



THE UNIVERSITY OF TEXAS AT AUSTIN

Revised Handbook of Operating Procedures

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GLOSSARY OF DEFINITIONS

Allegation, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means any written or oral statement or other indication of possible scientific misconduct made to a University official.

An **appropriate administrator**, under [Policy Number 12.B.2, Student Travel Policy for University Organized or Sponsored Events](#), is a Dean, Department Chair, or Director of an administrative unit, or their delegate.

The **campus**, under [Policy Number 7.E.1, Telecommuting](#), is all buildings or facilities under the control of the University, regardless of location.

Campus Violence, under [Policy Number 2.A.3, Prohibition of Campus Violence](#), encompasses threatening and violent behavior.

A **catastrophic illness or injury**, under [Policy Number 7.F.12, Sick Leave Pool](#), is a severe condition or combination of conditions affecting the mental or physical health of the employee or member of the employee's immediate family that requires treatment by a licensed practitioner for a prolonged period and that forces the employee to exhaust all leave time earned and therefore results in loss of compensation from the state.

A **close relative**, under [Policy Number 4.A.1, Employment of Close Relatives](#), is defined as an employee's spouse, son and daughter (including stepchild), son-in-law and daughter-in-law, parents (including stepparents), father-in-law and mother-in-law, brother and sister (including stepbrother and stepsister), brother-in-law and sister-in-law, aunt, uncle, niece, nephew, first cousin, grandparent, grandchildren, great grandparent, and great grandchildren.

Complainant, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means a person who makes an allegation of scientific misconduct.

Complainant, under [Policy Number 4.A.3, Sex Discrimination and Sexual Harassment](#), means a person who submits a written complaint alleging sex discrimination, including sexual harassment.

Complaint, under [Policy Number 4.A.3, Sex Discrimination and Sexual Harassment](#), means a signed document alleging sex discrimination, including sexual harassment.

Conflict of Interest, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means the real or apparent interference of one person's interests with the interests of another person or entity, where the potential bias may occur due to prior or existing personal or professional relationships.

A **conflict of interest**, under [Policy Number 4.A.2, Consensual Relationships](#), and/or an appearance of impropriety arises when individuals with the authority and the responsibility to evaluate the work or performance of an employee, student or student employee initiate, acquiesce or engage in an intimate romantic and/or sexual relationship with that employee, student or student employee.

A **consensual relationship**, under [Policy Number 4.A.2, Consensual Relationships](#), is a mutually acceptable, romantic and/or sexual relationship between a University employee with supervisory, teaching, evaluation or advisory authority and an employee, student and/or student employee who is directly supervised, taught, evaluated or advised by that employee.

Deciding official, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means the University official who makes final determination on allegations of scientific misconduct and any responsive University actions.

An individual with a **disability**, under [Policy Number 4.B.2, Disability Accommodation for Applicants and Employees](#), is a person with a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment.

Discrimination, under [Policy Number 4.B.1, Nondiscrimination Policy](#), including harassment, is defined as conduct directed at an individual because of race, color, religion, national origin, gender, age, disability, citizenship, veteran status or sexual orientation that subjects the individual to treatment that adversely affects the individual's employment or education.

A **documented medical condition**, under [Policy Number 7.F.11, Sick Leave](#), exists when the employee submits a licensed practitioner's certification to the employee's supervisor as to the nature of the sickness, injury, or confinement due to pregnancy.

An **eligible dependent**, under [Policy Number 7.A.1, COBRA: Health Insurance Continuation Coverage After Eligibility Loss](#), for purposes of COBRA eligibility, includes a dependent who was covered by the eligible employee's medical, dental, or vision insurance at the time of the qualifying event.

An **eligible employee**, under [Policy Number 7.A.1, COBRA: Health Insurance Continuation Coverage After Eligibility Loss](#), for purposes of COBRA eligibility, is a benefits-eligible employee appointed to work at least twenty (20) hours per week for at least four and one-half (4 ½) continuous months.

Eligible service, under [Policy Number 7.D.1, Employee Length of Service Recognition](#), is accrued in monthly increments: one month of service is given for each month or fraction of a month of an active appointment in a classified or A & P title. Eligible service is computed through May 31 of the award year. Leave without pay status is not included in eligible service. Military leave with pay status is included to determine eligible service.

An **employee with a disability**, under [Policy Number 7.F.2, Assistance Dog Training](#), for the purposes of the assistance dog training, means a person who has a mental or physical disability, including mental retardation, hearing impairment, deafness, speech impairment, visual impairment, or any health impairment that requires special ambulatory devices or services.

An **employee's confinement due to pregnancy**, under [Policy Number 7.F.11, Sick Leave](#), for purposes of using sick leave, means inability to perform duties caused or contributed to by pregnancy, miscarriage, abortion, childbirth or recovery. The employee seeking to use sick leave to cover the impairment must provide a licensed practitioner's certification that the impairment causes the employee to be unable to work. Sick leave may not be used in conjunction with parental leave or family and medical leave once an employee has recovered from temporary impairment related to pregnancy or confinement.

Employee's family, under [Policy Number 7.F.3, Emergency Leave](#), is defined as the employee's spouse, the employee's and the spouse's parents, children, brothers, sisters, grandparents, and grandchildren and an employee's daughters-in-law and sons-in-law.

An **enrolled student**, under [Policy Number 12.B.2, Student Travel Policy for University Organized or Sponsored Events](#), is one who has been admitted to and is attending classes at the University.

Good Faith Allegation, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means an allegation made with the honest belief that scientific misconduct may have occurred. An allegation is not in good faith if made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

Harassment, under [Policy Number 4.B.1, Nondiscrimination Policy](#), is defined as verbal or physical conduct that is directed at an individual because of his or her status. Such conduct will constitute harassment when it is sufficiently severe, pervasive or persistent to reasonably have the purpose or effect of creating a hostile environment that adversely affects the individual's employment or education. Constitutionally protected expression cannot be considered harassment under the policy.

Health care provider, under [Policy Number 7.F.4, Family and Medical Leave](#), includes a doctor of medicine or osteopathy, dentist, podiatrist, clinical psychologist, optometrist, nurse practitioner, nurse-midwife, or a clinical social worker that is authorized to practice in the state of Texas or in the state the person resides for persons who reside outside the state of Texas.

Immediate family member, under [Policy Number 7.F.11, Sick Leave](#), is defined as those individuals who live in the same household as the employee and are related by kinship, adoption, or marriage; or are foster children certified by the Texas Department of Child Protective and

Regulatory Services; and an employee's minor child regardless of whether the child lives in the same household.

Immediate family member, under [Policy Number 7.F.12, Sick Leave Pool](#), is defined as those individuals who live in the same household as the employee and are related by kinship, adoption, or marriage; or are foster children certified by the Texas Department of Child Protective and Regulatory Services; and an employee's minor child regardless of whether the child lives in the same household. If not in the same household, an immediate family member is strictly limited to the employee's spouse, child or parent.

Intermittent leave, under [Policy Number 7.F.4, Family and Medical Leave](#), is defined as leave taken in separate blocks of time to cover a single illness or injury.

Inquiry, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means gathering information and initial fact-finding to determine whether an allegation or apparent instance of scientific misconduct warrants an investigation.

Investigation, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred, and, if so, to determine the responsible person and the seriousness of the misconduct.

Licensed practitioner, under [Policy Number 7.F.12, Sick Leave Pool](#), includes a licensed physician, nurse practitioner, or other licensed health care professional.

A **licensed practitioner's certification**, under [Policy Number 7.F.11, Sick Leave](#), is a document signed by a licensed physician, nurse practitioner, or other health care professional, competent within their scope of practice to make a medical evaluation of the employee's sickness, injury or confinement due to pregnancy.

Notification, under [Policy Number 4.A.3, Sex Discrimination and Sexual Harassment](#), takes place two days after the date of positing of any document in the United States mail, properly addressed, or upon the date of receipt of any document, when placed in the campus mail, properly addressed. Written communications to a complainant are properly addressed when sent to the address given in the complaint or the last address given since the filing of the complaint.

ORI, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means the Office of Research Integrity in the U.S. Department of Health and Human Services (DHHS). ORI is responsible for the scientific misconduct and research integrity activities of the U.S. Public Health Services (PHS).

An **organized event**, under [Policy Number 12.B.2, Student Travel Policy for University organized or Sponsored Events](#), is one that is initiated, planned and arranged by a member of the University's faculty or staff, or by the members of a sponsored student organization, and is

approved by an appropriate administrator.

Parent, under [Policy Number 7.F.4, Family and Medical Leave](#), means a biological parent or an individual who stands or stood in loco parentis to an employee when the employee was a son or daughter as defined in this glossary. This term does not include an employee's parent-in-law.

A **qualified individual with a disability**, [Policy Number 4.B.2, Disability Accommodation for Applicants and Employees](#), is defined as one who possesses the requisite skills, education, experience and training for a position, and who can, with or without reasonable accommodation, perform the essential functions of the position the individual desires or holds.

A **reasonable accommodation**, under [Policy Number 4.B.2, Disability Accommodation for Applicants and Employees](#), is defined as a modification or adjustment to the job application process or the work environment that enables a qualified person with a disability to be considered for a position, perform the essential functions of a position, or enjoy the same benefits and privileges of employment as are enjoyed by similarly situated employees without disabilities.

Reduced schedule leave, under [Policy Number 7.F.4, Family and Medical Leave](#), is defined as a leave schedule that reduces the number of hours an employee usually works in a day or a week. An example of reduced schedule leave would be an employee working part of a day while recovering from a serious health condition.

A **regularly assigned place of employment**, under [Policy Number 7.E.1, Telecommuting](#), is the location on the University campus where an employee usually and customarily reports for work. The regularly assigned place of employment is considered an employee's workstation for all pay, leave and travel purposes.

Research Integrity Officer, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means the institutional official responsible for making an inquiry into allegations of scientific misconduct and determining when such allegations warrant an investigation. The Research Integrity Officer will be appointed by the Vice President for Research.

Research Record, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means any data, document, computer file, computer diskette, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, and/or reported research that constitutes the subject of an allegation of scientific misconduct. A research record includes, but is not limited to, grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; correspondence; videos; photographs; x-ray film; slides; biological materials; computer files and printouts; manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

Respondent, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means the persons against whom an allegation of scientific misconduct is directed or

the person whose actions are the subject of the inquiry or investigation. There can be more than one respondent in any inquiry or investigation.

Respondent, under [Policy Number 4.A.3, Sex Discrimination and Sexual Harassment](#), means the person designated to respond to a complaint. Generally the respondent would be the person alleged to be responsible for the prohibited discrimination or sexual harassment alleged in a complaint. The term "Respondent" may be used to designate persons with direct responsibility for a particular action or those persons with administrative responsibility for procedures and policies in those areas covered in a complaint.

Responsible Authority, under [Policy Number 2.A.2, Nonsmoking Policy](#), is the person(s) designated by the Vice President for Employee and Campus Services to implement the Nonsmoking policy.

Retaliation, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means any action taken by the University that adversely affects the employment or other institutional status of a complainant, who, acting in good faith, has made an allegation of scientific misconduct. Adverse actions taken against any individual who has cooperated in good faith with an investigation of alleged misconduct also constitute retaliation.

Scientific Misconduct or Misconduct in Other Scholarly Research, under [Policy Number 11.B.1, Misconduct in Science and Other Scholarly Activities](#), means fabrication, falsification, or plagiarism. In addition, other practices that seriously deviate from ethical standards for proposing, conducting, or reporting research are unacceptable and in some cases may constitute scientific misconduct. Ordinary errors, good faith differences in interpretations or judgments of data, scholarly or political disagreements, good faith personal or professional opinions, or private moral or ethical behavior or views are not misconduct under this definition.

Serious health condition, under [Policy Number 7.F.4, Family and Medical Leave](#), means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

A **severe condition or combination of conditions**, under [Policy 7.F.12, Sick Leave Pool](#), is one that will result in death if not treated promptly; requires hospitalization for more than 72 consecutive hours; or **causes** a person to be legally declared a danger to him or herself or others. For purposes of the policy, pregnancy and elective surgery are not considered severe conditions, except when life-threatening complications arise from them.

Sex Discrimination, under [Policy Number 4.A.3, Sex Discrimination and Sexual Harassment](#), including sexual harassment, is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education on account of sex.

Sexual Harassment, under [Policy Number 4.A.3, Sex Discrimination and Sexual Harassment](#), is a form of sex discrimination that can occur when:

- The submission to unwelcome physical conduct of a sexual nature, or to unwelcome requests for sexual favors or other verbal conduct of a sexual nature, is made an implicit or explicit term or condition of employment or education; or
- The submission or rejection to unwelcome physical conduct of a sexual nature, or to unwelcome requests for sexual favors or other verbal conduct of a sexual nature, is used as a basis for academic or employment decisions or evaluations; or
- Unwelcome physical acts of a sexual nature, or unwelcome requests for sexual favors or other verbal conduct of a sexual nature, have the effect of creating an objectively hostile environment that interferes with employment or education on account of sex.

Sickness or injury, under [Policy Number 7.F.11, Sick Leave](#), for purposes of using sick leave, includes an absence required for medical, dental, or optical examination or treatment; or for physical therapy and laboratory work or tests as ordered by a licensed practitioner.

Son or daughter, under [Policy Number 7.F.4, Family and Medical Leave](#), means a biological, adopted, or foster child, a step-child, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable of self-care because of a mental or physical disability.”

A **sponsored event**, under [Policy Number 12.B.2, Student Travel Policy for University organized or Sponsored Events](#), or activity is one that the University endorses by supporting it financially, or by sending students to participate in it as official representatives of the University.

Spouse, under [Policy Number 7.F.4, Family and Medical Leave](#), means a husband or wife as defined or recognized under state law for purposes of marriage in the state where the employee resides, including common law marriage in states where it is recognized.

State service credit, under [Policy Numbers 7.B.1, Longevity Pay](#), and [7.F.1, Annual Leave](#), is earned for the actual days, months, and years of service with the University or other state of Texas agencies or higher education institutions, as long as employment at the other state agency or institution is not concurrent with employment at the University. Each month an employee is on active payroll counts as one (1) month of state service credit, regardless of the number of hours worked in a month.

Only the actual days worked during those partial months at the beginning and ending of employment count as state service credit. Each thirty (30) days of employment converts into one (1) month of state service credit

A **substantial limitation**, under [Policy Number 4.B.2, Disability Accommodation for Applicants and Employees](#), is defined as an impairment that prevents the performance of a major life activity that the average person in the general population can perform; or a significant restriction as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the average person in the general population.

Supervision, under [Policy Number 4.A.1, Employment of Close Relatives \(Nepotism\)](#), means

the exercise of authority or responsibility with regard to appointment, reappointment, promotion, managing performance, work assignments, salary administration, termination or other terms and conditions of employment.

Telecommuting, under [Policy Number 7.E.1, Telecommuting](#), is routinely working one or more days per week at a location other than an employee's regularly assigned place of employment under an agreement approved pursuant to this policy.

Threatening Behavior, under [Policy Number 2.A.2, Prohibition of Campus Violence](#), includes any behavior, whether intentional or reckless, that by its nature would be interpreted by a reasonable person as an intent to harm another person or damage property belonging to another. Threats may be oral, written, or communicated through conventional mail, electronic, fax, or telephonic means and may be direct or implied.

Violent Behavior, under [Policy Number 2.A.3, Prohibition of Campus Violence](#), includes any behavior, whether intentional or reckless, which results in bodily injury to another person and/or damage to property.

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