**Salaried Graduate Student Employment UPPS No. 07.07.06**

 **Issue No. 6**

 **Effective Date: 08/28/2019**

 **Next Review Date: 07/01/2023 (E4Y)**

 **Sr. Reviewer: Dean, The Graduate**

 **College**

**01. POLICY STATEMENTS**

01.01 This document describes the policies and procedures for graduate student employment in assistantship positions. The intent is to maximize the benefits of graduate student employment at Texas State University.

Graduate students who conduct research outside of paid assistantship positions, such as students supported by external fellowships, are not considered salaried employees and are therefore not governed by this policy.

01.02 Specific objectives of this policy include:

a. provide clear information to students and faculty about graduate student employment in assistantship positions;

b. ensure compliance with federal, state, and university regulations, policies, and guidelines;

c. complement and strengthen the educational program and support the educational goals of the student; and

d. assure that Texas State’s graduate student employment policies are competitive for recruitment and retention at the state and national levels.

**02. DEFINITIONS**

02.01 Graduate assistant titles and descriptions:

a. Graduate Teaching Assistants and Doctoral Teaching Assistants – employed by an academic department, paid from faculty salaries, and reported as the “teacher of record” for an organized undergraduate class. For the fall and springs semesters, full-time equivalent (FTE) is calculated as 25 percent for each course. A teaching assistant appointed at 50 percent is expected to teach two courses. Exceptions may be made for teaching assistants in their first semester of employment. Graduate teaching assistants and doctoral teaching assistants receive a faculty contract for a semester or the academic year, are paid on a monthly basis, and are exempt from [the Fair Labor Standards Act](https://ofm.wa.gov/state-human-resources/compensation-job-classes/compensation-administration/fair-labor-standards-act-flsa) (FLSA) under the learned professional exemption.

b. Graduate Instructional Assistants and Doctoral Instructional Assistants – employed by an academic department, paid from faculty salaries, but are not reported as the “teacher of record.” Graduate instructional assistants and doctoral instructional assistants serve as assistants to the teacher of record, are responsible for a specific group of students (typically undergraduate students), and assign some portion of these same students’ grades. If graduate students are assigned as instructional assistants in graduate courses, they cannot grade other students’ work nor have access to their grades. In rare circumstances, the dean of The Graduate College will allow an exception for doctoral instructional assistants assigned to master’s level classes, provided there is no conflict of interest. The academic department may pay graduate instructional assistants’ salaries for those assisting in the operation of a lab or an activity or recitation group from course fees collected for this purpose. Graduate instructional assistants and doctoral instructional assistants are normally appointed for a semester or the academic year, paid on a monthly basis, and are exempt from FLSA under the learned professional exemption.

c. Graduate Research Assistants and Doctoral Research Assistants – employed by a department or university office and may receive pay from faculty grants or university funds. [Chapter 10 of the U.S. Department of Labor’s (DOL’s) Field Operation Handbook](https://www.dol.gov/whd/FOH/FOH_Ch10.pdf) defines research assistants as students “engaged in research in the course of obtaining an advanced degree and the research is performed under the supervision of a member of the faculty in a research environment provided by the institution under a grant or contract.” If employed on a faculty grant, the work performed must directly relate to the objectives of the grant. Graduate research assistants and doctoral research assistants can be appointed for a semester, the academic year, or the duration of a research project, or any portion thereof, and are paid on a monthly basis. They are exempt from FLSA under the graduate research exemption, as provided in the June 28, 1994 DOL opinion letter #1263.

d. Graduate Assistants and Doctoral Assistants – employed by a department or university office and may receive pay from faculty grants or university funds. Responsibilities may include research (not under the supervision of a faculty member), technical assistance, and institutional support. To avoid conflicts of interest, graduate and doctoral assistants cannot have access to records of graduate students of their degree-granting department. Graduate assistants and doctoral assistants who have access to records must be Family Educational Rights and Privacy Act (FERPA) trained and sign a confidentiality agreement.

 Graduate and doctoral assistant positions are non-exempt and are subject to the minimum wage and overtime provision of FLSA. Students must enter all hours worked that deviate from their default schedule in the SAP Portal Employee Self-Serve. If a student is required to keep a paper timesheet, the department assistant is required to enter the student’s time into SAP. Time entry guidelines can be found on the [Human Resources website](http://www.hr.txstate.edu/benefits.html). Students who are appointed in these positions are not eligible for concurrent employment as a teaching, instructional, or research assistant.

02.02 Benefit eligibility:

a. All positions, as described in Sections 02.01 a.-d., are eligible for employer group insurance plans administered by the Human Resources office when employed at least half-time (20 hours per week) for a minimum period of four and a half months.

b. All graduate student employees with nine-month appointments may choose to receive their nine-month salary in 12 monthly payments. If salary spread is elected, it will remain in effect every year thereafter until either:

1) the employee signs an authorization to change back to a nine-month pay basis to begin the next fiscal year; or

2) the employee becomes ineligible.

Employees who wish to elect a twelve-month salary spread or change back to a nine-month pay basis must complete a [Salary Spread Election Form](http://gato-docs.its.txstate.edu/jcr%3Aa6f269f8-4763-4a5c-aded-e07301581175/Salary%20Spread%20Election%20Form_1.2018.pdf) prior to the beginning of the fall semester.

**03. ELIGIBILITY REQUIREMENTS**

03.01 Academic Enrollment

a. Graduate Teaching Assistants and Doctoral Teaching Assistants – In accordance with the “Credentials Guidelines” in the [Southern Association of Colleges and Schools Commission On Colleges (SACSCOC) *Principles of Accreditation*](https://sacscoc.org/app/uploads/2019/08/2018PrinciplesOfAcreditation.pdf) for graduate teaching assistants, all teaching assistants are required to hold “a master’s in the teaching discipline or eighteen graduate semester hours in the teaching discipline, be under the direct supervision of a faculty member experienced in the teaching discipline, and complete regular in-service training, as well as planned and periodic evaluations.” Additional Texas State requirements include unconditional acceptance into a graduate degree program. The student must enroll in at least nine graduate semester credit hours (SCH) in a graduate degree program each fall and spring semester of employment and in at least three graduate SCH during the summer, if their initial enrollment is in the summer. Teaching assistants, who are employed in the spring and fall semesters, may spread out their required enrollment hours (18 graduate SCH) over the entire academic year, if their department allows it. The dean of The Graduate College must approve graduate and doctoral teaching assistants taking more than 12 graduate semester hours of course work per fall or spring semester or those taking more than six graduate semester hours per summer session. The student must also maintain a minimum 3.0 Texas State grade point average (GPA) in course work leading toward the completion of a graduate degree. The dean of The Graduate College must approve any exceptions. The graduate advisor, department chair, or school director must submit requests for exceptions in writing to the dean of The Graduate College prior to the first day of employment.

b. Graduate Instructional Assistants and Doctoral Instructional Assistants – Texas State requirements include unconditional acceptance into a graduate degree program. The student must enroll in at least nine graduate SCH in a graduate degree program each fall and spring semester of employment and in at least three graduate SCH during the summer, if their initial enrollment is in the summer. The dean of The Graduate College must approve graduate and doctoral instructional assistants taking more than 12 graduate semester hours in the fall or spring semester of course work or those taking more than six graduate semester hours per summer session. The student must also maintain a minimum 3.0 Texas State GPA in course work leading toward the completion of a graduate degree. The dean of The Graduate College must approve any exceptions. The graduate advisor, department chair, or school director must submit requests for exceptions in writing to the dean of The Graduate College prior to the first day of employment.

c. Graduate Research Assistants and Doctoral Research Assistants – Texas State requirements include unconditional acceptance into a graduate degree program. The student must enroll in at least nine graduate SCH in a graduate degree program each fall and spring semester of employment and in at least three graduate SCH during the summer, if their initial enrollment is in the summer. The dean of The Graduate College must approve graduate and doctoral research assistants taking more than 12 graduate semester hours in the fall or spring semester of course work or those taking more than six graduate semester hours per summer session. The student must also maintain a minimum 3.0 Texas State GPA in course work leading toward the completion of a graduate degree. The dean of The Graduate College must approve any exceptions. The graduate advisor, department chair, or school director must submit requests for exceptions in writing to the dean of The Graduate College prior to the first day of employment.

d. Graduate Assistants and Doctoral Assistants – Texas State requirements include unconditional acceptance into a graduate degree program. The student must enroll in at least nine graduate SCH in a graduate degree program each fall and spring semester of employment and in at least three graduate SCH during the summer, if their initial enrollment is in the summer. The dean of The Graduate College must approve graduate and doctoral assistants taking more than 12 graduate semester hours in the fall or spring semester of course work or those taking more than six graduate semester hours per summer session. The student must also maintain a minimum 3.0 Texas State GPA in course work leading toward the completion of a graduate degree. The dean of The Graduate College must approve any exceptions. The graduate advisor, department chair, or school director must submit requests for exceptions in writing to the dean of The Graduate College prior to the first day of employment.

03.02 Summer Employment

Graduate student employees enrolled in nine graduate hours at Texas State during the prior spring and fall semesters (or with an approved exception on file) may work in the summer with no enrollment requirement.

Graduate student employees who entered their graduate degree program in the spring term and were enrolled in nine graduate hours at Texas State during the spring must enroll in at least three graduate SCH during the summer, unless they were fully enrolled and employed as undergraduate assistants at Texas State in the previous fall semester, in which case they may work in the summer with no enrollment requirements.

Graduate student employees entering their graduate degree program in the summer term must enroll in at least three graduate SCH during the summer.

Graduate students entering their graduate degree program in the fall term are not eligible to work as graduate student employees until the start of the fall term.

Teaching assistants, who are employed in the spring and fall semesters, may spread out their required enrollment hours (18 graduate SCH) over the entire academic year, if their department allows it. Students seeking summer employment as graduate student employees who do not meet these criteria must enroll in a minimum of three graduate hours during the summer over the duration of the various summer semesters available.

**04. ALLOWABLE WORK HOURS**

04.01 Fall and Spring Semesters – Graduate student employees may work up to 50 percent FTE (20 hours per week) during the fall and spring semesters. Exception requests for employment over 50 percent FTE are only approved under the most exceptional circumstances by the graduate dean. The graduate advisor, department chair, or school director must submit requests for exceptions in writing to the dean of The Graduate College prior to the first day of employment.

04.02 Between Semesters and the Week of Spring Break (considered energy conservation days) – Graduate student employees may work up to 50 percent FTE (20 hours per week) between semesters and during Spring Break (during energy conservation days), if approved by the dean of The Graduate College. Employment over 50 percent FTE will only be allowed under exceptional circumstances by the graduate dean. An exception request from the graduate advisor, department chair, or school director and an approval by the dean of The Graduate College must be on file prior to the first day of employment.

04.03 Summer Employment – For teaching, instructional, and graduate or doctoral assistants, employment is restricted to 50 percent FTE (20 hours per week). Only under exceptional circumstances will the dean of The Graduate College allow an exception for employment over 50 percent FTE during the summer. An exception request from the student’s graduate advisor, department chair, or school director and an approval by the dean of The Graduate College must be on file prior to the first day of employment.

For research assistants, employment is usually restricted to 50 percent FTE (20 hours per week) in the summer. However, if research assistants are conducting fieldwork or are funded by a grant, the dean of The Graduate College may approve an exception for employment over 50 percent FTE (typically 75 percent FTE, i.e., 30 hours per week). In this situation, research assistants who are not enrolled can hold an appointment of 100 percent FTE (40 hours per week), provided the research is directly related to their degree program and provided the summer is not their initial term of employment at the university. Such exception request from the student’s graduate advisor, department chair, or program director and an approval by the dean of The Graduate College must be on file prior to the first day of employment.

**05. HIRING PROCEDURES**

05.01 Appointment and New Hire Paperwork

a. Graduate student employees cannot concurrently hold a salaried and an hourly position. Further, to comply with Internal Revenue Service and State of Texas guidelines, the university cannot compensate graduate assistants working as consultants or contractors while they are employed by the university or for 12 months following termination of their university employment.

b. New hire paperwork for graduate or doctoral teaching and instructional assistant appointments is processed through The Graduate College and Faculty and Academic Resources. Paperwork for graduate or doctoral research assistant appointments and graduate or doctoral assistants is processed through The Graduate College, the appropriate vice president’s office, and Human Resources for all divisions except Academic Affairs. Paperwork for graduate or doctoral research assistant appointments in Academic Affairs is processed through The Graduate College and Faculty and Academic Resources.

1) Graduate teaching assistants and doctoral teaching assistants must submit a complete faculty applicant packet that consists of a faculty employment application, official transcripts from all degree-granting institutions, a current vita or resume, a [Criminal Background Check Consent Form](http://gato-docs.its.txstate.edu/provost-vpaa/office-pps-files/pps7/PPS7-20AttA.doc), and an [English Proficiency Form](http://gato-docs.its.txstate.edu/jcr%3Ab7c78aa7-746c-4791-bd29-3c908dea1594/English%20Proficiency%20Form.doc).

2) Each department hiring a graduate teaching assistant or doctoral teaching assistant will also be required to complete the [GTA/DTA Packet Checklist](http://gato-docs.its.txstate.edu/jcr%3A373c457d-bae2-4789-abd3-c38770f3152d/GTA.DTA%20Packet%20Checklist.docx). Faculty and Academic Resources must receive these documents, along with a PCR, available through the SAP portal, and a [Contracting of Temporary Faculty Form](http://gato-docs.its.txstate.edu/jcr%3Adb07af89-46cf-4675-82e5-c2057d9ad3eb/AAPPS_04-01-02_ContractTempFac.docx) from the department via the college dean and the dean of The Graduate College.

3) For graduate or doctoral instructional assistants and graduate and doctoral research assistants, as well as graduate or doctoral assistants, each department will be required to complete the

 [GTA/DTA Packet Checklist](http://gato-docs.its.txstate.edu/jcr%3A373c457d-bae2-4789-abd3-c38770f3152d/GTA.DTA%20Packet%20Checklist.docx). Faculty and Academic Resources or Human Resources, as appropriate, must receive these documents, along with a PCR from the department via the college dean and the dean of The Graduate College.

05.02 Pay rates – Each of the above job titles in Sections 02.01 a.-d. are paid in accordance with the salary schedule in the [University Pay Plan](https://www.hr.txstate.edu/compensation/universitypayplan/studentemployees.html).

**06. ACCOUNT MANAGER OR DESIGNEE RESPONSIBILITIES**

06.01 The account manager, or designee, may determine the need for graduate student employees and may work with the appropriate vice president for position approvals. Appropriate titles are determined based on the criteria in Sections 02.01 a.-d.

06.02 The account manager, or designee, must ensure that students meet all academic and enrollment policies found in Sections 03.01 and 03.02.

06.03 The account manager, or designee, must forward the appointing PCR and all forms noted in Section 05.01 b., via the college dean and the dean of The Graduate College to Human Resources or Faculty and Academic Resources, as appropriate.

06.04 The account manager, or designee, must ensure that students are not appointed over 50 percent FTE (20 hours per week) without specific approval from the dean of The Graduate College.

06.05 The account manager, or designee, must prepare a separation PCR, the [Employee Separation Form](https://www.hr.txstate.edu/forms.html), and the [Separation Checklist](https://www.hr.txstate.edu/forms.html) (see [UPPS No. 04.04.50](http://policies.txstate.edu/university-policies/04-04-50.html), Separation of Employment and Interdepartmental Transfers) to terminate the student employee’s appointment.

06.06 The account manager, or designee, is responsible for notifying graduate student employees appointed to a benefits-eligible position and instructing the students to contact Human Resources for enrollment information within the 30-day enrollment deadline.

**07. OUT-OF-STATE WAIVER**

07.01 According to the [Texas Education Code, Sec. 54.212](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.54.htm#54.212), a teaching, instructional, research, or graduate assistant of any institution of higher education, as well as the spouse and children of such an assistant, are entitled to register in a state institution of higher education by paying the tuition fees and other fees or charges required for Texas residents under [Section 54.051](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.54.htm#54.051) of this code, without regard to the length of time the assistant has resided in Texas, if the employee is employed at least one-half time in a teaching, instructional, research, or graduate assistant position that relates to the employee’s degree program under rules and regulations established by the employer institution. The account manager, or designee, will be responsible for submitting the required paperwork (i.e., the [Request for Exemption from Non-Resident Tuition](https://gato-docs.its.txstate.edu/jcr%3Adc99e786-3bd5-4a0d-b45b-524b08df4562/REQUEST%20FOR%20EXEMPTION-GRA%20%20TA%20Revised%20October%202017.pdf)) for the out-of-state waiver to Student Business Services by the deadline designated on the exemption form.

**08. NON-DISCRIMINATION**

08.01 Texas State will not discriminate against any person in employment or exclude any person from participating in or receiving the benefits of any of its activities or programs on any basis prohibited by law, including race, color, national origin, age, sex, religion, disability, veterans’ status, sexual orientation, gender identity, or gender expression.

**09. REVIEWERS OF THIS UPPS**

09.01 Reviewers of this UPPS include the following:

Position Date

Dean, The Graduate College July 1 E4Y

Assistant Vice President for July 1 E4Y

Human Resources

Director, Faculty and Academic July 1 E4Y

Resources

**10. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Dean, The Graduate College; senior reviewer of this UPPS

Provost and Vice President for Academic Affairs

President