$50, such as a meal at a briefing for a Member of Congress and their staff that is valued at less than \$50 per person.	Texas State University System	Kelly Wintemute TSUS System Compliance Officer kelly.wintemute@tsus.edu
Export Controls	Arms Export Control Act - 22 U.S.C. §§ 2751-2799aa-2	Provides the authority to control the export of defense articles and services, and charges the President to exercise this authority. Executive Order 11958, as amended, delegated this statutory authority to the Secretary of State.	Office of Research and Sponsored Programs (ORSP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4875
Export Controls	International Emergency Economic Powers Act - 50 U.S.C. §§ 1701-1707	Authorizes the President to declare the existence of an "unusual and extraordinary threat to the national security, foreign policy, or economy of the United States" that originates "in whole or substantial part outside the United States." It further authorizes the President, after such a declaration, to block transactions and freeze assets to deal with the threat. In the event of an actual attack on the United States, the President can also confiscate property connected with a country, group, or person that aided in the attack.	Office of Research and Sponsored Programs (ORSP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Export Controls	International Traffic in Arms Regulations (ITAR) - 22 U.S.C. § 2778	The International Traffic in Arms Regulations govern the export of defense articles and defense services, i.e. those items with a military application. The licensing conditions for materials covered as military products and technology are set forth at 22 U.S.C. § 2778. The Department of State administers this law.	Office of Research and Sponsored Programs (ORSP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Export Controls	Trading with the Enemy Act - 22 U.S.C. § 7201-7211	Foreign Assets Control Regulations of the U.S. Department of Treasury require persons subject to U.S. jurisdiction to have a license to engage in certain transactions related to travel to, from and within regulated countries.	Office of Research and Sponsored Programs (ORSP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878



Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Financial Aid	Higher Education Opportunity Act - Public Law No. 110-315	Sections 152 and 153 require the following disclosures to enrolled students: . . . d) preferred lending arrangements; e) via accurate/understandable written or electronic means, the following private loan terms and conditions - interest, range of interest rates, interest adjustments, finance charges, fees and penalties, forbearance, deferral options, self-certification requirements, and a phone number or web address for additional information; . . . k) written notice regarding penalties for drug violations vis-a-vis financial aid eligibility, and if convicted timely written notice of ways to regain eligibility must be given. Disclosures c) - k) must be available to prospective students as well.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act - Public Law No. 110-315	Section 493 mandates that a school have a code of conduct and requires that officers, employees, and agents of institutions that have loan responsibilities are informed annually about the institution's code of conduct. The University must develop a Code of Conduct for financial aid practices that prohibits conflicts of interest, and is published prominently on the University's website and distributed annually to relevant personnel.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act - Public Law No. 110-315 - 20 U.S.C. § 1015	Section 111: Within two years of the Ed net calculator, schools that receive Title IV funds will be required to publicly share a net price calculator to help current and prospective students estimate their individual net price at that school as well as other financial aid information. Effective July 1, 2011, if the University institutes a large percentage increase in tuition and fees or net price, a report must be submitted to the Department of Education providing the reason for the increase and the steps that will be taken to reduce cost.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act - Public Law No. 110-315 -20 U.S.C. § 1092	Section 488 requires exit counseling to borrowers by institutions to include information on repayment plans, debt management, and forbearance programs, among other specific information. Requires institutions to provide comprehensive information on the terms and conditions of loans and borrowers' responsibilities prior to loan disbursement to a first-time borrower. Information shall be provided in simple and understandable terms and may be provided: during an entrance counseling session conducted in person; on a separate written form provided to the borrower that the borrower signs and returns to the institution of higher education; or, online, with the borrower acknowledging receipt of the information. Institutions of higher education are encouraged to provide entrance counseling through interactive programs that test borrowers' understanding of the terms and conditions of their loans. Effective August 14, 2008, the University must disclose publicly in a readable and comprehensible manner its transfer of credit policy, which must include criteria regarding transfer of credit and a list of institutions with which it has established an articulation agreement.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act of 2008 - 20 U.S.C. § 1094	An institution may participate in any Title IV, HEA program (other than the LEAP and NEISP programs) only if the institution enters into a written program participation agreement with the Secretary, on a form approved by the Secretary. The required written program participation agreement requires that the University: 1) Maintain administrative and fiscal procedures for proper and efficient administration of program funds; 2) demonstrate financial responsibility and administrative capability; and 3) certify that it has a drug abuse prevention program available to everyone, a campus security policy, and that it is in compliance with athletic program participation rate and financial support data disclosures. Under the written program participation agreement the University is prohibited from engaging in the following activities: 1) Charging students fees for processing program eligibility applications, forms or data; 2) knowingly employing or contracting with individuals or entities in any capacity involving administration of HEA programs if they have been found to have committed fraud or other violations involving federal/state/local funds; 3) penalizing or denying students access because of inability to meet financial obligations resulting from delays in disbursement due to program compliance requirements or institutional delays; and 4) providing a commission/bonus to any person or entity engaged in any student recruiting, admission activities, or award decision-making based on success in securing enrollments or financial aid. Use of a third party servicer does not relieve the University of the compliance requirements under this part.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Financial Aid	Higher Education Opportunity Act of 2008 - Public Law No. 110-315	The University must at least annually have an independent auditor (independent certified public accountant or a government auditor) conduct a compliance audit of its administration of that program and an audit of the institution's general purpose financial statements. An audit conducted per Office of Management and Budget Circular A-133 satisfies this requirement. The audit must cover all Title IV, HEA program transactions. Fine of up to \$27,500 per violation and/or program suspension for failure to comply.		Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act of 2008 - Public Law No. 110-315	The University must maintain any application for Title IV, HEA program funds and program records that document: 1) Its eligibility to participate and eligibility of its programs to receive funds; 2) its administration of the HEA programs per applicable requirements; 3) its financial responsibility; 4) information included in any application for program funds; and 5) its disbursement and delivery of program funds. The University must maintain the following financial information: 1) The Student Aid Report (SAR) or Institutional Student Information Record (ISIR); 2) application data submitted on behalf of the student or parent; 3) documentation of each student's or parent borrower's eligibility for and receipt of program funds and loan detail; 4) documentation of and information collected at initial or exit loan counseling; 5) reports and forms used by the University in participating in an HEA program, and any records needed to verify data in those reports and forms; and 6) documentation supporting calculations of the University's completion or graduation rates. The University must keep records relating to administration of the Federal Perkins Loan, FWS, FSEOG, or Federal Pell Grant Program for three years after the end of the award year for which the aid was awarded and disbursed. The University must keep records relating to a student or parent borrower's eligibility and participation in the FFEL or Direct Loan Program for three years after the end of the award year in which the student last attended the institution. All other records relating to the University's participation in the FFEL or Direct Loan Program must be kept for three years after the end of the award year in which the records are submitted. Records pertaining to any loan, claim, or expenditure questioned by a program audit, review, or investigation must be kept until resolution or the end of the applicable retention period, whichever is later.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act of 2008 - Public Law No. 110-315	Annually the University must distribute to all enrolled students a notice of availability of the following: 1) Financial assistance available; 2) institutional information (e.g. cost of attendance including tuition, room, board, books and transportation; refund policy; description of academic programs and facilities; withdrawal requirements, facilities for the disabled; names of accrediting or licensing entities); 3) completion, graduation, and transfer-out rates; 4) annual security report; 5) report on athletic program participation rates and financial support data; 6) FERPA notice regarding how to obtain student information. The foregoing must also be made available to prospective students upon request. Notice may be given online.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act of 2008 - Public Law No. 110-315	The University must maintain and use written policies and procedures for verifying information contained in student aid applications. Policies and procedures must include: 1) The time period for applicants to provide documentation and consequences for failure to do so; 2) the school's verification requirements and method for notifying applicants of the results of the verification process; 3) how to correct erroneous application information; 4) how to make referrals to the Department of Education's Office of Inspector General for suspected criminal conduct by students in applying for aid.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act of 2008 - Public Law No. 110-315	The University acts as a fiduciary in administering Title IV, HEA programs. Failure to administer the program or account for the funds received under that program in accordance with the highest standard of care and diligence constitutes grounds for: 1) An emergency action; 2) a fine (up to \$27,500 per violation); or 3) limitation, suspension, or termination of the institution's participation in that program.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Financial Aid	Higher Education Opportunity Act of 2008 -Public Law No. 110-315 - 20 U.S.C. § 1078-2	PLUS Loans are available to the parents of eligible students through the FDLP (Direct) or FFEL (private) program, but not both. If applications are made for an FFEL PLUS loan, the University must: 1) Verify the parent's immigration status and social security number in the same manner verified for students; 2) extend PLUS loans only to parents who do not have an adverse credit history; 3) extend such loans on the same terms, conditions and benefits as other FFEL loans; 4) for any academic year, limit the loan amount to the student's estimated cost of attendance minus other financial aid; and 5) be disbursed to the institution electronically or co-payable to the school and parent. Graduate/professional degree students are eligible to borrow under the PLUS Loan Program up to their cost of attendance minus other estimated financial assistance in both the FFEL and Direct Loan Program. The terms and conditions applicable to Parent PLUS Loans apply to Graduate/Professional PLUS loans.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act of 2008 - Public Law No. 110-315 - 20 U.S.C. § 1094(h)	The University may maintain a preferred vendor list so long as it is not used to deny or impede a borrower's choice of lenders, offers three or more lenders not affiliated with one another, and doesn't include lenders who have offered financial or other benefits to be included on the list. The University must disclose to borrowers the method and criteria used to select preferred lenders, and offer comparative information to borrowers about each lender's benefits. The University must include in its preferred lender materials a prominent statement that borrowers are not required to use any lender on the list, and may not delay award certification because a preferred lender is not used. The preferred lender list and associated information must be updated annually.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act of 2008 - Public Law No. 110-315 - 20 U.S.C. § 1099c	Section 496: To participate in Title IV financial assistance programs the University must: 1) Obtain from the Secretary certification that it provides higher education (i.e. that it is an "eligible institution"); and 2) where the HEA program has undergone a change in ownership that results in a change in control, the University's "chief administrator" and its designated HEA program administrator must complete Title IV, HEA program training within 12 months of executing the program participation agreement.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act of 2008 - Public Law No. 110-315 - 20 U.S.C. §§ 1070b- 1070b-4	To provide Federal Supplemental Educational Opportunity Grant (FSEOG) grants to exceptionally needy undergraduate students the University must: 1) Sign a Participation Agreement with ED; 2) maintain funds in accordance with 34 C.F.R. § 668.163; 3) maintain an internal control system so no office can both authorize and disburse payments; 4) maintain program and fiscal records; 5) contribute at least 25% of each grant; 6) limit and account for carry-forwards or carry-backs of funds; 7) follow the eligibility requirements and selection criteria set forth by ED; and 8) submit a Fiscal Operations Report and Application to Participate (FISAP) report each year. The University may not transfer FSEOG funds to any other program. HEOA now allows the University to transfer 25% of FSEOG to Federal Work Study.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Higher Education Opportunity Act of 2008 - Public Law No. 110-315 - 20 U.S.C. §§ 1087aa-1087ii	Perkins Loans are not currently supported or funded by the federal government, and are self-sustaining only. The University must: 1) Make loans first to students with exceptional need; 2) provide assurances that thorough and adequate loan information is provided to student borrowers; and 3) enter into cooperative agreements with credit bureaus to exchange information concerning student borrowers. At or prior to making a Perkins Loan the University must disclose thorough and adequate loan information including: 1) Name of institution of higher education and payment address; 2) principal loan amount and interest rate; 3) charges collected at or prior to disbursement and whether deducted from the loan or paid separately by borrower; 4) yearly and cumulative maximum amounts that may be borrowed; 5) when repayment is required and when accrued interest must be paid; 6) minimum and maximum repayment term, minimum monthly payment; 7) definition of default and consequences, and default penalty; 8) total cumulative balance and projected monthly payment; 9) options for consolidation or refinancing; 10) right to prepay without penalty and deferral options; 11) effect of loan on eligibility for other aid; 12) cost to borrower in making loan. (20 U.S.C. § 1087cc)	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Financial Aid	Higher Education Opportunity Act of 2008 -Public Law No. 110-315 - 42 U.S.C. §§ 2751-2757	Generally, under the Federal Work Study Program (FWS), the University or the employing agency must pay 25% of the student's salary. The University must pay federal or state minimum wage, whichever is higher, for all hours worked, per the Fair Labor Standards Act. Volunteered time does not qualify. The University must use 7% of FWS allocation to employ students in community service, one of whom must be a reading tutor. The University must make students aware of community service opportunities. Private, for-profit entities do not qualify as employers for community service. Students may work during non-attendance if planning to return the following semester, but if they do not do so the University must demonstrate it had reason to believe the student would returned.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Student Loan Default Prevention Initiative Act of 1990 - 20 U.S.C. §§ 1001-1019d	Renders institutions with high default rates on student loans ineligible to participate in certain student loan programs.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Student Right to Know Act - Public Law No. 101-542 - 20 U.S.C. § 1092	The University must have full time financial aid staff to assist students. University must make readily available upon request, through publications, mailings and electronic media, to enrolled and prospective students: 1) Financial aid programs available; 2) methods by which assistance is distributed among recipients; 3) means and requirements for applying; 4) rights and responsibilities when receiving aid; 5) cost of attendance; 6) refund policy, and grant return and withdrawal requirements; 7) the academic degree program; 8) names of financial aid personnel; 9) handicapped facilities; 10) names of accrediting entities; 11) academic standards; 12) graduation rates; 13) loan deferral and cancellation terms; 14) applicability of aid for study abroad; and 15) campus crime report. Annually the University must provide a list of this info to all enrolled students with the procedures for obtaining it. The University also must provide exit counseling for borrowers under this section. Annually the University must prepare the completion or graduation rate of its certificate or degree-seeking, full-time undergraduate students. As a member of an athletic conference, however, the Secretary of Education allows this requirement to be satisfied by the NCAA report to prospective student athletes, their coaches, parents and guidance counselors regarding completion or graduation rates for student athletes. The University must publish this data by July 1st, and the Spring IPEDS reporting satisfies that deadline.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Title IX of the Education Amendment of 1972 - 20 U.S.C. §§ 1681-1688	When a recipient provides financial assistance to any student participating in an educational program or activity, the recipient must ensure that it does not provide different types or amounts of assistance, limit eligibility for such assistance, apply different criteria, or otherwise discriminate in the provision of financial assistance on the basis of sex. Any grievance records relating to a Title IX violation or complaint must be retained for the period of time cited in state law for personal injury actions.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	SB 1528	THECB Senate Bill 1528 amended the provisions of House Bill 1403 so that they applied to all individuals who had lived in Texas a significant part of their lives. Citizens, Permanent Residents and certain non-immigrant students could establish a claim to residency following its provisions. To qualify, the individual must have: o lived in Texas the 3 years leading up to high school graduation or the receipt of a GED; and THECB 09/2008 Page 2 of 2 o resided in Texas the year prior to enrollment in an institution of higher education (which could overlap the 3-year period). In addition, if the student was not a U.S. Citizen or Permanent Resident, he/she had to file an affidavit with his/her institution, indicating an intent to apply for Permanent Resident status as soon as able to do so. The bill passed and was codified as TEC 54.052 through 54.056.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Texas Education Code 56.301	THECB: The purpose of this program is to provide grants of money to enable certain students to attend eligible institutions of higher education in this state.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Financial Aid	Texas Education Code 56.481	THECB: The purpose of this program is to encourage outstanding high school graduates who graduate within the top 10 percent of their high school graduating classes to attend a public college or university in Texas.	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Financial Aid	Rider 31, Page III-52 General Appropriations	THECB	Financial Aid	Lydia Hall Director of Financial Aid lth003@shsu.edu (936)294-1750
Fundraising & Development	Higher Education Opportunity Act -Public Law No. 110-315 - 20 U.S.C. § 1094	Section 493 mandates schools have a code of conduct and requires that officers, employees, and agents of institutions that have loan responsibilities are informed annually about the institution's code of conduct.	Financial Aid	Amy Wilson, Assistant Director for Compliance anw001@shsu.edu (936)294-1774
Fundraising & Development	Internal Revenue Code: Substantiation and Disclosure Provisions - 26 U.S.C. § 170	Substantiation and disclosure provisions apply to contributions made to tax-exempt organizations after December 31, 1993. For charitable contributions of \$250 or more, the donor must receive a contemporaneous written acknowledgment from the organization of the gift. The acknowledgment should note the amount of any cash contribution and, if the donation is in the form of property, the acknowledgment must describe, but need not value the property. Valuation of the property is the responsibility of the donor.	University Advancement	Patty Lewis Director of Advancement Services pal007@shsu.edu (936)294-4265 Frank Holmes VP for University Advancement holmes@shsu.edu (936)294-3625
Fundraising & Development	Pension Protection Act - 26 U.S.C. § 170	No deduction will be allowed for the donor for a contribution of \$250 or more (whether in cash or property) unless the donor has a contemporaneous written acknowledgment from the university substantiating the contribution. The university must provide a written disclosure statement to the donor(s) who make payments described as quid pro quo contributions in excess of \$75.	University Advancement	Patty Lewis Director of Advancement Services pal007@shsu.edu (936)294-4265 Frank Holmes VP for University Advancement holmes@shsu.edu (936)294-3625
Fundraising & Development	Philanthropy Protection Act of 1995 - Public Law No. 104-62	Requires the university to provide a disclosure statement to all annuitants in a Gift Annuity Fund and also to provide the same to all prospective donors at the time of solicitation, using a letter or pamphlet format. Prohibits the payment of commissions or remuneration to anyone based on the value of a charitable gift annuity given to a public charity.	University Advancement	Patty Lewis Director of Advancement Services pal007@shsu.edu (936)294-4265 Frank Holmes VP for University Advancement holmes@shsu.edu (936)294-3625
General Counsel	Texas Government Code, Chapter 552, Texas Public Information Act	Texas Attorney General	Office of General Counsel	Christine Wieghat Legal Information Coordinator cwieghat@shsu.edu (936)294-2424 Rhonda Beassie, Assistant General Counsel rbeassie@shsu.edu (936)294-2424
Governance	Federal Sentencing Guidelines - 2012 Manual	The guidelines at §8B2.1 set forth the requirements for an effective compliance and ethics program for organizations. Organizations are vicariously liable under federal criminal law for acts committed by their agents. The definition of "organization" at 18 U.S.C. §18 includes non-profits such as a university.		(Compliance) Joseph Agins, Compliance Officer jxa101@shsu.edu (936)294-2671 (Ethics) Fernando Gomez, Texas State University System Vice Chancellor and General Counsel fernando.gomez@tsus.edu
Governance	Internal Revenue Service: Governance Information Required on Form 990	The IRS asks 501(c)(3) organizations about their management and governance practices on the Form 990.		

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Grants Management	American Recovery and Reinvestment Act of 2009 (ARRA) – Jobs Accountability Act - Public Law No. 111-5, § 1512	ARRA requires federal contractors receiving awards or modifications to awards funded in whole or in part by the Act to report quarterly on use of those funds. Reporting must be no later than 10 days after end of each calendar quarter and report must have the following: 1) Total amount of ARRA funds received; 2) total amount of ARRA funds expended; 3) detailed list of projects/activities for which funds expended including an evaluation of completion status and estimate of the number of jobs created or retained for each; and 4) detailed information on sub awards including info required by Federal Funding Accountability and Transparency Act of 2006.	Office of Research Administration (ORA)	Susan Hurley Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-48642 Dee Myall Associate Director of ORSP ldm021@shsu.edu (936)294-4032
Grants Management	American Recovery and Reinvestment Act of 2009 (ARRA) – Self Disclosure- Public Law No. 111-5	Recipients of ARRA-funded grants and contracts must disclose promptly to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, sub recipient or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity or similar misconduct involving ARRA funds.	Office of Research Administration (ORA)	Susan Hurley Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-48642 Dee Myall Associate Director of ORSP ldm021@shsu.edu (936)294-4032
Grants Management	Byrd Amendment - 31 U.S.C. § 1352	Prohibits grantees from lobbying with federal funds. Requires disclosure of lobbying activities when receiving federal contracts, grants, loans or cooperative agreements.	Office of Research and Sponsored Programs (ORSP)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Grants Management	Department of Education General Administrative Regulations and Other Applicable Grant Regulations	The Department of Education’s General Administrative Regulations regarding the administration of grants and agreements with institutions of higher education, direct grant programs, state administered programs, drug and alcohol abuse prevention and restrictions on lobbying.	Office of Research Administration (ORA)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Grants Management	Department of Health and Human Services Grants Policy Statement	Intended to make available in a single document the general terms and conditions of HHS discretionary grant and cooperative agreement awards. This policy statement applies only to HHS discretionary grant programs and only to awards to organizational entities made by Operating Divisions other than the National Institutes of Health (NIH). It does not apply to awards under mandatory grant programs (e.g., entitlement programs) or to awards made directly to individuals (e.g., scholarships).	Office of Research Administration (ORA)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Grants Management	False Claims Act - 31 U.S.C. §§ 3729-3733	A person does not violate the False Claims Act by submitting a false claim to the government; to violate the FCA a person must have submitted, or caused the submission of, the false claim (or made a false statement or record) with knowledge of the falsity. Defines a claim as a demand for money or property made directly to the Federal Government or to a contractor, grantee, or other recipient if the money is to spent on the government’s behalf and if the Federal Government provides any of the money demanded or if the Federal Government will reimburse the contractor or grantee.	Office of Research and Sponsored Programs (ORSP)	Dee Myall Associate Director of OSRP ldm021@shsu.edu (936)294-4032 Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Grants Management	Federal Awardee Performance and Integrity Information System (FAPIS) - Public Law No. 110-417, § 872	Federal Awardee Performance and Integrity Information System (FAPIS) is a federally-mandated information system that contains specific information on the integrity and ethical performance of covered Federal contractors and grantees. The University must disclose certain ethical and performance information (such as criminal, civil and administrative findings against specific individuals) at the proposal stage for use by federal acquisition professionals in award and responsibility determinations. The Past Performance Information Retrieval System (PPIRS) is the mechanism for that reporting.	Office of Research and Sponsored Programs (ORSP)	Dee Myall Associate Director of OSRP ldm021@shsu.edu (936)294-4033

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Grants Management	Federal Funding Accountability and Transparency Act of 2006 (FFATA) - Public Law No. 109-282	The Act requires full disclosure to public of all entities/orgs receiving federal funds via single searchable website accessible to public at no cost (www.USASpending.gov).For each award the University must include: 1) Name of receiving entity; 2) amount; 3) transaction type, funding agency and program source; 4) location of recipient entity and primary location of performance; 5) reporting on executive compensation for first-tier sub award recipients; and 6) unique recipient entity identifier. Reporting requirements apply to vendors as well as sub-grantees.	Office of Research Administration (ORA)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Grants Management	Fraud Enforcement and Recovery Act of 2009 (FERA) -Public Law No. 111-21	The Act clarifies that the False Claims Act was intended to cover to any false or fraudulent claim for government money or property, regardless of whether the claim is presented to a government official or employee, whether the government has physical custody of the money, or whether the defendant specifically intended to defraud the government. FERA also expands the False Claims Act provisions to sub-recipients of federal funds.	Office of Research and Sponsored Programs (ORSP)	Dee Myall Associate Director of OSRP ldm021@shsu.edu (936)294-4032 Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Grants Management	OMB A-133: Audits of Institutions of Higher Education and Other Non-Profit Institutions	This circular sets forth standards for obtaining consistency and uniformity among federal agencies for the audit of non-federal entities (including colleges and universities) expending federal awards.	Office of Research Administration (ORA)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Grants Management	OMB Circular A-110: Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations	OMB Circular A-110 establishes uniform administrative requirements for federal grants and agreements awarded to institutions of higher education, hospitals, and other non-profit organizations. Federal awarding agencies may not impose additional or inconsistent requirements, except as provided. Records must be kept for three years from the date of submission of the final expenditure report.	Office of Research Administration (ORA)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Grants Management	OMB Circular A-21: Cost Principles for Educational Institutions	Establishes principles for determining costs applicable to grants, contracts, and other agreements with educational institutions. Requires that costs be handled consistently across the University.	Office of Research Administration (ORA)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Health Care & Insurance	Controlled Substances Act - 21 U.S.C. §§ 801-889	Regulates the manufacture and distribution of narcotics, stimulants, depressants, hallucinogens, anabolic steroids, and chemicals used in the illicit production of controlled substances. All substances are placed in one of five schedules, based on medicinal value, harmfulness, and potential for abuse or addiction, with Schedule 1 reserved for the most dangerous drugs that have no recognized medical use.	Health Center	Erica Bumpurs Director of Student Health Center stdemb17@shsu.edu (936)294-1843 Kendra Bookman Pharmacist kab077@shsu.edu (936)294-1803
Health Care & Insurance	Higher Education Opportunity Act - Public Law No. 110-315	Section 488: Requires institutions to disclose policies on all vaccinations.	Student Health Center	Erica Bumpurs Director of Student Health Center stdemb17@shsu.edu (936)294-1843

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Health Care & Insurance	HIPAA -Public Law No. 104-191	Establishes national standards to protect individuals' medical records and other personal health information. Requires appropriate safeguards to protect the privacy of personal health information, and sets limits and conditions on the uses and disclosures that may be made of such information without patient authorization. Gives patients rights over their health information, including rights to examine and obtain a copy of their health records, and to request corrections.	Human Resources	Tabitha Taylor Human Resources Specialist tit044@SHSU.EDU (936)294-2331 Cindy Balusek Assistant Director of Human Resources cjm028@SHSU.EDU (936)294-4415
Housing	Americans with Disabilities Act - 42 U.S.C. §§ 12101-12213	Requires reasonable accommodations to allow a qualified person with a disability to participate fully in the programs and activities of the university. Requires that universities ensure that no individual with a disability is discriminated against on the basis of a disability in the full and equal enjoyment of the universities services and facilities, including university housing. Enforced by multiple federal agencies, including the Department of Justice, Department of Labor, and the EEOC.	Disability Services, Facilities Management and Residence Life	Kelley Osborn Director of Services for Students with Disabilities cko002@shsu.edu (936)294-1719 Chad Huff Assistant Director of Facilities Planning & Construction chadhuff@shsu.edu (936)294-1915 Joellen Tipton Executive Director of Residence Life hou_jnt@shsu.edu (936)294-1810
Housing	Section 504 of The Rehabilitation Act of 1973 - 29 U.S.C. § 793	Prohibits discrimination on the basis of disability at any federally-funded institution. This covers admissions, recruitment, educational and/or academic programs and services. A recipient that provides housing to its able-bodied students shall provide comparable, convenient, and accessible housing to students with disabilities at the same cost as to others. If an existing facility is not accessible, redesign of equipment, reassignment of classes or other services to accessible buildings is an alternative to new construction. Newly constructed facilities must be readily accessible to persons with disabilities. Each facility or part of a facility which is altered in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by persons with disabilities.	Disability Services, Facilities Management and Residence Life	Kelley Osborn Director of Services for Students with Disabilities cko002@shsu.edu (936)294-1719 Chad Huff Assistant Director of Facilities Planning & Construction chadhuff@shsu.edu (936)294-1915 Joellen Tipton Executive Director of Residence Life hou_jnt@shsu.edu (936)294-1810
Housing	Title IX of the Education Amendment of 1972- 20 U.S.C. §§ 1681-1688	Under the Title IX common rule, a recipient may not apply different rules or regulations, impose different fees or requirements, or offer different services or benefits related to housing based on sex. However, a recipient may provide separate housing on the basis of sex if such housing is both proportionate in quantity to the number of students of each sex applying for the housing and comparable in quality and cost to the student. Any grievance records relating to a Title IX violation or complaint must be retained for the period of time cited in state law for personal injury actions.	Title IX Office	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026



Compliance Matrix

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Human Resources		TWC - Civil Rights Division	Human Resources	Jessica Smith Human Resources Specialist jessica10@shsu.edu (936)294-1872 TJ Bittick Professional Development Coordinator tjb005@shsu.edu (936)294-2328
Human Resources		Bureau of Labor Statistics	Human Resources	Maria Munoz Human Resources Associate mcm081@shsu.edu (936)294-1272
Human Resources		Federal and State	Human Resources	Brandi O'Bannon, Human Resources Specialist bno001@shsu.edu (936)294-1071 Maria Munoz, Human Resources Associate mcm081@shsu.edu (936)294-1272 Cindy Balusek, Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources		ERS	Human Resources	Cynthia Bennett Director of Human Resources hrd_cab@shsu.edu (936)294-1064
Human Resources		Department of State Health Services	Human Resources	Cindy Bradfield Assistant Director of HR csb017@shsu.edu (936)294-2329
Human Resources		State of Texas, Education Code	Human Resources	TJ Bittick Professional Development Coordinator tjb005@shsu.edu (936)294-2328
Human Resources		Texas Comptroller of Public Accounts	Human Resources	Christene Hughes Human Resources Specialist chughes@shsu.edu (936)294-2431 Cynthia Bennett Director of Human Resources cbennett@shsu.edu (936)294-1064

Compliance Matrix

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Human Resources		Texas ORP Coordinating Board	Human Resources	Maria Munoz Human Resources Associate mcm081@shsu.edu (936)294-1272 Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources		State Auditors Office	Human Resources	Kristy Stapleton Assistant to Associate VP of HR and Risk Management kls013@shsu.edu (936)294-1068
Human Resources		Texas Legislative Budget Board	Human Resources	Christine Hughes Human Resources Specialist chughes@shsu.edu (936)294-2431 Cindy Balusek, Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources		State Auditors Office	Human Resources	Cindy Bradfield Assistant Director of HR csb017@shsu.edu (936)294-2329
Human Resources		National Center for Educational Statistics	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources		TWC	Human Resources	Patricia Zavala Human Resources Associate pxz004@shsu.edu (936)294-2637 Angel Lamb Human Resources Associate all021@shsu.edu (936)294-1066 Christine Hughes Human Resources Specialist chughes@shsu.edu (936)294-2431
Human Resources		Office of the Attorney General	Human Resources	Cindy Bradfield Assistant Director of HR csb017@shsu.edu (936)294-2329
Human Resources		State Office of Risk Management	Human Resources	Kelli Wright Risk Management Coordinator ksw023@shsu.edu (936)294-2332 Jessica Smith Human Resources Specialist jessica10@shsu.edu (936)294-1872

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Human Resources: Discrimination	Age Discrimination Employment Act of 1967- 29 U.S.C. §§ 621-634	It is unlawful for the University to fail to hire, discharge, segregate, classify, or otherwise discriminate against any individual with respect to compensation, terms, conditions or privileges of employment because of age.	Human Resources	
Human Resources: Discrimination	Americans with Disabilities Act - 42 U.S.C. §§12101-12213	Prohibits covered entities from discriminating on the basis of disability against a qualified individual in regard to recruitment, hiring, wages, promotion, and other employment-related matters. Enforced by multiple federal agencies, including the Department of Justice, Department of Labor, and the EEOC.	Human Resources	
Human Resources: Discrimination	Equal Employment of Veterans - 38 U.S.C. §§ 4211-4215	For federal subcontracts of \$25,000 or more the University shall include in each of its subcontracts a clause that the subcontractor will not discriminate against any employee or applicant for employment because he or she is a special disabled veteran, veteran of the Vietnam era, recently separated veteran, or other protected veteran in regard to any position for which the employee or applicant for employment is qualified. The university must agree to take affirmative action to employ and advance qualified individuals without discrimination based on such status.	Human Resources	
Human Resources: Discrimination	Equal Employment Opportunity - Executive Order 11246 (OFCCP)	Federal contractors must not discriminate in employment decisions on the basis of race, religion, color, sex, or national origin. Covered institutions must take affirmative action to ensure applicants are treated without regard to such factors.	Human Resources	
Human Resources: Discrimination	Genetic Information Non-Discrimination Act of 2008 - Public Law No. 110-233	Under Title II of GINA, it is illegal to discriminate against employees or applicants because of genetic information.	Human Resources	Kristy Stapleton Assistant to Associate VP of HR and Risk Management kls013@shsu.edu (936)294-1068
Human Resources: Discrimination	Lilly Ledbetter Fair Pay Act of 2009 - Public Law No. 111-2	An individual subjected to compensation discrimination under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, or the Americans with Disabilities Act of 1990 may file a charge within 180 (or 300) days of any of the following: 1) when a discriminatory compensation decision or other discriminatory practice affecting compensation is adopted; 2) when the individual becomes subject to a discriminatory compensation decision or other discriminatory practice affecting compensation; or 3) when the individual's compensation is affected by the application of a discriminatory compensation decision or other discriminatory practice, including each time the individual receives compensation that is based in whole or part on such compensation decision or other practice. The Act has a retroactive effective date of May 28, 2007, and applies to all claims of discriminatory compensation pending on or after that date.	Human Resources	
Human Resources: Discrimination	The Equal Pay Act of 1963 - 29 U.S.C. § 206(d)	Prohibits sex-based wage discrimination between men and women in the same establishment who perform jobs that require substantially equal skill, effort and responsibility under similar working conditions.	Human Resources	
Human Resources: Discrimination	The Family and Medical Leave Act of 1993- 29 U.S.C. §§ 2601-2654	Entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. The University must permit a "spouse, son, daughter, parent, or next of kin" to take up to 26 workweeks of leave to care for a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.	Human Resources	Jessica Smith Human Resources Specialist jessica10@shsu.edu (936)294-1872 Cynthia Bennett Director of Human Resources cbennett@shsu.edu (936)294-1064
Human Resources: Discrimination	Title IX of the Education Amendment of 1972 - 20 U.S.C. §§ 1681-1688	Prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance, including employment. Any grievance records relating to a Title IX violation or complaint must be retained for the period of time cited in state law for personal injury actions.	Title IX Office	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Human Resources: Discrimination	Title VII of the Civil Rights Act of 1964 - 42 USC U.S.C. §§ 2000e-2000e-17	Title VII prohibits discrimination in hiring, firing, training, promotion, discipline, or other workplace decisions on the basis of an employee or applicant's race, color, sex, national origin, or religion. Sexual harassment is also prohibited under this law. Allows for compensatory and punitive damages and jury trials when intentional employment discrimination can be shown with respect to one of the Title VII protected classes or with respect to protection offered by the Americans with Disabilities Act or the Rehabilitation Act. Prohibits discrimination on the basis of pregnancy, childbirth, or related illness in employment opportunities, health or disability insurance programs, or sick leave plans.	Human Resources	
Human Resources: Discrimination	Uniformed Services Employment and Reemployment Rights Act (USERRA) - 38 U.S.C. § 4301-4335	Seeks to ensure that members of the uniformed services are entitled to return to their civilian employment upon completion of their service. Qualified employees must be reinstated with the seniority, status, and rate of pay they would have obtained had they remained continuously employed by their civilian employer. The law also protects individuals from discrimination in hiring, promotion, and retention on the basis of present and future membership in the armed services.	Human Resources	Jessica Smith Human Resources Specialist jessica10@shsu.edu (936)294-1872 Cynthia Bennett Director of Human Resources cbennett@shsu.edu (936)294-1064
Human Resources: Employee Benefits	Cafeteria Plan Regulations - 26 U.S.C. § 125	A cafeteria plan is a written plan that allows employees to exclude from gross income certain types of employer provided benefits, such as accident and health insurance, group term and life insurance, and benefits under a dependent care assistance program. Qualified scholarships or tuition reduction, educational assistance or deferred compensation may not be excluded from income. For purposes of determining the taxable year of inclusion, any benefit described in paragraph (1) or (2) from the statute shall be treated as received or accrued in the taxable year of the participant or key employee in which the plan year ends.	Human Resources	
Human Resources: Employee Benefits	Consolidated Omnibus Budget Reconciliation Act (COBRA) - Public Law No. 99-272	Enables employees and their families to continue health care coverage under an employer's group health plan even after they experience an event that would otherwise end their coverage (e.g. layoff, termination, decrease in hours, divorce, etc.).	Human Resources	
Human Resources: Employee Benefits	Employee Retirement Income Security Act of 1974 (ERISA) - 29 U.S.C. §§ 1001-1461	Sets minimum standards for participation, vesting, benefit accrual and funding pension plans. Requires employers to regularly provide participants with information about the plan including information about plan features and funding. Requires accountability of plan fiduciaries and gives participants the right to sue for benefits and breaches of fiduciary duty.	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources: Employee Benefits	Medicare, Medicaid, and SCHIP Extension Act of 2007 - Public Law No. 110-173	The University, as a provider of self-insured group health and worker's compensation plans, must determine whether a claimant is entitled to benefits under Medicare on any basis, and if so, must submit to the Secretary of the Department of Health and Human Services the claimant's identity and other information (e.g. SSNs, date of birth, sex, and address) specified by the Secretary for coordination of benefits and recovery claims purposes.	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources: Employee Benefits	Patient Protection and Affordable Care Act - Public Law No. 111-148	Prohibits new group health plans from establishing any eligibility rules for health care coverage that discriminate in favor of higher wage employees. Requires all new health plans to implement an effective process for appeals of coverage determinations and claims, states will provide an external appeals process to ensure an independent review. Creates a long-term care insurance program to be financed by voluntary payroll deductions to provide benefits to adults who become disabled.	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources: Employee Benefits	The Veterans' Readjustment Benefits Act - 38 U.S.C. §§ 4211-4214	Provides the rights, benefits, and obligations of persons absent from employment for military service.	Human Resources	

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Human Resources: Employee Benefits	Title IX of the Education Amendment of 1972 - 20 U.S.C. §§ 1681-1688	Under the Title IX common rule, a recipient must not discriminate on the basis of sex in providing health and insurance benefits or services. Specifically, the provision of such benefits and services to students must meet the same requirements as outlined in the employee provisions of the common rule. Any grievance records relating to a Title IX violation or complaint must be retained for the period of time cited in state law for personal injury actions.	Title IX Office/Human Resources	Tabitha Taylor Human Resources Specialist tlt044@SHSU.EDU (936)294-2331 Brandi O'Bannon Human Resources Specialist bno001@shsu.edu (936)294-1071 Cindy Balusek Assistant Director of Human Resources cjm028@SHSU.EDU (936)294-4415
Human Resources: Employee Benefits	Uniformed Services Employment and Reemployment Rights Act (USERRA) - 38 U.S.C. § 4301-4335	Seeks to ensure that members of the uniformed services are entitled to return to their civilian employment upon completion of their service. Qualified employees must be reinstated with the seniority, status, and rate of pay they would have obtained had they remained continuously employed by their civilian employer. The law also protects individuals from discrimination in hiring, promotion, and retention on the basis of present and future membership in the armed services.	Human Resources	Jessica Smith Human Resources Specialist jessica10@shsu.edu (936)294-1872 Cynthia Bennett Director of Human Resources cbennett@shsu.edu (936)294-1064
Human Resources: Recruitment Hiring & Termination	Drug & Alcohol Testing of Transportation Employees - 49 U.S.C. § 31144	Commercial motor vehicle operators are subject to pre-employment drug testing, and post-accident, random and reasonable suspicion drug and alcohol testing. Testing is mandatory if the driver is involved in a fatal accident. Passenger vehicle drivers are required to be tested prior to employment. The Code of Federal Regulations sets forth the procedures for administering drug and alcohol testing as mandated by the DOT.	Human Resources	
Human Resources: Recruitment Hiring & Termination	Drug Free Workplace Act - 41 U.S.C. §§ 701-707	A federal contractor receiving \$25,000 or more in funding must: 1) Certify it provides a drug-free workplace; 2) publish a statement notifying employees that unlawful manufacture, distribution, dispensing, possession, use of controlled substances is prohibited and stating what action will be taken for violations; 3) establish an ongoing drug-free awareness program; 4) require that each employee directly involved in the contract/grant work notify the employer of any criminal drug statute convictions for a violation occurring in the workplace (however, drug testing is not mandated or authorized); 5) notify the federal government of such a violation within ten days after learning of conviction; and 6) require sanctions or remedial measures for an employee convicted of a drug abuse violation in the workplace. Failure to comply can lead to being barred from participation in future contract or grant activity for up to five (5) years.	Human Resources	
Human Resources: Recruitment Hiring & Termination	Employee Polygraph Protection Act - 29 U.S.C. §§ 2001-2009	The University may not: Directly or indirectly require, request, suggest, or cause any employee or prospective employee to take or submit to any lie detector test; Use, accept, refer to, or inquire concerning the results of any lie detector test of any employee or prospective employee; or Discharge, discipline, discriminate against, deny employment or promotion, or threaten such action against any employee or prospective employee who a) refuses, declines, or fails to take or submit to any lie detector test, or b) on the basis of the results of any lie detector test; or 4) discharge, discipline, discriminate against, deny employment or promotion, or threaten such action against any employee or prospective employee a) who has filed a complaint or caused to be instituted any proceeding per this Act, b) has or will testify in any such proceeding, or c) exercises any right per the Act. The University must post a notice of the Act, as prepared by the Secretary of Labor, in conspicuous places where notices to employees and applicants are customarily posted.	Human Resources	

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Human Resources: Recruitment Hiring & Termination	Fair Credit Reporting Act (FCRA) - 15 U.S.C. §§ 1681-1681x	Employers, before obtaining a consumer report (including criminal background checks) must disclose in writing to the applicant or employee that it may obtain a consumer report for employment purposes, and secondly, secure the written consent of the applicant or employee. Note that when using a third party consumer reporting agency to request motor vehicle record checks for employment purposes, the FCRA should be followed, and notice given to the applicant or employee.	Human Resources	Samantha Patteson Human Resources Senior Manager snp021@shsu.edu (936)294-2330 David Hammonds Associate VP for HR and Risk Management david.hammonds@shsu.edu (936)294-2709
Human Resources: Recruitment Hiring & Termination	Federal Volunteer Protection Act - Public Law No. 105-19 - 42 U.S.C. §§ 14501-14505	Partially protects individual volunteers for non-profit organizations and governmental entities from liability for acts of negligence in the course of their volunteer work.	Human Resources	
Human Resources: Recruitment Hiring & Termination	Immigration and Nationality Act - 8 U.S.C. §§ 1101-1537	The INA, as amended sets forth the laws governing the admission and employment of foreign nationals in the United States, including provisions that address employment eligibility and employment verification.	Human Resources	
Human Resources: Recruitment Hiring & Termination	Worker Adjustment and Retraining Notification Act (WARN) - 29 U.S.C. §§ 2101-2109	The University must provide 60 days advance notice of plant closings or mass layoffs to affected workers (whether hourly or salaried, including managers or supervisors) or their representatives (i.e. labor union). Notice also must be given to the state dislocated worker unit and the appropriate unit of local government. Failure to comply may result in liability to each aggrieved employee for back pay and benefits for the period of violation up to 60 days, and \$500 for each day of violation for failing to notify the unit of local govt.	Human Resources	
Human Resources: Retirement	Deferred Compensation - 26 U.S.C. § 457	Any amount of compensation deferred under an eligible deferred compensation plan, and any income attributable to the amounts so deferred, shall be includible in gross income only for the taxable year in which such compensation or other income is paid.	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources: Retirement	Employee Annuities - 26 U.S.C. § 403	If an annuity contract is purchased by an employer for an employee under a plan which meets the requirements of section 404(a)(2) (whether or not the employer deducts the amounts paid for the contract under such section), the amount actually distributed to any distributee under the contract shall be taxable to the distributee (in the year in which so distributed) under section 72 (relating to annuities).	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources: Retirement	Employee Retirement Income Security Act of 1974 (ERISA) - 29 U.S.C. § 18	Sets minimum standards for participation, vesting, benefit accrual and funding pension plans. Requires employers to regularly provide participants with information about the plan including information about plan features and funding. Requires accountability of plan fiduciaries and gives participants the right to sue for benefits and breaches of fiduciary duty.	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources: Retirement	Nonqualified Deferred Inclusion - 26 U.S.C. § 409A	If at any time during a taxable year a nonqualified deferred compensation plan—(I) fails to meet the requirements of paragraphs (2), (3), and (4), or (II) is not operated in accordance with such requirements, all compensation deferred under the plan for the taxable year and all preceding tax able years shall be includible in gross income for the taxable year to the extent not subject to a substantial risk of forfeiture and not previously included in gross income.	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Human Resources: Retirement	Qualified Pensions - 26 U.S.C. § 401	A trust created or organized in the United States and forming part of a stock bonus, pension, or profit-sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries shall constitute a qualified trust.	Human Resources	Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Human Resources: Retirement	Social Security Act - 42 U.S.C. §§ 301-1397mm	An employer must pay social security taxes on employees but an exemption exists for most students also working for the university, and for clergy whose services are performed in the exercise of their ministry.	Human Resources/Payroll	Karyl Horn Director of Payroll & Tax Specialization pay_krh@shsu.edu (936)294-1096 Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4420
Human Resources: Unions	Civil Service Reform Act of 1978 - Public Law No. 95-454 - 5 U.S.C. § 1104	These regulations establish a Bill of Rights for union members and set standards for union reports, trusteeships imposed on subordinate unions, elections of union officers, financial safe-guards, and other matters. They also set forth administrative procedures for enforcing the standards of conduct requirements, including hearings before an administrative law judge and determinations by the Assistant Secretary for Employment Standards.	Human Resources	
Human Resources: Unions	National Labor Relations Act - 29 U.S.C. §§ 151-169	It is an unfair labor practice for the University to: 1) Interfere with, restrain, or coerce employees in the exercise of their rights; 2) dominate or interfere with the formation or administration of any labor organization; 3) discriminate in any term or condition of employment; 4) encourage or discourage membership in any labor organization; or 5) refuse to bargain collectively with a labor organization's representatives.	Human Resources	
Human Resources: Wages	Consumer Credit Protection Act, Title III (CCPA) – Garnishments - 15 U.S.C. § 1673	Per Title III of the CCPA the maximum part of an employee's total disposable earnings subject to garnishment in any workweek may not exceed the lesser of 25% of disposable earnings for that week or the amount by which disposable earnings for that week exceeds 30 times the federal minimum wage rate in effect at the time the earnings are payable. §1674 prohibits firing an employee because of garnishment and imposes a \$1,000 fine for doing so.	Payroll	Charity Walker, Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Human Resources: Wages	Fair Labor Standards Act (FLSA) - 29 U.S.C. §§ 201-219	Establishes minimum wage. Guarantees “time and a half” overtime for some employees. Establishes requirements for break time and places for nursing mothers. The University must preserve for 3 years: All payroll records or other records containing employee data from the last date of entry From their last effective date – collective bargaining agreements and amendments, plans, trusts, employment and individual contracts, written agreements or memoranda summarizing the terms of oral agreements, and certificates and notices The University must preserve for two years: Basic employment and earnings records Wage rate tables Records of additions to or additions to or deductions from wages paid All records used in determining original, operating and maintenance costs, and depreciation and interest charges	Human Resources	
Human Resources: Wages	Federal Insurance Contributions Act (FICA) 42 U.S.C. §§ 401-434	Provides that service performed in the employ of a school, college or university by a student who is enrolled and regularly attending classes at such school, college, or university is exempt from the FICA tax. An employee who is in employment for wages which are subject to taxes under the Federal Insurance Contributions Act (FICA) or which are subject to the withholding of income tax from wages must apply for a social security number by filing SSA Form SS-5. An employer must pay social security taxes on employees, but an exemption exists for most students who are also working for the university and for clergy whose services are performed in the exercise of their ministry.	Payroll	Charity Walker, Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Human Resources: Wages	Federal Unemployment Tax Act - 26 U.S.C. §§ 3301-3311	Provides for payments of unemployment compensation to workers who have lost their jobs. If your FUTA tax is more than \$500 for the calendar year, you must deposit at least one quarterly payment. If not, alternate rules apply.	Payroll	Charity Walker, Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Human Resources: Wages	Qualified Tuition Reductions - Publication	A qualified tuition reduction is any reduction in tuition provided to an employee for the education of an employee or certain relatives of the employee at the institution the employee works at or another qualified institution. A qualified tuition reduction is tax-free. The tuition must be for education below the graduate level, with an exception for graduate students engaged in teaching or research at the university.	Payroll	

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Immigration	Immigration and Nationality Act (INA) - 8 U.S.C. §§ 1101-1537	The INA, as amended sets forth the laws governing the admission and employment of foreign nationals in the United States, including provisions that address employment eligibility and employment verification.	International Programs	Justin Ball International Student & Scholar Advisor jrb021@shsu.edu (936)294-1346
Immigration	Student Exchange and Visitor Information System (SEVIS)	The Student and Exchange Visitor Program (SEVP) acts as the bridge for various government organizations that have an interest in information on foreign students. SEVIS was created to improve data collection and reporting, enhance customer service, facilitate compliance with regulations and help ICE better monitor schools and exchange programs, as well as F, M and J non-immigrants. Via SEVIS, the University must keep information and records relating to each F-1 or M-1 student to whom it has issued a Form I-20A or I-20M.	International Programs	Justin Ball International Student & Scholar Advisor jrb021@shsu.edu (936)294-1347
Information Technology	Communications Assistance for Law Enforcement Act (CALEA)- 47 U.S.C. §§ 1001-1010	CALEA requires a "telecommunications carrier," as defined by the Act, to ensure that equipment, facilities, or services that allow a customer or subscriber to "originate, terminate, or direct communications," enable law enforcement officials to conduct electronic surveillance pursuant to court order or other lawful authorization.	Information Technology - ISS	Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739
Information Technology	Controlling the Assault of Non-Solicited Pornography And Marketing Act of 2003 (CAN-SPAM Act) - 15 U.S.C. §§ 7701-7713	Prohibits the inclusion of deceptive or misleading information and subject headings, requires identifying information such as a return address in email messages, and prohibits sending emails to a recipient after an explicit response that the recipient does not want to continue receiving messages. In addition to bulk email, the law covers all commercial messages, which it defines as "any electronic mail message the primary purpose of which is the commercial advertisement or promotion of a commercial product or service." Each separate email in violation of the CAN-SPAM Act is subject to penalties of up to \$16,000.	Information Technology - CS	Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739
Information Technology	Digital Millennium Copyright Act (DMCA) - 17 U.S.C. § 512	Imposes rules prohibiting the circumvention of technological protection measures. Sets limitations on copyright infringement liability for online service providers (OSPs). Expands an existing exemption for making copies of computer programs. Provides a significant updating of the rules and procedures regarding archival preservation.	Newton Gresham Library	Erin Owens Associate Professor Copyright & Trademarks eowens@shsu.edu (936)294-1975
Information Technology	Electronic Communications Privacy Act - 18 U.S.C. §§ 2510-2522 (Wiretap) - 18 U.S.C. §§ 2701-2711 (Stored Communications)	The ECPA, as amended, protects wire, oral, and electronic communications while those communications are being made, are in transit, and when they are stored on computers. The Act applies to email, telephone conversations, and data stored electronically.	Information Technology - ISS	Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739
Information Technology	FCC – Cable Certification - 47 U.S.C. § 151	Prior to commencing service, cable television systems, cable operators, and satellite carriers must obtain certification that they are in conformity with signal carriage, program exclusivity, cable casting, and other standards. An operator of an open video system must certify on FCC Form 1275 that it will comply with the FCC's regulations in 47 C.F.R. § 76.1502.	Information Technology - ISS	Craig Schlicher Telecommunications Spec II Infrastructure Support Services ucs_ces@shsu.edu (936)294-4942
Information Technology	FCC – Fixed Microwave Services, Licensing - 47 U.S.C. § 151	The University must file an application to provide fixed microwave services electronically via ULS for each Digital Electronic Message Service (DEMS) Nodal Station. Licensee may not be a foreign government or representative of a foreign government. The application must contain all technical information, including but not limited to transmitting and receiving station names, coordinates, equipment, antennae information, etc. Must demonstrate substantial service at the time of license renewal, and must provide a description of current service.	Information Technology - ISS	Craig Schlicher Telecommunications Spec II Infrastructure Support Services ucs_ces@shsu.edu (936)294-4942



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Information Technology	FCC – Wireless Communications, Licensing - 47 U.S.C. § 151	The University's authorization to provide wireless communication services is granted for any or a combination of the following services in a single license: 1) common carrier; 2) non-common carrier; 3) private internal communications; 4) and broadcast services. A license application must be filed with the FCC.	Information Technology - ISS	Craig Schlicher Telecommunications Spec II Infrastructure Support Services ucs_ces@shsu.edu (936)294-4942
Information Technology	Hazardous Materials Transportation Act - 49 U.S.C. §§ 5101-5128	The University must properly dispose of computers and electrical equipment containing hazardous materials or the University is subject to fines and penalties.	Property	Wayne Frosch Property Coordinator pro_wbf@shsu.edu (936)294-1903
Information Technology	Higher Education Opportunity Act - Public Law No. 110-315 - 20 U.S.C. § 1092	Section 488 requires institutions to develop plans to detect and prevent unauthorized distribution of copyrighted material on information technology systems, including offering alternatives to illegal-downloading or peer-to-peer distribution of intellectual property.	Newton Gresham Library	Erin Owens Associate Professor, Access Services Coordinator & Scholarly Communications Librarian (936)294-4567 eowens@shsu.edu Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739
Information Technology	Homeland Security Act of 2002 - Public Law No. 107–296	The Act encourages private sector sharing of information with the Department of Homeland Security. Information that is voluntarily provided relating to infrastructure vulnerabilities or other vulnerabilities to terrorism is not subject to public disclosure under FOIA, and does not lose its protected character if forwarded by DHS to other federal agencies.	Information Technology - ISO	Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739
Information Technology	Rehabilitation Act - Section 508 (29 U.S.C. '794 d)	In 1998, Congress amended the Rehabilitation Act of 1973 to require Federal agencies to make their electronic and information technology (EIT) accessible to people with disabilities. Inaccessible technology interferes with an ability to obtain and use information quickly and easily. Section 508 was enacted to eliminate barriers in information technology, open new opportunities for people with disabilities, and encourage development of technologies that will help achieve these goals. The law applies to all Federal agencies when they develop, procure, maintain, or use electronic and information technology. Under Section 508 (29 U.S.C. '794 d), agencies must give disabled employees and members of the public access to information that is comparable to access available to others. ( <a href="http://www.section508.gov/">http://www.section508.gov/</a> )	Information Technology - Web Services	Jurden Bruce Web Services Manager & EIR Accessibility Coordinator jeb017@shsu.edu (936)294-4495
Information Technology	Junk Fax Prevention Act of 2005 - 47 U.S.C. § 227(b)(1)(C)	Applicable to non-profits, the Act provides that it is unlawful for the University to use a fax machine to send an unsolicited advertisement to another fax machine unless there is: 1) An established business relationship; 2) the sender obtained the fax number through voluntary communication with the recipient; and 3) the first page of the fax conspicuously states the recipient can request no further unsolicited communications. Penalties include a right of private action for actual damages or \$500 per fax, whichever greater, and can be increased if willful or knowing.		
Information Technology	No Electronic Theft Act - Public Law No. 105-147	Makes it a criminal offense to willfully infringe a copyright by sharing, as well as selling, pirated software with a retail value of \$1,000 or more. Offenders will be subject to up to five years in prison, and a \$250,000 fine.	Newton Gresham Library	Erin Owens Associate Professor Copyright & Trademarks eowens@shsu.edu (936)294-1975
Information Technology	Telemarketing - 47 U.S.C. § 227	A tax-exempt nonprofit University is exempt from the Do-Not-Call-Registry, but may not call any residential telephone subscriber before 8 a.m. or after 9 p.m. local time at the called party's location.		Cindy R. Truax Director of Annual Giving dev_crt@shsu.edu (936)294-4388

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Information Technology	1 Texas Administrative Code, chapters 206 and 213, and Texas Government Code Chapter 2054, Subchapter M.	Texas Department of Information Resources	Information Technology - Web Services	Jurden Bruce EIR Accessibility Coordinator Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739
Institutional Effectiveness	Higher Education Act, Chapter 61	THECB		Assistant Director for IR Donna Artho Asst VP Inst Effectiveness artho@shsu.edu (936)294-3101
Institutional Effectiveness	Higher Education Act of 1965	U.S. Department's National Center for Education Statistics		Assistant Director for IR Donna Artho Asst VP Inst Effectiveness artho@shsu.edu (936)294-3101
Intellectual Property & Technology Transfer	American Jobs Creation Act of 2004 - 26 U.S.C. § 170	For contributions of patents and certain other intellectual property made to a 501(c)(3) after June 3, 2004 the taxpayer's initial contribution deduction is limited to the lesser of the donor's basis in the contributed property or the fair market value of the property.	Proposal Administration	Dan Davis Director of Commerce and Intellectual Property dgd003@shsu.edu (936)294-2515 Chad Hargrave, AVP of ORSP cwhargrave@shsu.edu (936)294-1538
Intellectual Property & Technology Transfer	Bayh-Dole Act of 1980 - 35 U.S.C. §§ 200-212	Establishes a uniform policy for the disposition and licensing of rights to patentable inventions discovered in the course of federally-funded research.	Proposal Administration	Dan Davis Director of Commerce and Intellectual Property dgd003@shsu.edu (936)294-2515 Chad Hargrave, AVP of ORSP cwhargrave@shsu.edu (936)294-1538
Intellectual Property & Technology Transfer	Cooperative Research and Technology Enhancement Act (CREATE Act) -Public Law No. 108-453	Amends the Patent Act to provide that sharing of confidential information under a joint research agreement that was in effect on or before the date the claimed invention was made will not be the basis of an obviousness determination under patent law. Promotes patentability of inventions created between universities and the private sector by treating inventions as having a sole owner.	Proposal Administration	Dan Davis Director of Commerce and Intellectual Property dgd003@shsu.edu (936)294-2515 Chad Hargrave, AVP of ORSP cwhargrave@shsu.edu (936)294-1538
Intellectual Property & Technology Transfer	Trademark Revision Act -15 U.S.C. § 1051 - Public Law No. 109-312	Subject to the principles of equity, the owner of a famous mark that is distinctive, inherently or through acquired distinctiveness, shall be entitled to an injunction against another person who, at any time after the owner's mark has become famous, commences use of a mark or trade name in commerce that is likely to cause dilution by blurring or dilution by tarnishment of the famous mark, regardless of the presence or absence of actual or likely confusion, of competition, or of actual economic injury.	Marketing and Coomunications	Kris Kaskel-Ruiz, AVP of Marketing and Communications kruiz@shsu.edu (936)294-3492

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Intellectual Property & Technology Transfer	U.S. Patent Act - 35 U.S.C. §§ 1-390	The consolidated patent laws specify the subject matter for which a patent may be obtained and the conditions for patentability. The laws establish the United States Patent and Trademark Office to administer the law relating to the granting of patents and contain various other provisions relating to patents.	Proposal Administration	Dan Davis Director of Commerce and Intellectual Property dgd003@shsu.edu (936)294-2515 Chad Hargrave, AVP of ORSP cwhargrave@shsu.edu (936)294-1538
Intellectual Property & Technology Transfer	Visual Artists Rights Act- 17 U.S.C. § 106A	Protects moral rights for fine art works, but does not protect audiovisual works and probably does not apply to most multimedia creations.	Newton Gresham Library	Erin Owens Associate Professor Copyright & Trademarks eowens@shsu.edu (936)294-1975
International Activities & Programs	Foreign Agents Registration Act of 1938 - 22 U.S.C. §§ 611-621	Requires persons acting as agents of foreign principals in a political or quasi-political capacity to make periodic public disclosure of their relationship with the foreign principal, as well as activities, receipts and disbursements in support of those activities. The FARA Registration Unit of the Counterespionage Section (CES) in the National Security Division (NSD) is responsible for the administration and enforcement of the Act.	Office of International Programs	
Lobbying & Political Activity	Honest Leadership and Open Government Act of 2007 - Public Law No. 110-81	Made a number of changes to the Lobbying Disclosure Act, including a ban on most gifts from an independent college or university that employs or engages a lobbyist.	TSUS	Kelly Wintemute TSUS System Compliance Officer kelly.wintemute@tsus.edu
Lobbying & Political Activity	House and Senate Gift Ban and Ethics Rules	Both the House and Senate have banned gifts from registered lobbyists or private entities that retain or employ them. Non-lobbyists can give gifts valued at less than \$50, such as a meal at a briefing for a Member of Congress and their staff that is valued at less than \$50 per person.	TSUS	Kelly Wintemute TSUS System Compliance Officer kelly.wintemute@tsus.edu
Lobbying & Political Activity	Lobbying Disclosure Act - 2 U.S.C. §§ 1601-1614 - Public Law No. 104-65, 109 Stat. 691	Requires institutions to register if they employ (as a salaried employee) individuals who make at least two lobbying contacts each six months and devote 20% of their time to lobbying activities and incur expenses for lobbying of \$20,000 or more in a six-month period. Permits tax exempt charitable organizations required to report lobbying expenses by the IRC to report, under this law, only good faith estimates of such expenses in order to meet reporting requirements.	TSUS	Kelly Wintemute TSUS System Compliance Officer kelly.wintemute@tsus.edu
Lobbying & Political Activity	Political Activities - IRC § 501 (c )(3)	All section 501(c)(3) organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office. Contributions to political campaign funds or public statements of position (verbal or written) made on behalf of the organization in favor of or in opposition to any candidate for public office clearly violate the prohibition against political campaign activity. Violating this prohibition may result in denial or revocation of tax-exempt status and the imposition of certain excise taxes.		
Privacy & Information Security	Americans with Disabilities Act - 42 U.S.C. §§ 12101-12213	The ADA contains strict confidentiality requirements for medical information related to employee's disabilities. Enforced by multiple federal agencies, including the Department of Justice, Department of Labor, and the EEOC.	Human Resources	
Privacy & Information Security	Children's Online Privacy Protection Act of 1998 (COPPA) -15 U.S.C. § 91	Regulates the collection, use and protection of information from children (up to age 13) via websites or on-line services. Any University sites that are directed to and collect personal info from children must, among other requirements: 1) Provide notice on the website of what info is collected, how it's used, and the operator's disclosure practices; 2) respond to parental requests for info; 3) maintain procedures to protect confidentiality, security and integrity of personal information collected.	Information Technology - Web Services	Jurden Bruce Web Services Manager & EIR Accessibility Coordinator jeb017@shsu.edu (936)294-4495

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Privacy & Information Security	Electronic Communications Privacy Act - 18 U.S.C. §§ 2510-2522 (Wiretap) - 18 U.S.C. §§ 2701-2711 (Stored Communications)	The ECPA, as amended, protects wire, oral, and electronic communications while those communications are being made, are in transit, and when they are stored on computers. The Act applies to email, telephone conversations, and data stored electronically.	Information Technology - ISS	Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739
Privacy & Information Security	Fair and Accurate Credit Transaction Act (FACTA) - Public Law No. 108-159	Amends the Fair Credit Reporting Act. Establishes requirements for maintaining information privacy, accuracy, and disposal. Limits the ways consumer information can be shared	Finance and Operations	David Verghese Treasurer dverghese@shsu.edu
Privacy & Information Security	Fair Credit Reporting Act (FCRA) - 15 U.S.C. §§ 1681-1681x	Employers, before obtaining a consumer report (including criminal background checks) must disclose in writing to the applicant or employee that it may obtain a consumer report for employment purposes, and secondly, secure the written consent of the applicant or employee. Note that when using a third party consumer reporting agency to request motor vehicle record checks for employment purposes, the FCRA should be followed, and notice given to the applicant or employee.	Human Resources	Samantha Patteson Human Resources Senior Manager snp021@shsu.edu (936)294-2330 David Hammonds Associate VP for HR and Risk Management david.hammonds@shsu.edu (936)294-2709
Privacy & Information Security	Federal Information Security Management Act (FISMA) - 44 U.S.C. § 35	The act, applicable to federal agencies, also covers the University as a federal contractor where it is holding federal data pursuant to federally-funded research. The Act requires that the University: 1) implement security programs and policies; 2) assess risk; and 3) periodically test controls.	IT Security	Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739
Privacy & Information Security	FERPA - 20 U.S.C. § 1232g	The University must provide students the right to inspect their education records and obtain written consent to release the records to anyone other than school officials, authorized government personnel, in connection with financial aid, in an emergency, or for other specifically-allowed purposes.	Registrar	Teresa Ringo
Privacy & Information Security	Freedom of Information Act - 5 U.S.C. § 552	Provides a process by which every person may request access to a public college or university's records or information.	Office of General Counsel	Christine Wieghat Legal Information Coordinator cwieghat@shsu.edu (936)294-2424
Privacy & Information Security	Gramm Leach Bliley Act (GLBA) - 15 U.S.C. § 6801	Governs the collection, disclosure, and protection of consumers' personal information and personally identifiable information. Requires institutions that offer consumers financial products or services like loans, financial or investment advice, or insurance to explain their information-sharing practices to their customers and to safeguard sensitive data.	IT Security	Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739
Privacy & Information Security	Health Information Technology for Economic and Clinical Health (HITECH) Act of 2009 - Public Law No. 111-5	HITECH broadens HIPAA by extending coverage to business associates. Covered providers must implement administrative/ physical/technical safeguards for Protected Health Information (PHI). Section 13402 of HITECH requires that covered entities notify affected individuals and the Secretary of the DHHS and, in some cases, the media following the discovery of a breach of unsecured PHI. Unsecured PHI is PHI that is not secured via technologies and methodologies, as defined by DHHS guidance, that make the PHI unusable, unreadable, or indecipherable to unauthorized individuals.	Office of General Counsel	Rhonda Beassie Assistant General Counsel rbeassie@shsu.edu (936)294-2424

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Privacy & Information Security	HIPAA - Public Law No. 104-191	Establishes national standards to protect individuals' medical records and other personal health information. Requires appropriate safeguards to protect the privacy of personal health information, and sets limits and conditions on the uses and disclosures that may be made of such information without patient authorization. Gives patients rights to examine and obtain a copy of their health records, and to request corrections.	Student Health Center	Erica Bumpurs Director of Student Health Center stdemb17@shsu.edu (936)294-1844 Steven Frey Information Security Officer saf001@shsu.edu (936)294-2739 Cindy Balusek Assistant Director of HR cjm028@shsu.edu (936)294-4415
Program Integrity Rules	Higher Education Act - 20 U.S.C. § 1094	Institutions are prohibited from providing any commission, bonus, or other incentive payment based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid, to any person or entity who is engaged in any student recruitment or admission activity, or in making decisions regarding the award of title IV, HEA program funds. There is an exception provided for the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal student assistance.	Office of Enrollment Management	Scot Mertz Associate VP of Enrollment Management sdm007@shsu.edu (936)294-1423
Program Integrity Rules	Higher Education Act - 20 U.S.C. § 1094	Makes the institution responsible for substantial misrepresentations made by the institution itself, a representative of the institution, or any person or entity with whom the institution has an agreement to provide educational programs, marketing, advertising, and recruiting or admissions services. Broadens the definitions of misrepresentations of the nature of an institution's educational program, financial charges, or employability of its graduates. Expands the sanctions that ED may impose for substantial misrepresentations.	Office of Enrollment Management	Scot Mertz Associate VP of Enrollment Management sdm007@shsu.edu (936)294-1423
Program Integrity Rules	Higher Education Act - 20 U.S.C. §§ 1001, 1002	Provides a federal definition of "credit hour."	Institutional Effectiveness	Somer Franklin Associate Vice President for Academic Affairs/SACSCOC Accreditation Liaison somer@shsu.edu (936)294-1009
Program Integrity Rules	Higher Education Act - 20 U.S.C. §§ 1001, 1002	Amends the Student Assistance General Provisions regulations to improve disclosure of relevant information and to establish minimal measures for determining whether certain postsecondary educational programs lead to gainful employment in recognized occupations, and the conditions under which these educational programs remain eligible for the student financial assistance programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA). An institution must provide prominently on certain pages of its website and in its promotional materials a detailed list of information (enumerated by the regulations) regarding gainful employment data.	Office of Enrollment Management	Scot Mertz Associate VP of Enrollment Management sdm007@shsu.edu (936)294-1423
Program Integrity Rules	Higher Education Act - 20 U.S.C. §§ 1001, 1002	In order for its students to be eligible for Title IV student financial assistance, an institution must be able to demonstrate to ED that it meets the legal authorization standards of every state in which it operates (effective July 1, 2014). An institution must make available, upon request, to any enrolled or prospective student a copy of the documents describing the institution's accreditation and its state, federal or tribal approval or licensing. In addition, the institution must provide students and prospective students with contact information for filing complaints with the institution's accreditor and with its state approval agency and any other relevant state official or agency.	Academic Planning & Assessment/SHSU Online	Somer Franklin Associate VP for Planning & Assessment somer@shsu.edu (936)294-1009 William Angrove Associate VP for Distance Learning wla002@shsu.edu (936)294-2774
Research	America COMPETES Act § 7009 - 42 U.S.C. § 1862o-1	Requires that "each institution that applies for financial assistance from the National Science Foundation for science and engineering research or education describe in its grant proposal a plan to provide appropriate training and oversight in the responsible and ethical conduct of research to undergraduate students, graduate students, and postdoctoral researchers participating in the proposed research project."		Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4875

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Research	Animal Welfare Act - 7 U.S.C. §§ 2131-2159	Governs the treatment of animals used for research: dogs, cats, monkeys, guinea pigs, hamsters, and other warm-blooded animals.	Office of Research and Sponsored Programs (OSRP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Research	Clinical Trials – Financial Disclosures by Investigator	Clinical investigators are required to disclose financial arrangements with sponsor(s) of the studies (such as payment and royalties) and interests in the product under study or sponsor entity (i.e. proprietary interest such as a patent or other equity interest).	Office of Research and Sponsored Programs (OSRP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Research	Common Rule	Institutions must provide a written assurance application that they will comply with the Common Rule requirements. Human subjects research must undergo review and be approved by the designated institutional review board (“IRB”). Reporting to the Office for Human Research Protections (“OHRP”) of unanticipated problems involving risks to subjects or serious or continuing non-compliance, and any suspension or termination of research.	Office of Research and Sponsored Programs (OSRP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Research	Export Administration Regulations	The Export Administration Regulations (EAR) govern export of goods and services on the Commerce Control List (CCL). Most research done at universities should be exempt from the EAR as long as the institution has not accepted restrictions on publication of results and thus falls under the fundamental research exclusion. "Fundamental research" means basic and applied research in science and engineering, the results of which ordinarily are published and shared broadly within the scientific community. The exemption for fundamental research is codified at 15 C.F.R. § 734.8.	Office of Research and Sponsored Programs (OSRP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Research	Food and Drug Administration (FDA) Amendments Act of 2007 - Public Law No. 110-85	For an investigational new drug to be used in a clinical investigation, the University must ensure the sponsor submits an Investigational New Drug Application and complies with all applicable requirements with respect to the regulations pertaining to human subjects and IRB review and approval. The regulation includes medical devices for human use as well as drugs. (Applies to federally-funded projects). Sponsors of certain clinical trials of drugs/devices regulated by the FDA must obtain informed consent from potential research subjects to submit their de-identified data to the ClinicalTrials.gov database. Specific language must be included in consent forms indicating that a description of the trial, but not any identifiable data, will be available through that database. Subjects who do not consent will not be permitted to participate in the trial.	Office of Research and Sponsored Programs (OSRP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Research	National Science Foundation Research Misconduct Policies - 42 U.S.C. § 1870(a)	A finding of research misconduct requires that—There be a significant departure from accepted practices of the relevant research community; and The research misconduct be committed intentionally, or knowingly, or recklessly; and The allegation must be proven by a preponderance of evidence (45 C.F.R. § 689.2(c)).	Office of Research and Sponsored Programs (OSRP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Research	Public Health Service Policies on Research Misconduct	Among other requirements, institutions must have written policies and procedures for addressing allegations of research misconduct that meet the requirements of this part and respond to each allegation of research misconduct for which the institution is responsible under this part in a thorough, competent, objective and fair manner.	Office of Research and Sponsored Programs (OSRP)	Sharla Miles Research Compliance Coordinator sharla_miles@shsu.edu (936)294-4878
Risk Management		Texas Department of Public Safety and SORM	Environmental Health & Safety and Risk Management/Student Services	Steve Shields Executive Director of Environmental Health, Safety & Risk Management ses058@shsu.edu (936)294-2342 Keith Jenkins Associate VP of Student Services/Rec Sports rca_kej@shsu.edu (936)294-1968 David Hammonds Associate VP for HR and Risk Management david.hammonds@shsu.edu (936)294-2709

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Risk Management		Texas Department of Public Safety and SORM	Environmental Health & Safety and Risk Management	Steve Shields Executive Director of Environmental Health, Safety & Risk Management ses058@shsu.edu (936)294-2342 David Hammonds, Associate VP for HR and Risk Management david.hammonds@shsu.edu (936)294-2709
Risk Management		Texas Department of Insurance and State Fire Marshal's Office	Environmental Health & Safety and Risk Management	Doug Odom Environmental Health & Safety Coordinator dwo001@shsu.edu (936)294-1921
Risk Management		Texas Department of State Health Services	Facilities Management	Matt Roberts Director of Facilities Services mattroberts@shsu.edu (936)294-4188
Risk Management		OSHA and Texas Commission on Environmental Quality	Environmental Health & Safety and Risk Management	Steve Shields Executive Director of Environmental Health, Safety & Risk Management ses058@shsu.edu (936)294-2342
Risk Management		Texas Commission on Environmental Quality	Facilities Management	Matt Roberts Director of Facilities Services mattroberts@shsu.edu (936)294-4188
Risk Management	Texas Education Code - EDUC § 51.217. Multihazard Emergency Operations Plan; Safety and Security Audit	An institution shall adopt and implement a multihazard emergency operations plan for use at the institution. The plan must address mitigation, preparedness, response, and recovery. The plan must provide for: (1) employee training in responding to an emergency; (2) mandatory drills to prepare students, faculty, and employees for responding to an emergency; (3) measures to ensure coordination with the Department of State Health Services, local emergency management agencies, law enforcement, health departments, and fire departments in the event of an emergency; and (4) the implementation of a safety and security audit as required by Subsection (c).	Environmental Health & Safety and Risk Management	Steve Shields Executive Director of Environmental Health, Safety & Risk Management ses058@shsu.edu (936)294-2342 David Yebra, Director of Emergency Preparedness & Safety david.yebra@shsu.edu (936)294-2474
Sexual Misconduct	Campus Sex Crimes Prevention Act (§ 1601 of the Victims of Trafficking and Violence Protection Act of 2000) - Public Law No. 106-386 (Title VI)	The Campus Sex Crimes Prevention Act requires sex offenders, who must register under state law, to provide notice of enrollment or employment at any institution of higher education (IHE) in that state where the offender resides, as well as notice of each change of enrollment or employment status at the IHE. In turn, this information will be made available by the state authorities to the local law enforcement agency that has jurisdiction where the IHE is located.	UPD?	Joe Thornton Police Officer III jft010@shsu.edu (936)294-1065 Kevin Morris Director of Public Safety Services upd_khm@shsu.edu (936)294-1753

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Sexual Misconduct	Clery Act - 20 U.S.C. § 1092(f)	As an institution receiving federal financial aid, the University must keep information about crime on and near its respective campuses and provide an annual report (including crime statistics, security measures and policies, and where crimes should be reported) to all students, employees, and the Department of Education. Effective March 7, 2014: Institutions must comply with the following additional requirements under the amendments to the Clery Act: Collect and publish in the Annual Security Report (ASR) statistics on incidents of domestic violence, dating violence and stalking that are reported to campus security authorities or local police agencies; Expand the definition of reportable hate crimes to include Clery crimes motivated by bias against a victim's national origin or gender identity; Revise policies and procedures to include the establishment of educational prevention and awareness programs that address issues of domestic violence, dating violence, sexual assault and stalking for all incoming students and new employees; and Develop step-by-step procedures for the reporting, investigation and adjudication of reports of domestic violence, dating violence, sexual assault, or stalking, including information on confidentiality and privacy.	UPD	Joe Thornton Police Officer III jft010@shsu.edu (936)294-1065 Kevin Morris Director of Public Safety Services upd_khm@shsu.edu (936)294-1753
Sexual Misconduct	Title IX of the Education Amendment of 1972 - 20 U.S.C. §§ 1681-1688	Prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance including employment. Title IX protects students from sexual harassment in educational programs or activities operated by recipients of federal funding. The protection against sexual harassment derives from the general prohibitions against sex discrimination contained in the Title IX common rule. Any grievance records relating to a Title IX violation or complaint must be retained for the period of time cited in state law for personal injury actions.	Title IX Office	Jeanine Bias Dir of Eqty & Incl & Title IX jrb023@shsu.edu 936-294-3026
Sexual Misconduct	Title VII of the Civil Rights Act of 1964 - 42 U.S.C. §§ 2000e-2000e-17	Title VII prohibits discrimination in hiring, firing, training, promotion, discipline, or other workplace decisions on the basis of an employee or applicant's race, color, sex, national origin, or religion. Sexual harassment is also prohibited under this law.	Human Resources	
Tax	Byrd Amendment- 31 U.S.C. § 1352	Requires disclosure of lobbying activities when receiving federal contracts, grants, loans or cooperative agreements.	Office of Research and Sponsored Programs (ORSP)	Susan Hurley, Assistant Controller of Research Administration sdhurley@shsu.edu (936)294-4862
Tax	Cafeteria Plans 26 U.S.C. § 125	A cafeteria plan is a written plan that allows employees to exclude from gross income certain types of employer provided benefits, such as accident and health insurance, group term and life insurance, and benefits under a dependent care assistance program. Qualified scholarships or tuition reduction, educational assistance or deferred compensation may not be excluded from income. For purposes of determining the taxable year of inclusion, any benefit described in paragraph (1) or (2) from the statute shall be treated as received or accrued in the taxable year of the participant or key employee in which the plan year ends.	Human Resources	
Tax	Charitable Gift Annuity Antitrust Relief Act -15 U.S.C. § 37- IRC § 501(c)(3)	Exempts IRC § 501(c)(3) organizations from liability under federal antitrust laws for using or agreeing to use uniform rates in issuing gift annuities.		
Tax	Deferred Compensation - 26 U.S.C. § 457	Any amount of compensation deferred under an eligible deferred compensation plan, and any income attributable to the amounts so deferred, shall be includible in gross income only for the taxable year in which such compensation or other income.	Payroll	Charity Walker Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Tax	Employee Annuities - 26 U.S.C. § 403	If an annuity contract is purchased by an employer for an employee under a plan which meets the requirements of section 404(a)(2) (whether or not the employer deducts the amounts paid for the contract under such section), the amount actually distributed to any distributee under the contract shall be taxable to the distributee (in the year in which so distributed) under section 72 (relating to annuities).	Payroll	Charity Walker Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094



Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Tax	Federal Grant and Loan Programs - 26 U.S.C. § 6050S	Under IRC § 6050S lenders, including most colleges and universities that participate in the Perkins Loan Program or operate institutional loan programs, must report student loan interest payments to the IRS on form 1098-E.	Financial Aid	Judy Dohrman Accountant III jld051@SHSU.EDU (936)294-3059 Amy Wilson Assistant Director for Compliance anw001@shsu.edu (936)294-1774
Tax	Federal Unemployment Tax Act - 26 U.S.C. §§ 3301-3311	Provides for payments of unemployment compensation to workers who have lost their jobs. If your FUTA tax is more than \$500 for the calendar year, you must deposit at least one quarterly payment. If not, alternate rules apply.	Payroll	Charity Walker, Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Tax	Foreign Bank Accounts and Tax Filings - 31 U.S.C. § 5314(a)	US institutions and citizens that have an ownership interest in foreign bank accounts, or US citizens with signature authority over a foreign bank account have to file form TD F 90.22-1 (FBAR). The latter must report the account on an FBAR even if the foreign financial account is reported on an FBAR filed by the owner of the account (or other person that has a financial interest in the account).	Payroll	Karyl Horn Director of Payroll & Tax Specialization pay_krh@shsu.edu (936)294-1096
Tax	Fringe Benefits - 26 U.S.C. § 132	Any property or service (or cash under certain circumstances) provided to an employee in addition to or in lieu of regular wages will be a taxable fringe benefit to the employee, unless specifically excluded by statute. Any fringe benefit is taxable and must be included in the recipient's pay unless the law specifically excludes it. Must report the actual value on Forms 941 (or Form 944) and W-2. The employer can use a separate Form W-2 for fringe benefits and any other benefit information.	Payroll	Karyl Horn Director of Payroll & Tax Specialization PAY_KRH@shsu.edu (936)294-1096
Tax	Independent Contractors - 26 U.S.C. §§ 3401-3406	If an employee is mistakenly classified as an independent contractor and the employer has no reasonable basis for doing so, the employer may be held liable for employment taxes for that worker. In order to qualify as independent contractors, the individual would need to meet the Internal Revenue Service (IRS) requirements. The IRS regulatory definition of "employee" is set forth in 26 C.F.R. § 31.3401 (c) -1(b).	Payroll	Karyl Horn Director of Payroll & Tax Specialization PAY_KRH@shsu.edu (936)294-1096
Tax	Industrial Alcohol User Permits and Special Tax - 26 U.S.C. §§ 5001-5692	Institutions that procure, use, sell, and/or recover denatured distilled spirits for industrial purposes are required to obtain a permit from the ATF and pay an occupational tax of \$250 per year. However, a scientific university, college of learning, or institution of scientific research which holds a permit to procure and use specially denatured spirits is exempt from payment of the tax if: (i) The institution procures less than 25 gallons of specially denatured spirits per calendar year; and (ii) such spirits are procured for use exclusively for experimental or research use and not for consumption or sale.	Environmental Health & Safety and Risk Management	Paul Battles Science Labs Safety Coordinator (936)294-2672 pmb024@shsu.edu
Tax	Nonqualified Deferred Inclusion - 26 U.S.C. § 409A	If at any time during a taxable year a nonqualified deferred compensation plan—(I) fails to meet the requirements of paragraphs (2), (3), and (4), or (II) is not operated in accordance with such requirements, all compensation deferred under the plan for the taxable year and all preceding taxable years shall be includible in gross income for the taxable year to the extent not subject to a substantial risk of forfeiture and not previously included in gross income.	Payroll	Charity Walker Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Tax	Public Disclosure of Material - 26 U.S.C. § 6104(d)	The documents that must be made available to the public are: copies of the application for tax exemption (for those organizations which filed before July 15, 1987, this requirement only applies if the organization has a copy of the application on July 15, 1987); and copies of the organization's three most recent annual information returns. Each annual information return must be made available for a period of three years beginning on the date the return is required to be filed, or on the date it is actually filed, whichever is later. Generally, the annual return information includes Forms 990, 990-EZ, 990-BL, and Form 1065, as well as all schedules and attachments filed with the IRS. The tax-exempt organization does not have to identify the names and addresses of the contributors to the organization. For those tax returns filed after August 17, 2006, Form 990-T must also be made available.	Payroll	Charity Walker Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Tax	Qualified Pensions - 26 U.S.C. § 401	A trust created or organized in the United States and forming part of a stock bonus, pension, or profit-sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries shall constitute a qualified trust.	Payroll	Charity Walker Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094

Topic	Statute	Statutory Summary	Responsible Office(s)	Responsible Individual(s)
Tax	Reporting of Payments of Royalties -20 U.S.C. § 6041 - 26 U.S.C. § 6050N	Those who make payments to attorneys aggregating \$600 or more per calendar year in connection with legal services must file an information return for such payments. This requirement applies whether or not the services were performed for the payor, so for example, if the university was a defendant in a lawsuit, and was required to pay attorney’s fees, this rule would apply. The filer must also provide to the attorney a written statement of the information required to be included on the return. Note that employers must report entire settlement amounts, including the amount paid to the attorneys, as income to the plaintiff, and also prepare a Form 1099 reporting the amount paid to the attorneys as income to the attorneys.	Payroll	Charity Walker Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Tax	Small Business Job Protection Act - Public Law No. 104-188, 110 Stat. 1755	Minimum distributions from tax-qualified retirement plans will not be required for workers over age 70½. Benefits for those workers still working after age 70½ must be actuarially adjusted for those who are participating in defined benefit plans.	Payroll	Charity Walker Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
Tax	Student Loan Interest Reporting - 26 U.S.C. § 6050S	Under IRC § 6050S lenders, including most colleges and universities that participate in the Perkins Loan Program or operate institutional loan programs, must report student loan interest payments to the IRS.	Financial Aid	Judy Dohrman Accountant III jld051@SHSU.EDU (936)294-3059 Amy Wilson Assistant Director for Compliance anw001@shsu.edu (936)294-1774
Tax	Unrelated Business Income (UBIT) -26 U.S.C. § 511(a)(2)	Unrelated business income is income from a trade or business, regularly carried on, that is not substantially related to the charitable, educational, or other purpose that is the basis of the organization's exemption. An exempt organization that has \$1,000 or more of gross income from an unrelated business must file Form 990-T. An organization must pay estimated tax if it expects its tax for the year to be \$500 or more. All other organizations must file Form 990-T by the 15th day of the 5th month after the end of their tax year.	Payroll	Charity Walker Assistant Director of Payroll & Tax Specialization charitywalker@shsu.edu (936)294-1094
International Activities & Programs	General Data Protection Regulation (GDPR) (EU) 2016/679	The General Data Protection Regulation (GDPR) (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union. It addresses the export of personal data outside the EU. The GDPR aims primarily to give control to citizens and residents over their personal data and to simplify the regulatory environment for international business by unifying the regulation within the EU. When the GDPR takes effect, it will replace the 1995 Data Protection Directive (Directive 95/46/EC).		Joseph Agins Compliance officer
Information Technology	California Consumer Privacy Act (CCPA)	This Act changes the landscape and sets a new tone for data protection in the United States. Notably, companies are cautioned not to be misled by the word “Consumer” in the title of the Act, as the term is broadly defined as “a natural person who is a California resident....” The Act also outlines five privacy rights of Californians to: (1) know what personal information is being collected; (2) know whether their information is being disclosed and to whom; (3) opt-out of having their information shared; (4) access their personal information; and (5) receive equal service on exercise of their privacy rights. These rights are extensive and are certain to impact even businesses whose primary focus is not data collection:		Joseph Agins Compliance officer