

# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

## Operating Policy and Procedure

HSC OP: 70.14, Employee Development and Tuition Assistance

**PURPOSE:** The purpose of this Health Sciences Center Operating Policy and Procedure (HSC OP) is to establish the policies and procedures regarding eligible TTUHSC participant training and development in accordance with Texas Government Code, Chapter 656, Sub-chapters C and D and the Educational Assistance pursuant to the Texas Tech University System Section 127 Educational Assistance Plan.

**REVIEW:** This HSC OP will be reviewed by April 1<sup>st</sup> of every year (EY) by the Senior Director, HR Benefits and HRIS, with recommendations for revision forwarded to the Associate Vice President for Human Resources by April 15<sup>th</sup>.

### POLICY/PROCEDURE:

#### 1. General.

TTUHSC is an institution of higher education dedicated to the pursuit of educational, research and public service objectives. To attain these objectives, TTUHSC recognizes the importance of its employees, acknowledges their valued contributions to the accomplishment of its mission, and promotes lifelong learning for the advancement of the institution.

It is the policy of TTUHSC to provide development programs so that eligible participants may gain job-related knowledge and behaviors and personal and professional skills to improve job performance and contribute to the long-term improvement of the institution.

#### 2. Development Program. <sup>1</sup>

- a. Development programs are available to individuals employed to perform services or duties on behalf of TTUHSC and paid through the payroll system with accompanying tax withholding as provided by law; individuals on approved extended developmental leave; or individuals who have provided services on a substantially full-time basis for at least one year under the institution's primary direction or control. This includes full or part-time faculty, staff and student employees.
- b. TTUHSC encourages employees to identify and participate in eligible development programs that will improve job performance, increase the participant's potential, and enhance the institution.
- c. TTUHSC may require an employee to attend a development program if it is related to the employee's current or prospective job duties.<sup>2</sup>
- d. Training, education or developmental learning experiences:
  - 1) It may include, but is not limited to, short courses, workshops, seminars, conferences, and technical or professional training.

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<sup>1</sup> In accordance with Internal Revenue Service, development

- 2) May be provided by TTUHSC departments, outside vendors, other accredited institutions of higher education or trade schools, or other providers of continuing education
  - 3) Related to the current job, upcoming job requirements, or provides additional job-related knowledge which increases the value of the participant and provides a benefit to the institution
- e. Program benefits are available to all eligible participants of TTUHSC.
3. Funding and Approval for Development Programs.
- a. The State Employees Training Act allows TTUHSC to use public funds for development programs related to either current or prospective duty assignments.<sup>3</sup>
  - b. Funds may be expended from departmental accounts for employees to participate in development programs upon supervisor and departmental approval.
  - c. Appropriate expenses include, but are not limited to, salary, tuition and other fees, travel and living expenses, training stipends, training materials, and other necessary expenses of an instructor, student, or other participant in a training or education program.<sup>4</sup>
  - d. Time spent in class, as well as time spent traveling to and from class, is considered working hours when TTUHSC funds the development program.
  - e. Reimbursements may be made to eligible participants during the plan year for all or part of the

b. External Programs.<sup>6</sup>

Development programs authorized by the employing department for employees which are funded from department accounts and where the participant may be provided release time. These programs are approved with the following criteria:

- 1) Program provides job-related knowledge, behaviors or skills for current or prospective job requirements.
- 2) May consist of workshops, seminars, institutes, training sessions or other special programs.
- 3) Programs include continuing education for licenses or certifications that are a required qualification of the position but may also qualify the participant for another position determined to be vital to the growth, continuance or mission of the institution.
- 4) Courses are offered by an accredited or other recognized provider and lead toward a recognized degree or certification within a defined plan of study and may include graduate level courses.

c. Extended Development Programs.<sup>7</sup>

Development programs which are paid for by TTUHSC and during which the employee's salary is continued but the employee does not perform regularly assigned job duties for three months or more, including Faculty Development Leave. These programs include the following criteria:

- 1) Program does not include training required by state or federal law.
- 2) Must be approved by the Chancellor, President, Dean or appropriate Vice President.
- 3) At a minimum, the participant must work for TTUHSC following the development program for at least one month for each month of the development period or repay TTUHSC for all costs associated with the development program, including any amounts of the employee's salary that were paid and were not accounted for by paid vacation, work time, or compensatory leave.<sup>8</sup>
- 4) TTUHSC shall require the participant to agree in writing, (Employee Extended Development Agreement) to comply with the above requirements before the development program begins.
- 5) The Board of Regents may waive the requirements prescribed in subsection (3) and release the participant from the obligation if such action is in the best interest of TTUHSC or is warranted because of an extreme personal hardship suffered by the participant.
- 6) If a participant does not provide the services required, provides those services for less than the required term, or fails to make payments as required, and the participant is not released from their obligations, then the participant is liable to TTUHSC for any costs and reasonable expenses incurred in obtaining payment,

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<sup>6</sup> Job requirements or prospective job requirements required for present job are considered job-related courses deductible under Code Section 162 (e.g., nontaxable to the participant under Code Section 132(d) – Working Condition Fringe Benefit/Employee Business Expense). If “prospective job requirements” means skills that would qualify employee for a new job, then payments/reimbursements would fall under Section 127, reimbursement of greater than \$5250 is taxable to the employee.

<sup>7</sup> In accordance with Texas Government Code, Chapter 656.103-104

<sup>8</sup> These payments are compensation/wages that must be paid through the Payroll Office with applicable employment taxes withheld.

including attorney's fees.

- 7) Any final pay or other amounts owed to the participant may be withheld to reimburse TTUHSC in the event of default of the Employee Extended Development Agreement by the participant.
- 8) Each year the Vice President and Chief Financial Officer will submit an annual report to the Legislative Budget Board which details the amount of money expended in the preceding fiscal year for Extended Development Programs based upon notification by the appropriate Dean or Vice President.

5. Responsibilities.

a. Supervisors and Managers.

Employee development is a responsibility of every supervisor and manager. Supervisors and managers are responsible for:

- 1) Providing employees on-the-job training in the proper performance of tasks.
- 2) Providing a climate in which employee training and development is encouraged.
- 3) Integrating an employee's growth and development needs with the goals and objectives of the institution.
- 4) Identifying opportunities for employee improvement and to benefit the institution.
- 5) Releasing the employee for the full length of the program, encouraging the employee's complete participation in the learning experience, and involving the employee with back-on-the-job application of knowledge, behaviors and skills.
- 6) Ensuring employees comply with institutional training requirements.
- 7) Assisting the participant with obtaining all appropriate approvals and associated documentation.

b. Employees.

Each employee or participant is responsible for:

- 1) Obtaining appropriate approvals prior to the beginning of any qualifying courses.
- 2) Attending the full-length of the development program and fully participating in all learning activities.
- 3) Submitting specified documentation of expenses to be reimbursed as well as documentation of grades, progress or any degrees or certifications awarded, and completion of each qualified course and/or other educational program.
- 4) Failure to submit appropriate progress documentation as referenced in section 5.b.3 may result in any prior payments being classified as non-qualifying and may result in collection by TTUHSC as described in Section 4(c)(7).
- 5) Application of knowledge, behaviors, and skills gained for the benefit of the institution.
- 6) Reimbursement of hotel and travel for business-related educational expenses will be handled through the normal travel reimbursement process.

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## 6. Course Enrollment

