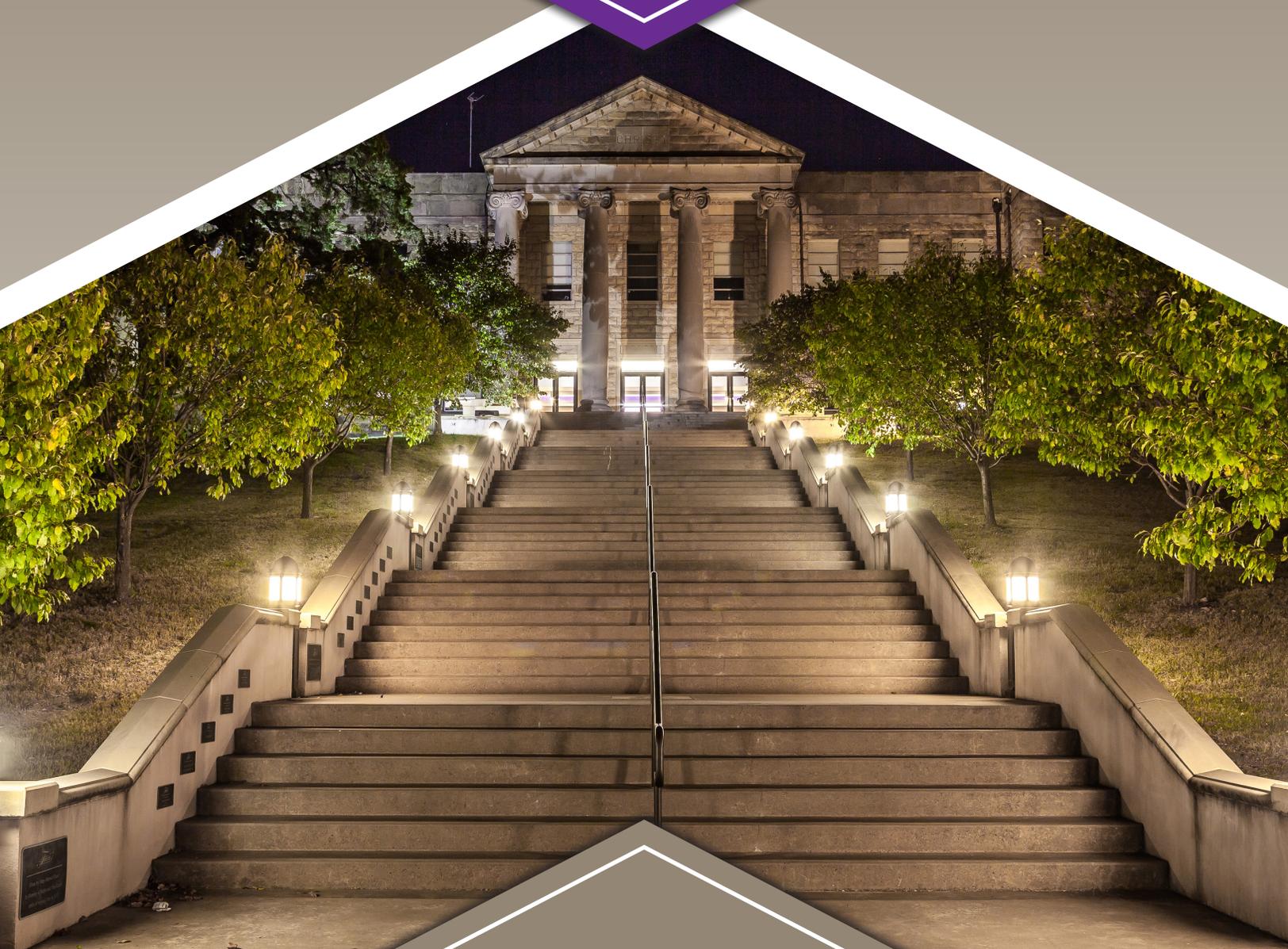




SOUTHWESTERN
COLLEGE

Policy Manual



sckans.edu

TABLE OF CONTENTS

VOLUME 1 – GOVERNANCE AND ADMINISTRATION	1
VOLUME 2 – CAMPUS COMMUNITY POLICIES	52
VOLUME 3 – ALL-COLLEGE EMPLOYEMENT POLICIES	106
VOLUME 4 – FACULTY PERSONNEL POLICIES.....	138
VOLUME 5 – ADMINISTRATOR AND STAFF PERSONNEL POLICIES.....	183
VOLUME 6 – PROFESSIONAL STUDIES POLICIES	195
VOLUME 7 – STUDENT POLICIES	200

VOLUME 1 — Governance and Administration

The Southwestern College Policy Manual is a set of volumes that define the operational policies and procedures for the college. This Volume I sets forth the purpose, organization, governance, and administration of Southwestern College.

1.1 Introduction: Authority and Revision

The Board of Trustees holds ultimate authority over the policy manual and the policy contents of its six volumes. All policy (not informational) pronouncements herein can only be revised based on the recommendation of the president and approval by the Board of Trustees

For administrators and staff, the content of these volumes is for general information and is not a contract of employment (see VI ,5.1 for a more detailed statement of this policy). All college non-faculty employees are employed at-will and may be terminated according to state law, with or without cause.

For full-time faculty, the contents of Volumes II, III, and, in particular, Volume IV are contractual and are cited as contractual in the faculty member's contract. The at-will nature of employment at the college is modified to meet these contractual requirements as explained in section 4.11.

Volumes I, II, III, V, VI and VII are revised (in respect to policy items but not informational items) as appropriate on the recommendation of the president and approval by the Board.

In Volume I, sections 1.3 and subsections 1.7.4 through 1.7.5.1 follow the amendment process of the respective constitutions and bylaws with oversight by the president and the Board. The rest of Volume I follows the procedures in paragraph one above in this section.

In Volume IV, the faculty employment policy and procedures follow the amendment provisions found in Volume IV, section 4.13.

The Board reserves the rights laid out in Volume IV, subsections 4.13.4 through 4.13.6, with respect to the entire policy manual of the college.

1.2 History

The institution now known as Southwestern College was organized by the Southwest Conference of the Methodist Episcopal Church and was chartered in 1885 as Southwest Kansas Conference College. A conference committee selected Winfield as the location for the school.

The City of Winfield contributed land and \$60,000 in cash plus stone, water, lumber, and hardware for the original building, North Hall. On May 12, 1886, Dr. John E. Earp took office as first president of the college and immediately brought about the merger of the Southern Kansas Normal School and Business College with the new institution. Classes opened September 7, 1886, with forty-three students enrolled.

In the early 1900s it was recognized that an endowment, more classrooms, and gymnasium were needed to enhance the program. To fulfill these needs, Andrew Carnegie donated \$25,000 to the endowment, Richardson Hall was built for classroom space, and Stewart Field House was completed before the end of the decade. In 1909, the name was changed to The Southwestern College, and in 1917, the school was first accredited by the North Central Association of Colleges and Schools.

During the 1920s the college flourished with the beginning of unique academic ventures. Intercollegiate debate started on the Southwestern campus with the first such tournament anywhere being held here in 1923.

Dr. Leroy Allen, academic dean, was instrumental in the founding of Pi Gamma Mu, the international social science fraternity. Started in 1924, the organization has published its journal *Social Science* continuously since 1925. The international headquarters of Pi Gamma Mu remains in Winfield to this day.

The music program was augmented by the merger in 1926 of the Winfield College of Music with Southwestern. In 1929, Southwestern was honored by becoming one of the early members of the National Association of Schools of Music.

In the mid-twenties, the first formal acknowledgments were made that education often takes place outside the traditional classroom. Under the direction of Professor Henry W. Taylor the Southwestern Travel Club was organized. This organization promoted summer travel in Europe. At the same time the Omnibus College was developed. Headed by Dr. William G. Goldsmith, members of this group participated in summer tours of the United States in two specially built buses. Travel was concentrated in the eastern states and parts of Canada.

The financial problems of the late twenties and early thirties appear to have ended these nontraditional academic adventures.

Following the depression and the war years of the forties, Southwestern again began to grow. Sonner Stadium was completed in 1947. In 1949 North Hall was condemned and razed. But it was in 1950 that the real turning point came for Southwestern. On April 16, 1950, Richardson Hall burned to the ground. As much equipment from North Hall had been stored there, the school was left with little more than a women's residence hall which had been built in 1920, the field house, the stadium, and two buildings under construction for a library and science laboratories.

With the academic facilities so completely destroyed, there were many questions as to the survival of the institution. However, on June 26, 1950, the Central Kansas Conference of the United Methodist Church voted overwhelmingly to continue Southwestern College and authorized "The Million Dollar Building Program." The future of the college was now assured and the fifties saw the completion of Broadhurst Residence Hall, Mossman Science Hall, Memorial Library, a rebuilt administration building (Christy), a new home for the president, and Sutton Residence Hall. Construction continued in the sixties with the building of the Roy L. Smith Student Center, Wallingford Residence Hall, Reid Residence Hall, Shriwise Apartments, Honor Housing, Darbeth Fine Arts Center, White Physical Education Building, and the Frank A. White Library Addition. The seventies saw a tapering off of building with the construction of only the Ruth Warren Abbot Laboratories (greenhouse) and the Melvin Dixon Service Facility. Instead, attention was turned to an intensified upkeep program and the renovation of existing facilities.

The sixties and seventies saw significant academic development. In 1968, Southwestern was among the first forty colleges in the nation to adopt a calendar that let students partake in modular study and off-campus travel during the school year. The recognition continues today as students are encouraged to participate in international/intercultural study.

The 1980s were a time of relative stability in the college program, punctuated by the closing of St. John's College four blocks away in 1986. In response to pleas from the local medical

community, Southwestern introduced a nursing program to replace the one closed at St. John's. Also, the college took the unprecedented step of reducing tuition by 20 percent in 1985-1986.

The college's continuing strong relationship to the United Methodist Church was reflected in the 1988 election of the Southwestern president as a bishop of the church.

Significant changes in the college's program and structure came about in 1991-93, as a result of the adoption of a new mission statement and statements of purposes. At that time, the faculty introduced an integrated studies program to replace the general education program. The new program prescribed a core curriculum for students, with most of the course work completed during the first two years of college. The program was based on the "dance of science with the arts" and featured distinctive courses not wedded to any particular field of study.

Additionally, the faculty and trustees acted to replace their governance systems with standing committees and focusing faculty and trustee meetings on reports from those committees. In the new system, the faculty now elects its own chair.

Also, about this time, Southwestern entered into providing degree completion programs for working adults, a departure from the traditional focus on the residential campus program. In 1994, this program was reorganized and centers were opened in downtown Winfield and at two sites in Wichita. The centers offered degrees and majors aimed at working adults and offered their course work in six-week, accelerated formats.

In 1996, Southwestern launched a technology initiative and installed fiber optic connections in all campus buildings, bringing the world to the campus through the internet. In 1998, a state-of-the-art science facility was completed and named for Olive Ann Beech, a revered former trustee and head of the Beech Aircraft Corporation. In 1999, Southwestern reinforced its published description as "the premier college of Kansas" by issuing a laptop computer to every freshman and instituting learning innovations related to the computer and the Internet.

1.2.1 Accreditation

Southwestern is a comprehensive college of approximately 1,000 students and 50 full-time faculty members. It offers multiple programs on campus and selected programs for working adults through its professional studies centers. The college is accredited by the Higher Learning Commission, the University Senate of the United Methodist Church, the National Association of Schools of Music, the Council for the Accreditation of Educator Preparation, the National Association for the Education of Young Children, and the Kansas State Department of Education.

1.2.2 Presidents of Southwestern College

John E. Earp, 1886-1890

Milton E. Phillips, 1890-1894

Chester A. Place, 1895-1899

Fred C. Demorest, 1900-1903

George F. Cook, 1903-1905

Frank E. Mossman, 1905-1918; 1931-1942

Albert E. Kirk, 1919-1928

Ezra T. Franklin, 1928-1931

Charles E. Schofield, 1942-1944

Mearl P. Culver, 1945-1949
Alvin W. Murray, 1949-1953
C. Orville Strohl, 1954-1972
Donald B. Ruthenberg, 1972-1980
Robert Paul Sessions, 1981-1984
Bruce P. Blake, 1984-1988
Carl E. Martin, 1988-1998
W. Richard Merriman, Jr., 1998-2015
Bradley J Andrews, 2015 -

1.3 Vision and Mission

1.3.1 The Vision of Southwestern College

*Southwestern College in Winfield, Kansas,
is a learning community
dedicated to*

- intellectual growth and
career preparation,*
- individual development and
Christian values,*
- lifetime learning and
responsible citizenship, and*
- leadership through service
in a world without boundaries.*

1.3.1.1 The Vision Interpreted

Southwestern College in Winfield, Kansas, is a learning community...

- Challenging each person to search for truth through consistent discipline of the mind.
- Stimulating habits of careful reading and listening, clear speaking and writing, critical analysis, individual thought and collaborative action.
- Promoting rigorous intellectual competency within the context of vital interpersonal relationships.

Dedicated to intellectual growth and career preparation...

- Emphasizing a broadly-based, value-centered liberal arts curriculum as the core of intellectual life, professional development and personal growth.
- Integrating the core curriculum with career planning and preparation for a lifetime of service.
- Building academic excellence and leadership potential.

Dedicated to individual development and Christian values...

- Challenging each person to creative self-expression, aesthetic appreciation, freedom of thought, and responsible action.
- Inviting student to explore ultimate reality; honoring the spiritual nature of human existence; affirming Christian values as central to an ethical, caring and inclusive community life.

- Defining its historic commitment to community, freedom and diversity within a covenant relationship to the Kansas West Conference of the United Methodist Church.

Dedicated to lifetime learning and responsible citizenship...

- Promoting responsible citizenship through active learning, professional growth and volunteer service.
- Building wholeness, health and athletic abilities for lifetime physical fitness.
- Encouraging lifelong intellectual and personal growth.

Dedicated to leadership through service in a world without boundaries.

- Fostering opportunities for service in personal, family and professional life.
- Recognizing the inherent worth of each person, the need for personal and social responsibility, the interdependence of all peoples, and the requirements of the age for justice and responsible living on earth.
- Inviting graduates to accept leadership roles in the emerging global community.

1.3.2 The Mission of Southwestern College

Southwestern College provides a values-based learning experience that emphasizes intellectual, personal, and spiritual growth. Founded in 1885 by Kansas Methodists and now related to the Kansas West Conference of the United Methodist Church, the college offers both bachelor's and master's degrees on-ground and online.

Southwestern College:

- Prepares students for careers and for graduate studies with courses that foster critical thinking and effective communication and are characterized by meaningful professor-student interaction.
- Employs emerging technologies that promote learning.
- Strives to live by and teach a sustainable way of life.
- Provides preparation for a wide range of church-related vocations and involvement.
- Offers programs that embrace prior learning and facilitate career progression for working adults, members of the armed services, and persons in transition.
- Affords a residential learning experience abundant with co-curricular activities that build social awareness and interpersonal skills and cultivate an ethos of service and leadership.

1.3.3 The Strategic Plan for Southwestern College

<https://www.sckans.edu/other/strategic-plan/>

1.4 Charter and By Laws

1.4.1 Charter and Amendments of Southwestern College of Winfield, Kansas

THE STATE //SEAL// OF KANSAS
OFFICE OF THE SECRETARY OF STATE
ELWILL M. SHANAHAN • SECRETARY OF STATE

To all to whom these presents shall come, Greeting:

I, ELWILL M. SHANAHAN, Secretary of the State of Kansas, do hereby certify that the following and hereto attached is a true copy of

C H A R T E R

Of

THE SOUTH WEST KANSAS CONFERENCE COLLEGE

FILED:		July 19, 1885
	AMENDMENT	
FILED:		October 6, 1901
	AMENDMENT (changing name to) SOUTHWESTERN COLLEGE	
FILED:		July 19, 1909
	AMENDMENT	
FILED:		December 6, 1911
	AMENDMENT	
FILED:		May 6, 1915
	AMENDMENT	
FILED:		December 16, 1943
	AMENDMENT	
FILED:		July 2, 1958
	AMENDMENT	
FILED:		July 17, 1973

the original of which is now on file and a matter of record in this office.

IN TESTIMONY WHEREOF:

//SEAL//
my official seal.

I hereto set my hand and cause to be affixed

Done at the City of Topeka, this eighteenth day of

MAY A. D. 1972.

ELWILL M. SHANAHAN
SECRETARY OF STATE

By

ASSISTANT SECRETARY OF STATE

Whereas the South West Kansas Conference of the Methodist Episcopal Church at its Annual session held at El Dorado in March, 1885, decided to organize a college within its bounds designated the persons hereinafter named as the first Board of Trustees and appointed the undersigned a committee to locate the institution. Now therefore we members of said conference and citizens of Kansas in order to carry out the resolution and plans of said conference prepare this Charter of Incorporation and do hereby certify as follows to wit:

First,

The name of this corporation shall be "The South West Kansas Conference College."

Second,

The purposes of its formation are:

The establishment and maintenance of an Institution of learning of full collegiate powers.

The promotion of sound culture in the various branches of useful knowledge.

The holding of real estate and erection and use of buildings suitable for above purposes in harmony with the provisions of the Charter of the Kansas Educational Association.

Third,

The business of this corporation shall be transacted in the city of Winfield and at such other places as the said conference may convene in its regular annual sessions.

Fourth,

This corporation shall have perpetual existence.

Fifth,

The number of its trustees shall be nine and the names and residence of those appointed for the first year are:

Thomas Audas
C. A. King
B. C. Swartz
B. Kelley
M. L. Gates
J. D. Botkin
A. L. Reddin

Wichita
El Dorado
Anthony
Winfield
Wichita
McPherson
El Dorado

Amendment to Charter of South West Kansas Conference College
Winfield,
Cowley County

We the undersigned D. M. Yetter, President and Lewis E. Simes, Sec. Respectively of the Southwest Conference College of Winfield, Kansas, a corporation duly organized and existing under and by virtue of the laws of the State of Kansas do hereby certify; that at a called meeting of the Trustees, held at Winfield, Kansas November 5th, 1908 the following resolutions were offered and passed by more than 2/3 vote.

“Resolved that the name of the Southwest Kansas Conference College be changed to the Southwestern College.”

“Resolved that the second paragraph of Charter be amended by striking out the words ‘in harmony with’ and inserting the words ‘not violating.’

WITNESS OUR HANDS this 17th day of July, 1909.

/s/ D. M. Yetter President
Lewis E. Simes Secretary

472
A No. 5

approved July 19, 1909

/s/ F. S. Jackson
C. E. Denton

/stamp/ Filed Jul 19 1909\C.E. DENTON, SECRETARY OF STATE

IN THE MATTER OF THE APPLICATION FOR THE RENEWAL
OF A CHARTER FOR THE SOUTHWESTERN COLLEGE

Be it known that the president and secretary of the Southwestern College of Winfield, Kansas, a corporation duly organized under the laws of the State of Kansas, do certify that at a meeting of the trustees held at Winfield, Kansas, the following resolution was offered and passed by more than two-thirds vote:

“Resolved that application be and the same is hereby made for a renewal of the charter for said Southwestern College for the period of fifty (50) years.”

The president and secretary of said college as a reason for the renewal of said charter, state that when the corporation was organized it was to have a perpetual existence, and the corporation was not informed and did not know at that time that it could not be created for a perpetual existence. That its attention has recently been called to the fact that under the law, as then existed, the life of a corporation in the absence of definite time, could only be for twenty years, and by reason of oversight and inadvertency on the part of the said corporation and its trustees, said original charter has become lapsed without any intention on the part of the corporation or its trustees of

surrendering its corporate privilege and retiring from business. That said corporation desires to continue business, and requests a renewal of its charter for fifty years.

WITNESS Our hands this 27th day of November, 1911.

/s/ James Allison, President

P. L. George, Secretary

A No. 7

396

Approved by State Charter Board this 6th day of December, 1911.

/s/ John Dawson

[Another signature]

Chas. H. Sessions

/stamp/ Filed Dec 6 1911\CHARLES H. SESSIONS, SECRETARY OF STATE

AMENDMENT TO CHARTER OF SOUTHWESTERN COLLEGE

We, the undersigned, A. O. Ebright, president, and R. L. George, secretary, respectively, of the Southwestern College of Winfield, Kansas, a corporation duly organized and existing under and by virtue of the laws of the State of Kansas, do hereby certify; that at a called meeting of the Trustees, held at Dodge City, Kansas, March 19th, 1915, the following resolution was offered and passed by more than 2/3 vote, a quorum being present.

“Resolved that the number of Trustees be increased from twenty-four to thirty.”

WITNESS OUR HANDS this 27th day of April, 1915.

/s/ A. O. Ebright, President

R. L. George, Secretary

A-15

86

Approved by State Charter Board May 5, 1915.

/s/ S. M. Brewster

J. T. Botkin

W. J. Benson

/stamp/ Filed May 6 1915\J. T. BOTKIN, SECRETARY OF STATE

AMENDMENT TO THE ARTICLES OF INCORPORATION
OF
THE SOUTHWESTERN COLLEGE

whose Registered office is Winfield, Cowley, State of Kansas.

We, C. A. Kitch, Vice President, and Margaret Cottingham, Secretary of the Board of Trustees of The Southwestern College, a corporation created, organized and existing, not for profit and without capital stock, under and by virtue of the laws of the State of Kansas, do hereby certify that at a meeting of the Board of Trustees held on 20th day of October, 1942, passed and declaring the following amendment advisable:

“That the number of Trustees shall be not less than thirty nor more than forty-eight.”

/ twenty-seven Trustee signatures /

Thereafter, upon the 9th day of March, 1943, the same being not earlier than 15 days and not later than 30 days from the date of first meeting, and after notice as provided by law, said Board of Trustees (governing body), met, and upon due consideration, did by a two thirds vote of the whole number of said body vote in favor of said amendment and do now hereby assent thereto:

/s/ Mrs. W. L. Archer
/s/ Maude Haver

IN TESTIMONY WHEREOF, We have hereunto set our hands and affixed the seal of said corporation this 13th day of July, 1943.

/s/ C. A. Kitch, Vice President
Margaret M. Cottingham, Secretary

STATE OF KANSAS }
 } //ss//
COUNTY OF COWLEY }

Be it remembered, that before me, Edith A. Klink, a Notary Public in and for the County and State aforesaid, came C. A. Kitch, Vice President, and Margaret M. Cottingham, Secretary, of The Southwestern College, a corporation, personally known to me to be the persons who executed the foregoing instrument of writing as Vice President and Secretary respectively, and duly acknowledged the execution of the same this 14th day of December, 1943.

[SEAL] /s/
Edith A. Klink, Notary Public

My commission expires October 29, 1947.

OFFICE OF SECRETARY OF STATE

Topeka, Kansas, Dec. 16, 1943.

Received of The Southwestern College, (Cowley County),
Two and 50/100----- Dollars
fee for within amendment.

/s/ Frank J. Ryan, Secretary of State

By /s/ Fred C. Reissig, Chief Clerk

CERTIFICATE OF REINSTATEMENT, RESTORATION, OR RENEWAL

STATE OF KANSAS }

} SS.

COUNTY OF COWLEY }

We, Allan C. Felt, and W. J. Franks, being the last acting President, Secretary, or Treasurer of the Board of Trustees, Southwestern College, or other officers elected as provided by law, herewith file on behalf of said corporation this certificate for reinstatement, renewal, revival, restoration, and extension of its corporate existence or authority to engage in business in the State of Kansas.

- (A) The correct name of the corporation is The Southwestern College.
- (B) The location of the corporate registered office in the State of Kansas is Winfield, Cowley (County).
- (C) The name and address of the corporate resident agent in the State of Kansas is George Templar, 310-2 A. C. Office Building, Arkansas City, Kansas—Cowley (County).
- (D) This corporation was duly organized under the laws of the State of Kansas on the 19th day of June, 1885.
- (E) The corporate existence, or authority to engage in business in the State of Kansas:
 - (1) Has expired, or will expire, by reason of time on the 6th day of December, 1961, and said corporate existence, or authority to engage in business, is hereby extended for a period of fifty years from the 6th day of December, 1961.
 - (2) Has been declared canceled by the Charter Board of the State of Kansas because said corporation failed to file its annual report and pay its annual fee provided by law for the year _____.
 - (3) Has been renewed, but through failure to comply strictly with the provisions of law, the validity of the renewal has been brought into question; hence, the corporate existence, or authority, is hereby extended for fifty years from the _____ day of _____, 19_____.
- (F) This certificate is filed by authority of the duly elected directors or managers of the corporation in compliance with the provisions of Chapter 17, Article 43, G. S. of Kansas, 1949 and all amendments thereto.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed the seal of the corporation this 26th day of June, 1958.

/s/ Allan C. Felt President

/s/ W. J. Franks Secretary

STATE OF KANSAS }

} SS.

COUNTY OF COWLEY }

Be it remembered, that before me, Viola M. Schwantes, a Notary Public in and for the County and State aforesaid, came Allan C. Felt & W. J. Franks, personally known to me to the be persons who executed the foregoing instrument of writing, and duly acknowledged the execution of the same this 26th day of June, 1958.

[SEAL] /s/ Viola M.
Schwantes Notary Public

My commission expires February 11, 1959.

/stamp/ Filed July 2, 3:30 PM, 1958\PAUL R. SHANAHAN, SECRETARY OF STATE

Received of The SOUTHWESTERN COLLEGE Ten and no/100 Dollars fee for the renewal, reinstatement or extension of the corporate existence or authority to engage in business in the State of Kansas of said corporation.

Dated this 2nd day of July, 1958.

/s/ Paul R. Shanahan Secretary of State
By /s/ Edward B. Converse Assistant Secretary of State

THE STATE [SEAL] OF KANSAS
OFFICE OF THE SECRETARY OF STATE
ELWILL M. SHANAHAN • SECRETARY OF STATE

To all to whom these presents shall come, Greeting:

I, ELWILL M. SHANAHAN, Secretary of the State of Kansas, do hereby certify that the following and hereto attached is a true copy of

CERTIFICATE OF AMENDMENT
TO
ARTICLES OF INCORPORATION
OF
THE SOUTHWESTERN COLLEGE

ORIGINAL COMPARED WITH RECORD

FILED:

JULY 17, 1973

/stamp/ 20041
STATE OF KANSAS }
COWLEY COUNTY }

Filed for record on August 28, 1973
At 2:40 o'clock P.M., recorded in
Book 65 of JRLS Page 471
/s/ Raymond King, Reg. Of Deeds
\$6.00
McSpadden & Andreas
State Bank
Winfield, KS

the original of which is now on file and a matter of record in this office.

[SEAL]

IN TESTIMONY WHEREOF:

I hereto set my hand and cause to be affixed my official seal.
Done at the City of Topeka, this SEVENTEENTH day of
July, A. D. 1973

/s/ Elwill M. Shanahan
SECRETARY OF STATE

AMENDMENT TO THE ARTICLES OF INCORPORATION
OF
THE SOUTHWESTERN COLLEGE

Whose Registered Office is Winfield, Cowley (County)

STATE OF KANSAS }

} SS.:

COUNTY OF COWLEY }

We, Joe Riley Burns, President, and Richard B. Wilke, Secretary of the Board of Trustees of The Southwestern College, a corporation created, organized and existing, not for profit and without capital stock, under and by virtue of the laws of the State of Kansas, do hereby certify that at a meeting of the Board of Trustees held on the 18th day of May, 1973, a resolution was passed declaring the following addition, change, or alteration advisable, and that at least two-thirds of the whole number of said Board of Trustees assented in writing to the following amendment, addition, change, or alteration:

“Southwestern College shall have the power to confer academic and honorary degrees.”

(Approval of Kansas State Board of Education in attached letter)

IN TESTIMONY WHEREOF, We have hereunto set our hands and affixed the seal of said corporation this 29th day of June 1973.

2. The governing board should retain ultimate responsibility and full authority to determine the mission of the institution in consultation with and on the advice of the chief executive. The board is also responsible for establishing the strategic direction of the institution through its insistence on and participation in comprehensive planning. As with many other issues, the board should work toward a consensus or an understanding on the part of the stakeholders concerning strategic direction and set forth a realistic view of the resources necessary to compete in the educational marketplace, accomplish these strategic goals, and carry out the mission.
3. Colleges and universities have many of the characteristics of business enterprises. Consequently, boards should ensure that, as corporations, their institutions' fiscal and managerial affairs are administered with appropriate attention to commonly accepted business standards. At the same time, nonprofit colleges and universities differ from businesses in many respects. They do not operate with a profit motive, and the "bottom lines" of colleges and universities are far more difficult to measure. They also differ from businesses in the sense that the processes of teaching, learning, and research often are at least as important as "the product," as measured by the conferring of degrees or the publication of research results. And by virtue of their special mission and purpose in a pluralistic society, they have a tradition of participation in institutional governance that is less common in and less appropriate for businesses.
4. The governing board should conduct its affairs in a manner that exemplifies the behavior it expects of other participants in institutional governance. From time to time, boards should examine their membership, structure, and performance and should expect the same of faculty and staff. Boards and their individual members should engage in periodic evaluations of their effectiveness and commitment to their institution. They should strive to understand and respect the unique culture of their organization and its place in the academic landscape. They should comprehend all sides of an issue and—in appropriate instances and in consultation with the chief executive—afford contending parties an opportunity to present their views. The board should be prepared to set forth the reasons for its decisions.
5. Just as administrators and boards should respect the need for individual faculty members to exercise academic freedom in their classrooms and laboratories, boards should avoid the temptation to micromanage in matters of administration. And just as responsible faculty participation in governance places good institutional citizenship ahead of departmental or personal professional interest, so should individual board members avoid even the perception of any personal or special interests. Board members as well as faculty members should avoid undermining their administrations.
6. Historically, higher education governance has included three principal internal stakeholders—governing boards, administrators, and the full-time faculty. In fact, other stakeholders exist and in increasing numbers. For example, the nonacademic staff usually substantially outnumbers the faculty, and yet this group rarely has a formal voice in governance. The same is true of the non-tenure-eligible, part-time and adjunct faculty. Students have a vital stake in the institution and should be given opportunities to be heard on various issues and in some cases to participate directly in the governance process, preferably as members of board committees rather than as voting members of governing boards.

7. The involvement of these diverse internal stakeholder groups will vary according to subject matter and the culture of the institution, but the board is responsible for establishing the rules by which their voices are considered. Boards should ensure that no single stakeholder group is given an exclusive franchise in any area of governance, while recognizing that the subject matter in question will determine which groups have predominant or secondary interests.
8. All board members, regardless of how they came to the board, should feel a responsibility to serve the institution or the system as a whole and not any particular constituency or segment of the organization. Faculty, student, and staff involvement in the work of the board most appropriately occurs by membership on standing or ad-hoc committees of the board. While there are many instances of successful involvement to the contrary, it is AGB's view that faculty, staff, and students ordinarily should not serve as voting members of their own institution's governing board because such involvement violates the principle of independence of judgment. Particularly in the case of faculty or staff members, board membership inevitably places them in conflict with their employment status. In any event, boards should be mindful that the presence of one or more students, faculty, or staff members on the board or its committees neither constitutes nor substitutes for full communication and consultation with these stakeholders.

II. STANDARDS OF GOOD PRACTICE

1. Governing boards should state explicitly who has the authority for what kinds of decisions—that is, to which persons or bodies it has delegated authority and whether that delegation is subject to board review. For example, curricular matters and decisions regarding individual faculty appointments, promotions, and contract renewal normally would fall within the delegated decision-making authority of appropriate faculty and administrative entities operating within the framework of policies and delegations of the board.

The board should also reserve the right to review and ratify specified academic decisions, as well as proposals to adopt major new academic programs or eliminate others. The board should set budget guidelines concerning resource allocation on the basis of assumptions, usually developed by the administration, that are widely communicated to interested stakeholders and subject to ample opportunity for challenge. But the board should not delegate the determination of the overall resources available for planning and budgetary purposes. Once the board makes these overarching decisions, it should delegate resource-allocation decisions to the chief executive officer who may, in turn delegate to others.

In all instances in which the board believes resources will need to be reallocated in ways that will lead to reducing or eliminating some programs, the board should ask the administration to create a process for decision making that includes full consultation, clear and explicit criteria, and full communication with stakeholder groups. The board should recognize that institutional consensus is more likely when all parties have agreed on the process and criteria. If, for example, the board decides the institution is in such financial jeopardy that faculty and staff reductions and reallocations are necessary, it first should consult the stakeholders, then share the information and describe the analysis that led them to make such a determination.

2. Boards and chief executives should establish deadlines for the conclusion of various consultative and decision-making processes with the clear understanding that failure to act

in accordance with these deadlines will mean that the next higher level in the governance process may choose to act. While respecting the sometimes lengthy processes of academic governance, an individual or group should not be empowered to impede decisions through inaction.

3. The chief executive is the board's major window on the institution, and the board should expect both candor and sufficient information from the chief executive. In turn, the board should support the chief executive, while ensuring that the voices of other stakeholders are heard.
4. Governing boards have the sole responsibility to appoint and assess the performance of the chief executive. The selection and support of the chief executive is the most important exercise of board responsibility. Boards should assess the chief executive's performance on an annual basis for progress toward attainment of goals and objectives, as well as for compensation review purposes, and more comprehensively every several years in consultation with other stakeholder groups, as the board may deem appropriate. In assessing the chief executive's performance, boards should bear in mind that board and presidential effectiveness are interdependent. Consequently, boards should concurrently assess their own performance and that of the chief executive every several years. Performance reviews assisted by qualified third parties can contribute significantly to the professionalism and objectivity of the process.
5. There should be a conscious effort to minimize the ambiguous or overlapping areas in which more than one stakeholder group has authority. The respective roles of the administration, faculty, and governing board in faculty appointments, promotions, and tenure illustrate the principle of collaboration. For example, although the board may wish to exert its ultimate responsibility by insisting on approving individual tenure decisions, it might choose to delegate other kinds of actions to the administration, which might, in turn, delegate some authority for some decisions to an appropriate faculty body. Clarity does not preclude gray or overlapping areas of authority, but each group should understand whether its purview, and that of others in the governance process, is determinative or consultative. Moreover, the board and chief executive should ensure the systematic review of all institutional policies over time, including those affecting internal governance.

“Communication,” “consultation,” and “decision making” should be defined and differentiated in board and institutional policies. Governing boards should communicate their investment and endowment spending policies, for example, but they may choose not to invite consultation on these matters. Student financial-aid policies and broad financial-planning assumptions call for both communication and consultation with stakeholder groups.

III. CONCLUSION

College and university governing board membership is one of the most serious and consequential exercises of voluntary leadership in our society. It calls for balancing and sometimes buffering the often-conflicting claims of multiple internal and external stakeholders. It requires good judgment in avoiding becoming managerial while being sufficiently informed to assess management. It calls for listening and questioning more than pronouncing and demanding. Most of all, it requires a commitment to the institution as a whole rather than to any of its parts.

Governing board membership is both challenging and enormously rewarding in the service of current and future generations of students and, therefore, the nation's ultimate well-being.

1.4.3 The Bylaws of The Southwestern College

The Bylaws of The Southwestern College

ARTICLE I

Section A. Name and Place of Business

The name of the corporation shall be THE SOUTHWESTERN COLLEGE. Its principal place of business shall be Winfield, Kansas.

Section B. Seal of the Corporation

The seal of the corporation shall be circular, containing the words "Southwestern College" and the date "1885," with a lighted torch in the center and words "Lux Esto" above it.

Section C. Mission

The mission of the corporation shall be as set forth in the mission statement adopted by the Board of Trustees (Board).

Section D. United Methodist Relationship

The corporation as an institution is related by covenant to the Great Plains Conference of the United Methodist Church.

Section E. Fiscal Year

The fiscal year of the corporation shall begin on the first day of July and end on the thirtieth day of June of the following year.

ARTICLE II

Section A. Governance

The governing body of the corporation shall be its Board in which is vested complete institutional authority subject to applicable statutes.

Section B. Powers and Duties of the Board

The Board shall have and exercise the corporate powers prescribed by law. The essential function of the Board shall be policy making and providing for sound management. It shall formulate and determine the general, educational, and financial policies as shall be deemed necessary for the administration and development of the corporation in accordance with its stated purposes. Without limitation or restriction it is the responsibility of the Board to:

1. Determine and review the aims and purposes of all educational programs of the college.
2. Provide for an ongoing strategic planning process.
3. Select a president who shall be the chief executive officer of the corporation, responsible for the college's management, and who shall serve at the pleasure of the Board.

4. Authorize the establishment and discontinuance of academic programs or departments of the corporation.
5. Determine or approve policies that relate to the instruction, extracurricular activities, campus and residential life of students.
6. Authorize the bestowing of all honors, and the awarding of all earned and honorary degrees, certificates, and diplomas upon the recommendation of the president.
7. Approve faculty promotion and the granting of tenure.
8. Review and approve periodically terms and conditions of employment, compensation, and benefits for all employees of the corporation.
9. Evaluate periodically the effective conduct of duties of all corporate officers and take appropriate action in response to that evaluation.
10. Oversee the fiscal affairs of the corporation, including approval of budgets and supervision of investments.
11. Review and approve the cost of education schedules for the college.
12. Authorize the acquisition and disposition of all property and physical facilities, including the construction of new buildings, and capital renovations and repairs of existing buildings.
13. Provide for an ongoing institutional advancement program to raise necessary funds to fulfill the mission of the college.
14. Provide for the management of the permanent endowment so as to provide optimal benefits.
15. Create such other bodies (advisories, boards, councils, etc.) as it may deem necessary or desirable to carry out the purposes of the corporation, each of which shall have such powers and responsibilities as the Board shall designate. Nothing herein shall negate the power of the president to establish such administrative committees and other institutional bodies as deemed necessary or desirable to perform the duties of the office of president.

Section C. Periodic Review of the Corporation

To assure that every aspect of the management and operations of the corporation is being performed with due effectiveness and within the general policies laid down by the Board, there shall be conducted a periodic audit and review of the state of the corporation, emphasizing progress toward major goals and objectives. At least once every five years there shall be an evaluation of:

1. The general management of the institution with special reference to the office of the president and the chief administrative offices.
2. The educational programs, including faculties and student affairs.
3. The business affairs and physical plant and grounds management.
4. The programs for public relations, resource development and financing.

5. The Board operation and trustee effectiveness.

The review and evaluation shall be conducted or authorized by the Board, as it deems appropriate and reported to the full Board. Trustees and Board committees shall be involved as appointed or directed by the chairperson of the Board following consultation with the president.

ARTICLE III

Section A. Board–Number

The Board shall consist of no more than thirty-six members and no fewer than twenty-four members, including the resident bishop for the United Methodist Church of the area in which the Great Plains Conference is included, and a district superintendent in the Great Plains Conference of the United Methodist Church who shall be annually designated by the resident bishop. Both shall be ex officio trustees of the college, with vote. All nominations for other trustees (except emeritus and honorary trustees) shall be subject to confirmation by the Great Plains Annual Conference of the United Methodist Church. Persons elected as trustees by the Board may serve without confirmation through the next session of the Great Plains Annual Conference following their appointment.

Section B. Classes of Trustees–Term–Eligibility

The term of office of each Board member shall be for three fiscal years; provided, however, that regardless of any other provision in these Bylaws, each Board member shall continue to serve if any successor of such Board member is not confirmed as provided in Article II., Section A. At least two-thirds of the Board members shall be lay persons and at least three-fifths of the Board members shall be members of the United Methodist Church. No full-time employee of or current full-time student at the institution shall be a member while said person is so employed or enrolled. No person who has not attained the age of 18 shall be a member.

Section C. Limitation of Terms

The Board shall elect as trustees persons suitable for Board membership. No one shall be eligible for election as a trustee to the Board for more than four consecutive terms (12 consecutive years) until that trustee shall have been off the Board for at least one year; provided, however, that the term of a trustee may be extended one year beyond 12 years if such person is elected by the Board to serve as chair and trustee for that additional year. The election of trustees may occur at the annual meeting or at any regular or special meeting of the Board. The term of trustees elected at the annual meeting shall commence on the first day of the fiscal year following their election. The term of any trustee elected at a regular or special meeting of the Board that is not also the annual meeting shall be deemed to commence on the first day of the fiscal year in which such trustee is elected.

Section D. Trustee Review, Removal

Any member of the Board, except the resident bishop of the United Methodist Church for the Great Plains Conference and the bishop's designee who are ex officio Board members pursuant to Article III, Section A, may be removed from office, for cause, at any meeting of the Board by affirmative vote of two-thirds (2/3) of the trustees then in office. Failure to attend two consecutive regular Board meetings without an excused absence from the chair of the Board or the president of the college may be considered cause. Any trustee who has failed to attend in person or by authorized electronic means fewer than fifty percent (50%) of the regular Board

meetings (including the annual meetings) during such trustee's term shall not be eligible for re-election to the Board without a one-year absence.

Section E. Honorary Trustees

The Board may elect as an honorary trustee any person who has rendered exemplary service to the college. Honorary trustees shall meet annually with the chairperson of the Board and the president of the college at the call of the president. An honorary trustee shall not be counted as a member of the Board for any purpose.

Section F. Emeritus Trustees

A trustee who has served for a minimum of four consecutive terms shall be an emeritus trustee of Southwestern College. Other persons who have served on the Board may, at the discretion of the committee on trusteeship, be nominated by the committee and shall become emeriti trustees upon the majority vote of the Board present and voting. Emeriti trustees may, upon request of the chairman of the Board, be asked to serve on any committee except the executive committee. They shall have voting rights on any committee on which they may serve. Unless re-elected as a trustee upon one year's absence from the Board, an emeritus trustee shall not be counted as a member of the Board for any purpose. Emeriti trustees may meet annually with the honorary trustees at the call of the president of the college or the chairman of the Board.

Section G. Role of the President of the College

The president shall be an ex officio member of the Board without power to vote and shall not be counted as a member of the Board or any committee on which the president may serve for any purpose. No other administrative officer shall be a member of the Board.

ARTICLE IV

Section A. Officers of the Board

The officers of the Board and of the corporation shall be a chair, a vice-chair, a secretary, and a chair-elect (when elected to serve).

Section B. Election of Officers—Term—Term Limitation—Filling of Vacancy

The officers of the Board shall be elected at the annual meeting of the Board by majority vote of the voting members of the Board then in office. They shall take office on the first day of the fiscal year following their election and shall serve for a term of one year or until their successors shall have been elected and qualified. Officers may be eligible for reelection; however, no trustee shall serve in the same office for more than six (6) consecutive years. This limitation may be waived as to any person by a two-thirds vote of the Board present and voting. The chair-elect shall be elected for a one-year term when the Board determines such election to be appropriate to facilitate preparation for and succession to the position of Board chair. It is not anticipated that the chair-elect position will be continuously filled. Any vacancy among the officers may be filled at any duly constituted meeting of the Board.

Section C. Chair and Vice-Chair Duties

The chair of the Board shall preside at all meetings of the Board and of the executive committee, and shall perform all other duties customary to that office. The chair shall appoint the chairs of all standing, special, and additional committees of the Board from among the members

of such committees. In the event of a tie vote in proceedings of either the Board or the executive committee, the chair shall cast the deciding vote.

The vice-chair shall be a member of the Board and of the executive committee and is the chair of the committee on trusteeship. In the absence or disability of the chair, the vice-chair shall preside at meetings of the Board or of the executive committee and shall perform all duties incident to the office of the chair during the period of the absence or disability of the chair.

Section D. Chair-Elect

The chair-elect shall be selected by the Board at the annual meeting held one-year before the anticipated completion of service by the current chair. The chair-elect shall be a member of the executive committee, but shall not serve as a member or chair of other Standing Committees, nor assume duties assigned to the vice-chair by these by-laws, unless also elected to and serving in that office. The primary responsibility of the chair-elect is to study and assimilate the duties and responsibilities of the chair in contemplation of being elected to that office. In carrying out that responsibility, the chair-elect may attend meetings of any Board committee; assist the Board chair whenever requested to do so; consult with the chair and other Board members and the President; and represent the college and attend meetings and conferences as authorized or directed by the Board chair.

Section E. Secretary

The secretary shall be responsible for the keeping of minutes of meetings of the Board and for giving all notices required by law or these bylaws and shall have custody of the corporate records and the seal of the corporation. The secretary shall perform all duties incident to the office of secretary and such other duties as from time to time may be assigned the secretary by the Board.

Section F. Removal from Office

All officers of the Board shall hold office at the discretion of the Board and shall be subject to removal by an affirmative two-thirds (2/3) vote of the Board members present and voting at any duly constituted meeting.

Section G. Designated Signatories

The officers of the Board shall be the designated signatories of the Board. In the event the officers are not available, the executive committee shall have the power to delegate signature authority to voting members of the Board for a specific purpose or time period.

ARTICLE V

Section A. Regular Meetings of the Board

There shall be three regular meetings of the Board in each fiscal year to be held in the fall, winter, and spring. The meeting closest to May 1 shall be the annual meeting of the corporation, at which trustees and officers will be elected. The exact date of the meetings will be set by the chair. These meeting dates may be changed by action of the Board at any prior meeting.

Section B. Special Meetings

Special meetings may be held at the call of any of the following: the chair, the vice-chair, or the secretary. It shall be the duty of the chair or the secretary to call such special meetings on the request of five trustees, setting forth the purposes of the meeting.

Section C. Meeting Notification

Written or electronic notice of all meetings of the Board shall be sent by or on behalf of the secretary to each trustee at least ten days before the date of the meeting. In the case of special meetings, the notice shall state the purposes of the meeting, and no business shall be transacted at such meeting that does not relate to the purposes stated.

Section D. Waiver of Notice

Whenever notice is required to be given under the provision of statutes or of the articles of incorporation or of these bylaws, a waiver thereof in writing signed or submitted by electronic means by the person who is entitled to said notice and providing the waiver, whether before or after the time stated therein, shall be deemed equivalent thereto. Attendance at any meeting by a trustee shall be conclusively deemed a waiver of notice of that meeting unless an objection is made thereto at such meeting.

Section E. Quorum

Trustees present and voting at a duly called meeting of the Board or any committee shall constitute a quorum for the transaction of business, and the act of a majority of the trustees present and voting at a duly called meeting of the Board or any committee shall be the act of the Board or that committee, except as may be provided by statute or by the articles of incorporation, or by these bylaws.

Section F. Alternative Meeting Formats

Unless otherwise provided by statute or in the Articles of Incorporation, with ten (10) days' notice or waiver thereof, any action required or permitted to be taken by the Board or by any committee thereof may be taken at a meeting where all trustees or committee members may participate in such meeting by means of conference telephone or similar communications equipment whereby all persons participating in the meeting can hear each other. Actions may be taken or meetings conducted by mail or electronic means that do not permit all participants to hear each other, however, actions taken in such circumstances require the written or electronic consent or approval of all trustees or committee members entitled to vote on such matters. Written or electronically transmitted consents to or approvals of the action taken shall be filed with the minutes of the Board or committee.

Section G. Location

All annual, regular and special meetings of the Board shall be held on The Southwestern College Winfield campus unless another place shall be designated in the call for the meeting.

Section H. Order and Nature of Business

The selection and order of business during Board meetings shall be determined by the chair in consultation with the president of the college. Board meetings shall address themselves to important matters of policy and planning and priority issues and problems, giving minimal

attention and time to administrative matters. At least once a year the Board shall consider the strategic planning, the long-range plans, and the future of the corporation.

Section I. Attendance by Non-Trustees

Persons, including faculty, staff, students, those possessing expert knowledge, and others concerned with matters appearing on the agenda of any meeting of the Board or a committee, may be invited to attend and/or participate at any such meeting.

Section J. Executive Sessions

The Board and its committees may hold executive sessions in the course of any annual, regular or special meeting in which only voting members shall attend and participate. Others may attend and participate only by specific invitation of the chair.

Section K. Rules of Order

All meetings of the Board and its committees shall be conducted in accordance with the parliamentary procedure prescribed in the manual known as Robert's Rules of Order, Newly Revised as selected by the corporation's secretary.

ARTICLE VI

Section A. Standing Committees of the Board

The following shall be standing committees of the Board:

1. Executive Committee
2. Academic Affairs Committee
3. Student Development Committee
4. Business Affairs Committee
5. Institutional Advancement Committee
6. Committee on Trusteeship
7. Facilities and Technology Committee
8. Endowment Investment Committee
9. Enrollment and Athletics Committee

The members of each standing, special, and additional committee shall be elected by the Board. No fewer than six (6) Board members shall be elected to each standing committee. Unless otherwise specifically provided in these By-laws, the chair of the Board shall appoint the chair of each committee from among its elected members. Faculty members, staff members, students, and other non-trustees may be appointed as non-voting members of the academic affairs committee and the student development committee. Administrative officers, at the direction of the president, may serve as staff to committees as non-voting participants. The Board may designate and appoint such additional or special committees as it may, from time to time, deem necessary. Unless specifically provided in these By-laws, the composition, purpose, and duration of any additional or special committees shall be approved by Board. Any committee may organize itself into subcommittees as it deems appropriate.

Section B. Executive Committee

The executive committee shall be composed of the chair and vice-chair of the Board, chairs of the academic affairs, student development, business affairs, endowment investment, institutional advancement, facilities and technology, and enrollment and athletics committees, and the appointed district superintendent of the Great Plains Conference of the United Methodist Church. The president of the college shall be a member without vote. The chair of the Board shall be the chair of the executive committee.

The executive committee shall exercise all powers of the Board at such time as the Board is not in session, except that it shall not have the power to alter or revoke any previous order, resolution or vote of a meeting of the Board unless specifically granted such power by the Board. It shall not have the power to elect or remove officers and members of the Board; elect or remove the president of the corporation; amend the articles or bylaws of the corporation; merge or consolidate with any other corporation or other legal entity, or dissolve the corporation, nor make any expenditures of money belonging to the institution in excess of that provided for in the annual or supplementary budget of the college. The executive committee shall have the power to delegate signature authority to Board members if the officers are not available. It shall be the duty of the executive committee to review personnel issues in respect to the president of the college, to make recommendations for action to the Board arising from such review, to serve in a consulting/advising role to the president in the selection and supervision of the major administrative officers of the college, and to assume the primary role for trustees in strategic planning for the college.

The executive committee shall function as agent for all legal issues of the Board.

Section C. Academic Affairs Committee

Two faculty members nominated by the faculty concerns committee and two students, at least one of whom would not be a senior, nominated by the president of the student government association shall be non-voting, liaison participants in the committee.

This committee shall be responsible to the Board for the general review of the educational program of the college and for planning and recommending policies in the areas of: faculty affairs, including promotion, tenure, evaluation and other matters; academic programs; integrative studies (the core curriculum); and honorary degrees.

Section D. Student Development Committee

One faculty member nominated by the faculty concerns committee and two students, at least one of whom would not be a senior, nominated by the president of the student government association shall be non-voting, liaison participants in this committee.

This committee shall be responsible to the Board for the general review of the campus life program of the college and for planning and recommending policies in the areas of: leadership development (the mission core), campus ministry, residential life, counseling/health/wellness services, student activities, work program, career planning and placement as well as staff development and personnel policies.

Section E. Business Affairs Committee

The committee shall be responsible to the Board for general review of finance and business operations of the college. The committee shall have oversight of the college's budget

and finance, records and systems, auxiliary enterprises, risk management, and bonding of employees and institutional insurance.

Section F. Institutional Advancement Committee

This committee shall be responsible for general review of the institutional advancement and public relations operations of the college and for the recommendation of policy, programs, and long-range plans in the areas of: fund-raising, public relations and alumni relations.

Section G. Committee on Trusteeship

This committee shall be composed of seven (7) members including the vice-chair of the Board, who will serve as chair of the committee, and six (6) trustees elected by the Board. The president of the college shall be a member without vote and shall serve as secretary. This committee shall request and receive nominations of potential trustees from members of the Board at each Board meeting. The committee shall be responsible for bringing to the Board nominations for Board membership, for Board officers (including the position of chair-elect when deemed appropriate), and for membership in the standing, special, and additional committees. The committee will submit to the Board a list of candidates for nomination to the Board, a slate of officers, and proposed committee members not less than seven (7) days before the regular annual meeting. The committee may also submit nominations for Board and committee membership subsequent to the regular annual meeting not less than seven (7) days before a regular Board meeting. The committee shall organize and conduct the orientation of new trustees and ongoing training of trustees, evaluate and report to the Board on liability coverage for Board members, implement and monitor Board policy on conflicts of interest, and organize and conduct Board self-assessment activities.

Section H. Facilities and Technology Committee

This committee shall be responsible to the Board for capital planning, oversight of development and maintenance of the physical plant, and planning, development, and maintenance of the technology of the college.

Section I. Endowment Investment Committee

This committee shall be responsible for reviewing, reporting and making recommendations to the Board regarding the college's endowment portfolio and payments, reviewing the college's investment and management of farms and minerals and reviewing 403(b) and any other benefit plan investments.

Section J. Enrollment and Athletics Committee

This committee shall be responsible to the Board for enrollment management and the review of yearly admission of on-campus students and distance learners; review of student retention; and general review of athletics, including current and prospective intercollegiate sports offerings at the college.

Section K. Procedures for all Board Standing Committees

Regular meetings of each committee shall be held not less than twice each year at the call of the committee chair at such time and place as the chair, after consultation with the president of the college, may designate. Special meetings shall be called by the chair upon written request of any two (2) members of the committee. For both regular and special meetings of the committee, the secretary shall, whenever possible, at least seven (7) days before such meeting, send to each

member of the committee a notice of date, place and time of said meeting, together with the agenda and data or material to be discussed.

With the approval of the committee chair, committee action may occur through electronic means. The committee action shall be reported before the next regular or special meeting of the committee. Whenever possible, reports from the executive committee should be sent to all Board members at least seven (7) days prior to Board meetings.

A quorum consists of the committee members present at any meeting duly called.

Section L. Special Committees

Audit Committee. The committee shall be composed of three members elected by the Board, one of whom shall be the chair of the business affairs committee and another who shall also be a current, active member of the Board. The third member shall not be a current active Board member but shall have a strong financial background. The chair of the business affairs committee shall serve as chair of the audit committee.

The audit committee will: annually recommend an independent audit firm to the Board; review and approve the scope and plan for the independent audit; review the results of the audit with the external auditors; provide oversight of the structure of internal controls; resolve disagreements between auditors and management; and monitor the college's compliance with regulations, accounting standards, and financial reporting.

Honorary Degrees and Citations Committee. The committee shall be composed of one member of the academic affairs committee appointed by the Board chair which member shall chair the committee and shall also include two faculty members and one student appointed by the president, the vice president for institutional advancement, the associate vice president for academic affairs, the dean of the college, and the vice president of student affairs, dean of students. The president serves ex-officio. The honorary degrees committee shall report to the academic affairs committee from time to time and present a list of candidates for honorary degrees and citations.

Gift Acceptance Committee. The committee shall be composed of the Board chair or the chair's designee, the president of the college, the vice president for finance, and the vice president for institutional advancement. Additional members of the committee may be appointed by the chair and the president at their discretion. The committee shall be responsible for providing guidance to the college in the consideration of non-standard or potentially complex gifts and, when requested, shall consult with the president, regarding acceptance of gifts with a donor specified limitation or restriction that is not within the mission of the college or seeks to establish a fund or program not previously included within the strategic direction of the college.

ARTICLE VII

Section A. The President of the College

The president of the college shall be the chief executive officer of the corporation with such powers as are hereinafter specified. As such, the president shall be ex officio without vote a member of the committees of both the Board and the faculty. As chief administrative officer of the corporation, the president is president of The Southwestern College.

The president of the college shall be elected by ballot by the Board. It shall require the favorable votes of three-fourths (3/4) of the members present to elect.

Section B. Duties and Responsibilities of the President of the College

The president shall:

1. Promptly and effectively execute all resolutions, policies, rules, and regulations adopted by the Board and perform all duties prescribed by the Board.
2. Formulate and recommend to the Board policies, programs and plans for the educational, financial, physical development, and government relations of the corporation.
3. Make all appointments of administrative officers and faculty members to the college.
4. Establish a management organization to carry out effectively the policies of the corporation; ensure that the corporation is properly staffed with personnel competent to discharge their responsibilities and to carry out said policies effectively; and provide adequate opportunities for the development and advancement of personnel.
5. Prescribe the specific duties and assignment of the principal administrative officers reporting to the president and establish and define the duties of committees to advise and assist in the execution of assigned duties.
6. Approve or disapprove the policies and procedures of all administrative offices and committees of the college. The president may revoke any action taken by such officer or committee which the president believes to be in conflict with general policies and procedures of the corporation.
7. Direct preparation and presentation to the Board through the business affairs committee of a proposed budget for the ensuing fiscal year and see that the budget when adopted is enforced. The president shall not incur debts without the approval of the Board.
8. Prepare and submit to the Board an annual report and such special reports as may be deemed desirable and as the Board may require and shall also present at each meeting of the Board a definite outline of recommendations relating to the policy, program and general movements of the institution.
9. Serve as the chief spokesperson for the interpretation of the corporation to its constituencies and take leadership in obtaining support for the corporation from all possible sources.
10. Develop policies and procedures for established policies of the Board and for the smooth operation of the college in matters which do not require Board attention or policy.
11. Have general oversight of the college buildings and the grounds connected with them, including all repairs and construction, and shall have the power to employ the persons needed about the campus and buildings.
12. Have supervision of all educational, cultural, disciplinary, religious and social interests of the college, and supervise the work of all officers, agents, faculty, professional staff and employees of the college.

13. Have the power to veto any action of the faculty.
14. Confer all earned degrees recommended by the faculty and approved by the Board, present all diplomas and certificates properly authorized, and confer all honorary degrees approved by the Board.

Section C. Vacancy in the Office of President

In the event of a vacancy in the office of the president, the chair of the Board shall appoint a special presidential search committee to conduct a search and submit nominations for candidates for that office. The executive committee shall designate an acting president to serve during the period of the vacancy.

Section D. Presidential Death/Disability

In the event of the president's death or inability to act, the executive committee shall designate an acting president to serve until a new president shall be appointed and assume office, or the incumbent president shall resume duties.

Section E. Presidential Evaluation

It shall be the responsibility of the executive committee of the Board to have an evaluation of the president annually and in such manner as it deems appropriate.

ARTICLE VIII

Section A. Contracts

The Board may authorize any officer or agent of the corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

Section B. Checks, Drafts, etc.

All checks, drafts, or other orders for payment of money, notes or other evidences of indebtedness issued in the name of the corporation shall be signed by such officer or agent of the corporation and in such manner as shall from time to time be determined by the Board.

Section C. Bonding

The Board shall require all officers, agents or employees having access to any funds or property of the corporation to give bonds or secure insurance in amounts the Board deems appropriate, the cost to be paid by the corporation. This requirement shall be revised annually and the amount recommended by the appropriate Board committee.

Section D. Deposits

All funds of the corporation shall be deposited to the credit of the corporation in such banks, trust companies or other depositories as the Board may from time to time select or approve.

Section E. Gifts

The Board may accept on behalf of the corporation any contribution, gift, bequest, or devise for the general purpose or for any special purposes of the corporation, and may delegate this authority to appropriate corporate and administrative officers. The officers shall make regular reports to the Board of all gifts accepted by them in the name of the corporation.

Section F. Trusts/Deferred Gifts

Any two of the following Board members – chair of the Board, vice-chair, secretary, or chair of the business affairs committee – shall be authorized to issue, execute or establish on behalf of the college, charitable remainder annuity trusts, charitable remainder unitrusts, pooled income fund, or other direct or deferred plans of giving, in exchange for cash, stocks, bonds, securities, real estate, and other marketable items.

Section G. Corporate Seals

The Board shall provide duplicate corporate seals, one of which shall be in the keeping of the secretary of the Board, and one in the keeping of the president.

ARTICLE IX

Section A. Indemnification

The corporation shall indemnify and advance expenses to any person and that person's heirs, estate, and personal representative to the maximum extent permitted by law against and relative to all expense, liability, costs, judgments, and claims arising from any threatened, pending, or completed action, suit or proceeding, whether civil, criminal, administrative, or investigative, including all appeals incurred or sustained by any such person by reason of the fact that said person is or was an officer or trustee of the corporation,, provided the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the corporation and, with respect to any criminal action or proceeding, had no reasonable cause to believe the subject conduct was unlawful. Advancement of expenses shall be contingent upon the Board's receipt of an undertaking, determined in good faith by the Board to be financially sound, from or on behalf of the subject person to repay such amount if it is ultimately determined that such person is not entitled to indemnification by the corporation.

Section B. Limitation of Liability

No person shall be liable to the corporation or any person or entity claiming liability on behalf of or derivatively through the corporation for any loss, damage, liability or expense suffered by the corporation on account of any action taken or omitted to be taken by such person as a trustee or officer of the corporation, if such person (a) acted in good faith and in a manner such person reasonably believed to be in or not opposed to the best interests of the corporation, or (b) took or omitted to take such action in reliance upon advice of counsel for the corporation or upon statements made or information furnished by trustees, officers, employees or agents of the corporation which such person had no reasonable grounds to disbelieve.

Section C. Insurance

The corporation shall be required to purchase and maintain liability insurance on behalf of any person who is or was a Board member or officer of the corporation against any liability asserted against such person and that person's heirs, estate or personal representatives and incurred in such capacity or arising out of such status, whether or not the corporation would have the power to indemnify the person against such liability in such amount as approved by the Board. The terms (including the amounts and cost) of liability insurance to be purchased in accordance with this section shall be reviewed annually by the business affairs committee and the purchase of such insurance shall be approved by the Board.

ARTICLE X

Section A. Conflicts of Interest

A trustee shall be considered to have a conflict of interest if (a) such trustee has existing or potential financial or other interests which influence or might reasonably appear to influence such member's independent, unbiased judgment in the discharge of the trustee's responsibilities to the college or (b) such trustee is aware that a family member (which for purposes of this paragraph shall be a spouse, parents, siblings, children and any other relative if the latter reside in the same household as the trustee), or any organization in which such trustee (or family member) is an officer, director, employee, member, partner, trustee, or controlling stockholder, has such existing or potential financial or other interest. All trustees shall disclose to the Board any possible conflict of interest at the earliest practicable time. No trustee shall vote on any matter, under consideration at a Board or committee meeting, in which such trustee has a conflict of interest. The minutes of such meeting shall reflect that a disclosure was made, and that the trustee having a conflict of interest abstained from voting. Any trustee who is uncertain whether there is a conflict of interest in any matter may request the Board or committee to determine whether a conflict of interest exists, and the Board or committee shall resolve the question by majority vote of members present and voting. Each trustee shall annually complete a disclosure form provided by the committee on trusteeship indicating that trustee's current or potential conflicts of interest with the college, if any, within the rules of the college and within any similar federal or state restrictions or requirements relating to personal benefit or divided loyalties.

ARTICLE XI

Section A. Non Discrimination

Southwestern College is an equal opportunity employer and is committed to a policy of non-discrimination/non-harassment of any of its students, employees or contractors based on an individual's race, religion, color, gender, age, national origin, ancestry, marital status, military and veteran status, registered domestic partner status, medical condition, sexual orientation, gender identity, genetic characteristics, physical or mental disability, or any other legally protected characteristic. Religious services are offered, but attendance is not required of students or faculty. Courses in religious studies are not limited to the United Methodist tradition, and there is no effort by the college to proselytize for religion, and the corporation adheres to established principles of academic freedom. It strives to provide a form of education at once personal and appropriate to the evolving civilization in which its students find themselves.

ARTICLE XII

Section A. Preservation of Tax-Exempt Status

The corporation shall not be operated for the primary purpose of carrying on a trade or business for profit. Notwithstanding anything herein to the contrary, the Board and the members shall not be authorized to do any act or activity which is contrary to any purpose for which an organization exempt from tax pursuant to Section 501(c)(3) of the Internal Revenue Code may lawfully be organized.

In addition, no part of the net earnings of the corporation shall inure to the benefit or, or be distributable to, its members, directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the corporation's purposes.

Further, no substantial part of the activities of the corporation shall involve the carrying on of propaganda, or otherwise attempting to influence legislation. The corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to, any candidate for public office.

ARTICLE XIII

Section A. Amendment of Bylaws

These bylaws may be changed or amended at any meeting of the trustees by a two-thirds (2/3) vote of those present, provided notice of the substance of the proposed amendment is sent to all the trustees at least ten (10) days before the meeting.

Section B. Review of Bylaws

Prior to each annual meeting of the Board, the trusteeship committee shall review these bylaws and suggest any necessary changes thereto.

Section C. Effective Date of Bylaws

These bylaws shall be effective commencing July 1, 1993 and all prior bylaws are repealed effective June 30, 1993. All trustees and officers elected and committee members designated by the board or its newly elected chairperson prior to July 1, 1993, shall take their respective offices and designated committee positions on July 1, 1993.

Approved by Southwestern College Board of Trustees February 19, 1993; April 14, 2000; January 25, 2013; May 8, 2017

Approved by
Southwestern College
Board of Trustees
February 19, 1993

Amendment to
Article III Section C.
approved via mail ballot April 1999

Amendments to
Article VI Sections A., B., C., D., G., H., I., and J.
approved January 20, 2001
to be effective July 1, 2001

Section D. of Article III (Alumni Association Representative)
deleted as approved October 18, 2002
(remaining sections in Article III re-lettered)

Section G. of Article III (Emeritus Trustees)
amended January 18, 2003
to be effective July 1, 2003

Section K. of Article VI (Audit Committee)
Approved October 15, 2004
to be effective October 16, 2004

Section A. of Article III (Board of Trustees - Number)
Approved January 14, 2006

Section E. of Article VI (Business Affairs and Endowment Committee)
Approved April 20, 2012
To be effective April 21, 2012

Amendments to
Article I Section D, Article III Section A and B, Article V Section F, Article VI Section I, Article VII, Section F, Article XI, Section A
Bylaws audited and approved by the board on January 25, 2013
To be effective January 26, 2013.

1.4.4 Southwestern College Board of Trustees Resolutions

“Be it resolved, that Corner Bank of Winfield, Kansas, or The Union State Bank of Winfield, Kansas, or Commerce Bank be and they are hereby designated as depositories (each referred to as “depository”) of The Southwestern College of Winfield, Kansas, a corporation (hereinafter called the “corporation”) and that funds so deposited may be withdrawn upon a check, draft, note or order of the corporation.

“Be it further resolved that all checks, drafts, notes or orders drawn against an account be signed by any of two of the following: president, vice-president for finance, vice president for academic affairs, or accounts manager, whose signatures shall be duly certified to said depository, and that no checks, drafts, notes or orders drawn against said depository shall be valid unless so signed.

“Be it further resolved that said depository is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such person signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or the individual credit of any of the other officers or not. This resolution shall continue in force and said depository may consider the facts concerning the holders of offices, respectively, and their signatures to be and continue as set forth in the certificate of the secretary or assistant secretary, accompanying a copy of this resolution when delivered to said depository.

RESOLVED–

“FIRST: That the chair of the board, or vice-chair of the board of trustees, or secretary of the board be and they hereby are, and each them hereby is, authorized and empowered, for and on behalf of this corporation, to establish and maintain one or more accounts, with Paine Webber, Inc., Raymond James, Edward Jones, Morgan Stanley Smith Barney, UBS, Waddell and Reed, Merrill Lynch, LPL, Stifel Nicolaus & Company, Inc., The Vanguard Group, Charles Schwab, American Funds, and Corner Bank as agents for Fidelity Funds (herein called the “brokers”) for the purpose of purchasing, investing in, or otherwise acquiring, selling, possessing, transferring, exchanging, pledging, or otherwise disposing of, or turning to account of, or realizing upon, and generally dealing in and with (a) any and all forms of securities including, but not by way of limitation, shares, stocks, bonds, debentures, notes, script, participation certificates, rights to subscribe, option warrants, options, certificates of deposit, mortgages, chooses in action, evidences of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise; and (b) any and all commodities and/or contracts for future delivery thereof, whether represented by trust, participating and/or other certificates or otherwise.

“The fullest authority at all times with respect to any such commitment or respect to any transaction deemed by any of the said officers and/or agents to be proper in connection therewith is hereby conferred, including authority (without limiting the generality of the foregoing) to give

written or oral instructions to the brokers with respect to said transactions; to borrow money and securities and if transactions in commodities are authorized hereby to borrow commodities and/or future contracts in commodities, and to borrow such money, securities, commodities and/or future contracts in commodities from or through the brokers, and to secure repayment thereof with the property of the corporation; to bind and obligate the corporation to and for the carrying out of any contract, arrangement, or transaction, which shall be entered into by any such officer and/or agent for and on behalf of the corporation with or through the brokers; to pay in cash or by checks and/or drafts drawn upon the funds of the corporation such sums as may be necessary in connection with any of the said accounts; to deliver securities, contracts and/or commodity futures to the brokers; to order the transfer or delivery thereof to any other person whatsoever, and/or to order the transfer of record of any securities, or contracts, or titles, to any name selected by any of the said officers or agents; to affix the corporate seal to any documents or agreements, or otherwise; to endorse any securities and/or contracts in order to pass title thereto; to direct the sale or exercise of any rights with respect to any securities; to sign for the corporation all releases, powers of attorney and/or other documents in connection with any such account, and to agree to any terms or conditions to control any such account; to direct the Brokers to surrender any securities to the proper agent or party for the purpose of effecting any exchange or conversion, or for the purpose of deposit with any protective or similar commodity futures; to appoint any other person or persons to do any and all things which any of the said officers and/or agents is hereby empowered to do and take all action necessary in connection with the account, or considered desirable by such officer and/or agent with respect thereto.

“SECOND: That the brokers may deal with any and all of the persons directly or indirectly by the foregoing resolution empowered, as though they were dealing with the corporation directly.

“THIRD: That the secretary of the corporation be and he hereby is authorized, empowered and directed to certify, under the seal of the corporation, or otherwise, to the brokers: (a) a true copy of these resolutions; (b) specimen signatures of each and every person by these resolutions empowered; and (c) a certificate (which, if required by the brokers, shall be supported by an opinion of the general counsel of the corporation, or other counsel satisfactory to the brokers) that the corporation is duly organized and existing, that its charter empowers it to transact the business by these resolutions defined, and that no limitation has been imposed upon such powers by the bylaws or otherwise.

“FOURTH: That the brokers may rely upon any certification given in accordance with these resolutions, as continuing fully effective unless and until the brokers shall receive due written notice of a change in or the rescission of the authority so evidenced and the dispatch or receipt of any other form of notice shall not constitute a waiver of this provision, nor shall the fact that any person hereby empowered ceases to be an officer of the corporation or becomes an officer under some other title in any way affect the powers hereby conferred. The failure to supply any specimen signature shall not invalidate any transaction if the transaction is in accordance with authority actually granted.

“FIFTH: That in the event of any change in the office or powers or persons hereby empowered, the secretary shall certify such changes to the Brokers in writing in the manner herein above provided, which notification, when received, shall be adequate both to terminate the powers of the persons theretofore authorized, and to empower the persons thereby substituted.

“SIXTH: That the foregoing resolutions and the certificates furnished to the brokers by the secretary of the corporation pursuant thereto, be and they hereby are made irrevocable until written notice of the revocation thereof shall have been received by the brokers.

RESOLUTIONS

“It is hereby resolved that any one of the two following officers of The Southwestern College, a corporation, chair of the Board of Trustees or vice-chair of the board of trustees attested to by one of the following officers: secretary of the Board of Trustees and assistant secretary of the Board of Trustees, are hereby authorized and empowered to sell assign, and transfer any and all bonds, certificates of deposit, stocks, or other securities now or hereafter registered in the name of The Southwestern College or which now or hereafter be assigned to it.

“And it is hereby further resolved that any and all such assignments of securities registered in the name of or assigned to this corporation, heretofore or hereafter made by any two of the above named officers are ratified and confirmed.

“It is hereby resolved that the chair of the Board of Trustees or in this officer’s absence or incapacity, the vice-chair of the Board of Trustees, shall sign all deeds and legal documents pertaining to property and the secretary of the Board of Trustees shall attest to the signatures in those instances where needed.

“It is hereby resolved that the various general powers and authorities conferred upon officers of the Board of Trustees, including the power to sell, assign, and transfer of all bonds, certificates of deposit, stocks, and other securities, are to be utilized by said officers within the limitations imposed by the Board of Trustees, executive committee and other duly empowered board committees. No officers are authorized to make any transfer from the endowment fund except by special action of the Board of Trustees.

”The Board authorizes the Institution to participate in the working capital financing program through the Kansas Independent Colleges and Universities in cooperation with the Kansas Independent College Financing Authority (the “Issuer”) and, subject to negotiation and approval of appropriate financing documents, to borrow funds from the Issuer from proceeds of the Issuer Notes in each year for the purpose of providing funds to the Institution (1) to finance working capital and/or capital projects of the Institution, and (2) to pay the Institution’s share of related expenses incurred in connection with the issuance of the Issuer Notes. The amount of the loan in each year shall not exceed the cumulative cash flow deficit in each year permitted under federal tax regulations to be financed with the proceeds of tax-exempt revenue anticipation notes or the proceeds of tax-exempt capital project notes, and the final maturity of each loan shall be not later than 13 months from the date of issuance of the Issuer Notes for such year. The final terms of each loan, including the principal amount, principal installments and interest rate, shall be approved by the President of the College or the Vice President for Finance of the College executing the herein authorized Loan Agreement, such officer’s execution thereof being conclusive evidence of such officer’s and the Institution’s approval of such terms.”

1.5 Administrative Structure

The president of the college is responsible to the Board of Trustees, as defined in the bylaws, for the quality and efficiency of the administration. The president shall create administrative

structures and assign duties and responsibilities that are consistent with the efficient and effective operation and mission of the institution.

1.5.1 President

The president of the college is the chief executive officer of the college, and has the authority to perform all acts necessary to carry out the purposes of the college in accordance with the policies and directives of the Board of Trustees.

The president shall keep the Board accurately informed of the affairs of the college and consult them on major decisions. The president has the authority necessary to implement Board policies and directives by administrative regulations and requirements in all areas affecting the orderly and efficient operation of the college, including general supervision of academic and support programs and employees, allocation of resources, and to re-delegate such authority as necessary to achieve these and other purposes necessarily implied by the duties and responsibilities of the office of the president. The role of president of the college is one of creative leadership and therefore sometimes goes beyond the content of any detailed listing of the specific duties of that office.

Specific duties of the president shall include:

1. Serving as chief executive officer of the college while having general and active management and direction of the business operations, educational activities and other affairs of the college.
2. Planning and organizing meetings of the Board of Trustees with the concurrence of the chairperson of the board.
3. Presenting formal reports on the overall condition of the college at meetings of the Board of Trustees; serving as secretary for the corporation.
4. Preparing and presenting to the Board of Trustees, with the advice and counsel of the finance committee of the board, the annual budget for the operation of the college, including all salary adjustments.
5. Directing long-range and short-range planning and assessment for the college.
6. Officially appointing all members of the instructional faculty and administration of the college.
7. Officially establishing rank for members of the instructional faculty.
8. Signing all degrees, diplomas, and other certificates of scholastic achievement issued by the college.
9. Preparing and submitting numerous reports for federal and state agencies and accrediting associations.
10. Participating in the development of individual goals with staff members and evaluating their performance.
11. Promoting and overseeing all curricular and academic programs for the college community.
12. Presenting on a yearly basis a state of the college address to the college community.

Reporting relationships:

The president reports to the Board of Trustees. The following officers of the college report directly or indirectly to the president of the college:

- Vice President for Academic Affairs, Dean of the College
- Executive Vice President
- Senior Vice President
- Vice President for Finance and Chief Finance Officer
- Vice President for Institutional Advancement
- Vice President of Student Affairs, Dean of Students
- Vice President for Marketing and Communications
- Vice President for Enrollment Management
- Vice President for Retention and Student Success
- Associate Vice President for Academic Affairs for Professional Studies/Online Education
- Associate Vice President for Academic Affairs for Main Campus
- Athletic Director
- Director of Human Resources
- Executive Assistant to the President

1.6 Internal Governance

1.6.1 Administrative Councils

The president has the authority to create councils, which are approved by the trustees as additions to or changes in this policy manual. When the potential membership includes faculty, there are required procedures designed to (1) support shared governance, (2) stimulate dialogue on faculty workload and (3) identify potential conflicts or overlaps with existing faculty committees. The purpose of the discussion is to focus on the mission of the proposed council, not particular appointees.

The procedures are:

The president or his designee sends the proposal to the elected faculty chair. The chair discusses the proposal with the executive committee of the faculty and then sends the proposal to any faculty committee interested in reviewing the proposal. The chair also sends the proposal to the faculty personnel committee for review in regard to faculty workload and any impact on policies affecting faculty (Volume IV of this manual). Both committees are expected to report their comments to the executive committee in the next month's meeting.

The executive committee can then (1) provide feedback to the administration without further action and report to the faculty, or (2) present the council proposal to the faculty with a recommendation for a faculty endorsed recommendation to the president. This advisory action, while not binding, is a visible affirmation of the college's commitment to shared governance and an expression of faculty interests and concerns. In all cases, the executive committee will engage in discussion with the president or the president's designee before taking the question to the faculty for vote.

No faculty member shall be asked to serve on more than one council, unless there is compelling necessity for doing so. Faculty members nominated for appointment by the president or the

president's designee will be consulted in advance of appointment, with the understanding that willingness to serve is integral to the shared governance process.

1.6.1.1 *President's Administrative Council*

The administrative council is advisory to the president of the college. The council discusses issues put before it by the president and other members. Meetings are held regularly throughout the year. Agenda items include reports and discussion by each of the administrative officers regarding all matters related to their areas of responsibility.

1.6.1.2 *Planning Council*

This council monitors the college's planning process to ensure that it remains consistent with the college's mission, goals and strategic plan. It will review achievements, make progress reports, and identify issues that may conflict with college goals to the president.

1.7 Committees

1.7.1 Board of Trustee Committees

See Article VI of 1.4.3 The Bylaws of The Southwestern College.

1.7.2 Faculty Committees

See Articles VI of The Bylaws of The Southwestern College.

1.7.3 Institutional Committees

1.7.3.1 *Creative Works and Intellectual Property Committee*

The creative works and intellectual property committee shall administer the policy regarding interest in creative works. The committee shall consist of three members composed as follows:

- a. One administrator, appointed by the president;
- b. One faculty member or instructor representing professional studies, appointed by the president on recommendation of the associate vice president for professional studies/online education; and
- c. One faculty member representing the faculty academic affairs committee.

Committee members with a conflict or potential conflict of interest shall excuse themselves from committee service to the extent of the conflict. All questions concerning committee operations or decisions shall be determined by the president.

1.7.3.2 *Education Committee*

The education committee's charge is to suggest and review changes affecting teacher licensure. Specifically, the committee members:

1. make recommendations to the education department and the faculty curriculum committee;
2. review KSDE Program Reports, programs assessment data, and make recommendations for program improvements as well as program assessment processes;
3. evaluate applicants to the teacher education program;
4. interview applicants for student teaching;
5. conduct due process hearings upon request;

6. suggest and review college/community/public school collaborations; and
7. discuss and review current trends and practices in elementary, mid-level, and secondary teaching for communication to Southwestern College faculty.

Membership: All full-time education faculty members (chair of the education division), faculty representation from three content areas (three-year terms with staggered replacements one per year), three public school teachers not more than one from each level (P-12) (three-year terms with staggered replacements one per year), and two undergraduate students not more than one from any program.

Associate membership: vice president for academic affairs, dean of the college.

Guests: Content area faculty can attend any meeting as advisory to the program (non-voting).

This committee makes recommendations and reports to the director of the teacher education/education, division chair and the vice president for academic affairs, dean of the college.

1.7.3.3 Faculty Review Committee

This committee attempts to settle by informal methods grievances for all faculty members regarding termination, dismissal and suspension; failure to comply with employment policies and procedures; questions regarding the process of the annual review; racial, civil, and sexual harassment sanctions; and questions regarding academic freedom and free speech violation. See section 4.12 for detailed explanation of the grievance process for faculty.

This committee reports to the vice president for academic affairs, dean of the college. The chair will be elected by the members.

Members of this committee may not be on the executive committee of the faculty or the faculty personnel committee.

Membership shall consist of two ranked, full-time faculty members chosen by the faculty, two ranked, full-time faculty members chosen by the president and a fifth member chosen by the first four. Members are chosen annually and serve from May 15 to May 14 of the following year.

1.7.3.4 Hazardous Materials, Safety and the Environment Committee

This committee is concerned with the myriad environmental issues that affect the college community, and is responsible for the promotion of environmental concern and awareness at the college; investigation and assurance of the proper disposal of all medical or other hazardous waste produced at any college location; assuring that compliance with all government regulations relating to hazardous waste or environmental impact are observed; reports any potential accidents or hazards located on the college grounds; and supervising recycling programs on campus.

Membership: The chair is the associate vice president for business, the division chair for the natural sciences, and the division chair for the performing arts, the plant operation manager, director of housing and assistant dean of students.

The committee reports to the vice president for finance and chief financial officer.

1.7.3.5 Human and Animal Subjects Research Committee

This committee functions as an Institutional Review Board (IRB) to protect the rights and welfare of human subjects recruited to participate in research conducted under the auspices of the

institution as well as examining proposals involving non-human subjects. The committee receives proposals from faculty, staff and students intending to conduct research involving human participants or non-human subjects. Proposals from students must be approved by a faculty supervisor before submission of materials to the committee for review. Research may not proceed until approval by the committee has been received. Specific guidelines are available online.

Membership is normally five members with one full-time faculty member from social science, one full-time faculty member from natural science, one full-time faculty member from education, and two other faculty members with backgrounds that promote complete and adequate review of research activities commonly conducted by the institution. The committee may call on other faculty or individuals with expertise for consultation on specific projects or situations.

1.7.3.6 Director/Staff Forum

The mission is to provide a forum to inform staff of institutional changes, solicit feedback and to address the needs of staff at the college. The forum consists of all director level personnel. The group meets quarterly with the president, and more often as needed.

1.7.3.7 Benefits Committee

The benefits committee is responsible for regularly reviewing common benefits the college offers to all employees and making recommendations to the president concerning desired changes in the benefits the college provides. These include, but are not limited to, such employee benefits as health insurance, life insurance, supplemental insurance, retirement benefits. The committee will consist of two faculty members or their designees selected during faculty committee elections, two administrators who are appointed by the administrative forum, and two hourly staff who are appointed by the staff forum. The committee chairperson shall be the director of human resources. Committee members will serve one two-year term beginning in the month of April. At the end of the two-year term new members will be appointed or elected.

1.7.4 Faculty Constitution of Southwestern College

ARTICLE I—PREAMBLE

The faculty is entrusted with advisory authority in matters related to academic affairs of Southwestern College. Since its authority is only that which is delegated to it by the Board of Trustees, its legislation necessarily conforms to board policies as set forth in the records of that body such as the college bylaws and other policy actions of the Board of Trustees. Policies of the Board of Trustees are communicated to the faculty by the president of the college.

ARTICLE II—NAME

The faculty constitution of Southwestern College shall be considered the constitution of the organization known as the Southwestern College faculty, hereinafter referred to as the “faculty.”

ARTICLE III—NATURE AND PURPOSE

The Board of Trustees, through its authority as the governing body of the college, has granted the faculty of Southwestern College the role of representing the faculty of the college. In addition, the faculty shall perform these functions:

1. Serve as a forum for the faculty for the purpose of enrichment of the faculty and addressing concerns as they may arise.

2. Support the mission of the college and the faculty, and shall further the goals of the college by its dedication to the ideals of higher education.
3. Coordinate such committees as are established by the faculty.
4. Serve to promote communication among the faculty within the college.
5. Serve as consultant to the vice president for academic affairs, dean of the college and the president, and provide input and recommendations with regard to all significant policy changes affecting the faculty prior to their enactment.
6. Propose policy or advocate change in current policy when such action is deemed appropriate for the welfare and development of the college and the faculty.
7. Take part in college policy-making in areas that include, but need not be limited to, recommending curriculum, retention, grading, honors, academic dismissal, and teaching standards, as well as matters pertaining to educational policy.
8. Serve as a communicating body between faculty and administration and an intermediary body as needed. In this capacity it shall identify interests and preferences of the faculty and communicate views and concerns to the administration of the college.
9. Perform such other duties and fulfill such other functions as are appropriate to achieve the mission and goals of the college so long as they are not in conflict with this constitution or its bylaws or the articles of incorporation or bylaws of the college.
10. Do everything necessary and proper, advisable or convenient to exercise the powers herein above set forth and do all other things incidental thereto.

ARTICLE IV—BYLAWS

The faculty of Southwestern College shall have the power to adopt bylaws for its operations which shall include officers, meetings, and committees as necessary so long as they are not in conflict with this constitution or the articles of incorporation or bylaws of the college.

ARTICLE V—AMENDMENTS

An amendment to this constitution may be made by approval of two-thirds of the membership of the faculty of Southwestern College present at a meeting of the faculty. The faculty shall prepare the format for the recommended revisions or amendments. Any member with voting privileges may suggest such revisions. The faculty shall circulate a proposed revision or amendment to each voting member, the president of the college and chairperson of the Board of Trustees at least 21 calendar days prior to the final action. An amendment is considered in effect when also approved by the president and Board of Trustees of the college.

1.7.4.1 Bylaws of the Faculty of Southwestern College

ARTICLE I—MEMBERSHIP

The voting membership shall consist of those holding full-time rank of professor, associate professor, assistant professor, or instructor.

For purposes of governance, the librarian of the college, the campus minister and the vice president for academic affairs, dean of the college hold voting status, if they were previously voting faculty of Southwestern College.

ARTICLE II—MEETINGS OF THE FACULTY

1. In addition to the voting membership, regularly scheduled faculty meetings shall be open to administrative personnel, adjunct and special instructors, emeritus faculty, and students. Executive faculty meetings, which will be open only to the voting membership, may be called at the discretion of the chair.
2. **Time.** Regular faculty meetings are held a minimum of once each month during the academic year. Special meetings may be called by the president, by the vice president for academic affairs, dean of the college, by the chair of the faculty, or by the faculty concerns committee. Special meetings may also be called at the request of any five (5) voting members of the faculty provided twenty-five hours' notice is given to the chair of the faculty or the vice president for academic affairs, dean of the college or, in their absence, to the recorder of the faculty.
3. **Agenda.** The agenda is prepared by the chair of the faculty in consultation with the vice president for academic affairs, dean of the college and the executive committee, and distributed 7 days prior to each meeting. It shall also be available on MySC (or the intranet). At each regular meeting the following reports will be given: either oral or written standing committee reports; reports by the president and vice president for academic affairs, dean of the college, and additional administrative reports.
4. **Quorum.** At any regularly scheduled faculty meeting, or for any special faculty meeting, one-half of the voting membership of the faculty shall constitute a quorum.
5. **Rules of Order.** The customary rules of parliamentary procedure (as explained in Robert's Rules of Order, Newly Revised) will apply for conduct of all faculty business. The intent of parliamentary procedure is to provide a reasonable procedure for orderly discussion and for the conduct of business.
6. **Interpretation.** In a situation involving conflicting interpretations of these bylaws, the faculty has the right to establish the official interpretation which shall be applied in this situation.

ARTICLE III—OFFICERS OF THE FACULTY

The officers shall consist of the chair of the faculty, the recorder, the parliamentarian, and the faculty marshals.

1. **Chair of the Faculty.** The chair of the faculty must be a tenured faculty member. The term of the faculty chair shall be two calendar years to begin at the final faculty meeting of the academic year and end at the final meeting of the second academic year. The chair shall preside at all meetings of the faculty, and will not serve on a faculty committee, but will rotate attendance at all committee meetings as necessary and feasible. The chair of the faculty shall facilitate the work of the faculty by encouraging dialogue regarding pertinent issues, and shall be an active advocate of the collective faculty regarding issues in appropriate arenas. The chair is responsible for calling regular meetings of the executive committee, collecting action items, and constructing agendas for the faculty recorder to distribute. The chair also coordinates review of the faculty and academic policies set forth in Volume I and IV of the policy manual each year. The chair shall also serve as a member of the college's planning council. In order to perform these various duties effectively, the faculty chair will receive secretarial assistance as needed.
2. **Vice Chair and Chair-Elect.** The vice chair and chair elect (VCCE) shall be a tenured

faculty member and will serve a two year term prior to assuming the chair of the faculty. The VCCE shall be elected at the April faculty meeting every other year. If there are multiple candidates, the election will be determined by a written ballot with a simple majority required for election. Nominations for the VCCE shall be determined by the executive committee at their March meeting in VCCE election years. Nominations may also be made from the floor at the April faculty meeting in VCCE election years. The duties of the VCCE are to assume the duties of the faculty chair when the chair is unavailable and succeed to the position of faculty chair at the end of the chair's term. The VCCE shall also attend executive committee meetings in preparation for assuming the duties of the chair. The VCCE will rotate attendance at each of the faculty committees (precluding membership of the VCCE on a regular faculty committee) to become better acquainted with the discussions and matters covered by these committees. The VCCE will also meet with the faculty chair on a regular basis to assist in preparing for faculty meetings and executive committee meetings, and to be apprised of the ongoing critical issues in the faculty committees. Moreover, the VCCE will audit the faculty minutes at the end of the academic year to ensure catalog, constitutional, and policy manual changes/additions are incorporated accurately. The VCCE will be provided with the latest version of *Robert's Rules of Order* to become familiar with the basic procedures for running a faculty meeting. The VCCE will also be consulted about questions of parliamentary procedure prior to faculty meetings.

3. **Faculty Recorder.** The faculty recorder shall be elected by the faculty at the April faculty meeting. Nominations may be made by the executive committee during their March meeting or from the floor at the April faculty meeting. If there are multiple candidates, the election will be determined by a written ballot with a simple majority required for election. The faculty recorder shall be responsible for:
 - a. Distributing the monthly faculty meeting agenda and items for action as well as recording the meeting minutes for the monthly faculty meetings. For the Recorder Guidelines see Appendix 1.
 - b. Distributing the monthly agenda for the executive committee meeting and recording the monthly executive committee meeting minutes. For the Recorder Guidelines see Appendix 1. On policy matters requiring a formal vote count, the faculty recorder shall count and record the votes.
 - c. Sending all minutes within seven days to the appropriate person for posting to MySC (or current intranet) for faculty, staff and administrative review. If inaccuracies are found in the minutes, the faculty recorder is responsible for making any necessary corrections, additions, or deletions.
 - d. Keeping records of faculty committee elections, distributing ballots for annual faculty elections in April, and reporting faculty election results to the faculty at the last meeting of the academic year.
 - e. In order to perform these duties effectively, the faculty recorder shall not serve on a standing faculty committee.
4. **Parliamentarian.** The parliamentarian shall be elected by the faculty at the April faculty meeting. Nominations may be made by the executive committee during their March meeting or from the floor at the April faculty meeting. If there are multiple candidates, the

election will be determined by a written ballot with a simple majority required for election. The parliamentarian shall advise the chair on questions of procedure in accordance with the rules contained in the latest version of *Robert's Rules of Order*.

5. **Faculty Marshals.** The faculty marshals are selected by the president. The marshals' primary responsibility is to organize, arrange, rehearse, and conduct the major academic processions of the college, specifically for convocations, baccalaureate, and commencement. Upon consultation with the vice president for academic affairs, dean of the college, the marshals will arrange the procession of faculty for these events in order of seniority depending upon the function to be served by a specific ceremony. The marshals will arrange for all student help as pages, flag bearers, etc., and any other matter relating to the successful conduct of these ceremonial occasions.

ARTICLE IV—FACULTY EXECUTIVE COMMITTEE

1. **Membership.** The membership of the executive committee of the faculty of Southwestern College shall be as follows:

The Chair of the Faculty will serve as the chair

The Vice Chair and Chair Elect

The Faculty Recorder, ex-officio

The chairs of the standing committees of the faculty as follows:

Admissions and Retention

Academic Affairs

Assessment

Curriculum

Faculty Concerns

Faculty Development

Faculty Personnel

The vice president for academic affairs, dean of the college, ex-officio

The committee has the right to enter into executive session, whereby the vice president for academic affairs, dean of the college and other administrative personnel may be excused at times as deemed appropriate by the executive committee.

2. **Duties.** The duties of the executive committee of the faculty shall include the following:
 - A. Assisting the chair with the agenda for faculty meetings;
 - B. Coordinating the work of the standing committees.
3. **Meetings.** The executive committee of the faculty shall hold regular monthly meetings in accordance with the schedule adopted by the executive committee members. Special meetings of the executive committee may be held on the written call of the chair of the faculty or any three members of the executive committee of the faculty.
4. **Agenda.** The agenda for meetings of the executive committee of the faculty shall be prepared by the faculty recorder in consultation with the chair of the executive committee and distributed to all members of the executive committee five calendar days prior to the meeting. All items to be discussed at the meeting should be submitted in writing to the chair of the executive committee six calendar days prior to the meeting at which they will be discussed.

5. **Conduct of Meetings.** *Robert's Rules of Order, Newly Revised* shall govern the conduct of business.
6. **Minutes.** Minutes of the executive committee meetings will be kept by the faculty recorder and posted to MySC (or current intranet) for the president, faculty, vice president for academic affairs, dean of the college, and executive committee members.
7. **Voting.** All members of the executive committee shall be entitled to vote at the regular and special meetings of the executive committee of the faculty.
8. **Quorum.** A majority of the members of the executive committee of the faculty shall constitute a quorum.
9. **Non-Voting Participation.** Participation in meetings of the executive committee of the faculty, for the purpose of reports and other discussion shall be allowed.
10. **Vacancies.** The membership of the executive committee, excepting the chair of the faculty, vice chair and chair elect, and recorder of the faculty, is comprised of standing committee chairs. Therefore, in the event that a committee chair is unable to complete service to their elected committee and the executive committee, the standing committee will elect a new chair who will also serve on the executive committee.

This committee will meet monthly (or more frequently) during the academic year with the vice president for academic affairs, dean of the college.

ARTICLE V—STANDING COMMITTEES OF THE FACULTY

A. General Rules for Committees of the Faculty

1. **Election.** Committee elections will be held each year at the April faculty meeting. The faculty recorder will request committee preferences from those faculty members who are scheduled for election in advance of the April faculty meeting. The faculty recorder will collect the committee election ballots and assign faculty to committees based on faculty votes, indicated preference, and lottery if necessary. Members of the faculty committees shall be elected to two-year terms. Committee election results will be posted to MySC (or current intranet) for faculty review. Student members of these committees are elected to one-year terms by the student government association.
2. **Organization.**
 - a. Each committee shall consist of a minimum of four (4) faculty members. The actual size shall be determined prior to committee elections by the faculty chair in consultation with the vice president for academic affairs, dean of the college and committee chairs, and will be based on the projected workload of each committee.
 - b. Each committee shall hold its first meeting at the final faculty meeting of the year. At this meeting, the committee shall elect from its membership a chair whom also serves on the executive committee of the faculty, a vice-chair, and a recorder. The chair is responsible for chairing committee meetings and coordinating activities of the committee. The vice-chair shall chair committee meetings in the absence of the chair, present committee reports at faculty meetings, and ensure at the end of each academic year that copies of the committee's minutes have been posted to MySC. The recorder shall follow the recorder guidelines found in 1.8 Appendix 1.

- c. One-half the membership of a committee constitutes a quorum.
- d. Each faculty member must serve on at least one of the standing committees of the faculty unless excused by the vice-president for academic affairs, dean of the college because of a special academic or institutional assignment. Except in special circumstances, faculty will not serve on more than one of these committees. First-year faculty members will be appointed to a committee by the chair of the faculty. Such appointments shall be made after the chair of the faculty consults with the vice president for academic affairs, dean of the college and the first-year faculty member. Adjunct faculty members and one-year replacements may serve on a standing committee of their choice in an associate capacity.
- e. Each standing committee is required to present either a written or oral report at each regularly scheduled faculty meeting.
- f. Faculty members will serve no more than two (2) consecutive terms (4 years) on any given committee.
- g. Chairs of the standing committees will meet formally with the chair of the faculty during August to be “briefed” on chairing meetings, committee responsibilities, and other concerns.
- h. New business is generated within committees themselves, or is assigned to committees by the chair of the faculty. The faculty may choose to override the chair’s decision by a two-thirds majority vote. New business can come to the attention of the chair in several ways: from the vice president for academic affairs, dean of the college, from the president, from programs, from individual faculty members, from individual committee members, from the floor of the faculty, or from students.
- i. Associate committee members are an important resource to the committee. Although they are not voting members of the committee, they are expected to regularly attend committee meetings and serve in an advisory capacity. They will be kept fully informed of committee actions, and will receive agendas, minutes, and other reports prepared for and by the committee.
- j. Executive Session. Committees may meet in executive session when deemed appropriate by the committee chair. For the purposes of committee meetings, executive session consists only of faculty members elected to the committee. Others may attend and participate in executive session only at the invitation of the committee chair. Votes are not taken during executive session.
- k. Committee minutes will be maintained for each committee meeting. These minutes will follow the recorder guidelines found in 1.8 Appendix 1.
- l. Annual slate and timetable for faculty committee appointments.
 - April faculty meeting election: vice chair and chair elect of the faculty (every other year), faculty secretary, parliamentarian, and faculty members of standing committees whose terms have expired.

B. Standing Committees of the Faculty of Southwestern College

There are seven standing committees of the faculty: the executive committee (See article IV), the academic affairs committee, the curriculum committee, the faculty development committee, the faculty personnel committee, the faculty concerns committee, the

assessment committee, and the admission and retention committee.

1. **Admission and Retention Committee.** The committee acts as a liaison and regulatory body. The committee studies, reviews, interprets, and recommends policy and action related to the admission and retention of students, including the advising process and the developmental education program. The committee works with the associate vice-president student success, the vice president for enrollment management to plan, implement, and review faculty involvement in recruiting efforts. It is charged with representing the concerns of the faculty pertaining to the faculty's role in student recruitment, retention, and academic advising. The committee oversees the academic advising program and those aspects of recruitment and retention that directly relate to the role of the faculty. It reviews admission and retention policies, and may review student applications and other materials related to the admission of students to the college. The committee will also perform other responsibilities as delegated to it by the chair of the faculty.

Membership: Voting—minimum of four elected faculty members, vice president for student success, vice president for enrollment management, the vice president of student affairs, dean of students, and two student members.

2. **Academic Affairs Committee.** The academic affairs committee acts as the regulatory body of the faculty for academic affairs. It applies and interprets policies that have been established by the faculty and the trustees to the current program. It considers special cases and acts upon them in a manner that is consistent with the spirit of existing rules or policies. It studies present or proposed policies in light of the college's mission and all aspects of the liberal arts structure (e.g., drama, athletics, choir, etc.). It recommends to the faculty any changes it deems advisable. Such changes do not become operative, however, until approved by the faculty, through authority delegated by the president and the Board of Trustees. Each term, the committee applies the suspension index to students whose academic performance merits probation or suspension, and considers appeals for readmission from students who have been suspended, to determine if they are re-admissible. The committee appoints one of its members to serve on the creative works and intellectual properties committee and one member to serve as a liaison to the Academic Affairs committee of the Board of Trustees. The committee will also perform other responsibilities as delegated to it by the chair of the faculty.

Membership: Voting—minimum of four elected faculty members; two student members. Student members will be excused when the committee acts on probation and suspension. (non-voting)—vice president for enrollment management, registrar, vice president for academic affairs, dean of the college (or designee). Ex-officio (non-voting) vice-president for student success (or designee) (for probation and suspension meetings only).

3. **Assessment Committee.** The assessment committee acts as the regulatory body of the faculty for assessment activities intended to lead to institutional improvement. It advises on the establishment of assessment policies and presents recommendations for policy revisions to the faculty when changes are deemed advisable. Specifically, the committee reviews the student assessment program; assists in the choosing and/or development of assessment tools and methodologies and in their evaluation; acts as consultants with programs, majors, and departments to develop, implement, analyze, and revise

assessment plans and strategies; and summarizes findings and resultant actions in annual reports to the college community. The committee will also perform other responsibilities as delegated to it by the chair of the faculty.

Membership: Voting—minimum of four elected faculty members.

4. **Faculty Concerns Committee.** The faculty concerns committee is a liaison committee. It is charged with representing the concerns of the faculty. This committee will meet as needed during the academic year with the president and vice president for academic affairs, dean of the college. In addition, members of the faculty concerns committee will meet at least once each semester with the academic affairs and student affairs committees of the Board of Trustees and will represent the faculty at each meeting of the full Board of Trustees. The purpose of these meetings will be to represent faculty concerns to these individuals and groups as well as to gain insights which can be shared with the faculty. Agendas and minutes of the trustee academic affairs committee, student affairs committee, executive committee, and the full Board of Trustees meetings will be made available to the faculty concerns committee. Additionally, the Student Government Association will be given access to this committee. Specifically, this committee will oversee the revision and implementation of the faculty constitution. In addition, it will monitor the policies of the Board of Trustees and all administrative proposals which affect the faculty and consult with the administration on these proposals. The committee will also perform other responsibilities as delegated to it by the chair of the faculty.

Membership: Voting—minimum of four elected faculty members.

5. **Curriculum Committee.** This committee studies, reviews, and makes recommendations regarding the entire curriculum. The committee's authority over main campus programs includes: undergraduate and graduate programs; and majors, minors, and general education. It examines proposed new courses, course changes, or deletions to determine whether they are consistent with the overall program. The committee recommendations are then forwarded to the faculty for approval. The committee will also perform other responsibilities as delegated to it by the chair of the faculty. Membership: Voting—minimum of four elected faculty members, one of whom is a member of the education department; two student members. (non-voting)— vice president for academic affairs, dean of the college (or designee), library director.
6. **Faculty Development Committee.** This committee will maintain oversight of and an advisory relationship to faculty development, working with the vice president for academic affairs, dean of the college in planning the faculty development program. It will promote and make policy recommendations regarding scholarship and scholarly activities, academic leaves, sabbaticals, travels, etc. In addition, it will facilitate regular meetings, workshops, seminars, and other events which will promote collegiality and development of faculty as teachers and scholars. The committee will also perform other responsibilities as delegated to it by the chair of the faculty.

Membership: Voting—minimum of four elected faculty members. (non-voting)— vice president for academic affairs, dean of the college (or designee).

7. **Faculty Personnel Committee.** The faculty personnel committee is charged with representing the interests of faculty regarding contractual concerns as outlined in

Volume IV of this policy manual. Policies on faculty rights and responsibilities, promotion, tenure evaluation, faculty compensation, rank criteria, fringe benefits, and faculty search and contract policies, would come under this committee's recommending powers. Policy actions of this committee are submitted to the faculty for ratification, modification, or rejection.

This committee also acts on individual recommendations for promotion and tenure. It reports these recommendations to the vice president for academic affairs, dean of the college.

The committee shall:

- a. Review the applications of and make written recommendations with regard to faculty promotion and tenure.
- b. Ascertain that the rank, promotion, contractual and tenure policies of the college are in step with those of other like educational institutions and provide advice with regard to college rank, promotion, and tenure policies.
- c. Monitor faculty compensation at the college and compare with a list of other institutions with similar demographics and characteristics. That list will be updated by the committee in conjunction with the vice president for academic affairs, dean of the college and published yearly for faculty and administration to review.
- d. Assist in the election of two members of the faculty to serve as members of the Benefits Committee. Members who serve on the benefits committee will report the business of the committee to the Faculty Personnel Committee who will, in turn, report to the faculty.
- e. Perform other responsibilities as delegated to it by the chair of the faculty.

This committee is available to advise the vice president for academic affairs, dean of the colleges and the president on matters of separation of faculty for cause.

Membership: Voting—minimum of four elected faculty members.

8. Presidential Appointment of the Faculty Athletic Representative.

The faculty athletic representative (FAR) is appointed on a yearly basis by the president of the college. This person's responsibilities include certification of athletes for sports participation, representation to the governing council of the Kansas Collegiate Athletic Conference, the recognition of outstanding academic performance by athletes, and communication regarding NAIA policy matters.

ARTICLE VI—AMENDMENT AND RATIFICATION OF BYLAWS

1. **Amendment.** Any voting member or committee of the faculty may propose changes to the faculty bylaws to the executive committee. The executive committee will present them to the faculty who, with the majority of voting members, shall effect such changes. No amendment shall be in conflict with the constitution of the faculty of Southwestern College or the articles of incorporation or bylaws of the college. Any amendment will be submitted to the president of the college for review and approval. If the president fails to approve such an amendment, it will be sent back to the faculty with a rationale. The faculty may then reconsider and resubmit the amendment.

2. **Conflict.** Any conflict between a proposed amendment to these bylaws and a superseding document shall be communicated by the president of the college to the executive committee of the faculty and, if not satisfactorily resolved by the executive committee, to the Board of Trustees for final resolution of the language.
3. **Ratification.** These bylaws will replace all other bylaws and go into effect the day after ratification has been obtained by the faculty, the president and the Board of Trustees of the college. Ratification by the faculty will be by written ballot of an absolute majority of eligible faculty members.

1.8 Appendix 1: Faculty Recorder Guidelines

The following information provides direction and assistance to the recorders in the performance of their duties.

1. The recorder is elected/appointed annually.
2. The recorder is responsible for writing, distributing, and maintaining all minutes no later than one week following the meeting date.
 - a. Faculty recorder maintains copies in the appropriate folders stored on the college intranet MySc.
 - b. Committee recorders maintain copies in the appropriate folder on the college intranet, MySc. Departmental minutes are forwarded to the program director and the vice president for academic affairs, dean of the college.
3. All minutes should include the following information:
 - a. Date of meeting
 - b. Time of meeting
 - c. Members present
 - d. Members absent
 - e. Approval of minutes
 - f. Student reports
 - g. Old business
 - h. New business
 - i. Announcements
 - j. Next meeting date and possible agenda items
 - k. Signature of recorder
4. A copy of the meeting agenda should be attached to the copy of the minutes.
5. All summaries, reports, revised policies, and other appropriate articles must be attached to the copy of the minutes.
6. At the end of each academic year, one person (vice chair) will be selected to audit the minutes. This audit will be recorded in the next meeting minutes.

VOLUME 2 — Campus Community Policies

The policies set forth in this Volume II of The Southwestern College Policy Manual are those that pertain to members of the campus community.

2.1 Equal Opportunity and Affirmative Action

Southwestern College is committed to a policy of nondiscrimination harassment/non-harassment of any its students, employees or contractors based on an individual's race, religion, color, gender, age, national origin, ancestry, marital status, registered domestic partner status, medical condition, sexual orientation, gender identity, genetic characteristics, physical or mental disability or any other legally protected characteristic. Our workplace is not limited to the college's facilities, but may also include client and vendor facilities, as well as anywhere a business-related function is taking place. In fact, any place where employees and their supervisors are together is likely to be seen as the workplace.

Responsibility for coordination of compliance efforts and receipt of inquiries, including those concerning the Civil Rights Act of 1960, the Age Discrimination in Employment Act of 1975, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, the Americans with Disabilities Act of 1990, and other related federal, state, and local legislation, executive orders, regulations, and guidelines has been delegated to the director of human resources, Southwestern College, 100 College, Winfield, KS 67156-2499, telephone (620) 229-6136.

In these policies, if ever this policy manual fails to accurately reflect the accurate and up-to-date status of statutes, case law and regulations, the college will comply with the existing laws. All policies appearing or referenced in this policy manual, including this policy, will be amended as new legislation dictates and may also be revised at the discretion of the college.

2.2 Addressing Discrimination, Harassment, and Bullying

2.2.1 Definition of Discrimination

The college strives to provide a work environment where all employees can work together comfortably and productively. Each individual has the right to work in a professional atmosphere that promotes equal opportunity and prohibits discriminatory practices, including sexual and other forms of prohibited harassment. Such prohibited harassment is unacceptable and will not be tolerated.

The College prohibits discrimination and harassment of any its employees or contractors based on an individual's race, religion, color, gender, age, national origin, ancestry, marital status, registered domestic partner status, medical condition, sexual orientation, gender identity, genetic characteristics, physical or mental disability or any other legally protected characteristic. Our workplace is not limited to the college's facilities, but may also include client and vendor facilities, as well as anywhere a business-related function is taking place. In fact, any place where employees and their supervisors are together is likely to be seen as the workplace.

Prohibited discrimination and harassment includes, but is not limited to, epithets, slurs, derogatory comments or jokes, intimidation, negative stereotyping, threats, assault or any physical interference with the employee's normal work or movement. Harassment may also include written or graphic material placed on walls, bulletin boards or elsewhere on the college's

premises or circulated in the workplace that denigrates, shows hostility or aversion towards an individual or group because of the characteristics identified above.

Whether or not the person means to give offense or believed his or her comments or conduct was welcome is not significant. Rather, the college's policy is violated when other employees, whether recipients or mere observers are, in fact, offended by comments or conduct based on race, religion, color, gender, age, national origin, ancestry, marital status, registered domestic partner status, medical condition, sexual orientation, disability, gender identity or genetic characteristic.

2.2.2 Definition of Sexual Harassment

Sexual harassment is a form of prohibited harassment requiring special mention. Sexual harassment is defined as unwelcome sexual conduct of any nature that creates an offensive or hostile work environment or unwelcome sexual conduct that is made a condition of working at the college. It also may be in the form of non-sexual, offensive conduct that is directed at an employee because of his or her gender. Sexual harassment, like other forms of prohibited harassment, will not be tolerated.

Examples of prohibited sexual harassment include unwelcome sexual conduct such as:

- Verbal harassment (e.g., sexual requests, comments, jokes, slurs);
- Physical harassment (e.g., touching, kissing) and;
- Visual harassment (e.g., posters, cartoons or drawings of a sexual nature.)

Sexual harassment is not limited to conduct motivated by sexual attraction. It may occur between members of the opposite sex or members of the same sex, regardless of their sexual orientation. It also includes offensive non-sexual conduct directed at an employee because of his or her gender.

The legal standards and consequences of unlawful sexual harassment are still evolving. The college's policy is more all-encompassing than what the law prohibits. This is because the college's policy rests on the fundamental precept that each employee must treat all others with respect, dignity and professionalism. Deviation from that standard will not be tolerated.

2.2.3 Definition of Bullying

Bullying is generally defined as an intentional act that causes harm to others, and may involve verbal harassment, verbal or non-verbal threats, physical assault, stalking, or other methods of coercion such as manipulation, blackmail, or extortion. It is aggressive behavior that intends to hurt, threaten or frighten another person. An imbalance of power between the aggressor and the victim is often involved. Bullying occurs in a variety of contexts, such as schools, workplaces, political or military settings, and others.

For the purpose of this policy, "bullying" means any physical act or gesture or any verbally, written or electronically communicated expression that a reasonable person should expect will have the effect of:

- Physically harming a student or damaging a student's property.
 - Placing a student in reasonable fear of physical harm or damage to his/her property; or
 - Substantially disrupting the instructional program or the orderly operations of the school;
- or

- Is so severe, persistent, or pervasive that it creates an intimidating, hostile educational environment for the student who is bullied.

2.2.4 Complaint Procedure

Complaints that may be addressed under this policy include complaints based on the conduct of college students, faculty, administrative and staff members and other persons acting in official college capacities. Individuals who believe that they have been harassed or discriminated against should address their concerns to the appropriate administrative official at the college as set forth below.

Complainant	Appropriate Administrator/Investigator	Alternate Administrator/Investigator
Faculty, Administrator, or Staff Member	Director of Human Resources	VP for Finance, Chief Financial Officer
Student	Dean or Assistant Dean of Students	VP for Student Affairs, Dean of Students
PS Learner	Associate VP for Academic Affairs for Professional Studies/Online Learning	VP for Academic Affairs, Dean of the College

If the appropriate administrator/investigator is the subject of the harassment or discrimination allegations or otherwise suspected of having a biased perspective, the complainant should direct the complaint to the appropriate alternate administrator.

Official allegations of harassment or discrimination made by employees are to be made to the appropriate administrator in writing within 30 calendar days of the allegedly harassing or discriminatory event. Official allegations of harassment or discrimination made by students should follow the procedures set forth in Volume VII.

The complaint must include the following information: name, address, and telephone number of the complainant; the nature of the complaint; date(s) and location(s) of the alleged occurrences(s); evidence on which the complaint is based; and the redress sought by the complainant.

The appropriate administrator shall have 30 calendar days in which to conduct an investigation of the complaint. The appropriate administrator may act as investigator or may arrange for another individual to act as investigator in the matter. The investigator shall be familiar with the appropriate sanctions that might be imposed against the individual against whom the complaint is made in the event that harassment or discrimination is found to have occurred. The investigator's report will be provided to a college officer or supervisor with the requisite authority to impose such sanctions.

The purpose of the investigation is to establish: (1) whether there is a reasonable basis for believing that the alleged violation of the policy has occurred; (2) the factual circumstances surrounding the claim; and (3) the appropriate sanction to be imposed on an individual found to have engaged in prohibited conduct. The investigator shall promptly provide the person against

whom the complaint is made with a copy of the formal complaint and shall notify the appropriate college officer or supervisor of the nature of the complaint and of the identity of the parties.

In conducting the investigation, the investigator may interview the complainant, the person against whom the complaint is made, and any other persons believed to have pertinent factual knowledge. At all times, the investigator shall take steps to maintain strict confidentiality. The parties and any notified college officer or supervisor shall also maintain strict confidentiality.

The scope for the disclosure of information should be limited to those who have a legitimate business need-to-know. This might include disclosing or providing access to information under, but not limited to the following circumstances: (1) Information necessary for decision-makers to make a decision; (2) Information necessary for people to conduct the investigation or to take any action as a result of the investigation; and (3) Information to be shared during the investigation in order to obtain more information.

The investigation shall afford the person against whom the complaint is made an opportunity to respond to the allegations of the complaint. The investigator shall be in communication with the complainant until the complaint is resolved. The complainant shall be informed of general actions taken, but shall not be informed of specific conversations held with the person against whom the complaint is made.

Sanctions may include, but are not limited to, written reprimand of the person against whom the complaint is made, suspension or dismissal of the person against whom the complaint is made, a change of grade or other academic record, a change of course section, a change of reporting line for an employee, or any other appropriate sanction(s) under the circumstances. Sanctions will be imposed in accordance with the provisions set forth in section 5.7 of Volume V, Administrative and Staff Policies and section 7.7 of Volume VII, Student Policies, as applicable.

A complaint may also be brought by a person outside the college community if the alleged offense occurred with regard to application for admission as a student, to inquiry or application for employment, to bidding for contracts by individuals or company representatives, or to any other official action by a member of the college community. The appropriate administrative official to whom such a complaint should be directed will be determined by the position the individual was attempting to obtain at the college.

2.2.5 Appeals

If either party disputes the findings or is dissatisfied with the procedures or recommendations of the investigator's report, the party may appeal such findings by filing a written appeal with the president of the college within 15 calendar days of receipt of the written report. The president of the college will review the record of the matter and will reach a final determination as to any action to be taken within 10 calendar days of receipt of the appeal, unless unusual or complex circumstances exist that require additional time.

The determination of the president of the college is final and may only be addressed further by petition to the appropriate grievance committee of the party who remains dissatisfied or who continues to be accused.

2.2.6 Anti-Retaliation Statement

Retaliation of any kind against anyone filing a complaint of harassment or discrimination is prohibited. Initiating a complaint of harassment or discrimination will not affect a complainant's

employment, compensation or work assignments or, in the case of students, grades, class selection, or any other matter pertaining to student status.

Distinguishing between harassing or discriminatory conduct and conduct that is purely personal or social without a harassing or discriminatory work or educational effect requires a determination based on all of the facts pertaining to the situation. False accusations of harassment or discrimination can seriously injure innocent people. Initiating a false harassment or discrimination complaint or initiating a harassment or discrimination complaint in bad faith may result in disciplinary action. However, a finding for the accused does not constitute a finding that the complaint was acting in bad faith.

2.2.7 Open Door Policy

The college strives for an open environment that encourages employees to participate in decisions affecting them and their daily responsibilities. We believe that open and direct communication will produce a productive workplace, enhance the quality of decisions, and ultimately improve the college community.

Employees who have job related concerns or complaints are encouraged to discuss them with their supervisor or any other member of the administration with whom they feel comfortable. The discussion should occur as soon as possible after the events causing the employee's concern. We cannot guarantee that the college will make the changes suggested or resolve all concerns in the way preferred, but voicing one's concerns will give the college the opportunity to address them and provide important feedback in our efforts to improve the college and our work environment. No employee will be disciplined or otherwise penalized for raising a good faith concern.

This open door policy is an important tool for maintaining the college's environment of mutual respect and for resolving individual or group differences informally without fear of retaliation.

2.3 Consensual Relations

When two parties have consented at the onset to a romantic or sexual involvement, such consent does not preclude a charge of sexual harassment for subsequent unwelcome conduct of a sexual nature.

The educational mission of the college is promoted by professionalism in employee-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of college employees and students which harm this atmosphere undermine professionalism and hinder fulfillment of the college's educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. Those who abuse or appear to abuse their power in such contexts violate their duty to the college community.

Amorous relationships between college employees and students are inappropriate. College employees exercise power over students, whether in giving them praise or criticism, evaluating them by making recommendation for their further studies or their future employment, providing grades in classes, approving the meeting of requirements to complete a degree, or conferring any other benefits on them.

Given the fundamentally asymmetrical nature of an employee-student relationship, voluntary consent by the student in an amorous relationship is suspect. In addition to the possible sexual exploitation of the student involved, other students and employees may be affected by such

unprofessional behavior. Therefore, the college may view it as unethical if an employee engages in amorous relations with any student enrolled (except enrolled spouses who are exempted from this policy) at the college.

Romantic or sexual relationships that might be appropriate in other contexts may, within the college community, create the appearance or fact of an abuse of power or of undue advantage. Members of the college community should be aware that intimate relationships that begin with goodwill can deteriorate, especially in the face of appearances of abuse of power, into bitterness and charges of sexual harassment.

2.4 Health and Safety Policies

2.4.1 Drug and Alcohol Policy

Southwestern College affirms its long-standing support of abstinence from both alcohol and illegal drugs. Southwestern supports the strict administration of regulations governing these substances and will enforce the guidelines set forth by various college programs. The program guidelines include but are not limited to: student affairs regulations, study abroad travel policy, Southwestern College travel policy, alumni relations policy, policies as set forth in the staff handbook, etc. Copies of the guidelines that govern each program are available from the business office.

The possession, use, or distribution of alcoholic beverages or illicit drugs by students or employees is strictly prohibited on the property of the college, even if that activity does not involve students or employees. No college funds will be expended for the purchase of alcoholic beverages or illicit drugs at any group activity taking place on or off college property (e.g. alumni event, campaign reception, etc.). See Volume III section 3.5.10 for additional information on drug and alcohol regulations for employees.

2.4.1.1 Students

Students who violate the terms of this policy may be reported to the appropriate law enforcement officials if local, state, or federal statutes are involved and will be subject to the following sanctions:

1. Placement on probationary status;
2. Temporary suspension from classes and activities;
3. Suspension for a semester from classes and activities;
4. Expulsion.

Students subject to these penalties will be afforded all due process rights to which they are entitled by law or under current policies affecting student discipline. In addition to the above sanctions, a student may be required to meet with a campus counselor. In lieu of suspension or expulsion a student may be required to complete a drug or alcohol abuse education or treatment program as a condition of continued enrollment. The cost of completing such a program will be the responsibility of the student.

2.4.1.2 Employees: Drug-Free Workplace

Employees of the college are required as a condition of employment to abide by the terms of this policy. Employees are further required to notify the college in writing of any criminal drug statute conviction for a violation occurring in the work place no later than five calendar days after such conviction.

Employees who violate the terms of this policy will be reported to the appropriate law enforcement officials and will be subject to the following sanctions:

1. Short term suspension with pay;
2. Short term suspension without pay;
3. Long term suspension without pay;
4. Required participation in a drug and alcohol education, treatment, counseling, or rehabilitation program;
5. Termination or dismissal from employment.

Prior to applying sanctions under this policy, employees will be afforded all due process rights to which they are entitled under their contracts, if applicable. Nothing in this policy is intended to diminish the right of the college to take any other disciplinary action which is provided for in college policies.

If it is agreed that an employee should enter into and complete a drug education or rehabilitation program, the cost of such program will be the responsibility of the employee.

2.4.1.3 Legal Sanctions

Local, state, and federal statutes prohibit furnishing alcohol to a minor, purchase or consumption of alcohol by a minor, driving while under the influence of alcohol or drugs, vehicular homicide, vehicular battery, transporting liquor in opened containers, obtaining a prescription-only drug by fraudulent means, and possession, use, sale of illegal drugs, stimulants, or anabolic steroids. Penalties range from fines through misdemeanor and felony charges.

2.4.1.4 Health Risks

The risks of using alcohol include but are not limited to impaired judgment, alcoholism, liver damage, pancreatitis, and congestive heart failure. The risks of using sedatives, hypnotics, and tranquilizers include but are not limited to nausea, vomiting, anxiety, blurred vision, respiratory depression, addiction, and death from overdose or unsupervised withdrawal. The risks of using narcotics include but are not limited to AIDS, hepatitis, and skin infections from non-sterile injections, endocarditis, addiction, and coma or sudden death from overdose. The risks of using inhalants include but are not limited to psychosis, accidental suffocation, heart failure, kidney failure, and bone marrow disorders.

2.4.1.5 Legal Penalties Relating to Drugs and Alcohol

Local, state, and federal statutes prohibit furnishing alcohol to anyone under the age of 21, purchase or consumption of alcohol by a minor, driving while under the influence of alcohol or drugs, vehicular homicide, vehicular battery, transporting liquor in opened containers, obtaining a prescription-only drug by fraudulent means, and possession, use, sale of illegal drugs, stimulants, or anabolic steroids. Penalties range from fines through misdemeanor and felony charges.

2.4.1.6 Help and Information

The college will provide information and educational programs that attempt to keep the campus community informed about the consequences of using and misusing intoxicating alcohol and illegal drugs. Help is available for those persons who seek it. Employees and students are encouraged to initiate contact with their supervisor, counselor, a faculty member, or administrator who will work with them confidentially or refer them to an off-campus source of help.

2.4.2 Tobacco Policy

Use of any tobacco product (including chewing tobacco or snuff) is not allowed in any building on campus, including residence halls.

2.4.3 Serious Disease Policy and Procedure

Employees or students with infectious, long-term, life-threatening, or other serious diseases may continue their work at the college as long as they are physically and mentally able to perform the duties of their job or meet their academic responsibilities without undue risk to their own health or the health of other employees or students.

Serious diseases for the purposes of this policy include, but are not limited to, cancer, heart disease, multiple sclerosis, hepatitis, tuberculosis, human immunodeficiency virus (HIV), and acquired immune deficiency syndrome (AIDS). The college will support, where feasible and practical, educational programs to enhance employee and student awareness and understanding of serious diseases.

The mere diagnosis of HIV, AIDS, or AIDS virus antibodies, or any other serious communicable disease is not, in itself, sufficient basis for imposing limitations, exclusions or dismissal. Harassment of individuals with or suspected of being infected with any disease is not acceptable behavior at the college and will be strictly censored. The diagnosis of the condition, as any other medical information, is confidential.

In working with employees or students diagnosed with HIV, AIDS or any other serious communicable disease, the college will proceed on a case-by-case basis, with the advice of medical professionals these factors will be considered:

1. The condition of the person involved and the person's ability to perform job duties or academic responsibilities;
2. The probability of infection of co-worker's or other members of the college community based on the expected interaction of the person in the college setting;
3. The possible consequences to co-workers and other members of the college community, if infected;
4. Possible reasonable accommodations and modifications to the individual's job or other obligations to take account of the condition;
5. Risk to the person's health from remaining on the job or in the college community; and
6. Other appropriate factors.

Any determination with respect to an employee or student will be made following consultation with the affected employee or student, the employee or student's treating physician (if available), and such other persons as need to be involved in such a situation.

Disclosure will take place only if deemed medically advisable and legally permissible. The appropriate health department will be informed of all cases of diseases required to be reported under state or federal law.

2.4.4 Reporting Accidents

All accidents to employees, students, and visitors on the campus should be reported in writing immediately to the business office. Failure to report an accident may result in the loss of insurance benefits.

2.4.5 Policy and Procedures Regarding Hazardous Waste and Exposure to Blood Borne Pathogens

2.4.5.1 Hazardous Waste Policy

The college subscribes without exception to the laws of Kansas and the United States with respect to the purchase, storage, handling and disposal of all hazardous materials. Staff and faculty who knowingly violate these laws and statutory requirements are advised that they are not only endangering themselves and the college community, but are subject to personal liability. In the event a question arises regarding the purchase, storage, handling or disposal of these materials, staff are encouraged to contact the director of safety and security for assistance.

All hazardous materials are to be stored and handled in accordance with manufacturer's specifications. Where necessary, fume hoods, safety gear and other precautions must be employed.

The disposal of all hazardous materials must also be handled in a responsible manner. The college maintains a contract with a licensed disposal firm for the removal and destruction of hazardous materials from college property.

Any employee who violates any such laws, unless such violation occurs despite reasonable reliance upon advice given by the college, shall be deemed to have acted outside the scope of authority. Violation of such laws may result in discipline leading up to and including dismissal. See 2.17 Appendix: Additional Hazardous Guidelines.

2.4.5.2 Infection Risk Exposure Control Plan

In accordance with the Occupational Safety and Health Administration's (OSHA) federal standard for blood borne pathogens, those employees identified at high risk for the transmission of infectious disease include:

Athletic Department:	Coaches, Athletic Trainers
Safety and Security:	Director of Safety and Security
Plant Operations:	Plant operations staff
Residence Life:	Residence Hall Staff
Division of Natural Science:	Students and Staff involved in Blood Drives and Flu Shots

These employees must comply with all segments of this policy. Failure to do so may result in discipline leading up to and including dismissal.

Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials. Treat all blood and body fluid as if they were infected with HIV, HBV (Hepatitis B Virus) and other blood borne pathogens.

Labeling: Warning labels shall be attached to containers of regulated waste; refrigerators and freezers containing blood or other potentially infectious material; and other containers used to store, transport or ship blood or other potentially infectious materials.

Labels and signs are florescent orange-red with lettering or symbol in a contrasting color.

Labels required by this section shall include the biohazard legend. Red bags or containers may be substituted for labels where appropriate. Red bags or labeled waste must be disposed of in accordance with applicable regulations.

Hazard Control: All identified employees must take precautions to prevent injuries caused by needles, scalpels, and other sharp instruments after use in procedures. To prevent needle-stick injuries, needles will not be recapped, purposely bent or broken by hand. After they are used, disposable syringes and needles, scalpel blades, and other sharp items must be placed in puncture resistant containers for disposal. The puncture resistant containers should be located as close as practical to the use area. Observe containers regularly and replace when full.

Eating and drinking is not allowed in areas where there is a reasonable likelihood of occupational exposure to blood or body fluids. Each director or chair should designate work areas and eating areas.

Personal Protective Equipment: The employer shall clean, launder and dispose of equipment at no cost to the employee.

Disposable Gloves (single use): Replace when torn, punctured or contaminated. Replace when their ability to function as a barrier is compromised. Do not wash or decontaminate for reuse.

Masks, Eye Protection and Face Shields: Wear combination of masks with eye protection devices whenever splashes, spray, splatters or droplets of blood or other potentially infectious materials may be generated.

Gowns, Aprons, Protective Body Clothing: Wear in occupational exposure situations. The type and characteristic depends upon the task and degree of exposure anticipated.

Cleaning Schedule: All equipment and environmental and working surfaces shall be cleaned and decontaminated aft contact with blood or other potentially infectious materials.

Contaminated work surfaces shall be immediately decontaminated with an appropriate disinfectant after completion of procedures, or as soon as feasible when surfaces are overtly contaminated or after any spill of blood or other potentially infectious material and at the end of the work shift if the surface may have been contaminated since the last cleaning.

All bins, pails, cans and similar receptacles intended for reuse, which have a reasonable likelihood for becoming contaminated with blood or other potentially infectious materials shall be inspected and decontaminated immediately or as soon as feasible upon visible contamination.

Broken glassware which may be contaminated shall not be picked up directly with the hand. It shall be cleaned up using mechanical means, such as brush and dustpan, tongs or forceps.

2.4.5.3 Post Exposure Procedures

Immediate response procedures for exposure to blood or bodily fluids are set forth at the end of this volume as Appendix 2.17 and 2.18.

The college must establish and maintain confidential, accurate records for each employee with occupational exposure.

If an employee of the college reports an exposure incident (specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials that resulted from the performance of job duties), the following are to be provided free

of charge: a confidential post-exposure medical evaluation, medical follow-up, including post exposure prophylax, and counseling.

The college must provide for the collection of the blood to establish HBV and HIV serological status from the exposed employee and, if applicable, the source individual. (The employee may not grant the collection of blood for the HIV testing if so desired. This also applies to the source.)

Documentation of the exposure incident and medical records must be developed.

2.4.5.3.1 Investigation of the Exposure Incident

All exposure incidents must be reported by the employee immediately to the vice president for student affairs, dean of students.

All exposure incidents will be reported to the supervisor by the investigator at the time of notification.

Information that must be obtained:

1. Type of exposure (blood, mucus, body fluids, vomit);
2. Location of the incident;
3. Time and date of incident exposure;
4. The person that the employee was exposed to;
5. Safety equipment employee was wearing at the time of the exposure;
6. Other person(s) who may have been exposed and/or who may have been providing treatment;
7. Date and time reported;
8. Name of person who documented the report of exposure; and
9. Proper disposition of contaminated equipment (laundry or disposal as appropriate).

A copy of the medical evaluation or the exposure results will be sent to the exposed employee by the business office within 15 days after the completion of the evaluation.

2.4.5.3.2 Medical Records Maintenance

Medical records will be established for each identified employee and the office of the director of human resources shall maintain these records for at least the duration of employment plus 30 years. These records must include the following information:

1. Employee's name and social security number;
2. Record of hepatitis B vaccination status, including dates of vaccination or proof declination; and
3. A copy of all results of medical exams, testing, etc. done in connection with post-exposure follow-up.

The medical record is strictly confidential and cannot be disclosed or reported without the express written consent of the employee.

2.4.5.3.3 Medical Record Keeping

Medical records shall be kept in the office of human resources and shall include the following:

1. Employee's name;
2. Job classification;
3. Documentation of employee training; and

4. Hepatitis B immunization status.

Medical records should include the following when occupational exposure has occurred:

1. Time and place of exposure;
2. Circumstances surrounding exposure;
3. Medical evaluation and recommendation;
4. Follow-up documentation that employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.
5. These records shall be kept the duration of employment plus 30 years; and
6. All findings shall be confidential and findings unrelated to occupational exposure shall not be included in the medical evaluation report.

2.4.5.3.4 Training Records Maintenance

Training records shall be maintained in the office of human resources for three years from the date on which the training occurred and contain the following information:

1. Dates of training sessions;
2. A summary outline of the contents of the session;
3. The names and qualifications of persons conducting the sessions; and
4. The names and job titles of all persons attending.

2.4.6 Hepatitis B Vaccine (HBV)

Hepatitis B Vaccine (HBV) vaccinations will be offered on a voluntary basis to all identified employees. These vaccinations will be offered free of charge by the college. Individuals particularly at risk will be actively urged to seek vaccination (see 2.19 Appendix: Hepatitis B Vaccine).

Education will be provided to inform identified employees about the Hepatitis B Vaccine and how it can protect their health.

Each employee will be required to sign an informed consent prior to receiving the vaccination. Identified individuals who refuse the vaccine will be required to sign the declination set forth at the end of Appendix 2.18.

The employee will receive schedule for follow-up injections at one month and six months. A reminder will be sent before each scheduled injection. It is each individual's responsibility to report for the injection.

Additional information regarding the Hepatitis B vaccine is set forth as 2.19 Appendix.

2.4.7 Worker's Right to Know

The Employee Right to Know Act of 1983 defines handling procedures for working with and handling hazardous and toxic chemicals. A copy of this act in its entirety may be obtained from the human resources office. The following summarizes the provisions of the act:

1. Provides for occupational safety and health;
2. Defines hazardous substance;
3. Defines harmful physical agent;
4. Requires employers using hazardous substances and harmful physical agents to provide employees with certain training information;

5. Requires that hazardous substances and harmful physical agents must be labeled under certain circumstances;
6. Creates a right to refuse work under conditions violating any applicable state occupational safety and health act;
7. Creates a right to refuse to work with a hazardous substance or harmful physical agent under certain conditions; and
8. Provides penalties.

2.4.8 Protection of Human and Animal Subjects of Research Investigations

The college is responsible for safeguarding the rights and welfare of human subjects in any research, development, and related activity; and for assuring the proper care of laboratory animals used in research. In determining policy in these matters, the college is guided by (a) the “Principles for Use of Human Subjects in Research” and “Principles for Use of Animals in Research” approved by the American Psychological Association, and (b) the Code of Federal Regulations (45 CFR 46). It is essential that researchers and chairs of academic units be fully familiar with these materials. See section 1.7.3.5 of Volume I of the policy manual for the human and animal subjects research committee and policies.

2.4.9 Inclement Weather and Emergency Guidelines

2.4.9.1 Inclement Weather

The decision to cancel main campus classes and restrict activities during inclement weather will be made by the president and/or a designee.

If main campus classes are cancelled, essential personnel, as designated by the president and/or the supervisor, may be expected to report to work during inclement weather. Employees must verify their schedule with their supervisor.

Essential Professional Studies personnel will be determined by the president and/or a designee for Professional Studies office closure in consultation with the staff.

The vice president for marketing and communications will inform students and staff members of the closing through appropriate media.

Closing During Work Hours - If the college is closed during the normal workday, employees will be paid for the full duration of their normally scheduled hours if they leave at the time of the closing. If an employee decides to leave work because of concerns over commuting in inclement weather prior to an actual closing time, employees are required to use their own paid time for leave prior to the closing. Likewise, if an employee arrives late at work due to concerns over commuting in inclement weather after the college has resumed activity, the employee’s own paid time will be charged for the time while the college is actually open. Time during the actual closing will be charged as administrative leave. Please mark "snow time" and the number of hours on your time card. Time worked after the closing time does not qualify for overtime pay. If employees are not working on the day of a closing during work hours, the day's time must be charged as one would have charged it prior to the closing of the college; no inadvertent benefit is intended.

Full Day Closings - Employees who are scheduled to work, but do not work due to full day snow closings by the college will be paid for their normal scheduled hours, straight time only.

Employees who charged their time otherwise will be charged the time as previously requested (e.g. vacation or sick time), not snow time.

2.4.9.2 Fire Prevention and Training

The importance of fire prevention in all divisions cannot be overemphasized. Carelessness and thoughtlessness are the two main reasons for fire disasters. The following should be avoided:

1. Cigarettes, cigars or pipe ashes in wastepaper baskets;
2. Flammable liquids left uncovered after use;
3. Accumulation of paper, oily rags, etc., in storage or other areas;
4. Defective wiring or electrical devices;
5. Smoking in non-smoking areas;
6. Open fire doors.

2.4.9.3 Emergency

Persons who are made aware of a real or threatened emergency, please follow these procedures:

1. Real Emergency (fire, explosion, accident, etc.)
 - Take steps to protect self and others in the vicinity.
 - As promptly as possible, sound the alarm verbally and/or by pulling the building fire alarm system.
 - As promptly as possible, notify the office of safety and security, 9-229-0012 (on campus phone), 620-229-0012 (off campus phone).
 - Continue to see that persons are evacuated from the danger.
 - If there is an accident and there is no danger in the area, do not move the victim.
2. Threatened Emergency (bomb threat, etc.)
 - Attempt to determine the source of the threat (usually a phone call)
 - when the bomb will go off
 - where the bomb is located
 - why the bomb was placed
 - who the caller is or who the caller represents
 - as much other information as possible
 - Note the time at which the call began to the nearest minute, as accurately as possible
 - Do not hang up the telephone since if the circuit is left open, the call can be traced more easily.
 - Using another telephone, notify the office of safety and security of the threat, reporting as much information as one was able to obtain from the caller. If, for some reason, the office of safety and security cannot be reached, report the threat to the college operator (dial "0").
 - Remain in place until told to evacuate. Use this time to check the area for unusual objects. Lock valuable work papers. Do not pull the fire alarm or sound a verbal alarm.

2.4.9.4 Tornado Shelters

Locations have been designated as shelters for the various areas on campus. Please consult the college web page for a list of continual updated tornado shelters in your work area.

2.4.9.5 Active Shooter Committee

This committee meets regularly to review and update policies and procedures to ensure campus preparedness.

2.4.9.6 Emergency Public Relations Statement

Public statements regarding an emergency situation or condition at the college or with college personnel will be released only through the president, the vice president for marketing and communications or their designees. No other persons may make a public statement regarding emergency conditions.

No other person or representative of the college (except the president) may make a public statement regarding emergency conditions.

2.4.9.7 Crisis Care Plan

When an unexpected trauma occurs and it becomes apparent to the administration that it has affected or will affect the campus, a crisis care plan goes into effect.

1. The crisis care plan is administered by the dean of students, the assistant dean of students, the campus minister, and the director of communications.

The dean of students is responsible for overall administration and coordination of all crisis functions and is the principal contact between the college and off-campus persons such as emergency personnel, victims' families, mortuary personnel, and employers. The dean of students also assists the families with logistical details such as refunds, degrees conferred posthumously, and memorials.

The dean of students is responsible for coordinating on-campus notification of faculty, students, and staff. Although this duty might be shared with many different persons, it is the dean of student's role to facilitate the process.

The campus minister is the first resource in grief counseling. This might include, but is not limited to, meetings with roommates and friends, meetings in residence halls, and organization of memorial services.

The director of communications is responsible for all media contact and serves as a clearinghouse and buffer between press personnel and faculty, students, and staff. Sensitivity to the grief process should be paramount. This person is responsible for all mass communications (such as e-mail notifications) both on-campus and off-campus. Notification of the crisis should be done as quickly as facts are known.

2. The four persons listed above have authority to delegate any tasks related to carrying out their responsibilities.
3. In any crisis, the college's first concern should be for the comfort and care of survivors, with the family being of utmost importance. Because grief can be intensely private, contact between the college and persons who are not part of the crisis care team should be at the initiation of the family.

Cancellation of classes is discouraged unless requested by the vice president for academic affairs, dean of the college. Closing offices or canceling any college function requires the knowledge and approval of the president.

2.5 Campus Security

Information regarding crime awareness and campus safety is provided in Volume VII of this policy manual.

2.6 Purchasing and Related Matters

2.6.1 Making Purchases

All purchases are made through the business office. Faculty and staff members submit requisitions for materials or services through their supervisor. The supervisor authorizes the request and forwards it to the business office where a purchase order is prepared and mailed to the vendor. If an order must be placed by telephone or picked up personally, the staff member must first present a properly signed requisition form to the business office and receive a purchase order number.

2.6.2 Check Requests

Check requests are made through the business office. See the business office for information and deadlines for a request to be processed.

2.6.3 Account Identification

Because account numbers are subject to change, each requisition or check request must indicate by name and number the account to be charged.

2.6.4 Signatures

All requisitions require the signature of the appropriate budget supervisor. This signature indicates that the requisition is in line with the budget as approved. The budget supervisor may designate another person to approve purchases; such approval must be in writing and clearly designate areas of authority.

2.6.5 Invoices

All invoices must be forwarded to the business office for payment. When an order is placed by phone, the supplier must be instructed to mail the invoice to the business office.

2.6.6 Items on Approval, Items Returned

The business office must be informed of any items ordered on approval. Similarly, the business office should be informed if items are being returned. A copy of any correspondence relating to these matters must be forwarded to the business office.

2.6.7 Unsatisfactory Merchandise Received

If damaged, inferior, or substituted merchandise is received, the business office should be notified. Such merchandise will be returned for credit if possible. Written permission from the supplier must be obtained before merchandise can be returned.

2.6.8 Charge Accounts

The college permits no charge accounts against the college without authorization by the vice president for finance, chief financial officer. No student organization may charge any purchase in the name of Southwestern College.

2.7 Facilities and Related Matters

2.7.1 Use of College Buildings and Properties

Campus buildings are open by 7:00 each morning. If use of a building is desired earlier than that hour, arrangements must be made through the office of student affairs. Those who have keys to certain buildings may have access to those buildings at any time, but are held responsible for keeping the buildings locked while they occupy them and upon leaving.

The buildings may not be used for personal business purposes. Any use by or for the benefit of outside organizations or groups must be arranged through the director of camps and conferences.

2.7.2 Keys to Campus Facilities

All keys are issued through the office of human resources.

2.7.3 Space Assignments

The coordination of office and space assignments is administered and coordinated by the associate vice president for business. All instructional space needs are assigned in coordination with the associate vice president for business services and the associate vice president of academic administration operations. Instructional needs normally take precedence over all other needs.

2.7.4 Office Assignments

All offices are assigned by the associate vice president for business services. No structural or office changes will be made without the written approval of the associate vice president for business services.

2.7.5 White Physical Education Building

The primary purpose of this building is to serve the recreational and fitness needs of the college's students and employees.

2.7.6 Swimming Pool

The swimming pool is also available – under terms of an agreement between the college, USD 465 of Winfield, and the Winfield Recreation Commission – for use by Winfield community patrons. Swimming pool rules and hours will be posted at the entrance to the pool. All posted rules are the policy of the college. The pool may be closed during any scheduled activity or athletic event on campus.

The pool is available to faculty and staff members for open swimming at scheduled hours.

2.7.7 Maintenance and Plant Operations

Plant operations is located in the basement of the library. Requests for maintenance may be telephoned (ext. 321) or emailed (fixit@sckans.edu) to the administrative assistant for plant operations. The maintenance staff and the jobs they perform are controlled by a work order

production system based on priority. Accordingly the time of these employees is controlled by this system and they are not allowed to do other than the work assigned by their foreman.

2.8 College Vehicles

A “College Vehicle” is a vehicle that is owned or leased by the college that is available for use for college business, events or activities on an as-needed-basis. Use of college vehicles is scheduled through the office of admission, office of institutional advancement, athletic department or through Professional Studies. All drivers of college vehicles must follow all relevant driving/driver polices.

2.8.1 College Driver Policy

A “College Driver” is defined as any individual who will drive for SC in any capacity, including (but not limited to):

1. Driving any vehicle owned or leased by SC, for any purpose
2. Driving any vehicle rented for college business, events or activities

All College Drivers must meet the requirements of and be approved as an “Eligible College Driver”:

1. Provide a photocopy of a valid driver’s license to the business office prior to driving a college vehicle
2. Possess and submit proof annually of a valid driver’s license from the state in which license was granted (any changes to the status of the driver’s license must be reported to the business office within 72 hours).
3. Sign a release in order for the college to obtain a current Driver’s History Report.
3. Be at least 25 years of age*.

*Individuals who are age 21-24 may be granted driver eligibility from the vice president for finance and chief financial officer with written request from an authorized college administrator.

2.8.2 Usage of Passenger Vans

It is recognized that a passenger van (hereinafter “van” or “vans”) will often be the most effective means of transportation for certain activities and events involving college employees and/or students. This policy statement is intended to implement uniform standards of usage in an effort to maximize the safety of those utilizing the van.

1. All van usage must be in compliance with applicable municipal, state, and federal requirements.
2. No driver should operate a van more than ten hours in any twenty-four-hour period. The van driver must take a mandatory thirty-minute rest break every four hours.
3. The van driver will be personally responsible for any and all traffic or parking citations, tickets or fines received while operating a van.
4. The van driver must report any accidents or damage to the vehicle within 24 hours of the occurrence to the associate vice president for business services. The van driver must also call the police and make a report.
5. SC is not responsible for any of the van driver’s personal property at any time.

6. Operating any vehicle while impaired is strictly prohibited. The van driver shall not drive if under the influence of drugs or alcohol, and shall not operate any vehicle if he or she is taking any form of medication which might impair the driver's ability to operate the vehicle.
7. All occupants of the van must use a seat belt at all times of operation.
8. No van will be used to transport or carry more than twelve passengers (including the driver) at any one time.
9. No van may be used to tow a trailer.
10. No luggage may be stored on top of a van.
11. When using vans leased/rented by the college, all leasing/rental company policies must be followed.
12. This policy is applicable to the usage of all vans, whether owned or leased/rented by the college.

Passenger van training is coordinated by the business office.

2.8.3 Use of Personal Cars

When no college vehicle is available, personnel may use personal cars and be reimbursed at the current mileage rate schedule. See current mileage reimbursement rate schedule to determine when a mileage rate will be allowed. If the estimated mileage rate exceeds the estimated rental rate, a rental vehicle should be used. Insurance coverage is the responsibility of the employee, who is solely liable for any claims which might be incurred. If the employee transports students or other employees in a personal car, proof of insurance coverage must be filed with the business office.

2.8.4 Use of Student Cars

If it is necessary to use a student-owned car for a college-sponsored trip, when a rental vehicle is not available, the student must be approved in writing by the activity sponsor and provide the business office with a certificate of insurance and a photocopy of a valid driver's license, prior to leaving. Reimbursement to the approved student is made at the current mileage rate. Reimbursement for mileage is not provided to students who are not officially approved or for students traveling as individuals or in student-organized car pools to conferences, class, or to off-campus sites and responsibilities related to course work, e.g. practice teaching, practicums or internships, and clinical settings.

2.8.5 Charges and Reimbursement:

Whether driving a college vehicle or a personal car, transportation expenses are calculated from the mileage card turned in by the driver following a trip. For rental cars, the daily rate will be charged, plus an insurance fee, plus the cost of gasoline. These expenses are charged to the department or division sponsoring the trip. Prior to incurring such expenses, the individual must make certain that approved funds are available for travel. The current rates for mileage are set by the vice president for finance and chief financial officer. The college business office reserves the right to decide who is eligible for reimbursement.

2.8.6 Personal Use of College Vehicles

No personal use of college vehicles is permitted unless specifically authorized as part of an employee's contract.

2.9 Publications

2.9.1 Catalog and Student Handbook

Members of the campus community should read and become familiar with the contents of this policy manual, as well as the college catalog and student handbook. Familiarity with all matters relevant to the campus community member in these publications, whether specifically mentioned in this policy manual or not, is a part of the responsibility of each individual.

2.9.2 College Catalogs

College catalogs are available online at <http://www.sckans.edu/student-services/registrar-office/course-catalogs/>

2.9.3 News Bureau

News releases concerning faculty, staff, and students are sent to newspapers, radio stations, television stations, and other media by the vice president for marketing and communications.

2.10 Services

2.10.1 Financial Aid

The financial aid office is committed to the effective delivery of financial aid to qualified students to enable them to achieve their educational goals. The financial aid office is located on the main floor of Christy Hall. Additional information regarding financial aid is provided in Volume VII of this policy manual.

2.10.2 Moundbuilder Market

The Moundbuilder Market provides college-branded items. The Market is located in the lower level of the Roy L. Smith Student Center.

2.10.3 College Dining Hall

Members of the campus community are welcome to take meals in the college dining hall. Guests are welcome and may purchase meals without reservations. Single meal rates are available. The dining hall and snack bar are located on the upper level of the student center. Hours are posted.

Faculty and staff may put flex dollars in an account and use their ID card for meal charges. Off-campus students may purchase a meal contract at the business office or have flex dollars put on their account.

Appropriate attire, including shoes or sandals and shirts must be worn in the dining hall at all times due to health requirements.

2.10.4 Copying Services

Members of the campus community are to pay the actual cost of copying their professional papers. A special account should be set up with the business office, which will furnish current information concerning costs.

The college maintains photocopying equipment for duplicating tests and other educational materials. Costs are charged to the person, department, or division requiring the work.

2.10.5 Mail

Incoming mail is delivered once each day to the mailroom in the student center. It is sorted and placed in the college mailboxes. The communications clerk will supply combinations for individual boxes. If special deliveries are received, attempts will be made to contact the addressees. Postage-due mail will not be accepted; CODs will be accepted only upon advance authorization by the addressees. Packages are delivered to maintenance/plant operations and will be delivered to offices.

Outgoing mail is to be delivered to the business office. It is to be identified by program, department, or office. Personal mail may be left for delivery to the post office.

2.10.6 Telephone Service

For local calls dial “9” and then the number. Long distance calls must be dialed from campus phones by entering a special access code to identify the department to be charged. For more information on how to use the phone system, contact the department of information technology.

2.10.7 Calendar Procedure

The college maintains a calendar on which all college events, whether on or off campus, must be scheduled. The director of camps and conferences is responsible for its maintenance.

The calendar is maintained on the college’s intranet, MySC and is viewable by all on campus. Calendar managers—are authorized to enter events.

To schedule an event, the person proposing the event must secure the approval of the director of camps and conferences,. Proposals for routine events in the upcoming year may be channeled through the director of campus and conferences.

Summer conferences and activities, including dates and location, must be approved on or before January 1 of the year in which the event is scheduled. Events scheduled during the school year should be approved on or before May 15 of the previous year to allow for the publication of a full year’s calendar in advance. The director of campus and conferences must approve in writing any events proposed after May 15 or after the school year is underway. Ultimately, proposals for events must be submitted in writing to the director of camps and conferences, specifying date, time, place, equipment, and accompanying arrangements. No financial arrangements of any kind are to be made with any outside agency or individual until the event is approved.

If conflicts arise, the director of camps and conferences will consult with the requesting parties in an attempt to reach a satisfactory conclusion to the conflict. In the event of a schedule or space conflict which the director cannot resolve, the director of campus and conferences shall present the issue to the president’s administrative council for a final decision. Failure to seek approval of a major event (defined as an event requiring something larger than a classroom and involving one of the major facilities identified above) will normally result in the cancellation of that event, regardless of the effort that may have gone into planning the event. Contact the director of camps and conferences for the process for approving an event on campus.

2.11 Computing Policies

2.11.1 Policy Statement

Southwestern College expects all members of its community to use electronic communications in a responsible manner. The college may restrict the use of its computers and network systems for electronic communications, in response to complaints presenting evidence of violations of this policy or state or federal laws. Specifically, the college reserves the right to limit access to its networks through college-owned or other computers, and to remove or limit access to material posted on college-owned computers.

Southwestern College cherishes the diversity of values and perspectives endemic in an academic institution and is respectful of freedom of expression. Therefore, it does not condone censorship, nor does it endorse the inspection of files other than on an exceptional basis. As a result, Southwestern College cannot protect individuals against the existence or receipt of material that may be offensive to them.

2.11.1.1 Purpose of the Policy

Southwestern College seeks to enforce its policies regarding harassment and the safety of individuals; to protect the college against seriously damaging or legal consequences; to prevent the posting of proprietary software or the posting of electronic copies of literary works in disregard of copyright restrictions or contractual obligations; to safeguard the integrity of computers, networks, and data, either at Southwestern or elsewhere, and to ensure that use of electronic communications complies with the provisions of other policies and codes for maintaining public order or the educational environment.

2.11.1.2 Individuals Covered by this Policy

This policy applies to Southwestern College students, staff, administrators, and faculty, as well as others who have been approved for access to Southwestern's network.

2.11.1.3 Overview of the Policy

Policy Definitions

These definitions apply to these terms as they are used in this policy.

1. **Education Records.** Records specifically related to a student and maintained by an educational institution or a party acting on its behalf. These records are protected by the Family Educational Rights and Privacy Act of 1974.
2. **Electronic Communications.** The use of computers and network systems in the communicating or posting of information or material by way of electronic mail, bulletin boards, or other such electronic tools.
3. **Network Systems.** Includes voice, video and data networks, switches, routers and storage devices.
4. **System or Network Administrator.** A college employee responsible for managing the operation or operating system environments of computers or network systems, respectively.
5. **College Computers and Network Systems.** Computers, networks, servers, and other similar devices that are administered by the college and for which the college is responsible.

6. **Southwestern College Community.** Southwestern College students, staff, administrators, and faculty, as well as others who have been approved for access to Southwestern's network.

7. **IT.** Information Technology.

2.11.1.4 Introduction to the Policy

Computers and network systems offer powerful tools for communication among members of the Southwestern College community and of communities outside of the college. When used appropriately, these tools can enhance dialog and communications. Unlawful or inappropriate use of these tools, however, can infringe on the rights of others. The college expects all members of its community to use electronic communications in a responsible manner.

The use of computers or network systems in no way exempts any member of the Southwestern College community from the normal requirements of ethical or legal behavior in the Southwestern community. In particular, data, software, and computer capacity have value and must be treated accordingly. Use of a computer and network system that is shared by many users imposes certain additional obligations.

Legitimate use of a computer or network system does not extend to whatever an individual is capable of doing with it. Although some rules are built into the system itself, these restrictions cannot limit completely what an individual can do or can see. In any event, each member of the community is responsible for his/her actions whether or not rules are built in, and whether or not they can be circumvented.

2.11.1.5 Policy Specifics

Southwestern College reserves the right to limit access to its networks when applicable college policies or codes, contractual obligations, or state or federal laws are violated, but does not monitor or generally restrict the content of material transported across those networks.

Southwestern College reserves the right to remove or limit access to material posted on college-owned computers when applicable college policies or codes, contractual obligations, or state or federal laws are violated, but does not monitor the content of material posted on college-owned computers.

Southwestern College does not monitor or generally restrict material residing on college computers housed within a private domain or on non-college computers, whether or not such computers are attached to campus networks.

2.11.2 Principles of Behavior

Members of the college community are expected to follow certain principles of behavior in making use of computers and network systems, in particular, to respect, and to observe policies and procedures governing:

- a. the privacy of or other restrictions placed upon data or information stored in or transmitted across computers and network systems, even when that data or information is not securely protected;
- b. an owner's interest in proprietary software or other assets pertaining to computers or network systems, even when such software or assets are not securely protected;
- c. the finite capacity of computers or network systems by limiting use of computers and network systems so as not to interfere unreasonably with the activity of other users.

Members of the college community also are expected to follow all other policies, rules, or procedures established to manage computers or network systems, including those established to control access to, or the use of, computer data, files, or other information.

Those who cannot accept these standards of behavior will be denied use of Southwestern College computers or network systems. Violators may also be subject to penalties under college regulations and under state and federal laws.

2.11.3 Appropriate Use of Electronic Communications Services

The college recognizes the complexity of deciding what constitutes appropriate use of electronic communications services. What is appropriate or inoffensive to some members of the community may be inappropriate or offensive to others.

Caution: Having open access to network-based services implies some risk. In a community of diverse cultures, values, and sensitivities, the college cannot protect individuals against the existence or receipt of material that may be offensive to them.

Southwestern College does not condone censorship, nor does it endorse the inspection of electronic files other than on an exceptional basis (i.e., if required to ensure the integrity, security, or effective operation of college systems).

Nevertheless, the college reserves the right to place restrictions on the use of its computers and network systems in response to complaints presenting evidence of violations of this policy or other college policies or codes, or state or federal laws. Once evidence is established, the college authorities responsible for overseeing these policies and codes will be consulted on the appropriateness of specific restrictions, which could include the removal of material posted on a computer and/or limiting access to the college's networks.

Caution: In exceptional cases, IT personnel may detect evidence of a violation while performing his or her duties operating or maintaining a system. In such instances, the individual should contact the director of administrative computing for further guidance.

Caution: This policy does not abrogate local policies governing the operation and maintenance of college systems provided they do not conflict with the precepts of college policy. Departments and administrative units may wish to develop ancillary procedures that support organizational requirements. Specifically, procedural guidelines with regard to security, privacy, and other areas of critical importance to the administration of these systems are not addressed as part of this policy, nor are violations of principles of network etiquette.

2.11.4 Policy Violations

This section presents a list of the kinds of violations covered by this policy. For reporting procedures see the section on reporting procedures.

2.11.4.1 Violations Targeted at a Specific Individual(s)

1. Sending repeated and unwanted (harassing) communication by electronic mail or other electronic communications. (See section 2.11.6 on harassment for additional information.)
2. Sending repeated and unwanted (harassing) communication by electronic mail or other electronic communications that is sexual in nature. (See section 2.11.6 on harassment for additional information.)

3. Sending repeated and unwanted (harassing) communication by electronic mail or other electronic communications that is motivated by race, ethnicity, religion, gender, or sexual orientation. (See section 2.11.6 on harassment for additional information.)
4. Posting or otherwise disseminating personal or sensitive information about an individual(s).

2.11.4.2 Violations Causing Harm to the Activities of Others

1. Propagating electronic chain mail. (See section 2.11.12 on sending chain e-mail for additional information.)
2. Interfering with freedom of expression of others by "jamming" or "bombing" electronic mailboxes. (See sections 2.11.9 on e-mail bombing and interfering with the activities of others for additional information.)
3. Forging, fraudulently altering, or willfully falsifying electronic mail headers, electronic directory information, or other electronic information generated as, maintained as, or otherwise identified as college records in support of electronic communications. (See section 2.11.9 on forgery for additional information.)
4. Using electronic communications to forge an academic document. (See section 2.11.9 on forgery for additional information.)
5. Using electronic communications to hoard, damage, or otherwise interfere with academic resources accessible electronically.
6. Using electronic communications to steal another individual's works, or otherwise misrepresent one's own work.
7. Using electronic communications to work together on examinations, papers or any other academic work unless permission to do so has been granted by the instructor.
8. Using electronic communications to fabricate research data.

2.11.4.3 Violations Involving Illegal, Proprietary, or Damaging Material

1. Electronically distributing or posting copyrighted material in violation of license restrictions or other contractual agreements. (See sections 2.11.1 and 2.11.8 for copyright rules, copyright infringement.)
2. Launching a computer worm, computer virus or other rogue program.
3. Downloading or posting illegal, proprietary or damaging material to a college computer. (See sections 2.11.1 and 2.11.8 on copyright rules, copyright infringement, and software piracy for additional information.)
4. Transporting illegal, proprietary or damaging material across Southwestern's networks. (See sections 2.11.1 and 2.11.8 on copyright rules, copyright infringement, and software piracy for additional information.)

D. Violations Targeted at Classes of Individuals

Posting hate speech regarding a group's race, ethnicity, religion, gender, or sexual orientation. (See section 2.11.7 on hate speech for additional information.)

2.11.5 Adult Material

Adult Pornography. Pornography is a generic term for erotic material of all types. In general, pornography receives full First Amendment protection, but there are several important exceptions. For example, see the sections on child pornography, distribution or pornography to minors, and obscenity. Possession of adult material is not a violation of Southwestern College policy or code unless the material is illegal. Any activity that is illegal is a violation of Southwestern College policy. Offenders may be investigated and/or prosecuted by the appropriate local, state or federal authorities. Southwestern College does not monitor or censor discussion groups, newsgroups, electronic mail or any other electronic communications.

Southwestern does not censor or filter adult materials.

Child Pornography. Child pornography, material that depicts minors in a sexually explicit way, is illegal. Under the federal child pornography statute 18 USC section 2252, anyone under the age of 18 is a minor. States also have child pornography statutes and the age of minority varies by state. Knowingly uploading or downloading child pornography is a federal offense. It is also illegal to advertise or seek the sale, exchange, reproduction or distribution of child pornography. Lewd exhibition of genitals can constitute sexual conduct and therefore, any graphic files containing images of naked children could violate the federal child pornography statute.

Distribution of Pornography to Minors. Possession of non-obscene adult pornography is legal, but it is illegal to distribute to minors.

Obscenity. Obscenity, by definition, is a type of pornography that is not protected by the First Amendment. Virtually every state and municipality has a statute prohibiting the sale and distribution of obscenity, and the federal government prohibits its interstate transportation. The Supreme Court in *Miller v. California*, 413 U.S. 15, (1973), narrowed the permissible scope of obscenity statutes and applied this three part test to determine constitutionality: (a) whether the average person applying contemporary community standard would find the work, taken as a whole, appeals to the prurient interest; (b) whether the work depicts or describes in a patently offensive way sexual conduct specifically defined in applicable state law; and (c) whether the work taken as a whole lacks serious literary, artistic, political, or scientific value.

The contemporary community standard is historically the standard of the community in which the material exists. Many on-line activists argue that the contemporary community standard in cases that arise on-line ought to be determined by the on-line community. However, a federal prosecution of a California couple that offered a members-only bulletin board service, concentrating on pornography, resulted in a conviction of the California couple under the federal obscenity statute and Tennessee community standards. In that case a postal worker in Memphis downloaded some material from this California bulletin board service. See *United States v. Thomas*, 1996 U.S. App. LEXIS 1069 (6th Cir. Jan. 29, 1996).

2.11.6 Harassment

Harassment, is any verbal or physical conduct, on or off campus, which has the intent or effect of unreasonably interfering with an individual's or group's educational or work performance or which creates an intimidating, hostile, or offensive educational or work environment.

Harassment on the basis of race, color, gender, disability, religion, national origin, sexual orientation, or age includes harassment of an individual in terms of a stereotyped group characteristic, or because of that person's identification with a particular group. With reference to

sexual harassment, the definition also includes unwelcome sexual advances and requests for sexual favors, which might be perceived as explicitly or implicitly affecting educational, or employment decisions concerning an individual.

Sending unwanted and/or offensive e-mail or messages may constitute harassment and is in violation of the intended use of the system. In general, communication targeted at a specific individual with the intent to harass or threaten is a violation of Southwestern College policy.

2.11.7 Hate Speech

Uncivil, antagonistic or derogatory speech that is disrespectful of classes of people is commonly referred to as hate speech. Although hate speech may be extremely offensive (particularly to members of the targeted group), posting hate speech does not generally constitute a violation of this policy. This is because, especially as an educational institution, Southwestern is committed to the protection of freedom of expression. In exceptional cases, however, the college may decide that hate speech directed to classes of individuals presents such a hostile environment that certain restrictive actions are warranted. Certain types of postings or communications may constitute harassment, which is a violation of this policy, and in some cases, state or federal laws. Contact the director of administrative computing for additional information or assistance.

2.11.8 Copyright Rules

It is the policy of Southwestern College that faculty, administration, staff, and students shall rigorously respect the licensing agreement under which computer software is purchased and used. Except that such action is specifically allowed in writing by the license agreement or authorized written exception thereto, it shall be against this policy to:

- a. Make copies of copyrighted computer software.
- b. Make copies of copyrighted manuals.
- c. Load software onto computers other than the computer for which the license is granted.
- d. Remove any copyrighted material from its proper custodian or custodial area.
- e. Lend any copyrighted material to another person without the permission of the proper custodian.
- f. Prepare derivative works based upon the copyrighted material. This includes alternate hardware versions.
- g. No college device shall be used to copy material in violation of any license agreement, even if that copyrighted material is owned by another.

See section 2.12.6 on copyright infringement for additional information.

2.11.9 Specific Examples of Violations of Southwestern College Policy

This section describes what activities constitute violations of this policy.

Examples (not a comprehensive list) of policy violations include:

Commercial use of college resources. Non-sanctioned commercial use of college computers and network systems is considered a violation of policy. Using e-mail to solicit sales or conduct business, setting up a web page to advertise or sell a service, or posting an advertisement to a news group all constitute commercial use. Use of a personal computer, on the college's network (either from a dorm room, office or via dial-in access from home), is a violation of the policy.

Computer theft (including theft of computer services, intellectual property such as copyrighted material, and any other property)

Computer trespass (unauthorized use of computers to delete or alter data or interfere with others' usage)

E-mail bombing. Flooding someone with numerous or large e-mail messages in an attempt to disrupt them or their site is known as "e-mail bombing".

Foreign Wireless Access Points. Using non-college-owned/installed devices to access the computer network via a wireless link.

Forgery. Altering electronic communications to hide your identity with the intent to defraud or to impersonate another person is considered forgery. All e-mail, news posts, chat sessions, discussion groups, or any other form of communication should contain your name and/or username. Southwestern recognizes that there are situations where maintaining ones' anonymity may be advisable and even required for safety reasons. However, forgery includes using another person's identity. Forgeries intended as pranks or jokes are still considered violations.

Illegal activities. Everything illegal under local, state, and federal laws is a violation of Southwestern College policy.

Interfering with activities of others. Any activity that disrupts a system and interferes with other people's ability to use that system. In some cases, consuming more than your "fair" share of resources can constitute interference. Some examples are:

- a. e-mail bombing that causes a disk to fill up, the network to bog down, or an e-mail application to crash;
- b. taking advantage of a network split to take over a chat channel and then kicking off or blocking other users;
- c. posting many messages to a single news group, discussion group, or mailing list making it difficult for subscribers to carry on their normal discussion;
- d. flooding a chat channel with a continuous stream of messages so that it disrupts the conversation.
- e. sending a large number of e-mail messages to one or more individuals causing the network to bog down. (Contact the director of administrative computing for assistance in seeking alternative methods of disseminating large amounts of information.)

Making more copies of licensed software than the license allows (i.e. software piracy)

Misleading transmittal of names or trademarks (falsely identifying yourself or falsely claiming to speak for a person or organization by using their name, trademark, logo, or seal)

Modifying or reconfiguring the software or hardware of a college computer. No one should modify the hardware, operating system, or application software of a college computer unless they have been given permission to do so by the department or individual that is in charge of the machine. The other users with whom you share the machine, and the technicians, on whom you rely for support, are expecting to find it set up exactly the way they left it.

Posting or otherwise disseminating personal or sensitive information about an individual(s). Examples include postings of an individual's academic records; medical information; social security number; or similar information of a personal or confidential nature that, if disseminated,

could have legal or otherwise damaging implications either for the targeted person or the institution. Personal expression by an individual about another, even if posted in a public manner, is not subject to limitation or restriction under this policy, although a targeted person may have recourse under other campus policies or codes, or state or federal laws regarding harassment.

Preventing others from accessing services (e.g. taking over a chat channel and kicking other users off).

Releasing a virus, worm or other program that damages or otherwise harms a system or network

Sending a crippling number of files across the network (e.g. e-mail "bombing")

Sending chain e-mail and virus hoaxes. The most important thing to remember is if you get chain e-mail, do not help propagate it. Chain e-mail usually contains phrases like "pass this on", "forward - do not delete", "don't break the chain", "this is safe, don't worry", "let's see how long this takes to get back to the start", "this has been around the world 20 times", "7 years of good luck!", "I don't wanna die", "your mom would want you to do this", etc. Often there is some story about how lucky a person has been since they forwarded the chain e-mail, or how unlucky they were because they didn't. Sometimes chain e-mail is disguised - it tells of some kid who is dying and wants post cards, or it warns about e-mail viruses or Internet shutdowns. Don't fall for it. It's all chain mail and it's designed to get you to forward it.

In recent years, chain mail hoaxes of various sorts have become widespread on the Internet. Some are virus warnings like "Good Times", "PenPal", and "Irina". Others are like the "Naughty Robot" that claims to have all your credit card numbers. They tell you to forward the "warning" to everyone you know. Most hoaxes start out as pranks, but often live on for years, getting passed around by new people who have just joined the Internet community. Don't believe every warning you get via e-mail. You should not pass these warnings on unless you verify the authenticity. Contact IT for additional information.

Sharing usernames and passwords (unauthorized use). Your username and password are provided only for your personal use. Passwords provide access to a wide range of services that are restricted for use by you personally or are restricted for use by the Southwestern College community (such as e-mail, PowerCAMPUS, library services, news, chat, and discussion groups). If you share your password with spouses, family members, friends or roommates, then you are giving them access to services they are not authorized to use. They will also have access to all of your personal information. If you forget your password, the IT will give the password only to you. IT will NEVER request your username and password or other personally identifiable information through email.

Tapping phone or network lines. Running a network "sniffer" program to examine or collect data from the network is considered tapping a network.

Unauthorized access. As stated in this policy, legitimate use of a computer or network does not extend to whatever an individual is capable of doing. In some cases, operating systems have security holes or other loopholes that people can use to gain access to the system or to data on that system. This is considered unauthorized access. If someone inadvertently turns on file sharing on their personal computer, you do not have the right to read or delete their files unless you have been given explicit permission from the owner.

Unauthorized access to data or files even if they are not securely protected (e.g. breaking into a system by taking advantage of security holes, or unauthorized access to financial or personal data). Using college resources for unauthorized purposes (e.g. using personal computers connected to the campus network to set up web servers for illegal, commercial or profit-making purposes).

2.11.10 What are NOT Violations of Southwestern College Policy?

Breaches of network etiquette. Southwestern College is not in a position to control etiquette. In some cases, rude behavior can cause disruptions. Any behavior that interferes with the ability of others to access or use a system is a violation of policy.

Hate Speech. Posting hate speech does not generally constitute a violation of this policy. Although certain postings or communications may be offensive to members of the community, Southwestern College is respectful of expression in its own right. See section 2.11.7 on hate speech for more information.

Unsolicited e-mail or junk e-mail. The amount of unwanted or unsolicited e-mail (junk mail) has been increasing as more people join the Internet community. This form of speech is usually protected under the first amendment, Southwestern College does not monitor or censure e-mail and therefore cannot prevent the flow of junk mail.

2.11.11 Illegal Computer Use Under Local, State and Federal Laws?

Any activity that is illegal is a violation of Southwestern College policy. Offenders may be investigated and/or prosecuted by the appropriate local, state or federal authorities.

Examples (not a comprehensive list) of policy violations include:

Bomb Threats and Hoaxes. It is illegal to send a message via e-mail that threatens other persons or property. Such messages may be investigated by federal authorities.

It is a violation of this policy to send certain kinds of hoax messages (for example, April Fool's jokes that appear to be from a professor or some other college official). Such hoaxes constitute forgery and will be referred for appropriate disciplinary action.

Child Pornography. Knowingly uploading or downloading child pornography is a federal offense. See the section on child pornography for more information.

Copyright Infringement. Almost all forms of original expression that are fixed in a tangible medium are subject to copyright protection, even if no formal copyright notice is attached. Written text (including e-mail messages and news posts), recorded sound, digital images, and computer software are some examples of works that can be copyrighted. Unless otherwise specified by contract, the employer generally holds the copyright for work done by an employee in the course of employment.

Copyright holders have many rights, including the right to reproduce, adapt, distribute, display, and perform their work. Reproducing, displaying or distributing copyrighted material without permission infringes on the copyright holder's rights.

Distribution of Pornography to Minors. Possession of non-obscene adult pornography is legal, but it is illegal to distribute to minors. See section 2,11,5 on adult material for more information.

Federal Computer Security Violations. The primary federal statute regarding computer fraud 18 USC section 1030 was amended in October 1996 to protect computer and data integrity, confidentiality and availability. Examples of violations are:

- a. theft of information from computers belonging to financial institutions or federal agencies, or computers used in interstate commerce;
- b. unauthorized access to government computers;
- c. damage to systems or data (intentionally or recklessly);
- d. trafficking in stolen passwords;
- e. extortionate threats to damage computers.

Obscenity. Obscenity is illegal. See section 2.11.5 on obscenity for more information.

Scams and Pyramid Schemes. At Southwestern College, this is considered chain mail, but it is also illegal under 18 USC section 1302.

Software Piracy. Unauthorized duplication, distribution or use of someone else's intellectual property, including computer software, constitutes copyright infringement and is illegal and subject to both civil and criminal penalties.

Video and Audio Recording Piracy. Another form of copyright infringement is the unauthorized duplication and distribution of sound recordings. Federal copyright law grants the copyright owner in a video and audio recording the exclusive right to reproduce, adapt, distribute and, in some cases, digitally transmit their sound recordings. Therefore, the following activities, if unauthorized by the copyright owner, may violate their rights under federal law:

- a. Making a copy of all or a portion of a video and audio recording onto a computer hard drive, server or other hardware used in connection with a web site or other online forum. This includes converting a sound recording into a file format (such as a .wav or mp3 file) and saving it to a hard drive or server;
- b. Transmitting a copy or otherwise permitting users to download video and audio recordings from a site or other forum; and/or
- c. Digitally transmitting to users, at their request, a particular sound recording chosen by or on behalf of the recipient.

If you reproduce or offer full-length video or audio recordings for download without the authorization of the copyright owner, you are in violation of federal copyright law and could face civil as well as criminal penalties. Placing statements on your web site, such as "for demo purposes only" or that the video and audio files must be "deleted within 24 hours," does not prevent or extinguish this liability.

2.11.12 Reporting Procedures

All violations of this policy should be reported to the director of administrative computing. The director of administrative computing will determine if other college officials, or state or federal authorities should be contacted. Consultations with the director of administrative computing are confidential.

Unwanted or Harassing E-mail. If you receive unwanted e-mail or other form of communication, notifying the sender that it is unwanted. If the sender continues to communicate after being placed on notice, or if you feel uncomfortable confronting the sender, the incident

should be reported to the director of administrative computing. Save electronic copies of anything that can be used as evidence.

Caution: The return address on an e-mail message may not be the real source of the e-mail. E-mail can be forged, and detecting a forgery can be difficult. Contact the director of administrative computing for more information and assistance.

The director of administrative computing can act upon a complaint only if the sender of the material is a member of the Southwestern College community. If the sender is not a member of the Southwestern community, the director of administrative computing will assist you by referring you to the appropriate sources of help outside the college.

Complaints about unwanted or harassing e-mail must be filed by the targeted person. If appropriate, please encourage the targeted person to contact the director of administrative for assistance.

Chain E-mail. If you get chain e-mail from someone with a Southwestern College e-mail address, you can report it to the IT. Contact the director of administrative computing for additional information or assistance.

Potential Consequences of Violations. For faculty, administration, staff, and students, as well as others who have been approved for access to Southwestern's network, violations of this policy will result in disciplinary action in accordance with established policy and/or legal action. This action may include suspension from the privilege of using the college's computers and/or network for a specific period of time.

For students, violations of this policy may result in one or more of the following actions:

- a. A written warning to the offender.
- b. A restriction of system access for a specified term.
- c. A revocation of all system privileges for a specified term.
- d. A statement of charges to the student's account, which could lead to other penalties up to and including probation or suspension.

Violations of these policies incur the same types of disciplinary measures as violations of other college policies or state or federal laws, including criminal prosecution in serious cases.

Policy Update Procedures. It is the responsibility of the director of administrative computing to ensure that this policy remains current and consistent with existing technology. Comments and suggestions should be directed to the director of administrative computing.

2.11.13 Laptop Use and Computer Center Helpdesk

2.11.13.1 Items Related to General Use

- a. You are responsible for backing up files and documents you don't want to lose.
- b. Keep all data files in the "My Documents" folder, since that is the default directory. This will speed up the backup process.
- c. Call the director academic technology before buying or installing software for your laptop in order to assure software compatibility.
- d. If you have a question or problem with a software program specified by an instructor for a class, please contact the instructor for assistance.

- e. IT staff reserves the right to remove software including reformatting (erasing) the entire hard drive and reinstalling our standard software if we deem necessary.

2.11.13.2 Items Related to Repair

- a. All laptops must be brought to the SC Laptop Center/Helpdesk for repair. Be sure to bring the power adapter and cables in the carrying case. Remove all personal items from the case. Be sure CDs and DVDs are removed from the laptop.
- b. IT personnel cannot be responsible for loss of disks, CDs and personal items.
- c. Not all repairs can be made “while you wait.” It may be necessary to send the computer to a service center for repair. You will be provided with a loaner laptop if one is available.
- d. Remember the importance of backing up your files. If the unit needs to be sent in for repair, chances are all files on your hard drive will be erased.

2.11.14 Purchasing Computer Hardware and Software

No hardware or software purchase is to be made for the college without the written authorization of the executive vice president, or designee.

2.11.14.1 Administration

To implement this policy, the following procedures are necessary:

- a. Any software purchases must be made by a college purchase order to a recognized vendor. This purchase order must be countersigned by the executive vice president, or designee. Shipping address should be the computer center so that a copy of the license agreement may be logged. If a purchase is to be made from a private individual, the purchase order must be countersigned by the vice president for finance and chief financial officer. This signature requirement is made so as to insure the private individual has the right to sell the software.
- b. A copy of all software licensing agreement shall be forwarded to the IT procurement specialist.
- c. All original software media shall be stored by the IT procurement specialist for safe keeping.

2.11.15 Web Site Disclaimer

Southwestern College has provided on-line information and services on the internet for communication purposes only. The college does exert editorial control over pages on the official SCKANS site and has not participated in the development of other internet sites. The college disclaims any and all liability for injury and other damages that result from information obtained therein.

The content of and links from personal web pages do not represent official statements or views of the college. Furthermore, the college disclaims all responsibility for any violations of copyright laws for any data that users may provide.

2.11.16 The Internet

The college makes the internet available as part of its continuing effort to provide collections, resources, and services that meet the informational, educational, cultural, and recreational needs of the campus community.

Basic to our policy are the Library Bill of Rights and The Freedom to Read Act. In keeping with those policies, the college does not monitor and has no control over the information accessed through the internet and cannot be held responsible for its content. As with all formats of information, patrons must respect copyright laws and licensing agreements and abide by general rules of acceptable internet conduct.

2.11.17 E-Mail Address Retention

Faculty, staff, and administrators who have retired or left the college to pursue other endeavors may retain a Southwestern College e-mail address if they so desire, under the following conditions:

1. Those persons whose length of service to Southwestern College is five years or greater or who are retiring are eligible for this benefit.
2. E-mail accounts will not automatically be continued for qualifying individuals. A request will need to be made in writing to the director of human resources.
3. In those cases where the existing mailbox name is well known to persons outside the college as a means to convey information to a college department, the college reserves the right to issue the employee a new mailbox address. Thirty days' notice will be given to the employee in order that he or she may have sufficient time to notify others of the address change.
4. Employees leaving involuntarily are not eligible for this benefit.
5. The college reserves the right, upon thirty days' notice, to discontinue providing an e-mail account under the provisions of this policy.
6. E-mail accounts for which a request to continue has not been received by August 1 of any year will be purged as of that date.
7. Decisions regarding eligibility for continuance of an e-mail account and the user name of the account (point 3 above) will be the responsibility of the director of human resources in consultation with the appropriate vice president and/or the president.

2.12 Other Policies

2.12.1 Confidentiality (Educational Privacy)

Southwestern College has interpreted the Family Educational Rights and Privacy Act of 1974 (FERPA; the Buckley Amendment) to restrict the release of confidential information relating to students. This information includes the student's academic record, test scores, and academic progress.

Right to Consent. Once a student has reached age 18, only that student may release confidential information to individuals outside the college and then only by written request. The student may share this information with whomever the student chooses. For instance, students will probably want to have academic transcripts sent to potential employers.

Some general information about students will be made available to others. See the sections titled "directory information" and "lists" below.

Students have the right to make a written request that no information, including directory information, be released regardless of the circumstances or the office involved. Such requests must be made annually in the business office.

Right of Access. Students have the right to inspect information pertaining to them in various offices. To exercise this right, make your request to the following offices:

academic records:	Registrar
scholarships and grants:	Financial Aid
student accounts:	Business Office
disciplinary matters:	Student Affairs

Right to Challenge. If you believe your educational records contain inaccurate or misleading data, you may request that the college amend those records. Make your request in writing to the office involved. If the office refuses the amendment, the college will notify you in writing and provide you an opportunity for a hearing. If you request a hearing in writing, it will be conducted within 30 days and will be conducted by a party having no direct interest in the outcome. You may have a representative present at the hearing, including an attorney. The college will issue a written decision within 30 days following the hearing. If the college will not make your requested change, you have the right to insert explanatory material into the record.

Directory Information. The following information has been designated as directory information and will be released on an individual basis to persons who inquire. Much of this information appears in the student directory and other college publications.

These items may be released: name, email address, local address and telephone, permanent address and telephone, parent/guardian address and telephone, dates of attendance, school previously attended, academic level, number of credits enrolled in, enrollment category (full or part-time), class type (main campus, professional studies, or online), major, minor, degrees received, awards and honors received, date of birth, organization and sports participation, height and weight of athletes, photograph, video.

Lists. Names and directory information for students who have designated a preference for a particular denomination are released in list form to members of the Winfield Ministerial Alliance and to the Kansas West Conference of the United Methodist Church. Names and directory information are also released in list form to educational institutions students have previously attended, for the purposes of follow-up studies.

Right to Notification. Students who claim a violation of this policy may submit a complaint in writing to the Family Policy Compliance Office, U.S. Department of Education, Washington, D.C., which will notify the college that a valid complaint has been filed and ask the college to provide a written response. The office investigates the complaint, and if it finds a failure to comply with the act, will specify the steps to be taken by the college and the time period in which to comply.

Information about Alumni, Applicants, Faculty, Staff. The alumni office may release names and addresses of previous students to class representatives or others who will use the information only for doing college business. Names of non-admitted students will not be released for any

reason. Names and addresses of faculty, constituents, or alumni may not be released for purposes of solicitation by private business or commercial enterprise. Lists that are compiled for the registrar's purposes are not to be released to the public or to be used by the public relations office in public activities, unless prior permission has been received.

2.12.2 Library Overdue Books and Fines

Deets library strives to support the research and curricular needs of the college community with physical and virtual materials. Due to costs, publishing outputs, space limitations, and demand for information, the library provides the following policy as a statement for the selection of materials and for the maintenance of the collection. The collection will be developed with an understanding of the immediate and future goals of the institution, the college community, and the library and with an efficient use of allotted funds. In this policy, the phrase "college community" includes faculty, staff, administrators, and all students of the college.

Deets Library is a way to share resources in a sustainable manner. What this means the borrower has responsibilities: the borrower will find the resources (we can help), borrow resources, and use them within a specific time frame, and then return them so other students, staff, faculty, and other patrons can use them. The borrower's responsibilities may include asking permission to extend the borrowing period (renew) in person or by email. Students and Faculty have the highest priority for borrowing Course Reserve items. These are items that have a shorter borrowing period and are meant to be used in the library.

2.12.2.1 Fees

Deets library will bill the borrower for items that have not been returned after several reminder notices (sent by email). The billing amount equals the item replacement cost plus a \$5 processing fee.

2.12.3 Public Accounts

For non-students who use the library, overdue/fine procedures are applied in the same sequence as for student accounts.

2.12.4 Loss of Personal Property

The college assumes no responsibility for the loss of personal property whether that loss results from theft, fire, or any other known or unknown cause.

2.12.5 Office Hours

Offices with full-time personnel normally operate from 8:00 a.m. to 12:00 noon and 1:00 to 5:00 p.m. Monday through Friday, except on holidays. The student accounts office is open during the noon hour.

2.12.6 Copyright Policy

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction in excess of "fair use," that user may be liable for copyright infringement.

2.12.7 Sales to Students

No employee of the college is to purchase any item for resale to students unless specifically authorized by the college to do so.

2.12.8 Videorecording

The college subscribes to the guidelines issued by the House Subcommittee on Courts, Civil Liberties, and Administration of Justice which have adopted the following guidelines for the use of videorecording programs in the classroom:

- a. Off-air recordings must be erased after 45 calendar days.
- b. Off-air recordings may be used once by teachers for instruction and once more for “reinforcement” during the first 10 consecutive school days of the 45-day retention period.
- c. If a teacher wants to use a recording after the time limit has expired, the program must be rented or bought from the copyright owner.

2.12.9 Off-Campus Travel Involving Students

The possession, use, or distribution of alcoholic beverages or illicit drugs by students or employees is strictly prohibited on the property of the college, even if an activity does not involve students or employees. No college funds will be expended for the purchase of alcoholic beverages or illicit drugs at any group activity taking place off college property or in another country (e.g. a reception or dinner in a culture with different laws and regulations on alcohol use and distribution. The guidelines for the application of the college policy on alcohol and drugs to study-abroad programs and activities in other countries are available in the business office. Students and sponsors are expected to follow these policy guidelines.

2.12.10 Policy for Mass E-Mail Distribution

- a. E-mail addresses must always be in the BCC so all e-mail addresses are not visible to all recipients.
- b. Any mass e-mail to current professional studies learners must be approved by the associate vice president for academic affairs for professional studies/online education.
- c. Any mass e-mail to current main campus students must be approved by the vice president for communications. Exceptions to this are specialized academic notices, such as reminders to graduating seniors from the registrar’s office, etc. In addition, certain administrators have permission to send messages to all Southwestern e-mail addresses. Contact the vice president for communications for more information.
- d. Individual students, faculty, and staff are not permitted to use the institutional e-mail for mass communications (spam). Disregard of this policy could result in a Level I violation being assessed against the student.
- e. E-mail messages to all faculty, staff, and students may be sent through the JinxTale, an electronic message sent to the entire campus community by mid-morning each day classes are in session. Send submissions to jinxtale@sckans.edu.
- f. Fundraising appeals of all types should be approved in advance by the vice president for institutional advancement.

2.13 Campus Policies and Regulations

Southwestern College is committed to protecting each person's dignity and right to privacy. The college attempts to provide an environment where academic, social, spiritual, personal, and physical growth occurs.

Below are the college policies and regulations that members of the campus community are expected to follow. The list is representative and not all-inclusive. The college is committed to providing a safe as well as fair, sensitive and a nondiscrimination environment which is in compliance with federal, state, and local regulations.

Each member of the campus community is expected to comply with the policies and procedures outlined in the applicable volume of the policy manual. Members of the campus community are expected to be independent, mature, and responsible in their decisions and actions, and to seek guidance when necessary.

Behaviors of student, faculty, staff, and administrators that are inconsistent with the Christian academic traditions of the institution or behaviors that are unacceptable to the established community standards may result in suspension, separation or expulsion.

Enrollment at the college is interpreted by the institution to have both academic and social behavioral implications.

Southwestern College students and employees will:

1. be responsible,
2. respect community rules,
3. recognize the individual rights of others, and
4. affirm the validity of a drug-free environment.

A member of the campus community who feels that he or she has been subjected to actions by another member that are inconsistent with the behavioral code may file a complaint with the vice president for student affairs, dean of students or the director of human resources. The complaint must be in writing. The vice president for student affairs, dean of students or the director of human resources will review the complaint and respond to the person who filed the complaint.

2.13.1 Public Relations

The college campus is visited by many persons from outside the campus, including prospective students, alumni, donors, parents, trustees, speakers and performers. Members of the campus community are asked to treat such persons with utmost courtesy, taking time to refer them to appropriate offices for answers to questions and otherwise assist in meeting their needs. Dress should be appropriate professional reflection of the college's mission and heritage.

2.13.2 Racial Violence Policy

Racial intolerance (slurs, name calling, gesture, statements, behavior, physical assault, etc.) will not be tolerated by Southwestern College. Appropriate action will be taken when allegations have been confirmed. These actions will be kept strictly confidential at all times.

2.13.3 Cohabitation

Unmarried couples are prohibited from living together on the campus of Southwestern College. (Campus housing is available to married students in the Honor and Warren apartments.)

2.13.4 Emotional Problems

Southwestern College provides counseling for students, staff, faculty and administrators. Persons with serious emotional problems will be referred to appropriate professionals. Students who exhibit unacceptable behavior may be required to undergo mandatory counseling or other restrictions.

2.13.5 Fighting

Fighting is prohibited on campus and at off-campus events involving Southwestern College. Violence in any form is prohibited.

2.13.6 Hazardous Items

Members of the campus community may not possess or discharge weapons, firearms, BB guns, pellet guns, explosives, explosive devices or fireworks of any type anywhere on the Southwestern College campus, unless such possession or discharge is job-related.

2.13.7 Hazing

Hazing by any fraternity, sorority, group or organization is not allowed at Southwestern College. Hazing is defined by any action or activity taken or situation intentionally created, whether on or off campus, which produces mental or physical discomfort, embarrassment, harassment or ridicule, or any form of violence, abuse, or failure to accord to any student the dignity due the student. Consent of pledge does not exempt any organization from this regulation. Hazing policy guidelines are set forth in Volume VII, of this policy manual.

2.13.8 Littering

Littering within the residence halls or on campus is prohibited. Members of the campus community are responsible for keeping their living areas clean and orderly. The restrooms, hallways and other public areas of the campus are cleaned by housekeeping personnel.

2.13.9 Obscene Language or Behavior

Obscene language (oral or written) or behavior is prohibited on campus or at any event involving Southwestern College. Obscene language (oral or written) is defined as language or behavior which has, as its primary intent, to degrade, debase or devalue any individual or group.

2.14 Vehicles and Campus Parking

2.14.1 Policies

The rules in this section describe the appropriate use of vehicles on campus by both students and campus employees. These rules shall be enforced by the campus security. Violations will result in fines.

All motor vehicles used on campus by students, faculty, and staff must be registered. It should be understood that registration does not guarantee convenient parking on campus. The only reserved parking is for service vehicles and persons with state issued tags for the disabled. Any vehicle to be registered is required to have a current state registration with appropriate license plates.

A. Who Must Register

Anyone who parks a vehicle on campus property must register the vehicle. Vehicle includes automobile, truck, motorcycles, motor bikes or scooters, and any other type of motorized vehicle. This includes:

1. All full-time and part-time students, faculty, adjuncts and staff.
2. Persons residing in campus housing regardless of the number of vehicles associated with that housing (e.g., spouses in married student housing).

B. Exceptions

1. Delivery, maintenance, repair, service, contractor and vendor personnel whose vehicles identify the business. All such vehicles are restricted to service delivery areas.
2. Visitors.

C. When to Register

Students must register their vehicles at the time of enrollment or, if the vehicle is acquired later, within 5 days of parking on campus. Faculty and staff registration is done at time of employment or, if acquired later, within 5 days of parking on campus. Registration materials are available year round.

D. Registration Facts

1. The college has implemented a permit-less system. Your valid state license plate essentially serves as your “permit.”
2. If you change vehicles during the semester you must contact the office of student life to revise your information.
3. Vehicles that are designated for off-road use only are not permitted on the college campus.

E. Vehicle operation on campus

The operation of any motor vehicle on the college campus is a privilege granted by the college. It is not the inherent right of any person(s) and can be denied or revoked for cause at any time. All vehicles may be operated, parked and otherwise used on campus only in compliance with college rules and policies.

F. Rules for Vehicle Operation

1. Speed Limit—The maximum campus speed limit is 20 miles per hour unless otherwise posted. Driving speed must be adjusted to existing driving conditions, such as ice, rain and snow, and pedestrian traffic.
Pedestrians have the right-of-way on campus.
2. Security—Lock your vehicle when parked. Do not leave keys or valuables in your vehicle. Do not leave vehicles unattended with the engines running.
3. Responsibility for Loss—The college is not responsible for loss or damage to vehicles parked on campus.

4. Disabled or Alternate Vehicles—Anyone having a problem with a vehicle on campus (e.g., broken down, stuck, etc.) may contact campus security for assistance.
5. Accident—In the event of an on-campus accident involving vehicles, contact campus security at 9-229-0012 (on campus phone), 620-229-0012 (off campus phone) immediately. In the event of an emergency call 9-911.
6. All vehicles are prohibited from off-road use on campus.
7. The driver/owner is responsible for all damage to college property caused by the driver/owner’s vehicle.
8. Vehicles may not be washed on campus.

G. Parking areas and rules

1. Responsibility for locating a legal parking space rests with the vehicle driver. Lack of space in any particular lot is not a valid cause for parking illegally.
2. Observing other vehicles illegally parked does not imply that the regulations are not longer in effect.
3. It is illegal for anyone other than the disabled person, even if they are driving a disabled person’s vehicle, to park in a disabled space unless the disabled person is a passenger.
4. Parking on lawns, sidewalks, driveways and other areas not specifically designated by signs, lines, curbs, and curb markings as a parking area is a violation. The absence of a “No Parking” sign does not mean that you may park in that area.
5. Markers and Signs—Do not remove, deface, turn or in any other way vandalize any signs regulating traffic or parking. This includes both the sign and the post it is affixed to.
6. Under special circumstances approved by the vice president for student life and dean of students, the college may temporarily issue a campus disability permit to any student, staff, or faculty who has sustained an injury or has some other special need. Such a permit is valid on campus only.
7. On-street parking is illegal unless otherwise posted.
8. Loading zones are limited to loading and unloading freight, etc.
9. The college does not provide “storage” for disabled vehicles. Such vehicles must be removed from campus.
10. Residents may not affect repairs to their vehicles on campus.

2.14.2 Violations and Penalties

- A. Loss, suspension, or restriction of parking privilege may occur for the following reasons:
1. False information provided to the college regarding vehicle, vehicle registration or ownership.
 2. Moving, turning, marking, defacing, or interfering with traffic signs in any way.
 3. Deliberately ignoring the direction of a campus employee pertaining to your vehicle.
 4. Habitual offenses—receiving over 3 citations in a semester or 10 citations over all years regardless of their payment status.
 5. Five or more unpaid or delinquent citations.

6. Any other improper conduct in relation to driving or parking on campus.

B. Fines not paid within 10 days will be doubled.

C. Fine Collection Fines will be assessed against the owner/operator registered at the college and may be paid at the student affairs office.

D. Appeals

Each person has the right to appeal a college-issued ticket. In the case of students, the appeal may be made, in writing, to the vice president of student affairs, dean of students (or designee) within 3 days of the violation. In the case of faculty or staff, the appeal must be made, in writing, to the vice president of finance and chief financial officer. Appeals will be reviewed and returned with a decision within 30 days.

2.15 Scholarship Policy

2.15.1 Endowed Scholarship Policy

A scholarship is perpetual. Programs and buildings come and go. An endowed scholarship at Southwestern College will continue for as long as the college serves students.

A scholarship is an enduring tribute. An endowed scholarship in the name of someone you wish to remember will perpetuate that person's name for generations.

A scholarship recognizes need and excellence. The student who receives a scholarship has special needs or special merit. The scholarship is an incentive for that student to achieve excellence in college work.

A scholarship can make the difference for some students. We all know someone who would never have completed a college education if it had not been for a scholarship that was endowed by a generous donor.

2.15.2 The Southwestern College Scholarship Program

The purpose of endowed scholarships is to provide scholarships to Southwestern students. The college welcomes gifts for scholarship endowments and the president and the staff of the department of institutional advancement will gladly consult with prospective donors about endowed scholarships.

2.15.2.1 Things to Remember in Establishing an Endowed Scholarship

1. The fewer restrictions the better. Complicated scholarship award guidelines can cause a scholarship to go unawarded because no qualified candidate is available. Donor preferences and suggestions regarding scholarship awards will be noted, and attempts will be made to award scholarships in the spirit of the intent of the donor. All scholarship agreements will be written with a contingent provision for awards if the preferences of the donors cannot be fulfilled.
2. A scholarship endowment is a gift to the college, not a personal investment. Once given, it is the property of the college, subject to the investment policies of the Board of Trustees. Donors give up all legal financial control of the funds. As a matter of policy, the college avoids risky investments that might endanger the funds, preferring instead to ensure the

existence of the scholarship endowment in perpetuity. Also, be aware that the college contracts will be incurred against the income of the endowment fund.

3. Scholarships are not the only naming gift possibilities available. Other naming possibilities include endowments for the maintenance of facilities, or particular programs and activities funded by the annual budget. Buildings, rooms, and faculty chairs are also sometimes named in recognition of particularly large memorial gifts. The college development officers will be happy to inform you as to naming gift possibilities beyond scholarships.
4. Scholarship policies change to respond to changing conditions. The Board of Trustees will review scholarship policies annually, including the amount which constitutes a fully-funded, named scholarship. Also the board reserves the right to suspend the creations of new endowment funds if scholarship or other naming funds become over-subscribed.

2.15.2.2 Recognition of Scholarship Endowments

Student recipients are notified and publicized with the donor's permission. Smaller memorial gifts are formally recorded as a contribution in the name of the donor and the family of the person memorialized is notified.

2.15.2.3 Questions to Answer When Establishing an Endowed Scholarship

1. What name(s) do you want attached to the endowment?
2. What dollar goal do you have for the endowment fund? For annual scholarship income from the fund?
3. What is your personal calendar for funding the endowment?
4. What are your preferences for criteria for awarding the scholarship, assuming a contingent award if no candidate is available who fits your criteria?

2.16 Financial Affairs

2.16.1 Budget Process

The budgeting process for employees is found in Volume III, section 3.11, of this policy manual.

2.16.2 Fund Raising

Gift Solicitation. Any solicitation of a gift or gifts to Southwestern College, for any purpose, must be authorized by the vice president for institutional advancement. This requirement applies to all college employees and to all college student groups and organizations.

Recording and Acknowledgment of Gifts Received. All gifts, for whatever purpose and by whomever received, must be processed, receipted, and acknowledged by the office of institutional advancement. Only this office may provide to donors an official college receipt stating the value of a gift received.

Grants. All grant requests to corporations, foundations, or government agencies must be approved by appropriate college administrators. Early consultation is strongly advised, particularly with the coordinator of corporate and foundation gifts in the office of institutional advancement, to ascertain whether a contemplated proposal will be approved for submission by the college. The coordinator of corporate and foundation gifts will also offer assistance and support in the drafting of proposals.

All grant requests originated by a college administrator must be approved by the vice president who supervises the administrator's area and by the vice president for institutional advancement.

All grant requests originated by members of the faculty must be approved by the appropriate division chair, the vice president for academic affairs and dean of the college, and the vice president for institutional advancement.

2.17 Appendix: Additional Hazard Guidelines

2.17.1.1 Disposal of Hazardous Spills

1. Assemble necessary equipment and supplies.
2. Mix a fresh disinfectant solution of one part bleach and nine parts water.
3. Put on gloves.
4. Wipe up the spill or splash with a cloth or a paper towel.
5. Discard the saturated cloth or paper towel into the red plastic bag.
6. Spray the spill or splash with the disinfectant solution until the contaminated area is wet.
7. Wipe up the disinfectant solution with a cloth or paper towel. Repeat as necessary until the spill or splash area is dry.
8. Discard the contaminated cleaning cloth or paper towels in the red plastic bag.
9. Spray disinfectant solution onto the discarded cloth or paper towel inside the red plastic bag.
10. Remove gloves and disinfect.
11. Tie the bag. If the outside of the red plastic bag becomes contaminated with blood, place the contaminated bag into a clean red plastic bag.
12. Place the plastic bag into the designated container.
13. Return unused supplies or equipment to the designated storage area.
14. Wash hands.

2.17.1.2 Hand Washing

Hand washing shall be regarded by the college as the single most important means of preventing the spread of infections.

Appropriate 10-15 second hand washing must be performed under the following conditions:

1. When coming on duty;
2. Whenever hands are obviously soiled;
3. Before performing invasive procedures;
4. Before preparing or handling medications;
5. Before handling clean or soiled dressings, gauze pads, etc.;
6. After handling used dressings, contaminated equipment, etc.;
7. After contact with blood, oral secretions, mucous membranes, or broken skin;
8. After handling items potentially contaminated with blood, excretions, or secretions;
9. After personal body function (e.g., use of toilet, blowing or wiping the nose, smoking, combing the hair, etc.)
10. Before and after eating;
11. Whenever in doubt; and
12. Upon completion of duty.

The use of gloves does not replace hand washing.

2.17.1.3 Soiled Laundry:

Laundry contaminated with blood or other potentially infectious materials shall be handled as little as possible and with a minimum of agitation.

Equipment and Supplies Needed:

1. Laundry container (with cover);
2. Red plastic bag;
3. Gloves (as indicated); and
4. Gown (as indicated).

2.17.1.4 Procedure Guidelines:

1. Place all linen soiled with blood or body fluids into designated containers or bags.
2. Do not store soiled laundry with clean laundry.
3. Gloves must be used when handling soiled laundry:
 - A. If it is likely that hands will come into contact with blood or body fluids;
 - B. If hands have any cuts, wounds, skin rashes, chapped skin, itching, or scrapes on hands; and
 - C. If the laundry container is soiled with blood or body fluids.
4. Gowns, aprons, or lab coats must be worn when handling soiled laundry:
 - A. If soiling of clothing is likely; and
 - B. If splashing or spillage of blood or body fluids is likely.
5. Hands should be thoroughly washed with soap and warm water:
 - A. Before and after handling soiled laundry;
 - B. Immediately after hands come into contact with blood or body fluids; and
 - C. After removing gloves.
6. Soiled laundry should be handled as little as possible and with minimum agitation to prevent self-contamination as well as contaminating the air.
7. If soiled laundry is washed in-house, follow these guidelines:
 - A. Wash in hot water (160 F/71 C) with a detergent for at least 25 minutes; or
 - B. In low-temperature laundry cycles, chemicals suitable for low-temperature washing at proper use concentration should be used.
8. Should spillage or splashing of blood or body fluids occur while handling soiled laundry, follow these steps:
 - A. Clean it up as soon as practical;
 - B. Wear gloves;
 - C. Follow established procedures for cleaning up spills or splashes of blood;
 - D. Follow established hand washing procedures; and
 - E. Report any exposure to blood or body fluids.

2.17.1.5 Handling and/or Disposing of Used Needles:

Purpose: To prevent needle stick injuries as well as the exposure to HBV virus or other Blood borne infections through contact with blood or tissues.

Equipment and Supplies Needed:

1. Needle box;

2. Recapping device (if a needle box is not available); and
3. Gloves (as indicated).

Safety Precautions:

1. After use, if the needle disposal box is directly available, discard the needle without recapping.
2. If recapping is absolutely indicated, and the needle box is not readily available, the cap should be reapplied using the following method before leaving the point of use: place the cap on a horizontal surface and slide the needle into the cap.
3. Used needles must be placed in the needle disposal box. Do not bend, break or cut needles. When the disposal box is almost filled, the box must be sealed and stored in a rigid cardboard container marked "Biohazard" until incinerated or picked up by a licensed vendor for proper disposal.
4. Needles, used or unused, may not be discarded into trash receptacles.
5. In the event of a needle stick injury, the employee should follow these procedures:
 - A. Immediately wash the wound with soap and running water;
 - B. Cause the injured site to bleed;
 - C. If desired, apply alcohol or hydrogen peroxide to the wound; and
 - D. Notify the accident investigator of the incident as soon as practical.

2.17.1.6 Disposal of Contaminated Sharps:

1. Contaminated sharps shall be discarded immediately or as soon as feasible into designated containers.
2. Contaminated sharps will be discarded into containers that meet these requirements:
 - A. Closable;
 - B. Puncture resistant;
 - C. Leak-proof on sides and bottom; and
 - D. Labeled or color-coded in accordance with the University's established labeling system.
3. During use, containers for contaminated sharps will be treated in the following manner:
 - A. Easily accessible to employees and located as close as feasible to the immediate area where sharps are used or can be reasonably anticipated to be found;
 - B. Maintained in an upright position throughout use; and
 - C. Sealed and replaced when they are 75% to 80% full to protect employees from punctures and/or needle sticks when attempting to push sharps into the container.
4. When moving containers of contaminated sharps from the area of use, employees must be sure to treat the containers in the following manner:
 - A. Close the container immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport, or shipping;
 - B. Place the container in a secondary container if leakage is possible; and

- C. Use second containers, as needed, with these features:
 - 1. Closeable;
 - 2. Constructed to contain all contents and prevent leakage during handling, storage, transport, or shipping, and;
 - 3. Labeled or color-coded according to established policies governing the labeling of containers.
- D. Sealed and replaced when they are 75% to 80% full to protect employees from punctures and/or needle sticks when attempting to push sharps into the container.
 - 1. Employees shall not open, empty, or manually clean reusable containers, or handle such containers in a manner which would expose them to the risk of percutaneous injury.
 - 2. Incorrect disposal or handling of contaminated sharps should be reported to the accident investigator.

2.17.1.7 Disinfection of Thermometers:

Equipment and Supplies Needed:

- 1. Thermometer and appropriate container;
- 2. 70% isopropyl alcohol pledget;
- 3. Soap and cold water; and
- 4. 70% isopropyl alcohol.

To disinfect glass thermometers, follow these procedures:

- 1. Wipe the thermometer from the stem toward the bulb with 70% isopropyl alcohol.
- 2. Place in container to return to utility room.
- 3. Wash thermometers with soap and cold water.
- 4. Rinse.
- 5. Soak in proper container with 70% isopropyl alcohol for 10 minutes.
- 6. Rinse.
- 7. Place in designated container to air dry.
- 8. Close container when thermometers are dry.
- 9. Wash hands.

If IVAC thermometer unit is used, follow these procedures:

- 1. Discard covers after each use.
- 2. Wipe outside of unit with 70% isopropyl alcohol:
 - A. When visibly soiled with body fluids; and
 - B. When temperature check is completed.

2.17.1.8 Cleaning of Stethoscope:

- 1. Obtain alcohol swab and use firm pressure with rotary motion to clean stethoscope ear pieces, tubing, and diaphragm and bell.
- 2. Discard alcohol swab into appropriate receptacle.
- 3. Return stethoscope to designated area.

2.17.1.9 Gloves:

Gloves must be worn when handling blood or body fluids, mucous membranes and non-intact skin.

When to Use Gloves:

1. When touching excretions, secretions, blood, body fluids, mucous membranes or non-intact skin.
2. When the employee hand shaves any cuts, scrapes, wounds, chapped skin, dermatitis, etc.;
3. When cleaning up spills or splashes of blood or body fluids;
4. When cleaning potentially contaminated items; and
5. Whenever in doubt.

Putting on Sterile Gloves:

1. Obtain gloves. (Note: If gowning procedures are used, put gloves on after putting on the gown so that the cuff of the gloves can be pulled over the sleeve of the gown.)
2. Open the package. Do not touch the gloves.
3. Wash hands.
4. With one hand, grasp a glove by the inside of the cuff. Insert opposite hand into the glove. Leave the cuff turned down.
5. Pick up the remaining glove with gloved hand. Insert ungloved hand into the second glove.
6. Pull up cuffs.

Removing Gloves:

1. Using one hand, pull the cuff over the opposite hand, turning the glove inside out.
2. Discard the glove into the designated waste receptacle inside the room.
3. With the ungloved hand, pull the cuff down over the opposite hand, turning the gloves inside out.
4. Discard the glove into the designated waste receptacle inside the room.
5. Discard the glove package into a waste receptacle inside the room.
6. Wash hands.

2.17.1.10 Gowns, Aprons and Lab Coats

All personnel must use gowns, aprons or lab coats when soiling of the clothing with blood or body fluids is likely to occur during treatments.

1. Use gowns only once and then discard into appropriate receptacle inside the exam or treatment room.
2. Clean, freshly laundered or disposable gowns may be worn in most circumstances.
3. Use gowns only when indicated or as instructed.
4. Follow established hand washing procedures.
5. Reusable gowns shall be laundered after each use in accordance with established laundry procedures.
6. When the use of a gown is indicated, all personnel must put gowns on prior to administering treatment to an individual.
7. All gowns used shall be large enough to cover the entire clothing of the person using the gown and must be tightly cuffed at the sleeves.

8. When the procedure or service to the patient has been completed, the gown must be discarded in the appropriate container located in the room.
9. If a garment(s) (e.g., gown, apron, or lab coat) is penetrated by blood or other potentially infectious materials, the garment(s) must be removed immediately or as soon as possible.

Putting on the Gown:

1. Obtain gown (disposable or reusable).
2. If long sleeves are being worn, roll the sleeves above the elbows.
3. Wash hands.
4. Unfold the gown so that the opening is at the back.
5. Put arms into the sleeves of the gown.
6. Fit the gown at the neck.
7. Tie the neck string into a shoelace bow.
8. Overlap gown at back. Be sure clothing is completely covered.
9. Tie waist string into a shoelace bow.

Removing the Gown:

1. Untie or unfasten the back of the gown.
2. If gloves were not used in performing the procedure(s), wash hands. If gloves were used, remove them at this time. Discard gloves into waste receptacle in the room.
3. Untie or unfasten the neck band. While still holding the neck strings, pull the gown off the shoulders.
4. Remove the gown by rolling it away from the body. Handle the inside of the gown only.
5. Fold outside (contaminated portion) of gown inward. Roll into a bundle.
6. If the gown is disposable, discard it into the waste receptacle inside the room. If the gown is reusable (washable), discard it into the soiled laundry container inside the room.
7. Wash hands.
8. If a mask was used in performing the procedure(s), remove it at this time. Discard it into the waste receptacle inside the room.

2.17.1.11 Goggles, Eyewear and Face Masks

All personnel must use eyewear to protect the mucous membranes of the eyes when splashes from blood or body fluids are likely to occur during treatment.

1. Put mask on before entering possibly infected area. Be sure that hands are clean before putting on a face mask.
2. Be sure that face mask covers the nose and mouth while performing treatment or services for an individual.
3. If face mask becomes wet, change it. Masks become ineffective when moist.
4. Do not let the face mask hang around the neck.
5. Before changing a face mask, wash hands.
6. Do not remove the mask while performing treatment or services.
7. Mask may be used only once and then discarded.
8. Handle mask only by the strings (ties).
9. Never touch the mask while it is in use.

10. Follow established hand washing techniques.

Equipment and Supplies Needed:

1. High-efficiency disposable masks; or
2. Cotton gauze or paper tissue masks.

Putting on the Mask:

1. Obtain mask.
2. Wash hands.
3. Remove the mask from its container. (Note: If gowning procedures are necessary, put mask on before putting on gown.)
4. Unfold the mask. Do not touch the part of the mask that will cover the face. Hold the mask by the strings only.
5. Place the mask over the nose and mouth. Using a shoelace bow, tie the top strings over the ears, then tie the lower strings.
6. Avoid any unnecessary handling of the mask.

Removing the Mask:

1. Wash hands.
2. Untie the lower strings of the mask first. Hold the strings of the mask only.
3. Untie the top strings of the mask. Remove the mask from the face. Handle strings only.
4. Discard the mask into the designated waste receptacle inside the room.
5. Wash hands.

2.18 Appendix: Response Procedure for Exposure to Blood Borne Pathogens

Any direct exposure to blood or body fluids occurring at the college must be reported to the infection control coordinator. The infection control coordinator shall have a step-by-step procedure and appropriate forms available for reporting exposures. Precautions should be followed at all times, not just when a person is known to be infected.

1. High risk employees with cuts, scrapes, wounds, skin rashes, chapped skin, dermatitis, etc. must wear appropriate protective equipment (i.e., occlusive bandages, gloves, gowns, masks, etc.) when performing tasks that may involve exposure to another person's blood or body fluids.
2. All human blood or body fluids should be considered potentially infectious at all times.
3. Should a person be known to be infected with a contagious or infectious disease, employees must wear protective clothing when providing treatment to that person.
4. Should a skin exposure to blood or body fluids occur, the employee should:
5. Cease the procedure as soon as it is safe and/or practical to do so;
6. Wash the exposed area thoroughly with soap and running water;
7. Report the incident to the accident investigator; and
8. Fill out and complete an exposure report form.

- A. If the skin exposure involves large amounts of blood or prolonged contact with blood, especially if the exposed skin is chapped or otherwise broken, use alcohol or peroxide as an antiseptic after thorough hand washing, if desired.
- B. Should exposure to blood or body fluids occur to the eyes or mouth, the employee should:
 - 1. Flush the exposed area immediately with water;
 - 2. If desired, rinse the mouth with peroxide;
 - 3. Report the incident to the accident investigator; and
 - 4. Fill out and complete an exposure report form.
- C. Should an exposure to blood/body fluids occur from a needle stick, cut from a sharp instrument, or contamination of an open wound or broken skin, the employee should:
 - 1. Allow the wound to bleed freely;
 - 2. Wash the exposed area with soap and water;
 - 3. Apply antiseptic as desired:
 - a) Isopropyl alcohol 70% or
 - b) Hydrogen peroxide 3%.
 - 4. Report the incident to the accident investigator; and
 - 5. Fill out and complete an exposure report form.
- D. Cleaning Up Spills or Splashes of Blood or Body Fluids
 - 1. Gloves
 - 2. Bleach or other approved cleaning solution
 - 3. Spray bottle
 - 4. Water
 - 5. Cloth or paper towels
 - 6. Red plastic bag

2.19 Appendix: Hepatitis B Vaccine

All employees who are at substantial risk of an exposure to blood or body fluids during the performance of their job will be afforded the opportunity to receive the hepatitis B vaccination series, following these guidelines:

- 1. The college will provide, at no cost to employees, immunization against hepatitis B to those high risk employees who have not previously received the vaccine series or who are not known to be immune to the hepatitis B virus (HBV).
- 2. Unless specifically requested by the employee's personal physician, employees who have a history of immunosuppressive disorders, receive hemodialysis, or are infected with HIV will not be administered immunization in accordance with this policy.
- 3. Should an employee's personal physician request that immunization be administered, the employee's physician will be required to monitor the employee and provide the college with appropriate medical information within 15 days of the completion of the employee's evaluation.
- 4. Employees who are pregnant at the time of immunization must provide the infection control coordinator with written authorization from their obstetrician before the vaccine may be administered.

5. Lactating mothers must provide the infection control coordinator with written authorization from their pediatrician before the vaccine may be administered.
6. All employee will be provided with a fact sheet concerning the hepatitis B vaccine and will be required to sign an affidavit that the employee understands such information and whether or not consent is given to administer the hepatitis B vaccine series. A copy of the signed affidavit will be placed in the employee's medical record.
7. Since the hepatitis B vaccine series will be administered by the college, the infection control coordinator will be responsible for taking these measures:
 - a. Screening employees who suspect they may be immune for anti-HBV prior to initiating the vaccine series;
 - b. Providing the employee counseling if the test returns positive and referring the employee to a personal physician for follow-up;
 - c. Providing the employee with hepatitis B information and explaining the hepatitis B vaccine doses by taking these steps:
 - 1) Asking if the employee is hypersensitive to yeast. (Deferring if yes);
 - 2) Asking female employees if they are pregnant or lactating;
 - 3) Explaining concerns regarding:
 - a. Immunosuppressed persons;
 - b. Persons receiving hemodialysis; and
 - c. Persons with HIV infection.
8. Informing employees that, by accepting the vaccine they are free from infections and/or conditions outlined above;
9. Taking each employee's temperature and asking if the employee had an infection before administering the vaccine. (Note: If the employee's temperature is greater than 100 or if the employee has an infection, immunization will be postponed until the condition has cleared.)
10. Obtaining informed consent from the employee using the form set forth at the end of this appendix.
11. Administering the first hepatitis B vaccination (1.0 ml) in the right deltoid muscle as soon as possible before potential exposure to blood;
12. Making an appointment for the employee to return in 30 days for the second vaccination;
13. Asking about any reactions from the initial dose when the employee returns for the second vaccination;
14. Administering the second hepatitis B vaccination (1.0 ml) in the left deltoid muscle if no or minimal side effects occurred from the initial dose;
15. Making an appointment for the employee to return in five months for the third vaccine;
16. Administering the third hepatitis B vaccination (1.0 ml) in the right deltoid muscle if no or minimal side effects occurred from the second dose.
17. Should the vaccine series be interrupted, it will be resumed when convenient for the employee.

18. (Note: The second and third doses of vaccine must be separated by at least three to five months.)
19. Should the employee receive an immunization from the employee's personal physician, the employee will be responsible for providing the infection control coordinator with proof of immunization. A copy of the immunization record must be filed in the employee's personnel records.
20. Should a newly hired employee be receiving the hepatitis B immunization series, the immunization will continue until the series is completed.
21. Should an employee initially decline the vaccination and later decide to accept the vaccination, a vaccination will be provided at that time in accordance with the procedures set forth in this policy.
22. Booster vaccinations will be provided as recommended by current CDC and OSHA guidelines.
23. The hepatitis B vaccination series will be made available to employees after the employee has received information concerning hepatitis B, and within ten days of the employee's initial job assignment which may include a potential occupational exposure.
24. Inquiries concerning hepatitis B immunization should be referred to the infection control coordinator.

INFORMED CONSENT FOR HEPATITIS B VACCINATION

I authorize Southwestern College to administer the hepatitis B vaccine to me in an effort to provide immunization against hepatitis B.

I have read all the literature provided outlining possible side effects.

I do not at the present time have any active infection. I am not pregnant, nor am I nursing an infant.

I have no history of having hepatitis B.

I understand that a total of three injections will be required over the next six months to complete the vaccination.

I understand that the vaccination is voluntary and does not insure immunity in all cases. I hold the college harmless if the vaccination does not result in immunity against hepatitis B.

Signature and Date:

Witness Signature and Date:

HEPATITIS B VACCINE DECLINATION

I have received Hepatitis B vaccine prior to my employment at Southwestern College.

Year Vaccination Received: _____

I understand that, due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this/ vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If, in the future, I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Signature and Date:

Witness Signature and Date:

VOLUME 3 — All-College Employment Policies

This volume III describes policies pertaining to all employees. They have been adopted by the Board of Trustees to comply with legal requirements and/or to meet a community or social need. The policies are subject to change by the Board of Trustees. In the case of changes, the policies will, in all cases, be given for review to appropriate internal governing bodies prior to their promulgation and taking effect.

3.1 Working Conditions and Institutional Policies

3.1.1 Categories of Positions

Employees at the college are hired either on a salaried or hourly-rate basis. Salaried employees include faculty members and administrators; hourly-rate employees include faculty assistants and other clerical and support services employees. It is to all these employees that this volume III is addressed.

Students are also employed by the college. Two student employment programs exist, called campus employment and work study. Work-study students are those identified by the financial aid office as eligible for payment under the Federal Work-Study Program. Campus employment students are not eligible for federal assistance; the college pays them out of its own funds. The campus employment program also covers temporary summer student workers including high school students who are at least 16 years of age. High school students will be paid on the regular hourly payroll. Benefits described in this volume III are not applicable to campus employment or work study workers.

It should be noted that hourly-paid employees and administrators are ineligible for institutional financial aid beyond the college course benefit described in the fringe benefits section. (See subsection 3.8.)

3.1.2 Transfer Between Positions

When persons transfer from one campus position to another or shift from one category of employment to another, they will be notified in writing prior to the transfer date whether conditions of employment and fringe benefits transfer with them or if they are considered new employees. Employees are expected to give their present supervisor notice of two weeks before the transfer date.

3.2 Employee Responsibility

All employees, by virtue of their employment by the college, agree to accept the responsibilities of membership in the college community and adhere to the Codes of Conduct.

3.2.1 Employee Code of Conduct and Ethics

Preamble.

As members of the college community all employees are responsible for sustaining the highest ethical standards of this institution, and of the broader community in which we function. The college values integrity, honesty, and fairness and strives to integrate these values into its teaching, research, and business practices. It is the intent of the Employee Code of Conduct and Ethics to protect academic freedom, to help preserve the highest standard of teaching and scholarship, and to advance the mission of the college.

Definitions.

1. The term college means Southwestern College.
2. The term “student” includes all persons taking courses at the college either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the college or who have been notified of their acceptance for admission are considered “students” as are persons who are living in the college residence halls, although not enrolled in this institution.
3. The term “employee” means any person hired by the college to conduct classroom or teaching activities or who is otherwise considered by the college to be a member of its faculty and includes any full-time and part-time employee of the college who holds managerial, administrative, clerical, technical, skilled craft, service, or other positions designated by the college to be subject to these rules, policies, procedures, and benefits.
4. The term “member of the college community” includes any person who is a student, faculty member, college official, or any other person employed or contracted by the college. A person’s status in a particular situation shall be determined by the office of human resources of the college.
5. The term “college premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the college.
6. The term “organization” means any number of persons who have complied with the formal requirements for college recognition or registration.
7. The term “policy” means the written regulations of the college as found in, but not limited to, the Employee Code of Conduct and Ethics, the college Policy Manual, the College website, Computer Use Policy, and Graduate/Undergraduate Catalogs.

Proscribed Conduct.

A. Jurisdiction of the College Employee Code of Conduct and Ethics

The Employee Code of Conduct and Ethics shall apply to conduct that occurs on college premises, at college sponsored activities, and to off-campus conduct that adversely affects the college community and/or employee’s fitness to perform his/her professional responsibilities. Employees that have teaching responsibilities are also required to comply with the Faculty Duties, Obligations, Rights, Academic Freedom and Code of Ethics [Volume IV, 4.5] and Employee Code of Conduct. Each employee shall be responsible for his/her conduct throughout his/her employment relationship with the college.

B. Conduct—Rules and Regulations

Employees are required to comply with basic standards of conduct and professionalism as members of the college community. Failure to comply with the Employee Code may result in disciplinary action up to and including termination as outlined in [Volume IV, 4.11.6-4.11.8 and Volume V, 5.7.1.5 Discharge from Employment; Disciplinary Action policy]. This list is non-exhaustive and the college reserves the right to discipline employees for conduct not listed below.

1. Neglect of duty and/or lack of due care and/or diligence in the performance of duties.

2. Unsatisfactory job performance or failure to maintain reasonable standards of performance.
3. Inappropriate appearance including failure to maintain personal appearance or dress, including uniform or style of dress, according to departmental standards.
4. Poor attitude and discourtesy toward others (for example, rudeness or lack of cooperation).
5. Excessive absenteeism or tardiness, or an unacceptable pattern of absences.
6. Insubordination, including refusal to comply with a supervisor's instructions unless the instructions are illegal, endangering, or unethical.
7. Gambling while on duty.
8. Unauthorized use of the college's name or letterhead for personal business.
9. Theft, misappropriation, and/or unauthorized possession or removal of property belonging to the college, members of the college community, or other persons with whom the college has a business relationship.
10. Concealing, falsifying, altering, misusing, or removing records, including electronic data records.
11. Direct or indirect misuse of college resources, including property leased to the college, for other than officially approved activities (including, but not limited to, employees, facilities, mail service, supplies, equipment, and college computing and communication resources, including computers, networks, electronic mail services, electronic information sources, voicemail, telephone services, and other communication resources).
12. Smoking in unauthorized areas.
13. Sleeping while on duty.
14. Failure or refusal to cooperate in or interference with college disciplinary proceedings.
15. Violation of the Conflict of Interest Policy.
16. Unauthorized use of alcohol or being under the influence of alcohol while on college premises or working for the college.
17. Providing alcoholic beverages to any student under twenty-one (21) years of age.
18. Violation of safety rules and policies.
19. Employees must comply with all federal laws, state laws, agreements with third parties, and college policies and principles pertaining to the use, protection, and disclosure of various types of confidential, proprietary, and private information. Such policies apply even after the employee relationship with the institution ends. Refer to the Confidentiality and Privacy Policy.
20. Discrimination, including harassment, against another community member, including but not limited to students, faculty, staff, administrators, and independent contractors

on political grounds, or for reasons of race, religion, sex, age, disability, and any other basis prohibited by state, federal, and/or local law, or for other arbitrary or personal reasons. Where actions are found to have occurred that violate this standard, the college will take prompt action to cease the offending conduct, prevent its recurrence and discipline those responsible. Refer to the college's Discrimination and Harassment Policy.

21. Harassment of any person, including, but not limited to, violation of the Sexual Harassment Policy.
22. Violation of the Sexual Misconduct Policy. [Volume II, 2.2]
23. Misuse or abuse of college resources, including funds, equipment or facilities. College resources must be reserved for business purposes on behalf of the college. They may not be used for personal gain, and may not be used for personal use except in a manner that is incidental and reasonable in light of the employee's duties. College resources include, but are not limited to, the use of college systems, such as telephone systems, data communication and networking services, and the domain for electronic communication forums; and the use of college equipment; and the use of procurement tools such as purchasing cards and petty cash; and the time and effort of other employees, students, and others at the college.
24. Disruption or obstruction of lawful institutional activities and functions.
25. Threats, intimidation, physical contact, physical abuse harassment, coercion, and any other conduct which threatens or endangers the health or safety of any person.
26. Attempted or actual theft, unauthorized possession, and/or damage to property of the college, any person, or any other entity.
27. Possession or use on the college premises of any weapon (i.e. firearms and dangerous knives), dangerous instruments, explosive devices, fireworks, or dangerous chemicals.
28. Unauthorized use of institutional resources or facilities for personal, commercial, political, or other improper purposes.
29. Theft, abuse, and/or misuse of computer facilities and resources, including but not limited to:
 - a. Unauthorized entry into a file, to use, read, or change contents, or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Use of another individual's identification and/or password.
 - d. Use of computing facilities and resources to interfere with the work of a student, employee, or college official.
 - e. Use of computing facilities to and resources to send obscene or abusive messages.
 - f. Use of computing facilities and resources to interfere with normal operation of the college computing system.

- g. Use of computing facilities and resources in violation of copyright laws.
 - h. Any violation of the college Computer Use Policy.
30. Violations of other published college policies in hard copy or available on the college website.
 31. Intentionally misrepresenting personal views as the position of the institution.
 32. Conviction of criminal acts which demonstrate unfitness as an employee, including but not limited to crimes of moral turpitude.
 33. Possession, distribution, sale or use, or being under the influence of, illegal drugs while on college premises, participating in college-sponsored activities, representing the college, or performing job duties. Illegal drugs, as referred to in this policy, include drugs that are not legally obtainable, as well as drugs that are legally obtainable but used for illegal and unauthorized purposes.
 34. Violation of policies as defined in the college Campus Community Policies. [Volume II] Employees must abide by all rules and laws governing the use of copyrighted materials, patented ideas, licenses, and proprietary information. Employees must refrain from any activity that constitutes infringement of individual or college intellectual property and properly attribute the ideas and work of others.
 35. Interference with disciplinary procedures, including but not limited to destroying or concealing evidence, providing false or misleading information, intimidation of witnesses, or inducing a witness to provide withhold information or provide false information.
 36. Improper documentation, destruction, or making false statements, alterations, deletions, or omissions on college forms, records, or reports including but not limited to production records, time records, employment applications, and medical records.
 37. Violation of Whistleblower Policy.
 38. Failure or refusal to cooperate in or interference with an investigation by the college.

3.3 Equal Opportunity and Affirmative Action

Southwestern College is committed to a policy of nondiscrimination harassment/non-harassment of any its students, employees or contractors based on an individual's race, religion, color, gender, age, national origin, ancestry, marital status, registered domestic partner status, medical condition, sexual orientation, gender identity, genetic characteristics, physical or mental disability or any other legally protected characteristic. See section 2.1 for a more complete statement of the college policy in relationship to equal opportunity and affirmative action.

3.4 Institutional Policy on Disability

3.4.1 Policy for Employing People With Disabilities

It is the policy of the college to comply with the Americans with Disabilities Act (ADA) and applicable local laws that forbid discrimination in employment against qualified individuals with disabilities.

3.4.2 Procedure for Employing People With Disabilities

The purpose of these procedures is to support equal opportunity in employment for all qualified persons with disabilities and to accommodate qualified individuals with disabilities.

In support of the college's policy to comply fully with the Americans with Disabilities Act (ADA) and other federal and state laws that prohibit discrimination in employment against qualified individuals with disabilities, the business office will use the following procedures:

- a. Review recruiting, advertising and job application procedures to provide persons with disabilities meaningful employment opportunities. Upon request, the college will make applications available in alternative accessible formats, such as providing assistance in completing employment applications. Pre-employment inquiries will be made only with regard to an applicant's ability to perform the duties of the position, not any disabling condition. However, the college may make pre-employment inquiries into the ability of an applicant to perform job-related functions and may ask an applicant to describe or to demonstrate how, with or without reasonable accommodation, the applicant will be able to perform job-related functions;
- b. A list of positions requiring pre-employment physical examinations is available from the office of the Director of Human Resources and stated in the job description and advertisements for such positions. Medical examinations of existing employees will be required only when job-related and justified by business necessity;
- c. Maintain all medical-related information in a confidential manner in separate confidential files;
- d. Provide reasonable accommodation to all persons with disabilities, whether applicants for employment or employees, except where making an accommodation would create an undue hardship on the college;
- e. Entitle all qualified employees with disabilities to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, promotion and demotion, leaves of absence (including sick leave), fringe benefits, and other terms, conditions, or privileges of employment; and
- f. Notify all individuals with disabilities that the college provides reasonable accommodation to qualified individuals with disabilities, by including a statement to this effect in the college's policy manual and by posting the Equal Employment Opportunity Commission's poster regarding non-discrimination against the disabled and other protected groups in conspicuous places upon the college premises where notices to employees and applicants for employment are customarily posted.

3.4.3 Accommodation Procedures

- a. All requests for accommodation from qualified applicants and employees with disabilities must be in writing, contain the name, address, and telephone number of the person requesting the accommodation, and describe the types of accommodations and the reasons for which the accommodation is being requested. Requests for accommodation must be referred to the human resources office;
- b. Upon receipt of an accommodation request, the director of human resources will meet with the applicant or employee requesting the accommodation to discuss and identify the precise

limitations resulting from the disability and potential accommodations that could overcome those limitations;

- c. If necessary, the director of human resources will discuss potential accommodations with the individual's supervisor or potential supervisor. Additionally, the director of human resources may contact outside agencies specializing in providing technical assistance for the disabled, or consult with medical experts about potential accommodations;
- d. In order to identify a reasonable accommodation, the director of human resources will undertake these activities:
 1. Determine the purpose and essential functions of the job involved;
 2. Consult with the disabled individual to determine specific physical or mental abilities and limitations as they relate to the essential job functions. Identify the barriers to job performance and potential methods of overcoming these barriers; and
 3. Consult with the disabled individual to identify potential accommodations and assess the effectiveness of alternative potential accommodations;
- e. In order to evaluate potential accommodations, the director of human resources may do one or more of the following:
 1. Request a written statement from the disabled individual's physician to verify the disability and legitimate need for an accommodation;
 2. Require the individual to be examined by a medical expert selected by the college to help identify effective accommodations;
 3. Require the individual to be evaluated by a psychologist, psychiatrist, rehabilitation counselor, occupational or physical therapist, or any other professional with knowledge of the person's disability; and
 4. Require access to the individual's medical records;
- f. The director of human resources or a supervisor who has a need to know (e.g., the disabled individual's supervisor, or, if an applicant, prospective supervisor), will determine the feasibility of potential accommodations. Proposed accommodations will be reviewed by the director of human resources. The factors taken into consideration shall include, but may not be limited to, the following:
 1. The nature and net cost of the accommodations needed, including tax credits and deductions or outside funding available to the college;
 2. The financial resources of the college, the number of employees at the college, and the effect on expenses and resources of the college;
 3. The overall financial resources, size, number of employees, and location and types of facilities of the college;
 4. Consideration of special types of employment operations where, on a case-by-case basis, providing a particular accommodation might be an undue hardship; and
 5. The impact of making the accommodation on the operation of the college, including the impact on the ability of other employees to perform their duties and the impact on the college's ability to conduct business;

- g. The college is not required to make a reasonable accommodation if such accommodation would impose an undue hardship on the operation of the college. However, if a particular accommodation would impose an undue hardship, the college must consider whether there are alternative accommodations that would not impose such hardship.

An undue hardship is an action that requires significant difficulty or expense in relation to the size of the college, the resources available, and the nature of the operation.

The concept of undue hardship includes any action that meets one of these criteria:

1. unduly costly;
 2. extensive;
 3. substantial;
 4. disruptive; or
 5. that would fundamentally alter the nature or operation of the college;
- h. The director of human resources shall determine whether an accommodation can be made without causing the college undue hardship. All accommodation requests involving expenditures not budgeted shall be reviewed by the vice president for finance and chief finance officer approved by the president of the college prior to granting any accommodation;
 - i. It is the college's choice in choosing among several effective accommodations provides an equal employment opportunity. If there are two or more effective accommodations, the college may choose the least expensive accommodation, or the accommodation which is easiest to provide;
 - j. Once the decision is reached as to whether an accommodation can be made without causing the college undue hardship or how an accommodation will be made, the director of human resources will inform the applicant or employee of the college's decision regarding the accommodation;
 - k. Although the duty to accommodate is legally triggered by a request from an applicant or employee, situations may arise where an employee who is known to have a disability may have difficulty in performing the essential job functions. In these circumstances, the employee's supervisor may discuss the matter with the director of human resources. If it is determined that the employee should be approached about the possibility of the college's providing a reasonable accommodation, the director of human resources and the supervisor will jointly initiate a discussion with the employee about the need for an accommodation

3.5 Other Employment Policies

3.5.1 Hiring Relatives and Friends of Current Employees

The college will not prohibit the employment of relatives in the same administrative or academic units, provided that one relative does not participate in making recommendations or decisions affecting the appointment, retention, promotion, demotion, or salary of the other relative, and provided that no preferential policy towards a relative be used to deny equal opportunity to others. It is college policy that no more than two members of the same family may be employed to work in the same administrative or academic unit on an ongoing basis. In unusual circumstances, the president of the college will develop an alternative supervision structure to

permit relatives to continue in positions at the college. In addition, any relative hired by the college must meet normal faculty or staff selection qualifications. For purposes of definition, relative means spouse, mother or father, mother-in-law or father-in-law, son or daughter, brother or sister, son-in-law or daughter-in-law, aunt or uncle, grandparent, and grandchild.

Nothing in section 3.5.1 will be interpreted to afford a preference in process or practice in the hiring of a relative.

3.5.2 Immigration Status Policy

All employees hired by the college must present documentation establishing their identity and employment authorization in accordance with the immigration laws of the United States within 3 days of hire.

Any employee failing to provide proper documentation as specified above, upon request, shall be ineligible for hire or continued employment with the college. Such failure shall be just cause for discharge of any employee, regardless of contract rights.

3.5.3 Sale of Employee Created Materials

College employees may occasionally, at their own expense, create materials which have commercial value and to which they retain intellectual property rights when those creations are sold for profit in markets outside the college. Examples of such protected products include a book, article, consulting materials, or presentation for which the employee receives a fee or royalties. Products that are the result of a direct college assignment for the employee and involve the expenditure of college resources or which are incurred in the fulfillment of assigned duties are not automatically the property of the creator. The disposition of proceeds from all such work will be negotiated by the employee with the college.

Generally, conflicts of interest relating to the sale of employee-created materials to students or colleagues are to be avoided. In some cases, materials created by a faculty member that are private in origin may legitimately be required for purchase by Southwestern students in a course or program in which the faculty member is teaching. In such a case, the faculty member shall seek the approval of the vice president for academic affairs, dean of the college in advance of publishing the requirement to students. These materials shall be provided at cost and without profit to the faculty member unless approved by the vice president for academic affairs, dean of the college. A possible exception to this policy is a published textbook, software, or other materials wherein the faculty member is an author and is guaranteed profits from royalties. In that case, the author's rights to profits accruing from the purchase by the faculty member's students shall be affirmed in the faculty member's contract.

Generally, the appropriate vice presidential level supervisor (vice president for academic affairs, dean of the college for faculty members) will routinely resolve any issues relating to the disposition of the proceeds from the sale of materials created by the employee. This decision shall be made in consultation with the employee and that employee's immediate supervisor. In the event that agreement is not possible or the situation is unusually difficult to assess, the matter shall be referred to the creative works and intellectual property committee. The committee shall then make a recommendation to the president, whose decision is final.

3.5.4 Proper Attire

The nature of the employee's position with the college will determine the type of attire that will be appropriate for work. All college employees are expected to dress in a professional manner which will present an appropriate image of the college to the community. Any specific attire requirements for particular positions will be reviewed with the employee by the employee's supervisor.

3.5.5 Outside Activities that Compete with College Operations

Employees are required to conduct their activities on behalf of the college with good faith and loyalty. Employees may not compete with the college or convert business opportunities of the college to their personal gain or advantage or the gain or advantage of another. Employees may not convert confidential information or trade secrets of the college to their personal gain or advantage or the gain or advantage of others. Doing so can lead to a formal reprimand or, depending upon the seriousness of the action, furnish grounds for dismissal.

In the event that an employee asked to provide a service to another institution, (e.g. teach a course or conduct a program), permission to provide that service should be secured.

3.5.6 Identification Card

It is required that all employees contact the business office after employment to obtain an identification card. These can be used as identification for library facilities and other activities on campus.

3.5.7 Conflict of Interest Policy for Employee-Student

An individual's status as an employee takes precedence over the employee's status as a student. There may be instances where policies or laws for students on a particular subject will differ from policies or laws for employees on that same subject. In those instances, employees must follow the policy as it applies to employees and may not claim that they are exempt from an employee policy due to their additional status as a student. In order to avoid conflicts of interest, full-time employees may not seek or hold a student office, either elected or appointed. An employee may not work on school assignments during work hours, unless the employee has obtained special permission from the appropriate supervisor.

In cases where an employee has a work-related issue, the employee must utilize the policies and procedures applicable to employees. Issues arising as a result of an employee's status as a student must be resolved according to policies and procedures applicable to students.

Individuals who are employees and students of the college are responsible for their conduct in both arenas.

3.5.8 Conflict of Interest Policy

The following Statement of Policy applies to each person who is identified pursuant to this policy as having substantial influence over college affairs. It is intended to serve as guidance for all persons who accept the significant responsibility of serving the college in these capacities. The purpose is to protect the college's interests when it is contemplating entering into a transaction or arrangement that might benefit the private interests of a person who has substantial influence over college affairs. This policy is intended to supplement but not replace any laws governing conflicts of interest applicable to non-profit and charitable corporations.

Persons in responsible positions are involved in the affairs of other institutions and organizations, as well as other constituencies of the college. However, persons who have substantial influence over college affairs serve the college and have a clear obligation to conduct the affairs of this institution and fulfill their responsibilities in a manner consistent therewith. All decisions of persons who have substantial influence over college affairs are to be made solely on the basis of a desire to promote the best interests of the college. The integrity of the college must be protected and advanced at all times.

Consequently, each person with substantial influence over college affairs is obliged (1) to disclose any known conflict of interest and to avoid participating in any decision or advocating any subject matter before the Board of Trustees or other decision maker in which the person has a conflict of interest; and annually (2) to disclose any possible personal, familial, business or other relationship that reasonably could give rise to a conflict involving the college; and (3) to acknowledge by his or her signature that he or she is in accordance with the letter and spirit of this policy.

3.5.8.1 Definitions

Interested Person: Any person who is identified pursuant to this policy as having substantial influence over college affairs who has a direct or indirect financial interest, as defined below, is an interested person.

Financial Interest: A person has a financial interest if the person has, directly or indirectly, through business, investment or family (a) an ownership or investment interest in any entity with which the college has a transaction or arrangement, or (b) a compensation arrangement with the college or with any entity or individual with which the college has a transaction or arrangement, or (c) an actual or potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the college is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are more than incidental. "Family" includes a spouse, parent or other ancestor, sibling (or spouse), child (or spouse), grandchild (or spouse) or great-grandchild (or spouse), or any other relative if the latter resides in the same household as the interested person.

Persons Who Have Substantial Influence Over the Affairs of the College: A person has a substantial influence over the affairs of the college if the person: (a) has ultimate responsibility for implementing the decisions of the Board of Trustees or supervising the management, administration or operation of the college; or (b) has ultimate responsibility for managing the college's finances. Other persons may also be determined to have substantial influence over the affairs of the college depending upon the particular facts and circumstances. Other indicators of substantial influence include the following: (a) the person has, or shares, authority to control or determine a substantial portion of the college's capital expenditures, operating budget and/or employee compensation; (b) the person manages a discrete segment or activity of the college (department head and/or director); (c) the person, by virtue of their position at the college, is in a position to know and personally benefit from information obtained in the performance of their duties. Using these standards as a guide, the vice president for finance shall make the final determination as to who constitutes a person having a substantial influence over the affairs of the college.

Covered Person: Persons who have substantial influence over the affairs of the college.

3.5.8.2 *Procedures*

Duty to Disclose: In connection with any actual or possible conflict of interest, an interested person must disclose the existence and nature of his or her financial interest to the president.

Determining Whether a Conflict of Interest Exists: After disclosure of the financial interest, the president shall determine if a conflict of interest exists. If so, the interested person shall not take part in the president's evaluation of, or decision upon, the transaction or arrangement.

Procedures for Addressing the Conflict of Interest: (a) The president shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement; (b) the president shall exercise due diligence with respect to the transaction/arrangement, including when practicable, the gathering of appropriate data from comparable transactions/arrangements; (c) the president shall determine whether the proposed transaction or arrangement is in the college's best interest and for its own benefit, whether the transaction is fair and reasonable to the college, and whether it reflects the fair market value of the goods/services being provided and shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

Violations of the Conflicts of Interest Policy: (a) If the president has reasonable cause to believe that a covered person has failed to disclose actual or possible conflicts of interest, he/she shall inform the covered person of the basis for such belief and afford the covered person an opportunity to explain the alleged failure to disclose; and (b) if, after hearing the response of the covered person and making such further investigation as may be warranted in the circumstances, the president determines that the covered person has in fact failed to disclose an actual or possible conflict of interest, he/she shall take appropriate disciplinary and corrective action. If the president fails to make such disclosure with respect to his/her own conflicts of interest, the tasks referred to in (a) and (b) shall be performed by the Board of Trustees or a committee thereof, or the designee of either of them.

3.5.8.3 *Records of Proceedings*

The president shall maintain written records of decisions that are made under this policy which shall contain: (a) the names of the persons who disclosed or otherwise were found to have a financial interest in connection with the proposed transaction or arrangement, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the president's decision as to whether a conflict of interest in fact existed; (b) the names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith; (c) the material terms of the transaction or arrangement that was approved and the date approved; (d) the data from comparable transactions/arrangements obtained and relied upon by the president and how it was obtained; and (e) if the final decision is inconsistent with the data from comparable transactions/arrangements, the justification for this discrepancy.

3.5.8.4 *Annual Statements*

Each covered person shall upon his/her association with the college and annually thereafter sign and deliver to the president a statement which affirms that such person: (a) has received a copy of this conflict of interest policy, (b) has read and understands the policy, (c) has agreed to comply with the policy, and (d) understands that the college is a charitable organization and that

in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes. ([Appendix A – Disclosure/Certification document](#))

3.5.9 Outside Employment

Any employee seeking employment in a second position outside the college shall obtain the prior approval of the employee's supervisor or, in the case of faculty, the supervisor and the dean of faculty, excepting summer employment during the time period not covered by the faculty member's contract. If the supervisor determines that this employment jeopardizes either the employee's fulfillment of responsibility at the college or the mission of the college, the supervisor shall ask the employee in writing to terminate the additional employment by a specified date. If the employee declines to terminate the other employment, the supervisor may initiate processes whereby the employee will be dismissed from the employment of Southwestern College. The employee may appeal this action by using the grievance process outlined for administration and staff in Volume VI section 5.10 or, for faculty, the grievance process defined in Volume IV section 4.12.

3.5.10 Drug and Alcohol Policy

Southwestern College affirms its long-standing support of abstinence from both alcohol and illegal drugs. Southwestern supports the strict administration of regulations governing these substances and will enforce the guidelines set forth by various college programs. The program guidelines include but are not limited to: student affairs regulations, study abroad travel policy, Southwestern College travel policy, alumni relations policy, policies as set forth in the staff handbook, etc. Copies of the guidelines that govern each program are available from the business office.

The possession, use, or distribution of alcoholic beverages or illicit drugs by students or employees is strictly prohibited on the property of the college, even if an activity does not involve students or employees. No college funds will be expended for the purchase of alcoholic beverages or illicit drugs at any group activity taking place on or off college property (e.g. alumni event, campaign reception, etc.).

3.5.10.1 Students:

Students subject to these penalties will be afforded all due process rights to which they are entitled by law or under current policies affecting student discipline. In addition to the above sanctions, a student may be required to meet with a campus counselor. In lieu of suspension or expulsion a student may be required to complete a drug or alcohol abuse education or treatment program as a condition of continued enrollment. The cost of completing such a program will be the responsibility of the student.

3.5.10.2 Employees: Drug-Free Workplace

Employees are prohibited by law and by college policy from providing alcohol to persons under the age of 21 at any time or in any location. Employees are also prohibited from possession of alcoholic drinks on college property. The law prohibits the possession and distribution of any kind of illegal drugs at any time. The possession of illegal drugs or alcohol by an employee on college property is grounds for discipline or dismissal.

Employees are required to notify the college in writing of any criminal drug statute conviction for a violation occurring in the work place no later than five calendar days after such violation. Employees are also required to notify the college of any conviction relating to the illegal use of drugs or alcohol (e.g. driving under the influence, transporting liquor in opened containers, obtaining prescription-only drugs by fraudulent means, possession or sale of illegal drugs, etc).

Employees who observe a co-worker under the influence of alcohol or drugs on the job should report the incident by filling out a form that is available from the director of human resources. The form can be given to either the vice president or the employee's supervisor.

Employees who violate the terms of this policy may be reported to the appropriate law enforcement officials and may be subject to any of the following sanctions:

- a. Short term suspension with pay;
- b. Short term suspension without pay;
- c. Long term suspension without pay;
- d. Termination or dismissal from employment;
- e. Required participation in a drug and alcohol education, treatment, counseling, or rehabilitation program.

In addition to any suspension imposed as discipline, the employee may be required to participate in a drug and alcohol education treatment, counseling, or rehabilitation program. The cost of participation in such a drug or alcohol program is the responsibility of the employee. Failure to participate and complete a program, if required, will be grounds for termination or dismissal from employment.

Prior to applying sanctions under this policy, employees will be afforded all due process rights to which they are entitled under their contracts, if applicable. Nothing in this policy is intended to diminish the right of the college to take any other disciplinary action which is provided for in college policies.

3.5.10.2.1 Legal Sanctions

Local, state, and federal statutes prohibit furnishing alcohol to a minor, purchase or consumption of alcohol by a minor, driving while under the influence of alcohol or drugs, vehicular homicide, vehicular battery, transporting liquor in opened containers, obtaining a prescription-only drug by fraudulent means, and possession, use, sale of illegal drugs, stimulants, or anabolic steroids. Penalties range from fines through misdemeanor and felony charges.

3.5.10.2.2 Health Risks

The risks of using alcohol include but are not limited to impaired judgment, alcoholism, liver damage, pancreatitis, and congestive heart failure. The risks of using sedatives, hypnotics, and tranquilizers include but are not limited to nausea, vomiting, anxiety, blurred vision, respiratory depression, addiction, and death from overdose or unsupervised withdrawal. The risks of using narcotics include but are not limited to AIDS, hepatitis, and skin infections from non-sterile injections, endocarditis, addiction, and coma or sudden death from overdose. The risks of using inhalants include but are not limited to psychosis, accidental suffocation, heart failure, kidney failure, and bone marrow disorders.

3.5.10.2.3 Help and Information

The college will provide information and educational programs that attempt to keep the campus community informed about the consequences of using and misusing intoxicating alcohol and illegal drugs. Help is available for those persons who seek it. Employees are encouraged to initiate contact with their supervisor, counselor, a faculty member, or administrator who will work with them confidentially or refer them to an off-campus source of help.

3.5.11 Employee Safety/On-the-Job Injury and Illness

Safe working conditions are of primary importance throughout the college.

Each employee shall report any unsafe conditions to an appropriate supervisor. Typical examples of unsafe conditions include, but are not limited to, the following: wet or slippery floors; equipment left in such a manner as to be a safety hazard; defective or broken equipment; careless handling of equipment; all defective electric outlets, lamps, etc.

In the case of work-connected injury or illness, the employee's supervisor and the Business Office must be notified and a form for reporting the incident must be filed at the Business Office within 24 hours of the injury or illness and, if necessary, the employee must seek immediate medical care.

3.5.12 Health and Safety Policies

All employees are expected to be fully informed concerning the college's health and safety policies in Volume II, section 2.4.5. Volume II section 2.4.7 implements the Employee Right to Know Act of 1983 concerning the worker's right to know procedures for working with and Volume II Appendix 2.17 handling hazardous and toxic chemicals.

3.5.13 Family Members in the Work Place

Family members, including children, not employed by or a student of the college, are not allowed at the work place of any employee except for occasional, limited visits. Family members employed by the college or a student of the college are permitted in the work place of the employee as required for work or education-related reasons.

3.5.14 Flower Fund

The flower fund is maintained to provide flowers at the hospitalization or death of an employee, at the birth of an employee's child, or at the death of an employee's immediate family member (spouse, child, parent). This fund may also be used for the benefit of long-term former employees. When it is known that an occasion should be remembered, the Office of the President should be notified.

3.5.15 Flower Policy

The college will send flowers in the following situations, through the President's Office. If a division would like to do something in addition to what the college does, it will be considered personal pay. Or, if the college will not be sending flowers and there is an individual or group wishing to do so, this will be done on their own.

The college will send flowers when a death occurs in the employee's family – spouse, domestic partner, child, stepchild, parent, stepparent, grandchild, father-in-law, and mother-in-law.

For current trustees, former trustees, emeritus trustees, and honorary trustees, flowers will be sent when a death occurs in the family – spouse, domestic partner, child, stepchild, and grandchild.

Death in a donor's family will be considered on a case-by-case basis and the determination will come through the Institutional Advancement Office in conjunction with the president. An I.A. representative will contact the President's Office when flowers are to be sent and provide the condolence message.

3.5.16 Personnel Files

Personnel files are kept on each employee. They are the property of the college and access is restricted. Only supervisors and management have a legitimate reason to review information in a file. A current employee or a former employee may submit a request in writing to the director of human resources to view their personnel file. With advance notice the individual may review the file in the business office in the presence of an individual appointed by the college. Employment files will be kept for 7 years beyond the date of separation of employment with the college.

3.6 New Employees

3.6.1 Orientation

New employees shall be given a comprehensive orientation by the director of human resources or that person's designee. The intent of the orientation is to bring the new employee in contact with the various resource persons within the first few days of work.

Orientation will include:

Business Office (Benefits). All new employees should discuss the various health insurance options and other benefits available.

Campus Tour. All new employees will have a tour provided by the admissions office accompanied by the new employee's supervisor. Admissions will provide a comprehensive tour of the campus while the supervisor will introduce the new employee to other college personnel in their respective offices.

Computer Users. New computer users will meet with a IT staff member for an orientation to the operation of the computer as it relates to their areas of responsibility. Additional time should be provided for these persons to receive adequate training concerning specific office needs. All new employees shall receive a copy of the institution's computer use policy (Volume II section 2.11).

Employee Representatives. New employees will meet with their respective group representative to receive insight on the group who represents their particular area.

Sexual Harassment. Information will be given on reporting and preventing sexual harassment.

Identification Card. All new employees should already have their Southwestern College I-D card. This card may be used for admittance to events at Southwestern College.

3.6.2 Forms and Applications

The following information must be returned to the business office within three days of employment and should be updated during employment to reflect changes in address, marital status, or number of dependents.

Personnel Application. If a personnel application form was not filed prior to employment, one must be completed within three (3) days after beginning work.

Form W-4 Employee's Exemption Certificate. This certificate must show the employee's social security number and the number of exemptions claimed for income tax purposes.

Form I-9 Employment Eligibility Verification. This verification will require two forms of ID and must be completed within the first 3 days of employment. A list of acceptable documents is available at the business office.

Life Insurance Application. Application for participation. The college pays the premium cost for a \$20,000 life policy for employees working at least 30 hr per week.

Health/Dental Insurance Application. Information is available at the business office. A new employee has 30 days from date of hire to make a health insurance decision. Coverage will begin at the 1st of the month following employment. Premiums are deducted from salary checks (one-half from each check if two checks are issued during the month) to make payment. The college pays the premium at the beginning of the month and the employee reimburses the college with premium deductions out of their checks during the month. Persons with health insurance coverage elsewhere must provide proof of coverage in order to be waived from participation in the group policy. If an employee chooses not to enroll in health/dental insurance in the 30-day period they will not become eligible again until open enrollment which is the first day of October of each year unless a qualifying event happens. A qualifying event is the birth/adoption of a child, marriage, divorce, or loss of insurance. An employee must enroll within 30 days of the qualifying event. It is the responsibility of the employee to notify the business office about a qualifying event. Upon separation of employment, health and dental insurance coverage ends on the last day of the month that the separation occurs. Continuation of coverage is available through COBRA.

Flexible Benefits (Section 125) Pre-Tax Program. Employees who participate in the health/dental insurance program at Southwestern may also participate in the Flexible Benefits Program administered by AFLAC. Health care premiums paid by the employee through payroll deduction may be on a pre-tax basis. Participation in the pre-tax program is based on the plan year. If the employee participates in the pre-tax program, pre-tax changes cannot be made until open enrollment which is every October 1 unless there is a qualifying event (See health section above). If the employee does not want to participate in the pre-tax option, a waiver must be completed by October 1 of each year at the business office.

TIAA & CREF Retirement . Regular retirement is offered to all new full time employees and to all part time employees working at least 20 hours per week. The college will contribute 5% of the salary or wage of the employee toward TIAA-CREF Teachers Insurance and Annuity Association and College Retirement Endowment Fund retirement programs. Employees also have the option to contribute 5% from their paycheck. Employees desiring this option should make the choice known when application for the program is made.

Eligibility: All eligible employees are eligible to participate in the Retirement Plan immediately upon employment.

Supplemental Retirement Annuity (SRA)TIAA-CREF. The employee, at any time, can choose to contribute extra retirement money into a SRA. Applications may be completed at the

business office. Maximum contributions are based on IRS rules. A tax-sheltered plan is available as an alternative program.

College Handbook. Each new employee will be given the on-line address of the handbook. The employee will sign a form indicating they have received the address. The form should be returned to the office of human resources.

3.7 Compensation Policies

3.7.1 Salary Payments

Checks for salaried employees and specially contracted employees (including adjunct instructors) are available on the last banking day of the month. Payroll checks for hourly employees are issued every two weeks on Friday. They are calculated from the information submitted on the time cards covering the preceding two weeks. A statement of deductions accompanies each check. Employees may select direct deposit, employee's campus mailbox, U. S. mail or pick up at the business office, depending on the instructions provided by the employee to the business office.

3.7.2 Withholdings

The basic college procedure provides for the withholding of certain amounts, usually for taxes and welfare programs. The amounts withheld are subject to change during the contract year if such changes are necessitated by factors outside the control of the college administration.

3.7.3 Payroll Directives

The business office is to receive instructions concerning payroll matters only from the following sources: (1) the vice president for finance, chief financial officer for non-contracted personnel, (2) the president for contracted personnel, (3) the vice president for academic affairs, dean of the college for part-time faculty. Changes and new contracts must be submitted to the business office at least 5 days before the payroll payment date, otherwise, new information will not become effective until the next pay period.

3.8 Fringe Benefits

3.8.1 Mandatory Benefits

3.8.1.1 Worker's Compensation

An employee injured while on duty is protected under worker's compensation. All accidents must be reported to the proper supervisor within 24 hours. It is the responsibility of the supervisor to inform the business office the same day. Even if the injury is minor it should be reported. Employees who do not report injuries and illnesses promptly may jeopardize their coverage.

3.8.1.2 Social Security

Social security is carried for all employees except for certain individuals who are classified as self-employed. Benefits accrue each month under this program.

3.8.1.3 Unemployment Compensation

Employees of the college are eligible for unemployment compensation benefits. Those who leave the employment of the college because there is a "lack of work" are entitled to the benefits

of this plan. Employees should be aware that voluntary termination or discharge for cause are not normally covered by unemployment compensation.

3.8.1.4 *Employment Retirement Income Security Act of 1974 (ERISA)*

Employees are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan participants shall be entitled to the following:

- Examine, without charge, at the office of the director of human resources, all plan documents, including insurance contracts, and copies of all documents filed by the administrator, the director of human resources, and with the U.S. Department of Labor, such as annual reports and plan descriptions;
- Obtain copies of all plan documents and other plan information upon written request to the plan administrator. The administrator will make a reasonable charge for the copies; and
- Receive a summary of the plan's annual financial report. The plan administrator is required by law to make available to each participant a copy of this summary financial report.

In addition to creating rights for plan participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate an employee's plan, called fiduciaries of the plan, have a duty to do so prudently and in the interest of the employee and other plan participants and beneficiaries.

No one, including an employee's employer or any other person, may fire the employee or otherwise discriminate against the employee in any way to prevent the employee from obtaining a benefit from this plan or exercising rights under ERISA. If an employee's claim for a benefit is denied, in whole or in part, the employee must receive a written explanation of the reason for the denial. The employee has the right to have the plan administrator review and reconsider the claim.

Under ERISA, there are steps an employee can take to enforce the above rights. For instance, if the employee requests materials from the plan and does not receive them within 30 calendar days, the employee may file suit in federal court. In such a case, the court may require the plan administrator to provide the materials and pay an employee up to \$100 a day until the employee receives the materials, unless the materials were not sent because of reasons beyond the administrator's control.

If an employee has a claim for benefits which is denied or ignored, in whole or in part, the employee may file suit in a state or federal court. If it should happen that the plan fiduciaries misuse the plan's money, or if the employee is discriminated against for asserting rights, the employee may seek assistance from the U.S. Department of Labor or file suit in federal court. The court will decide who should pay court costs and legal fees. If the employee is successful, the court may order the person whom the employee sued to pay these costs and fees. If the employee loses, the court may order the employee to pay these costs and fees.

Questions about the plan should be directed to the plan administrator. An employee should contact the nearest Area office of the Labor-Management Services Administration, U.S. Department of Labor for questions regarding this statement or about rights under ERISA.

3.8.1.5 Health Insurance Continuation (COBRA)

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) requires that employers who sponsor group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called continuation coverage) at group rates in certain instances where coverage under the plan would otherwise end. Under COBRA, the employee or beneficiary would pay the full cost of the coverage at the college's group rates plus an administrative fee. When an employee becomes eligible to participate in the college health plan, a written notice is given describing rights granted under COBRA. This is intended to inform, in a summary fashion, of rights and obligations under the continuation coverage provisions of the law.

An employee, the employee's spouse, or dependent become qualified beneficiaries if the employee, the employee's spouse or dependent are covered under the employer's group health plan and would lose coverage upon the happening of one of the following events (called a qualifying event). It is the responsibility of the employee to notify the business office of a qualifying event.

Qualifying Events

- a. Death of the covered employee;
- b. Termination (for reasons other than gross misconduct) or reduction of hours of the covered employee's employment;
- c. Divorce or legal separation of the covered employee from a spouse;
- d. Entitlement of the covered employee for Medicare; or
- e. Dependent ceases to be dependent child under the group health plan.

In such a case, each qualified beneficiary would have the right to elect to choose continuation coverage if the group health coverage would be lost. The employee, employee's spouse, or dependent children (where applicable) would each, as a qualified beneficiary, have the option to select continuation coverage for a period shown as follows:

Reason for Termination under Group	Period
Voluntary termination of employee	18 months
Involuntary termination of employee (except for gross misconduct)	18 months
Reduction in work hours of employee	18 months
Disability of employee as determined under the Social Security Act	29 months
Death of employee	36 months
Divorce or legal separation	36 months
Employee becomes entitled to Medicare	36 months
Dependent child no longer qualifies as dependent under group health plan	36 months

3.8.1.5.1 Special Rule for Multiple Qualifying Events

If the employee elects continuation coverage following a termination of employment or reduction in hours and, during the 18 month period of continuation coverage, a second event (other than a bankruptcy proceeding) occurs that would have caused the employee to lose coverage under the plan (if the employee had not lost coverage already), the employee may be given the opportunity to extend the period of continuation coverage to a total of 36 months. If a beneficiary elected continuation coverage as the spouse, or dependent of a covered employee who experienced a termination of employment or reduction in hours and, during the continuation period, the employee or former employee became entitled to Medicare, the beneficiary may be given the opportunity to extend coverage for 36 months from the date the covered employee becomes entitled to Medicare.

3.8.1.5.2 Special Rule for Retirees and Newly Acquired Dependents

The retiree, spouse, or dependent of a retiree whose employer's group health plan is lost or substantially eliminated within one year before or after the employer's filing of a Title 11 Bankruptcy can elect to remain in the employer's group health plan until the retiree's death. After the retiree's death, the retiree's survivors can obtain up to an additional three years of continuation coverage.

Newly acquired dependents of qualified beneficiaries, such as children and spouses, are to be given the same opportunity to obtain coverage as for an employee with, and under the same conditions as, such dependent's coverage. The newly acquired dependent's coverage is not as a qualified beneficiary, and as such, their continuation coverage will end upon termination of the qualified beneficiary's continuation coverage.

The continuation coverage will not be conditioned on a physical examination or other evidence of insurability, and will be the same health coverage offered to college employees with very few exceptions. Please remember that the beneficiary will be required to pay the entire premium for this continued coverage and an administrative fee. Under COBRA, the employee's supervisor must notify the business office within 30 calendar days of an employee's death, termination of employment or reduction in work hours. The employee must notify the business office when eligible for Medicare entitlement, and of bankruptcy proceedings. In these cases, the business office must then notify the qualified beneficiary of the right to elect continuation coverage. This notice must be provided within 14 calendar days after the business office receives notice that one of these events has occurred. However, with respect to multi-employer plans, to the extent the plan so provides, the college may have an extended period of time for notifying the plan administrator of one of the qualifying events, and the plan administrator also may have an extended period for providing notice to the qualified beneficiary.

In all other cases, the employee or family member has the responsibility to notify the business office of a divorce, legal separation, a child losing dependent status, a disability as determined under the Social Security Act, or a newly acquired dependent under the group health plan. In these cases, the employee has 60 calendar days from the date that the employee would lose coverage because of one of the events described previously or notify the business office of the qualifying event. In all cases, the beneficiary has 60 calendar days from the date of the notice from the business office or from the date the beneficiary would lose coverage, whichever is later, to inform the health provider that the beneficiary wants continuation coverage. The election of continuation coverage is deemed to include an election for family members who will also lose

coverage under the group health plan unless otherwise specified. The continuation coverage extends from the date of one of the events described previously to:

- 18 months, in the case of termination or reduced work hours, 29 months, in the case of disability, or 36 months, in all other cases described previously except retirees and newly acquired dependents. See “Special Rule for Retirees and Newly Acquired Dependents.”
- The date the college no longer provides any group health plan to its employees.
- The premium for continuation coverage is not paid on time.
- The person whose coverage is being continued becomes covered under another group health plan unless the other plan contains an exclusion or limitation with respect to a pre-existing condition.
- The person whose coverage is being continued becomes entitled to Medicare benefits (unless the qualifying event is the employer’s Title 11 Bankruptcy).

The beneficiary is divorced from a covered employee, subsequently remarries and becomes covered under another group health plan, in which case the beneficiary can continue until the maximum allowed period of termination or upon being covered for pre-existing conditions, if the new plan excludes or limits benefits for the pre-existing condition coverage plan covers it, whichever occurs first.

To prevent a lapse in coverage, if the beneficiary selects continuation coverage, the beneficiary can pay any required premium within 45 calendar days after the election. If the college group health plan provides a conversion privilege to other beneficiaries, the college must also provide the beneficiary and family members with the opportunity to enroll under a conversion health plan during the 180-day period preceding the date that continuation coverage expires.

3.8.1.5.3 Independent Contractor and Other Service Performers

Self-employed individuals, independent contractors and agents, and directors who are (or were) covered by a group health plan maintained by an employer for one or more common law employees may also be eligible for continuation coverage. Continuation coverage is provided if the individual was covered under the employer's group plan by virtue of performing services for the employer.

3.8.1.5.4 Insurance for Workers 65 Years of Age

COBRA also affects the rights of employees and their spouses, who are over 65 years of age. The college must offer employees, and their spouses, age 65 and over, “working aged,” the same health insurance coverage that is offered to younger workers and their spouses. The college, at the discretion of the president, may occasionally agree to continue health insurance coverage for a limited time for a retired or semi-retired employee, normally between the ages of 62 and 65.

3.8.1.5.5 Administrative Information

The college’s plan administrator is the vice president for finance. A summary of the plan may be obtained from the business office. In the event that federal, state or local laws require different or larger benefits than stated in this volume the college will comply with the law.

3.8.2 Carrier Benefits

3.8.2.1 Retirement TIAA/CREF

The college will contribute 5% of the salary or wage of the employee toward TIAA-CREF Teachers Insurance and Annuity Association and College Retirement Endowment Fund retirement programs. Employees also have the option to contribute up to 5% from their paycheck. A tax-sheltered plan is available as an alternative program. Employees desiring this option should make the choice known when application for the program is made.

Eligibility: All eligible employees, working at least 20 hours per week, are eligible to participate in the Retirement Plan immediately upon employment.

3.8.2.2 Life Insurance

The college carries a group life insurance policy for each employee. The college pays the premium for a \$20,000 policy for each employee working at least 30 hours per week. Employees who leave the college may assume the total premium payment and continue the coverage. Information is available at the business office.

3.8.2.3 Health Insurance

Health insurance plans are available at group rates to all employees working at least 20 hours per week. Information regarding these plans is available at the business office.

When employees leave they may continue on the college health insurance plan at their own expense. This continuation option provides for varying periods of coverage and is at a rate established pursuant to COBRA regulations. Persons electing this option must make a selection regarding continuation coverage and should contact the business office for complete information.

3.8.2.4 Health Insurance for Retirees Over Age 65 Working Part-Time

Southwestern College retirees working less than 30 hours per week but more than 15 will be eligible to continue under the college medical plan as a retiree. Coverage will be provided through a Medicare supplement plan on a basis secondary to Medicare parts A & B only. (When the retiree loses eligibility as a full time employee, it is the retiree's responsibility to elect and pay for Medicare parts B & D. In no way will the college assume responsibility for gaps in coverage for the employee or their spouse's failure to elect coverage on a timely basis.) The coverage will be available to both the retiree and their spouse, provided the retiree continues to work part time and any required premium is paid. Once the retiree no longer works part time or works less than the 15 hours per week, the coverage will terminate and the retiree will be responsible for securing alternate coverage. The college will pay the lesser of the Medicare supplement premium cost for the employee (the spousal premium will be the employee's responsibility) or the amount of the health annuity benefit the college contributes toward all employees participating in the college's group health insurance plan.

3.8.2.5 Long-Term Disability Insurance

The college pays the cost of this group plan, which is available to full-time employees working at least 30 hours after one year of continuous employment with the college unless verification of disability insurance with the previous employer is provided. The plan provides an income benefit if the employee becomes disabled. Generally the benefit is available after a six-month waiting period, application, and proof of disability. Monthly income benefits are calculated at 60% of the wage base or \$5000, whichever is lower. The amount paid will be made up through disability

and social security disability insurance. Employees participating in the retirement program are also covered for payment of retirement contributions. This portion of the benefit is calculated on the original wage base.

3.8.3 Institutional Benefits

3.8.3.1 Tuition Benefits

3.8.3.1.1 Trustee Tuition Grants

When a faculty member, administrator, or staff member works full time at the college, trustee grants are available to cover all or part of tuition for that employee's spouse and unmarried dependent children through age 24 unless the spouse or dependent child is also employed by Southwestern (and governed by section 3.7.3.2.3). Spouses may enroll as undergraduate students either in on-campus or professional studies programs. Dependent children may enroll as undergraduate students in on-campus programs and are also eligible to apply for participation in the tuition exchange programs described in the next section.

Trustee grants cover 25% of tuition during the first year of employment, 50% during the second year, and 100% during subsequent years. These grants and rates become available at the start of the school term (fall, spring, or summer) that follows the employment date.

Trustee grants are calculated on the basic cost of tuition for full or part-time enrollment. They do not cover charges for overloads, special fees, or room and board, and cannot be used for special academic programs.

Trustee grant recipients are encouraged to apply for Federal financial aid. Students who are eligible for trustee grants may also accept other Southwestern scholarships, Southwestern grants, Federal Pell Grants, SEOGs, and state-supported scholarships and grants. Please note, however, that if the student chooses to accept these other grants and scholarships, the trustee grant will only be applied to increase the total amount of grants and scholarships up to the 25%, 50%, or 100% benefit. This limitation does not apply to private scholarships (i.e. organization scholarships such as Rotary or 4-H, church scholarships, or company scholarships such as Wal Mart or Koch).

Trustee grants are not awarded automatically. Employees must make application for this benefit each year in the financial aid office.

Entering students must apply for admission through the admissions office, pay the appropriate application fee, and meet all regular requirements for admission. All students receiving trustee grants are required to maintain the cumulative 2.0 GPA required for all grants and scholarships awarded by the college. Arrangements for payment of accounts must be made through the college services office in the same manner as required of other students.

In the case of a full-time faculty member, administrator, or staff member who has become permanently disabled or is deceased and who had served at least eight years at the college immediately before this occurred, trustee grants are available for that person's unmarried dependent children for the time necessary to complete an academic program resulting in a degree.

3.8.3.1.2 Tuition Exchange Programs

The college participates in two tuition-exchange programs that let its employees' dependents enroll at other colleges and universities for little or no tuition cost.

Students who would be eligible for 100% trustee tuition grants at the college (above) are eligible to apply for participation in these exchange programs. Each program has specific methods for ensuring that exchanges between schools are balanced, so participation is not guaranteed. The number of students the college can send (export) to other schools is largely determined by the number of students it can enroll (import) who are dependents of employees at other member schools.

In cases where college employees ask to export more of their dependents than the college can accommodate, requests will be ranked first by seniority of the employee and then by family financial need.

The college liaison officer for tuition exchange programs is the director of institutional research and records. This person can provide lists of participating schools and details of the application processes. The liaison officer also certifies eligibility for applicants.

The CIC Tuition Exchange Program (CIC-TEP) is sponsored by the Council of Independent Colleges, which publishes a quarterly list of the 300+ member schools participating in the program. Export requirements are relatively easy to meet. One consideration is that no CIC-TEP school is required to import more than three new students a year, so a student's first choice school may have already accepted as many imports as it wants.

The Tuition Exchange, Inc. (TEI) is an independent organization coordinating exchanges among its 390+ members. Lists of participating schools are published twice yearly. Export requirements for this program are complex and depend on credits the college has accumulated by importing students from other TEI schools.

3.8.3.1.3 Student Import Policy

The college welcomes inquiries from dependents of CIC-TEP and TEI employees who are eligible to participate in a tuition exchange program. Imported students may enroll as undergraduate students in on-campus programs providing they meet all regular requirements for admission. In the case of CIC-TEP imports, the college limits its acceptances to the first three students annually who complete the application process. For TEI students, the college reserves the right to limit imports based on current enrollments. Imported students receive a tuition exchange scholarship for the amount of tuition. Students may accept other college aid only by agreeing that the tuition exchange scholarship is correspondingly reduced.

Tuition exchange scholarship recipients may also apply for federal Pell Grants and SEOGs and for state-supported tuition grants and scholarships. If the student accepts these kinds of aid, the college aid will be reduced according to this policy: the combination of federal and state grants and scholarships plus college aid is offered for up to (1) demonstrated need as determined by federal need analysis or (2) direct costs, whichever is lower. Direct costs are defined as tuition, a room and board allowance if living on campus, and a \$400 annual book allowance. In some cases external need-based aid should be declined in order to receive a full level of assistance.

3.8.3.2 *Other Benefits*

3.8.3.2.1 Activity Tickets

Every full-time employee is entitled to two season tickets for college-sponsored athletic and theater events. It is expected that the employee identification cards will be accepted for free admission to all away-from-home KCAC events. The college, however, will not reimburse an

employee the cost of admission, in the event that another college refuses to accept the identification card.

3.8.3.2.2 Moving Expenses

New faculty members and administrators may be eligible for reimbursement of some moving expenses. The amount available is dependent each year on budgetary allocations, individual need, and contractual agreement with the president or the president's designee.

3.8.3.2.3 College Courses

Employees of the college may take up to 9 credit hours without tuition charge each academic year. Enrollment may be in undergraduate or graduate courses, either on campus or in professional studies programs, provided the president of the college has opened the courses for non-revenue enrollment by college employees. The benefit is available to college employees whose contract specifies working at least 30 hours per week. Employees should be aware that this is a taxable benefit and will be reported by the college as such.

Approvals must be obtained as follows:

An employee wishing to enroll in undergraduate or graduate courses must receive the approval of his/her direct supervisor and his/her area vice president. Such approval is not automatic but will not be unreasonably withheld. The direct supervisor will monitor the employee's work performance and the needs of his/her department and may, on reasonable grounds related to the employee's work performance, suspend the employee's participation in courses. For all employees, participation in graduate study requires approval for admission from the director of the particular graduate program.

Requests to take more than one course without charge in any fall, spring, or summer term must be made in writing to and approved by the employee's direct supervisor and his/her vice president. Requests to complete more than 9 hours of credit in a given academic year must be made in writing to and approved by the employee's direct supervisor, his/her vice president, and the president. In the case of either request, the employee must present to his/her supervisor an acceptable plan of study, a rationale for the request for accelerated study, and must address any potential impact on the employee's availability to perform his or her customary work duties.

Hourly employees must make up time away from the job within the week the absence occurs. Employees who enroll as full-time students are not eligible for additional institutional financial aid. Time cards must show in and out times for participation in a college course.

The president may approve access to the tuition waiver benefit for employees who are working less than 30 hours per week. Such approval will be reflected in the employee's contract of employment.

The request for approval document can be found online.

3.8.3.2.4 Degree Completion

On occasion, the college enters into an agreement with an employee to provide financial support for the completion of a degree, most frequently an advanced degree at the master's or doctoral level. These funds are available only for a course of study that is approved in advance by the president or the president's designee (normally the applicable vice presidential supervisor). The

amount of support available will depend on annual budgetary allocations and the formula for support that may vary from year to year. In most cases, the support will be specified as part of the contractual agreement with the employee. Financial support for advanced study is not an entitlement and the college reserves the right to make individual decisions concerning persons and programs approved for financial support.

3.9 Leave Policies

3.9.1 Family and Medical Leave

In accordance with the Family and Medical Leave Act of 1993, eligible employees are entitled to a maximum of 12 weeks of job protected leave for certain family and medical reasons during a 12-month period.

3.9.1.1 Reasons for Leave

An eligible employee may request either family or medical leave for one or more of the following reasons:

Family leave may be requested:

- a. To care for an employee's newborn child during the first 12 months after birth.
- b. For the placement of a son or daughter with the employee for adoption or foster care.
- c. For the care of a spouse, son, daughter, or parent of the employee, if such spouse, son, daughter, or parent has a "serious health condition."
- d. The care of a residential partner or life companion who has a "serious health condition."

Medical leave may be requested:

For a "serious health condition" that makes the employee unable to perform the functions of the position of such employee.

A "serious health condition" is a health problem that requires either inpatient care or continuing treatment by a health care provider. These are serious conditions that impair on a chronic basis the employee's or family member's ability to engage in daily activity without assistance or to perform the functions of a position.

The term "serious health condition" is not intended to cover short-term conditions for which treatment and recovery are very brief.

3.9.1.2 Eligibility for Leave

To be eligible for leave, an employee must:

- a. Have worked for the college for at least 12 months; and
- b. Have worked for at least 1250 hours during the 12 months preceding the start of the leave.

3.9.1.3 Leave Entitlement

An eligible employee is entitled to take up to 12 weeks of family or medical leave in a 12-month period. The 12-month period shall be measured forward from the date the family or medical leave begins.

With respect to requests for leave for the birth or placement of a child for adoption or foster care with the employee, the employee's entitlement to obtain leave expires 12 months after the birth or placement.

3.9.1.4 *Procedures for Family and Medical Leave*

- a. Employees are required to provide 30 days advance leave notice, when the leave is foreseeable. If 30 days notice is not given, the leave may be denied.
If the leave is not foreseeable, then notice must be given as soon as practicable.
- b. An employee requesting leave to care for a seriously ill spouse, son, daughter, or parent, or due to the employee's own serious health condition which makes the employee unable to perform the functions of the position, must provide a medical certification issued by the health care provider of the employee or the employee's ill family member, unless such certification is otherwise restricted by law.
- c. An eligible employee who requests family leave for the birth, adoption, or foster care of a child or for the care of a child, spouse, or parent who has a "serious health condition" may exhaust paid vacation leave for part of the 12 weeks of leave to which the employee may be entitled under this policy. An employee may not substitute paid sick leave when the family leave is requested for the birth, adoption, or foster care of a child or for the care of a child, spouse, or parent who has a "serious health condition." Any period before and after birth where a mother is not able to work for medical reasons will be considered leave for a serious health condition.
- d. An employee who requests medical leave because the employee is unable to work due to a "serious health condition" must utilize paid sick leave upon the onset of the leave, which then becomes a part of the 12 weeks of leave which the employee is entitled to under this policy.
- e. All leaves must be requested on the appropriate form which is available in the personnel office. The length of leave desired, the reason for the leave, and the employee's signature must be on the form. Medical leave requests must include a medical certification issued by the health care provider of the employee or the employee's ill family member unless such certification is otherwise restricted by law.
- f. An employee may take intermittent or reduced leave to lessen the usual number of hours per day or work week. Intermittent or reduced leave schedules are subject to college approval unless medically necessary.

3.9.1.5 *Return From Leave*

- a. When an employee returns from family and medical leave, the college will attempt to return the employee to the position held prior to the leave. If this is not possible, the employee will be placed in a position of equivalent pay and benefits. If an employee is using unpaid leave intermittently or on a reduced schedule, the college may reassign the employee to a different position at the same pay level if necessary to accommodate the leave with minimum disruption of college activities and work schedules.

If there are layoffs or other reductions in force while employees are on family and medical leave, and they would have been included in those reductions had they remained, they lose their right to reinstatement, but do not lose their lay-off recall rights.

- b. The use of family or medical leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.
- c. An employee who requested leave for the employee's own serious health condition that made the employee unable to perform the employee's job, is required to obtain and present

certification from the health care provider that the employee is medically able to resume work.

3.9.1.6 *Benefits while on Family or Medical Leave*

- a. For the duration of family or medical leave, the college will maintain the employee's medical insurance coverage at the same level as provided to the employee prior to the leave. Employees who are granted approved family or medical leaves of absence are responsible to arrange to pay for their portion of the premium for the family medical plan prior to leaving. Failure of the employee to pay his or her portion of the premiums may result in cancellation of the coverage.
- b. Holiday pay, bereavement pay, or jury duty pay is not paid while on a family or medical leave of absence.
- c. Except as otherwise set forth in this section 3.6.6, vacation and sick leave is not accrued during family or medical leave. Accrual will commence upon reinstatement from the leave of absence.

3.9.2 Other Leaves

3.9.2.1 *Funeral Leave*

A maximum of four days off with pay will be allowed when a death occurs in the employee's immediate family. The immediate family is a spouse, domestic partner, child, stepchild, sibling, parent, stepparent, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law.

For the funeral of other relatives or when serving as a pallbearer, time may be taken and charged to vacation time.

3.9.2.2 *Sick Leave*

Sick leave shall cover all absences from duty because of (a) illness of the employee or (b) illness of a member of the immediate family of the employee (spouse, child, parent, parent-in-law) or (c) compliance with quarantine regulations promulgated by the health authorities.

Sick leave with pay will be accrued on the basis of one working day per month based on number of hours worked. An employee may not take sick leave until it has been earned. Unused sick leave may be accumulated, not to exceed appropriate maximum.(See 5.12.2).

If an employee is absent for more than three days for personal illness, a written release from the employee's physician must be presented to the benefits administrator by the employee on the employee's return.

Accrued sick leave is a fringe benefit and has no cash value. Sick leave must be used in units of at least one hour. For limitations on the maximum amount of sick leave that can be used, see the benefits summary (5.9.1).

3.9.2.3 *Jury Duty Leave*

Employees who perform jury duty continue to receive full pay from the college.

3.9.2.4 *Maternity Leave: Administrators and Staff*

The college will allow 5 business days off with pay for an administrator or staff employee for the birth or adoption of a child. The employee may also use accumulated paid vacation and

accumulated sick leave for the birth or adoption of a child. An eligible employee who requests family leave may exhaust paid vacation and sick leave which then becomes a part of the 12 weeks of leave which the employee is entitled to under the Family Medical Leave Act of 1993. FMLA offers eligible employees job protection up to a maximum of 12 weeks in a 12-month period. See Section 3.9.

Faculty: In accordance with the Family Medical Leave Act of 1993, eligible employees are entitled to a maximum of 12 weeks of job-protected leave for certain family and medical reasons during a 12 month period. Refer to volume IV, Faculty Personnel Policies for faculty.

3.9.2.5 Military Leave of Absence

Employees who are members of the National Guard or reserve components of the Armed Forces of the United States that are required to serve two weeks of active reserve duty will be placed on a two-week military leave of absence with pay. Paid leave for two weeks of active reservist duty will not use accrued vacation time and during the two week paid reservist leave, benefits to which an employee is normally entitled will continue. Vacation will continue to accrue during the two week paid reservist leave. Any military leave of absence for more than the two weeks will be an unpaid military leave. The reservist can use accrued vacation for the unpaid portion of the military leave. Accrued sick leave cannot be used for the unpaid portion of the military leave.

The employee must notify the supervisor as far in advance as possible and supply a copy of the notification letter regarding leave for any military leave requests. The supervisor is to notify the Payroll/Benefits Administrator when any military leave is granted with the start and end date of leave and the anticipated return to work date.

The law (USERRA, Uniformed Services Employment and Reemployment Rights Act of 1994) provides that the employee will be eligible for reemployment to the same job they left or the job they would have attained if they had not left, if certain criteria are met. If the employee elects to return to work following an extended military active duty, they are granted full reinstatement rights at no loss of seniority or benefits as specified by law. For more information, please contact the human resources office.

3.10 Health Insurance Benefit

A monthly health insurance benefit is available to all eligible employees and will be set each year as part of the annual determination of salaries and benefits. This benefit is applied to the college group health insurance premium for the employees.

3.11 Budgeting and Purchasing

Building budgets and monitoring expenditures are among the most important responsibilities of employees. The policies herein are designed to promote appropriate and prudent management of these responsibilities.

3.11.1 Budgeting Process

The college's budget is developed each year by the president and the college's administrative council in consultation with other college employees. The budget is presented to the Board of Trustees for approval.

3.11.2 Budget Modification or Cancellation

A budget may be revised, amended or declared inoperative in any way at any time by the president or the Board of Trustees.

3.11.3 Disclosure

Copies of the audited financial statements for the previous three years for each of the fund accounts related to the college shall be available in the business office.

3.11.4 Purchasing and Related Matters

See volume II.

3.12 Appendix A

DISCLOSURE/CERTIFICATION

Are you aware of any relationships between Southwestern College and yourself or a member of your family, as defined by this policy, that is or may represent a conflict of interest?

____ No

____ Yes

If yes, please specifically identify and describe each such relationship.

Are you aware of any relationship between any other person, entity, or institution and yourself or a member of your family as defined by this policy that is or may represent a conflict of interest?

____ No

____ Yes

If yes, please specifically identify and describe each such relationship.

During the past 12 months, did you or a member of your family receive any gifts or loans from any source from which the College buys goods or services or otherwise has significant business dealings?

If yes, please list them, their source, and their approximate value.

Source

Item

Approximate Value

I certify that I have read and understand the College's policy on conflict of interest, agree to abide by the policy, and the foregoing information is true and complete to the best of my knowledge and belief.

Name (please print)

Signature

Date

VOLUME 4 — Faculty Personnel Policies

Volume IV of this policy manual contains the approved policies and procedures of Southwestern College concerning the terms and conditions of faculty employment at the Winfield campus. This volume IV is incorporated by reference into the individual employment contract of each faculty member. Where the terms and provisions of an individual contract of a faculty member are inconsistent with the general policies contained herein, the provisions of the individual contract shall control. Otherwise, the provisions of this volume will remain in effect until changed by the procedures contained in this volume. Should there be any misapplication, misinterpretation or violation of specific provisions in this volume, the faculty member involved 1) should report the circumstance to the vice-president of academic affairs, dean of the college (hereafter referred to as vice-president of academic affairs), or other officer of the college or to the executive committee of the faculty or (2) may file a grievance with the faculty review committee pursuant to the grievance procedures found in section 4.12.

The administrative or staff responsibilities of faculty members with administrative or staff appointments are specified in the individual contracts of such faculty members.

4.1 Definition of Faculty, Faculty Rank, and Faculty Titles

The faculty comprises all persons having appointment for the instruction of students. The faculty of the college consists of four distinct groups, ranked full-time faculty, ranked pro-rata faculty, per-course faculty, and special appointment faculty. Specific contract types are described in section 4.2. Specific contractual rights and responsibilities shall accrue to each specific group as defined in appropriate sections of this volume IV.

4.1.1 The Ranked Faculty

A ranked faculty member is a full-time or pro-rata employee of the college who has been appointed to one of the four regular academic ranks: instructor, assistant professor, associate professor, or professor.

4.1.1.1 Full-Time Faculty

A full-time faculty member is a contractual employee of the college who is qualified for appointment to one of the academic ranks listed above in subsection 4.1.1. This employee ordinarily has full-time teaching duties or has teaching and other duties (e.g. research, academic administration, advising) equivalent to a full-time teaching load and fulfills the duties and responsibilities of a faculty member. Full-time status is normally a prerequisite for eligibility to become a voting member of the faculty and any exception shall be approved by the chairperson of the faculty and the vice-president of academic affairs.

4.1.1.2 Pro-Rata Faculty

A pro-rata faculty person may be a former full-time faculty member who has chosen to semi-retire, or a part-time faculty member. Pro-rata faculty are assigned rank as defined above in subsection 4.1.1 and are given an appointment equivalent to half-time or more, but less than that of a full-time faculty member. They may be employed pursuant to term or notice contracts.

4.1.1.3 Criteria for Initial Appointment to a Specific Faculty Rank

When first hired, faculty rank for full-time and pro-rata faculty members is assigned by the president, on recommendation of the vice-president of academic affairs. The vice-president of academic affairs shall base the recommendation upon consultation with the appropriate division chair and department chair. If the appointment involves an unusual departure from the guidelines below, the president and vice-president of academic affairs shall consult with the faculty personnel committee.

The following qualifications shall be used as guidelines, not requirements, for the assigning of faculty rank at the time of initial employment:

Instructor: a master's degree or the equivalent.

Assistant Professor: an earned doctoral degree or an equivalent terminal degree, or a master's degree with a minimum of three years of teaching or equivalent experience.

Associate Professor: an earned doctoral degree or an equivalent terminal degree or a master's degree, and a minimum of six years of full-time college teaching or equivalent professional experience, and evidence of continuing teaching and other professional growth.

Professor: an earned doctorate or an equivalent terminal degree and a minimum of six years of full-time college teaching or equivalent professional experience. Hiring at the rank of full professor shall occur only under unusual circumstances, e.g. that the person has held that rank previously, or that the person shows extraordinary evidence of achievement in scholarship, service, and teaching.

Once a faculty member is employed, the promotions subcommittee of the faculty personnel committee will make subsequent recommendations for changes in ranks to the vice-president of academic affairs and the president as defined in subsection 4.8.1.

4.1.2 Part-Time Per Course Faculty

This subsection pertains to Winfield campus faculty not assigned to the professional studies faculty whose employment policies are provided in volume VI of this policy manual.

A part-time per course faculty member is usually a part-time temporary employee of the college who:

- a. Usually has less than a half-time teaching load and is granted the title of affiliate faculty;
- b. Usually has no other faculty duties and responsibilities, except those listed below;
- c. Is normally selected by the appropriate division or department chair in consultation with the vice-president of academic affairs;
- d. Always receives a term contract from the vice-president of academic affairs for one term or one nine-month academic year;
- e. Receives no fringe benefits or tuition remissions; and
- f. Does not accrue time towards tenure, promotion or sabbatical.

Part-time per course faculty should be available at least 1 1/2 hours per week for each course taught to assist students with their course work.

A person assigned the title of affiliate faculty should meet or exceed the minimal requirements set forth for the position of instructor as described in subsection 4.1.2. In lieu of these

requirements, considerable experience in an appropriate technical, artistic, or professional field may be substituted.

4.1.2.1 Senior Affiliate Faculty

This title may be assigned to a part-time per course teaching faculty member in recognition of distinguished teaching service at the college during a period of at least five years. Assignment of this title may be made by the president, upon the recommendation of the applicable division chairperson and the vice-president of academic affairs.

4.1.2.2 Adjunct Professor by Rank

A faculty member who teaches on a part-time per course basis for the college, and who is a full-time ranked faculty member of another institution of post-secondary education, may be assigned “adjunct” rank at the college that is equivalent to the faculty member's rank at the other institution. Should the other institution not use rank, the title of adjunct instructor will be used.

4.1.3 Special Appointment Faculty

4.1.3.1 Professor Emeritus

This rank may be assigned to associate professors or professors who have limited or ended their responsibilities as a ranked faculty member for valid reason (e.g., retirement, illness) after ten or more years of distinguished service to the college. A professor emeritus is designated and appointed by the Board of Trustees after recommendation by the president, vice-president of academic affairs and the faculty personnel committee.

No compensation accrues by virtue of this rank except by a mutual agreement between the president and the individual. The emeritus faculty member may be offered a part-time term contract to teach or fulfill other duties. In such cases, supplementary benefits, if any, will be set forth in the contract and such a term contract shall be limited to less-than-half-time faculty status.

Professors emeriti will normally be granted access to library services, e-mail and the internet, although the college will not furnish computing equipment and reserves the right to charge a fee for these services. Professors emeriti may attend college events without charge and are invited to attend faculty meetings (without vote), faculty workshops and forums. Business cards will be provided. Office space will not normally be available to professors emeriti without specific approval of the president and for approved purposes of research or teaching. The college reserves the right to modify these benefits at any time without undergoing the formal handbook revision process.

4.1.3.2 Visiting Appointments

All visiting appointments are for a limited period of time with no intent of on-going employment. Visiting appointments are reserved for faculty members and professors emeriti of other institutions, and persons distinguished in their fields.

4.1.3.3 Artist/Writer/Scholar-in-Residence

Artists, writers and scholars may be appointed to the status of artist/writer/scholar-in-residence. Such appointments are made through term contracts that may be renewed at the initiative of the college.

The appointment of an artist/writer/scholar-in-residence does not prejudice the academic personnel rights of any other faculty member with respect to the contractual policies set forth in this volume IV.

4.1.3.4 Replacement Faculty

The college may appoint a replacement faculty member using a full-time or pro-rata term contract. Service pursuant to such a contract does not count towards tenure, promotion, or sabbatical leave unless, at a later date, such service is recognized by the vice-president of academic affairs and the president at the time of offering a notice contract.

4.1.3.5 Administrators with Academic Rank

All academic officers of the college and administrative members of the faculty, including division chairs, shall hold academic rank. Qualification for the various ranks will be based on the guidelines for the initial appointment of teaching faculty, as described in subsection 4.1.2.

Administrative appointments with faculty rank but less than one-half teaching load do not include the rights of tenure, of multi-year appointments, or of protection from summary non-renewal or from summary termination. In matters that do not pertain to instruction or academic freedom, these individuals will be governed by the policies and procedures set forth in volume V of this policy manual.

Other administrators who are appointed with regular teaching responsibilities will be awarded the appropriate academic rank if they fit the pro-rata requirements in subsection 4.1.1.2. If the administrator seeks to move to a full-time faculty appointment or is asked to do so by the president, the administrator's application, with the approval of the vice-president of academic affairs, shall follow the process described below.

The process begins with a request to the faculty personnel committee for review of the proposal by the vice-president of academic affairs, approved by the president and the vice-president of academic affairs and endorsed by the appropriate division chair. The process shall include the presentation of a portfolio by the faculty member to the faculty personnel committee, given the approval of the vice-president of academic affairs to proceed with an application. The person applying shall have completed a minimum of three (3) continuous years of service at Southwestern College, have an earned doctoral degree or an equivalent terminal degree, or a master's degree with a minimum of three years of teaching or equivalent experience.

The portfolio should address the same criteria used for promotion and tenure:

- a. Teaching Effectiveness;
- b. Service to Students;
- c. Scholarship;
- d. Service to the Institution, Community, and Discipline

The portfolio should also include:

- a. substantiation of the applicant's credentials;
- b. discussion of the applicant's teaching philosophy;

- c. discussion of professional goals;
- d. sample syllabi for courses the applicant will be responsible for teaching; and
- e. written recommendations from the appropriate division and department chairs.

The personnel committee will review the portfolio. A two-thirds (2/3) majority vote will be needed for a positive recommendation for full-time faculty status. The vote shall be by secret ballot. The recommendation of the committee will be communicated to the vice-president of academic affairs and to the president, whose decision is final. The applicant will receive written notification of the decision by the vice-president of academic affairs.

If an applicant receives a negative vote from the personnel committee, the applicant may request that the vice-president of academic affairs institute a review of the recommendations made by the personnel committee. This review may involve additional consideration by the committee and/or a separate recommendation to the president by the vice-president of academic affairs. The applicant may reapply for faculty status during the subsequent academic semester, but not during the semester in which the applicant received a negative recommendation.

4.1.3.6 Developmental Educators

The college offers non-tenure track notice contracts to faculty members who possess specialized skills in selected academic areas, but who would not otherwise qualify for promotion or tenure. Developmental personnel, who teach subjects such as writing, reading, mathematics and study skills, are critical to the teaching and learning process of the college. Faculty with this status may receive up to six one-year term appointments and in the seventh year may, after evaluation and approval of the president, the vice-president of academic affairs and the applicable division chairperson, be given a two or three-year, renewable, non-tenure notice contract.

Should faculty members in this status later be employed pursuant to a tenure-track notice contract, vice-president of academic affairs may choose to count some of the faculty member's prior service towards promotion and tenure at the time of the issuance of the tenure-track notice contract. However, this is an option that is normally not exercised and is not a requirement.

4.1.3.7 Special Teaching Appointments

Faculty members are invited occasionally, depending upon need, to teach in summer school, the degree completion program, and the graduate program. Unless these are assigned as part of the person's basic contractual responsibilities, special contracts for these teaching services will be issued by the office of the vice-president of academic affairs.

4.1.3.8 Director of the Library

The director of the library is an administrator with faculty status governed by the policies and procedures set forth in volume V of this policy manual. With regard to matters of instruction or academic freedom, the applicable provisions of this volume IV of this policy manual will pertain to the director of the library.

4.2 Types of Contracts, Definitions, and Contract Policies

4.2.1 Definitions

The term “tenure track” refers to the contract of an untenured faculty member who will be eligible to apply for continuous contract status (tenure) upon completion of the requirements specified in section 4.9 of this volume IV.

The term “pre-tenure” shall mean that period during which a tenure track faculty member is actively being considered for a tenured position as set forth in section 4.9 of this volume IV. During the pre-tenure period, a faculty member shall have the same academic freedoms as all other faculty members.

4.2.2 Contract Period

Members of the regular teaching staff are normally employed on a nine-month work basis. Ten, eleven, and twelve-month contracts are occasionally provided with the dates of employment specified in the contract.

4.2.3 Non-Tenure Track Positions

Some positions with faculty rank or teaching responsibilities will not be tenure-track positions.

These include but are not limited to the following:

- a. administrative positions (except division chairs) including those with faculty rank or teaching-related responsibilities;
- b. guest lecturers or artists/scholars in residence;
- c. temporary positions to fulfill temporary needs;
- d. part-time or adjunct positions; and
- e. other positions so identified by the president.

The president and the vice-president of academic affairs will consult with the faculty personnel committee when preparing to create a new non-tenure track position.

4.2.4 Term Contracts

Term contracts at the college are given to per-course and special appointment faculty members, and are limited to the term of employment outlined in the applicable contract. Term contracts do not confer upon a faculty member entitlement to continued employment after the term specified in the employment contract expires.

Term contracts may also be used with full-time and pro-rata ranked faculty in special circumstances as follows: all summer session contracts; for replacements for one semester or year for faculty on leave on a full-time or pro-rata basis; or with the approval of the vice-president of academic affairs for short-term curricular needs of the college. No more than three consecutive academic year contracts of this type will be given a ranked faculty member with specific ranked faculty status.

Term contracts are issued by the office of the vice-president of academic affairs.

4.2.5 Notice Contracts

A faculty member with a notice contract may expect the contract to be renewed unless otherwise notified pursuant to the terms of the applicable contract. A notice contract may be for a period of one or more years and may or may not be tenure-track.

If a notice contract is a tenure-track contract, each year of a faculty member's employment thereafter shall be considered a part of that faculty member's "pre-tenure period" as described in section 4.9. Six one-year tenure-track notice contracts may be issued.

After three (3) years of continuous service in a non-tenure track position, the college may exercise the option of offering two or three-year appointments. After six years of non-tenure track contracts, this option shall be actively considered for the seventh year of employment, although continuing to issue annual notice contracts is also an option. This process may apply to particular categories of positions, e.g., athletic coaches, developmental educators, new program development personnel, personnel involved in skills courses, and faculty who lack a terminal degree. If so offered and accepted, non-renewal of the faculty member's contract will only occur according to the provisions of section 4.11. The president reserves the right to issue multi-year contracts outside this framework in situations wherein a multi-year appointment serves the interests of the college, e.g. a distinguished visiting professorship that is designed to last more than one year.

4.2.6 Continuous Contracts (Tenured Positions)

Continuous contract rights at the college are given to faculty members who have attained tenured status (as outlined in section 4.7). Faculty members employed under a continuous contract are entitled to annual contract renewal and shall be subject to the terms and conditions of employment that exist at the time of each annual renewal by the college, unless separated pursuant to any subsections of section 4.11 of this volume IV (except subsection 4.11.3).

4.2.7 Locus of Appointments

All faculty appointments to non-tenure or tenure track or continuous contracts have as the locus of their appointment the applicable division or department/program which is stated in their contract. Dual appointments to different academic units may be granted to a faculty member. In such a case, the vice-president of academic affairs, in consultation with the faculty member and any appropriate division chairpersons, will select one academic unit as the faculty member's primary academic unit for the purposes of this volume IV (e.g., governance, evaluation, promotion, separation).

4.2.8 Issuance, Receipt, and Form of Contract

When a faculty member is employed, a written contract stating the rank, length of contract period, salary, and other conditions shall be signed by the president, representing the college, and by the faculty member.

Full-time and pro-rata faculty contracts are issued by the president. Part-time per course and less-than-half-time faculty contracts are issued by the vice-president of academic affairs unless the instructional assignment is integral to a full-time or near full-time staff or administrative employment contract issued by the president. The president will issue full-time and pro-rata contracts to faculty members for subsequent years of employment on or before March 1. The

vice-president of academic affairs will issue part-time contracts prior to the beginning of the term in which the teaching assignment will take place.

On or before the March 1 date when full-time and pro-rata contracts are offered, the president will provide a summary of all changes affecting faculty personnel policies and fringe benefits that have been adopted for the coming contract year. It is understood that further changes in these policies and benefits will occur only in the most unusual circumstances and only in consultation with the faculty personnel committee delegated to act for the faculty.

All ranked full-time and pro-rata faculty contract offers must be returned on or before April 1, or the first working day thereafter. If the contract offer is not accepted on or before April 1, unless a special arrangement made with the president and the vice-president of academic affairs, the offer will automatically expire on April 1.

All term contracts are issued on an individual basis as the necessity arises.

Summary of Definitions of Faculty and Types of Contracts

Type of Faculty Member	Type of Contract Notice = Generally expecting renewal Continuous = Tenured Term = No expectation of renewal	Contract Issued By
Full-time (tenure-track or nontenure-track)	Notice, continuous, or term Non-tenure option of two/three-year appointment after three years of service	President
Pro-Rata	Notice, term	President
Part-Time Per Course	Term	Vice-president of academic affairs
Senior Affiliate	Term (per-course)	Title by the president, contract by the vice-president of academic affairs
Adjunct Professor by Rank	Term (per-course)	Vice-president of academic affairs
Professor Emeritus	Term, if teaching	Board of trustees designation on recommendation of the president
Visiting Appointment	Term	President if pro-rata or full-time

		Vice-president of academic affairs if less than half-time
Artist/Writer/Scholar-in Residence	Term	President if pro-rata or full-time Vice-president of academic affairs if less than half-time
Replacement Faculty	Term	President if pro-rata or full-time Vice-president of academic affairs if less than half-time
Administrator with Academic Rank	Notice	President
Developmental Educator	Notice	President
Director of Library with Academic Rank	Notice	President

4.3 Guidelines for Search, Appointment, and Orientation of Faculty

4.3.1 Faculty Vacancies

When a full-time vacancy occurs, the vice-president of academic affairs shall institute a program review, in consultation with the president, the appropriate division and department chairs, and based on the mission and strategic plan of the college. This review shall determine, upon presidential decision, if the position will be filled and, if so, in what manner.

If the position is authorized, the division chair shall develop a plan for the search, including the membership of the search committee, in consultation with the vice-president of academic affairs. The division chair, in consultation with the members of the department, shall develop criteria for selection of the new faculty member prior to the development of the advertisement for the position. The search committee shall be organized under the leadership of the division chair and shall normally consist of the division chair, faculty members from the primary discipline or disciplines related to the vacancy, one faculty member outside the discipline and the vice-president of academic affairs as an ex-officio member.

The vice-president of academic affairs shall advertise the position, taking care to follow equal opportunity/affirmative action processes. Review of credentials, checking of references, and telephone interviews will normally precede on-campus interviews of candidates.

On-campus interviews will involve a presentation by the candidate and opportunities for the candidate to meet and be interviewed by diverse members of the campus community, including students. All commitments to employ, including rank, job description and salary, are ultimately the province of the president, based on recommendations from the vice-president of academic

affairs. Appointments to rank shall normally follow the guidelines described in subsection 4.1.1.3.

4.3.2 Accuracy of Credential Information

Official transcripts of all advanced degrees are to be provided to the vice-president of academic affairs for inclusion in the faculty member's file. Accuracy of credentials, including degrees completed, is assumed in the issuance of a contract. Any evidence of falsification of credentials will result in making an issued, signed contract null and void.

4.3.3 Orientation

New faculty orientation will take place throughout the first semester of employment as scheduled by the vice-president of academic affairs.

Newly hired faculty members at the college, as part of the orientation process, will meet with the director of human resources and receive a packet of information before they begin work which shall include at minimum:

- a. An appointment letter from the president which contains important information and instructions together with a copy of the faculty member's employment contract;
- b. I-9 Employment Eligibility Verification Form;
- c. W-4 tax Form;
- d. Emergency Notification Form; and
- e. Employee Personal Background Summary Form.

The college shall request pre-employment medical testing where necessary or required by law (e.g. tuberculosis test).

4.4 Faculty Personnel Records

Because appointment as a faculty member may lead to a continuing relationship with the college, it is essential that there be adequate and detailed documentation to support official actions involving each individual, especially those actions pertaining to appointment, promotion, tenure, review for multi-year appointment, layoff, and dismissal.

Basic documents to be found in each faculty member's official personnel file are maintained by the director of human resources and shall include:

- a. Letters of application (originals);
- b. Appointment and acceptance letters (originals);
- c. Personal data information;
- d. Hiring transaction documents (payroll notices, etc.);
- e. Copies of the faculty member's employment contracts;
- f. All performance reviews and evaluations and formal reprimands by the vice-president of academic affairs or the president;
- g. Payroll change documents (salary changes, changes in status);
- h. The faculty member's official credentials including a current official transcript with a current vita;

- i. Salary and fringe benefit data;
- j. Letters of recommendation; and
- k. Any additional information that the faculty member wishes to place in this file that pertains to the faculty member's professional background or accomplishments.

This file is always available to the individual faculty member. The faculty member may, for the cost of duplication, obtain copies of any material in the official personnel file. Any such copies will be made by a member of the staffs of either the director of human resources or the vice-president of academic affairs.

This file is confidential. It is available, on a need to know basis only, to the Board of Trustees, the president, the college's legal counsel, the vice-president of academic affairs, members of the faculty personnel committee, and the director of human resources, or other appropriate members of the college community specifically designated in writing by the president. The faculty member may authorize access in writing to the faculty member's file by a person not indicated above. Further, the college may permit access to and copying from such files, pursuant to lawful requests from federal, state or local agencies relevant to investigations, hearings, or other proceedings pending before such agencies or the courts.

4.4.1 Faculty Professional Files

Each faculty member has a professional file kept in the office of the vice-president of academic affairs. Faculty are asked to provide and keep current the following items for this file on a calendar announced by the vice-president of academic affairs:

- a. Vita. A current vita and transcripts of all graduate work should be provided.
- b. Syllabi. In any regularly scheduled course it is the responsibility of the faculty member to provide a course syllabus to students in the class and to furnish a course syllabus to the office of the vice-president of academic affairs.
- c. Any additional information that the faculty member wishes to place in this file that pertains to the faculty member's professional background or accomplishments.

4.5 The Faculty's Duties, Obligations, Rights, Academic Freedom, and Code of Ethics

4.5.1 Academic Freedom

Academic communities traditionally have been the guardians of freedom in all its forms. Controversy and dissent have been basic to the expansion of knowledge and spiritual growth.

The faculty member shall be free to discuss, debate, or dissent on all subjects, but should not introduce into the classroom controversial matter which has no relationship to the subject matter of the course. The intent of this statement is not to discourage what is "controversial."

Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The statement serves to underscore the need for the faculty member to avoid persistently introducing material that has no relationship to the subject matter of the course.

The faculty member shall be entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other duties.

4.5.2 Professional Ethics

The faculty members affirm the need to:

- state the truth as they see it
- encourage free pursuit of learning in their students
- protect academic freedom
- respect and defend free inquiry of their associates
- accept a share of faculty responsibility for the governance of the institution
- maintain professionalism in relationships with students
- avoid intimate or confrontational relationships with students that could potentially lead to allegations of harassment and discrimination
- maintain cordial relationships with external college constituents, respecting and supporting the core mission of the college

4.5.3 Faculty Responsibility Statement

The responsibilities of a college faculty member are correlated with the criteria for evaluation and promotion found in section 4.7 and 4.8. Those responsibilities are as follows:

4.5.3.1 *Teaching Effectiveness*

- To assume a course load and class schedule facilitating the implementation of the academic mission of the college.
- To make a contribution, in the context of departmental or divisional programs, to instruction in the general education program.
- To prepare and maintain a current syllabus for each course in keeping with the standards and deadlines of the vice-president of academic affairs.
- To be available to students in the faculty member's office, or at some equally accessible spot on a regular basis (normally 8-10 hours per week beyond classroom contacts). Some availability each day is preferable with sufficient time to encourage extended conversation rather than brief responses to questions.
- To improve the quality and effectiveness of teaching in each course and to view each class session as an opportunity to seek excellence in the teaching/learning relationship with students.
- To affirm the need for and actively participate in processes leading to the constant evaluation of teaching excellence and quality in the classroom and to implement steps to assess the achievement of the desired results and outcomes stated in each course syllabus, with special attention given to written and verbal communication skills.
- To value the guidance of the vice-president of academic affairs, faculty peers, and students in implementing an effective teaching process.
- To seek educational experiences that promote the life of the college community, enhance personal and intellectual growth, and develop skills for effective teaching.

4.5.3.1.1 Faculty Responsibilities

Each student in a course must be provided with a copy (written or electronic) course syllabus at the first class meeting. A copy of the course syllabus must also be filed with the office of the vice-president of academic affairs no later than one week after the start date of the course. This syllabus represents a contract between the instructor and the student and should be treated as such. If revisions of the syllabus become necessary, they must be announced and distributed to all students in the course. The syllabus must contain at least the following:

- Name(s) of the instructor(s) along with their contact information (email, office location) and office hours.
- Course name and number, credit hours and course prerequisites
- Course goals or objectives and requirements
- Class meeting schedule – dates, times, and location(s).
- Required and optional texts and other course materials (e.g., Software, dissection kits, etc.);
- List of major course events and deadlines (e.g., projected due dates or “TBA” for assignments and exams, including the final exam);
- Methods of evaluation; grading system (weighted items, group work vs individual, etc.) and scale, how grades will be posted (e.g., Blackboard, instructors gradebook, course website)
- Attendance policy;
- Policies for missed and/or late work;
- Special policies for the course, if any (e.g., a policy that collaboration is permitted on take home work, a policy that calculators can be used on exams, field work, etc.);
- Information about or links to college information about academic deadlines, religious holidays, consequences for academic dishonesty, and disability services;

4.5.3.2 Service to Students

- To be knowledgeable of the goals and objectives of the curriculum of the college and affirm and interpret the same to all advisees.
- To be able to explain to advisees the registration and enrollment process and to refer advisees to proper persons for specialized information and consultation.
- To know the graduation requirements of the college and refer advisees to the registrar for degree requirement checks as needed.
- To help advisees to explore various fields of knowledge and career options and develop a plan to promote positive career outcomes.
- To encourage advisees to develop the written and verbal communication and interpersonal skills needed for effectiveness in all careers.
- To monitor advisees’ progress at midterm and finals and to make referrals for follow-up action as appropriate.
- To be available to advisees throughout their educational experience.

4.5.3.3 Scholarship

- To actively study within one's own discipline for the purpose of staying current in that discipline.
- To contribute new ideas and insights to the larger academic community related to specific discipline teaching effectiveness and quality classroom design.
- To function as model learners, seeing the academic community as a place of growth and renewal.
- To implement the interdisciplinary connections available to create quality courses and classroom design and to affirm the general principles and goals of the general education program in the design of each course.
- To pursue scholarly activities and creative endeavors which contribute to a specific field, the community, the culture, and the learning community of the college.

4.5.3.4 Service to the Institution, Community, and Discipline

- To participate in divisional programs.
- To support and respect the mission of the college and support the policies set by the Board of Trustees and the administrative leadership.
- To select appropriate ways to support the college and assist in facilitating recruitment, development, student life, and governance.
- To select appropriate ways to connect one's discipline with the community.

4.5.4 Further Explanation of Policies, Programs and Systems Related to Faculty Responsibilities

4.5.4.1 Work Load Policy

The approach to load definition at the college is multifaceted, reflecting the involvement of faculty in teaching, advising, governance, scholarship and special services like supervision, student recruitment and grant writing. Teaching and workload must always be planned on a departmental or divisional level with appropriate consultation with the vice-president of academic affairs. For example, actual workload in science laboratory courses, music lessons or ensembles and drama productions cannot be adequately measured by a course-load formula. The final determination of teaching load is made by the vice-president of academic affairs in consultation with the division chair or program director.

4.5.4.2 Assessment of Student Achievement

The College is committed to quality education for students. To satisfy this commitment the faculty is asked to participate in the assessment process. The assessment process seeks out patterns of evidence concerning aggregate student achievement and faculty and departmental effectiveness in providing student educational experiences. Assessment data provides information that is used to make plans for improvement of the educational program being delivered to students.

Each term, the college sets aside one day as "Assessment Day," during which no classes are scheduled, assessment instruments are administered to students, and departments and programs engage in intentional assessment activities.

4.5.4.3 Advising System

Academic advising – as part of service to students – is one of the essential criteria for faculty evaluation. Faculty can serve as major advisors and/or general advisors. Advisors have an ongoing relationship with advisees, meeting at various times throughout the semester. Together, advisors and advisees are responsible for developing and monitoring the student’s plan of study, ensuring that graduation requirements are met. In addition, the advisor monitors the advisee’s progress in course work, and assists students in developing and implementing plans to address specific needs when necessary.

Freshmen are assigned an advisor who will assist the student in the transition to college life. The student will have an ongoing relationship with the advisor, meeting during orientation, course selection, selected social events, and various other times throughout the freshman year.

4.5.4.4 Absence Arrangements

For any absence involving omission of a scheduled duty, faculty members are expected to inform their division chair or program director, leaving information as to their whereabouts and the time of return and stating what arrangements have been made for their work while absent. In emergencies where advance notice is not possible, the earliest possible communication to the appropriate division chair is expected.

In the event that an absence from a faculty workshop or a major event (e.g., commencement) becomes necessary, faculty members are asked to consult the vice-president of academic affairs.

4.5.4.5 Service to Student Activities

The educational mission of the college mandates special attention to relationships with students. Faculty members are encouraged to respond appropriately and, whenever possible, favorably to students’ requests for assistance as advisors, sponsors and participants in organizations, committees and activities.

4.5.4.6 Governance Responsibilities

Faculty members are expected to participate in faculty meetings and committee work as an integral part of their workload and commitment to service. Collegial decision-making mandates the fullest possible participation of all faculty members.

4.5.4.7 Special Events

Faculty members are also asked to participate in the matriculation and honors convocations, baccalaureate, and commencement. Appropriate academic regalia is required at the matriculation and honors convocations, commencement and other selected occasions announced by the vice-president of academic affairs. If the faculty member does not own the appropriate regalia, the vice-president of academic affairs office will arrange for rental at college expense. The current academic lineup at the college is provided in volume VI of this policy manual. Ordinarily, the academic lineup includes all full-time and pro-rata faculty plus the members of the administrative council and all deans. At commencement, some special representatives from the per-course faculty of the professional studies centers are included.

Faculty members are urged to support a schedule and structure that respects the right of members of the college community to participate in chapel and religious services and related activities.

4.5.4.8 Independent Study

The college makes it possible for a student, under special circumstances, to study a subject not offered in the curriculum by means of independent study. The same high standards must be maintained as those for regular classes. Faculty members are asked to insist that virtually all components of a typical syllabus are clearly addressed when agreeing to supervise such studies. An independent study is not to be used simply to duplicate a regularly scheduled class.

4.5.4.9 Student Recruitment and Retention Responsibilities

It is the responsibility of every faculty member to assist in the recruitment of new students. This means working cooperatively with division and department chairs, program directors and the admissions office as needed in contacting and interacting with prospective students who visit campus.

Faculty members, and especially advisors, are requested within the bounds of confidentiality and serving the best interests of the student to assist in encouraging and monitoring student retention.

4.6 Faculty Development

The members of the faculty are the chief source of academic excellence for the college. Thus it is expected that each faculty member will continue to grow academically and professionally by independent study, by participation in seminars and workshops, and by sustaining active membership in learned societies. While professional development is the responsibility of the faculty member, the college supports the development of the faculty by means of the policies set forth below.

4.6.1 Conventions and Conferences

The administration urges faculty members to keep abreast of their fields. They are encouraged to attend conferences and conventions where new ideas and teaching methodologies can be obtained. Limited funds are available to assist with attendance at meetings. These funds are allocated by the vice-president of academic affairs. Faculty are responsible for work-load related issues arising from their absence while attending conferences, conventions, or other professional development opportunities.

4.6.2 Sabbatical Leave

After six years of continuous full-time service, a faculty member may be granted a sabbatical leave for one semester at full pay or two semesters at one-half pay. Leaves funded by outside agencies that constitute honors should be counted as continuous full-time service in eligibility for a sabbatical leave. A limited number of sabbatical leaves are available each year. Fringe benefits continue while the faculty member is on sabbatical leave.

The purpose of the sabbatical leave program is to encourage study and research which will increase the professional effectiveness of the faculty member. It is not to allow faculty to simply collect sabbatical pay from Southwestern while at the same time accepting employment elsewhere for salary. Applications for sabbatical are to be made in writing to the vice-president of academic affairs on or before November 15 of the academic year preceding the requested sabbatical. An applicant should provide an outline in writing of the proposed study and research to be attempted while on sabbatical, and indicate its importance for the faculty member's professional development. This outline should include a statement of objectives, both personal and institutional, detailed plans for implementation, and plans for sharing the results of the

sabbatical leave with the campus upon returning. Final decisions on the granting of a sabbatical and the acceptance of a sabbatical are to be made on or before January 31 of the academic year preceding the requested sabbatical.

Authority to approve sabbatical plans rests with the president on the recommendation of the vice-president of academic affairs. Approval of a sabbatical is not automatic and depends on a variety of factors, including the seniority and previous sabbatical record of the applicant, the number of applicants for a particular year, and the impact of that number on the college, and the potential impact of the particular sabbatical on the effectiveness and costs of college programs that will be affected by the leave. Barring unusual circumstances, a sabbatical or leave of absence will not be approved for more than one person in any program during the same term or year.

Faculty members not choosing to apply for sabbatical when they become eligible will be strongly encouraged to do so at the conclusion of the fifteenth year of service.

After completing a sabbatical, an individual faculty member must complete five additional years of service before being able to apply for, and six years of service before being able to take another sabbatical. It is the understanding of the college that faculty will return to Southwestern from sabbatical leave for a minimum of one full contract year following the leave or reimburse the college for leave salary.

4.6.3 Leave of Absence

Leave of absence without salary may be granted with the approval of the president and the vice-president of academic affairs. The time involved will not count toward the required years of service for eligibility for tenure unless there is an explicit, written agreement to that effect. Proposals for leave without pay are to be handled on the same calendar and in the same process as applications for sabbatical leave. Barring unusual circumstances, a leave of absence or sabbatical will not be approved for more than one person in any program during the same term or year.

4.6.4 Advanced Degree Completion Program

Assistance in the completion of a doctoral or other advanced degree may be provided at the discretion of the administration. Approval for requests for assistance are normally delegated by the president to the vice-president of academic affairs, with extended leaves for such purposes requiring the president's approval.

Requests for advanced study leave and assistance must be submitted in writing on the same calendar as that for sabbatical leave on or before November 15 of the year prior to the year of the leave. Requests should provide details as to financial support proposed, the current status of and proposed path to degree completion, and recommendations for covering faculty duties during the faculty member's absence.

4.6.5 Study and Research Grants

The administration has limited funds available to support faculty with grants to assist with the expenses of research or creative programs of study. While Southwestern is primarily a teaching institution, the administration recognizes that faculty members who stay active in scholarship and creative activities will be more vital teachers, engaged constantly in their own renewal and serving as role models of study for students. Application for these funds is made to vice-president of academic affairs.

4.6.6 College Courses

A faculty member with the permission of the vice-president of academic affairs may take up to three hours in on campus, undergraduate or graduate courses without tuition charge each fall, spring or summer term. Beyond the three hours for which there is no tuition charge, additional hours may be taken at normal tuition rates in courses which are not scheduled during working hours.

4.7 Faculty Evaluation

Volume IV is primarily a policy manual delineating the policies and formal processes that reflect the rights, privileges and responsibilities of faculty. However, the subject of faculty evaluation merits discussion of principles and examples of practice that go beyond statements of policy, in order to provide appropriate guidance to evaluators and to faculty members preparing to undergo formal evaluation.

Because faculty excellence is essential to the mission of the college, faculty undergo performance review and evaluation regularly during their tenure at Southwestern College. The evaluation process is designed to be a disciplined information gathering process that, while it has implications for contract renewal, tenure, and promotion, is intended primarily to assist the faculty member in the improvement of instruction and service. Therefore, the faculty member is a partner in the process from its inception.

Faculty evaluation presupposes a good faith effort on the part of the faculty member to participate in an evaluation process that assesses the vitality of faculty members and their continued ability and interest to improve their teaching effectiveness, service to students, scholarship and service to institution, community and discipline.

During the first year of service, full-time faculty members begin the process of building a professional portfolio in collaboration with the vice-president of academic affairs and the division chair. The portfolio will address the four areas of faculty responsibility: teaching effectiveness; service to students; scholarship; and service to institution, community and discipline. Suggestions for portfolio content can be found in 4.14. This portfolio may be used by the faculty member to provide information for evaluation and be used in application for promotion or tenure, in which case it must always include a copy of the most recent evaluation. The portfolio is maintained in the faculty member's office between evaluation years.

All full-time faculty members, both tenure track and non-tenure track, are formally evaluated during the second, third, and fifth years of service. Formal evaluations are scheduled and communicated by the vice-president of academic affairs unless the faculty member is explicitly excused from that process. Tenured faculty members are evaluated every fifth year. Non-tenure track faculty members are evaluated every third year following the seventh year of service.

4.7.1 Categories for Faculty Evaluation

The cornerstone of the faculty evaluation system at Southwestern College is improvement. Consequently, the categories for evaluation are designed to reflect both growth and accomplishment as faculty members progress through the various stages of their careers. The four categories for improvement are consistent in all ranks and are: teaching effectiveness; service to students; scholarship; and service to the institution, community and discipline. The weight for each category in an individual faculty member's evaluation will be determined by the

division chair and the vice-president of academic affairs in consultation with the faculty member. The examples listed in each category are not intended to be a prescriptive list, nor are they valued in any particular order. Rather, they illustrate the normal work undertaken by faculty colleagues at Southwestern College.

4.7.1.1 Teaching Effectiveness

Teaching effectiveness lies at the heart of the college's responsibility to its students. Therefore, faculty members undergoing evaluation should demonstrate excellence in teaching and their commitment to improve their teaching performance.

Teaching effectiveness can be demonstrated by, but not limited to, the following:

- a. Skill in communicating with students.
- b. Commitment to students and their intellectual development.
- c. Command of one's discipline and knowledge of current developments in the faculty member's field.
- d. Ability to plan and execute substantive, well-organized courses, including syllabi reflecting both up-to-date content and well-formed outcomes that support both program and institutional goals.
- e. Ability to use effective teaching methods and strategies.
- f. Commitment to integrity, open-inquiry and fairness in teaching.
- g. Analysis of results of student evaluations.
- h. Supervision of students engaged in graduate work, internships, and practica.
- i. Third party endorsements such as teaching awards.

4.7.1.2 Service to Students

Faculty members undergoing evaluation should be recognized for commitment in serving students and assist them with issues that affect their academic performance.

Evaluation of service to students may address, but not be limited to, the following:

- a. Participating in academic advising by assisting advisees to develop plans of study that work toward a timely degree completion; monitoring advisee progress in course work; and helping students to develop and implement plans to address specific academic needs when necessary.
- b. Helping students identify their academic strengths.
- c. Helping students with career planning, including requirements for their degrees or certification through outside agencies.
- d. Serving as advisor or moderator to a student organization.
- e. Planning or participating in co-curricular student activities or in curriculum-related enrichment activities outside normal course offerings.

4.7.1.3 Scholarship

Scholarship is an intrinsic element of academic life at the college. To acknowledge that scholarly productivity is a component of a faculty member's evaluation is not to diminish the importance of excellent teaching, but it draws upon the intellectual richness that typically characterizes a community of scholars. The specific form and intensity of scholarly activity within the college is expected to vary among academic departments and disciplines but should be consistent with the commitments and mission of the college. Appendix A at the end of Section 4.7 provides a broader definition for scholarship than is given here and further illustrates the many forms that scholarship can take.

The line between scholarship and creativity is not easily drawn. In a college like Southwestern College, genuinely creative work by faculty members may not fall neatly into the categories for scholarship, yet are equally important. Faculty members who are undergoing evaluation should be recognized for engaging in creative activity.

Evidence for active intellectual engagement is the basic criterion for success in this category. The college recognizes that scholarship takes many forms and as such, indicators of having met the criterion can include but are not limited to:

- a. Presentations and participation at professional meetings, conferences and organizations.
- b. Creative writing including fiction, non-fiction, or poetry.
- c. Peer-review of the creative or scholarly work of another.
- d. Completion of advanced or additional degrees, certifications, or licenses.
- e. Publication of dissertation either in whole or in part.
- f. Academic articles, either discipline-related or pedagogical.
- g. Grant writing.
- h. Public performances or showings to include musical or dramatic performances.
- i. Additional course work in a cognate area.
- j. Poster presentations and/or professional publication.

4.7.1.4 Service to the Institution, Community and Discipline

There are a variety of ways in which a faculty member can be of service to the institution, community and his/her academic discipline.

The college recognizes that service takes many forms and, as such, evidence for having satisfied this category can include but is not limited to:

Service to the Institution

- a. Participation in the operation and management of the academic responsibilities of the college.

- b. Service to an academic department, including innovative program development and creative leadership in the decision-making and curriculum development processes of the department.
- c. Leadership on the college's standing or ad hoc committees or in some other area of the college's governance, faculty development or curriculum design.
- d. Service as a department, division, or committee chairperson.
- e. Planning special events e.g. conferences, camps, etc.
- f. Development of new programs of study, new courses, and other creative service to the college program.
- g. Administration of an activity grant, club, service learning project, or academic honor society.
- h. Active collaboration leading to student recruitment and/or retention.
- i. Cross-disciplinary support such as preaching in chapel, active participation in a theatre production, volunteering to help at athletic events, etc.
- j. Collaborative efforts to support institutional advancement.
- k. Ongoing participation with advisory council members.
- l. Extraordinary service as faculty marshal, faculty athletic representative, etc..
- m. Mentoring of younger faculty.
- n. Active participation with Institutional Advancement.
- o. Outreach to alumni.

Service to the Community

- a. Involvement in community activities.
- b. Lectures and presentations to community groups, drawing on the faculty member's expertise in his/her discipline or special skills and knowledge.
- c. Leadership on educationally oriented task forces or committees.
- d. Service on educationally oriented community bodies, e.g. school board, library board, arts council, chamber of commerce education committee, etc.
- e. Leadership for the community in an area of need related to the faculty member's expertise, or personal interest, e.g. environmental protection for a faculty member in the sciences, literacy for a faculty member in teacher education or English, social services for a faculty member in the social sciences, church and conference leadership for a faculty member in religion, etc.

Service to the Discipline

- a. Active leadership in appropriate regional or national professional organizations.

- b. Service in a professional area as a consultant or resource person.
- c. Professional service such as editing, leadership in professional organizations, or leading workshops.
- d. Professional consulting.
- e. Serving as an external examiner.

4.7.2 Student Evaluations

Each faculty member shall arrange for the administration of student class evaluations according to the following general guidelines.

Materials for the evaluation will be distributed to faculty members during the course of the semester and all materials are to be returned to the vice-president of academic affairs office by the deadline indicated in the evaluation materials.

The evaluation should be administered during normal class time and the faculty member should not be present while students are completing the work. Due to processing time, the results of the evaluation normally will not be available to the faculty member until the following semester after grades have been submitted to the registrar. Upon receiving the report, faculty members are encouraged to visit with their division chair about the results and to explore potential indicators for improvement.

All faculty are encouraged to employ their own evaluation instruments for mid-semester and/or end-of-semester evaluation. In addition to classroom evaluation by students, the vice-president of academic affairs and the division or departmental chair/program director may sample student responses to teaching and advising by means of focus groups or individual interviews during the years in which faculty members are formally evaluated. Results from these activities and interviews will be shared in the evaluation document written by the division chair, with specific opportunity for response from the faculty member.

4.7.3 Evaluation Information Gathering Process

During the year in which a faculty member undergoes a formal evaluation:

- a. The vice-president of academic affairs will contact all faculty members who are undergoing evaluation. The vice-president of academic affairs will provide an informational meeting early in the fall term for those persons who are scheduled to undergo review during the academic year. The chair of the faculty personnel committee and the faculty chair will also attend this meeting.
- b. The division chair will ask the faculty member for nominations of three faculty colleagues and three students who will form the basis of two focus groups and provide feedback for the evaluation document. The division chair will also ask the faculty members for appropriate times for classroom visits. The division chair will summarize results of focus groups and classroom visits. This information and the faculty portfolio are used as the basis of the written evaluation document.
- c. The faculty member will submit a portfolio to their division chair by March 1. The division chair will review the portfolio and, together with information from the focus groups and classroom visits, draft an evaluation document for the faculty member. The division chair will review and discuss a professional goal(s) for each of the four categories of evaluation as

identified in section 4.7.1 as suggested by the faculty member in order to provide guidance for improvement in instruction and service.

- d. Since the purpose of evaluation is improvement, failure to attain an established goal is not grounds for dismissal. However, repeatedly missing goals may be taken into consideration for contract renewal, promotion and tenure.
- e. Once a draft evaluation is written, the division chair will arrange a meeting with the faculty member. The vice-president of academic affairs may also attend this meeting at the faculty member's request. At that time, the Chair and the faculty member will review and discuss the evaluation and the professional goal(s) for each category of evaluation. Following this meeting the division chair will finalize the evaluation document and both the Chair and the faculty member will sign the document. By signing, the faculty member is acknowledging an understanding of the evaluation's contents. It does not signify agreement with the contents nor does it preclude an opportunity to appeal the evaluation by the faculty member (see section 4.7.4).
- f. By April 1, the division chair will send the portfolio and evaluation to the vice-president of academic affairs for review.
- g. Prior to recessing for the summer break, the faculty member will have a final evaluation meeting with the vice-president of academic affairs and division chair. In this meeting the evaluation document is reviewed, concerns are addressed, and the weights of the four categories of evaluation (section 4.7.1) are modified to reflect the established professional goals.
- h. By May 15, the vice-president of academic affairs will issue a formal letter to both the faculty member and the division chair stating that the evaluation has been reviewed and that a copy will be retained in the Human Resources Office. Copies of this letter and the evaluation will be inserted into the faculty member's portfolio and returned to the faculty member.

4.7.4 Evaluation Appeal Process

Signing a division chair's evaluation acknowledges an understanding of the contents of the evaluation but it does not signify agreement with the evaluation. If a faculty member believes that the evaluation written by the division chair is unfair and/or inaccurate, the faculty member may appeal to the vice-president of academic affairs. A formal appeal should be made in writing and submitted within 30 days of having received the initial evaluation from the division chair.

Upon receiving an evaluation, the vice-president of academic affairs will investigate the points in question. The investigation may include consultation with the division chair, focus group members, or additional colleagues or students as necessary. A finding in favor of the appeal will result in a revision of the final evaluation.

If the vice-president of academic affairs finds in favor of the contested evaluation, the faculty member may make a written appeal to the president. The decision of the president is final.

4.7.5 Special Evaluations

An evaluation may be initiated during years when formal evaluations are not normally scheduled if specifically requested by the faculty member, the program director or division chair, the vice-

president of academic affairs or the president. The rationale for persons other than the faculty member requesting this special review shall be expressed in writing and submitted to the vice-president of academic affairs, who will present it to faculty member to be evaluated.

4.7.6 Evaluation of Affiliate, Adjunct and Per-Course Faculty

Full-time faculty members, who are issued term contracts, as described in subsection 4.2.4, will not be formally evaluated during the year of that contract unless there is serious consideration of appointing the person to a second term contract. In that case, the faculty member will be informally evaluated by the division chair/program director and the vice-president of academic affairs without implementing the full information gathering process outlined above. If the faculty person is appointed repeatedly, the vice-president of academic affairs and the division chair/program director shall evaluate the faculty member every third year.

4.8 Promotion Policies and Procedures

A primary means for the college to sustain and improve its academic stature is to support and enhance the quality of its faculty. Promotion in academic rank is one means by which the college encourages, recognizes, and rewards faculty members for excellence in the performance of their duties.

4.8.1 Procedure for Promotion

The recommendation for promotion in rank is essentially a peer process at Southwestern College, although subject ultimately to the approval of the president and the Board of Trustees.

Applications for promotion are to be made to the chair of the faculty personnel committee on or before the first working day in December of the year prior to the year in which the promotion is desired. The applicant will first be asked to provide basic eligibility information in a format designed by the personnel committee. If found eligible to apply, the faculty member will be asked to present a professional portfolio on or before the first working day in February that includes the most recent written evaluation by the vice-president of academic affairs.

The promotions subcommittee of the personnel committee shall consist of a minimum of five members who, as full-time faculty have served a minimum of three years at the college at the assistant professor rank or higher and are not being reviewed for promotion. Additional faculty from another committee who meet the above requirements can be recommended for addition to the promotions subcommittee by vote of the faculty, if that becomes necessary to reach the number of five. The following procedures guide the promotions subcommittee in evaluating applications for promotion:

- a. A quorum shall consist of all promotions subcommittee members. Normally, no business shall be transacted if any member is missing. This procedure may be modified by members present, if necessary. The vice-president of academic affairs shall be present as an ex-officio member and be empowered to share appropriate information to support the decision making process. The vice-president of academic affairs shall abstain from voting on promotion recommendations, except in the case of a tie vote.
- b. All deliberations are to be held permanently confidential. No information of what is said or done at any faculty personnel committee or promotions subcommittee meeting focusing on promotions is to be discussed outside that meeting, except by unanimous vote of the committee, by court order, or under the provisions of section 4.12.

- c. The process shall be completed with recommendations to the president on or before April 1 of the year prior to the academic year in which the promotion would be implemented.
- d. The promotions subcommittee shall make its recommendations based on each candidate's merits, not on financial or other administrative considerations.
- e. A two-thirds majority will result in a positive recommendation by the promotions subcommittee for promotion.
- f. Promotions subcommittee votes are by secret ballot. Ballots will be counted by the vice-president of academic affairs and the faculty member of the committee senior in years of service at the college. Results shall be announced to the other members of the committee as favorable or unfavorable without disclosure of voting numbers. Ballots are destroyed after announcement of vote. The recommendation of the promotions subcommittee shall be presented to the president by the vice-president of academic affairs. If the recommendation is for approval and the president concurs, the president shall then recommend the candidates to the Board of Trustees for final approval at the April meeting of the board. Promotions shall be implemented only after approval by the Board of Trustees.
- g. All candidates will receive written notification from the vice-president of academic affairs and the promotions subcommittee indicating the subcommittee's decision and rationale for that decision. This letter shall be circulated to all promotions subcommittee members for possible amendment or correction before being sent to the candidate.
- h. If a candidate receives a negative recommendation, the candidate may request additional information from the promotions subcommittee concerning the rationale for the decision. In that case, the committee will draft an additional document, which includes more detailed information relating to the criteria for promotion and the rationale for the decision.
- i. A candidate receiving a negative recommendation may appeal the decision of the promotions subcommittee. The faculty review committee shall serve as the promotions review committee and proceed according to the processes described in section 4.12.

4.8.2 Promotions Eligibility and Criteria

Advancement in rank shall not be automatic after a set period or after attainment of the required minimum preparation or experience. Advancement in rank comes only through the process described above. Minimum qualifications for rank determine eligibility for promotion.

Additional qualitative standards will be applied by the faculty personnel committee to determine whom among those eligible should be recommended for promotion.

For promotion, the criteria set forth below must normally be met. Any criteria may be waived by the promotions subcommittee for a candidate presenting documented, exceptional accomplishments in most of the applicable criteria.

Throughout these sections pertaining to specific ranks, a college of "recognized standing" shall mean a college, accredited by an association, e.g., the North Central Association of Colleges and Secondary Schools, or that is a recognized college of international standing.

4.8.2.1 Instructor Rank, Initial Appointment

The instructor rank is assigned upon initial appointment, as described in section 4.1.2. Therefore, the promotions process is not carried out for this entry-level appointment. However, for clarity in

distinguishing the instructor rank from other ranks, an instructor is a full-time or pro-rata faculty member with:

Eligibility: A master's degree or the equivalent from a college of recognized standing.

Criteria: Proven or presumptive potential for satisfactorily fulfilling the duties and responsibilities of a faculty member as set forth in section 4.5.

4.8.2.2 For Promotion to Assistant Professor

An assistant professor is a full-time or pro-rata faculty member with:

Eligibility: An earned doctoral degree or an equivalent terminal degree from a college of recognized standing, or a master's degree from a college of recognized standing with a minimum of three years of teaching experience.

Criteria:

- a. Proven or presumptive potential for satisfactorily fulfilling the duties and responsibilities of a faculty member as set forth in section 4.5;
- b. Proven or presumptive scholarship in the individual's academic area of expertise;
- c. Competence in instruction and promise of growth in teaching effectiveness; and
- d. Promise of growth in scholarly or creative productivity.

4.8.2.3 For Promotion to Associate Professor

An associate professor is a full-time or pro-rata faculty member with:

Eligibility: An earned doctoral degree or equivalent terminal degree from a college of recognized standing, or a master's degree from a college of recognized standing, and with a minimum of six years of full-time teaching experience in the rank of assistant professor, with a minimum of three years of teaching at Southwestern College;

Criteria:

- a. Evidence of ongoing success in improving teaching and advising effectiveness;
- b. Evidence of ongoing scholarly or creative productivity at the assistant professor rank;
- c. Ongoing college and professional service;
- d. Evidence of support for and involvement with the general education program; and
- e. Noteworthy professional achievement.

4.8.2.4 For Promotion to Full Professor

A professor is a full-time or pro-rata faculty member with:

Eligibility: An earned doctoral degree or equivalent terminal degree from a college of recognized standing and a minimum of six years of full-time teaching experience in the rank of associate professor with a minimum of three years of full-time teaching at Southwestern College;

Criteria:

- a. Evidence of excellence and distinction in teaching and advising;
- b. Evidence of ongoing scholarly or creative productivity at the associate professor rank;
- c. Ongoing college and professional service;

- d. Evidence of continued support for and involvement with the general education program;
- e. Colleague recognition and trust; and
- f. Noteworthy or outstanding professional achievement.

4.9 Tenure Definition and Purposes

Tenure is the right of a faculty member to hold a continuous faculty position without separation except for the reasons and in the manner provided in this volume IV. Institutions of higher education are conducted for the common good, which depends upon the free search for and exposition of truth by teachers and scholars. The college recognizes the value of tenure for promoting academic freedom as well as ensuring stability in a community of teachers and scholars dedicated to these ideals. Tenure is also granted for the purpose of attracting and retaining superior faculty members.

The responsibility for making decisions in the granting of tenure rests with the president, with confirmation by the Board of Trustees. The president's decision shall be based upon the recommendation of the vice-president of academic affairs, who will consult with the appropriate division and department chairs and the tenured members of the faculty personnel committee. Appropriate portfolio and evaluation information will be shared by the vice-president of academic affairs with the faculty personnel committee as part of the evaluation process during the intensive evaluation on step five (5) of the tenure track, as described in subsection 4.9.4. In addition to the qualifications of the candidate, other considerations which enter into an individual decision to confer tenure include the particular needs within an academic unit and the financial resources of the college and these will be especially reviewed in steps five (5) and six (6).

Tenure at the college is ordinarily granted after a pre-tenure period of six years of faculty service at the college. While the fifth year evaluation is pivotal in the pre-tenure process, the final decision on the granting of tenure is not made until the fall term of year six, subject to the consultations required above. Credit toward tenure may also be granted by the president on appointment to a faculty member who has been tenured or has held equivalent faculty status elsewhere. However, this grant of credit toward tenure or tenure itself, while within the authority of the president on appointment, will be extended to a new faculty member only in the most unusual circumstances.

4.9.1 Criteria for Tenure

The process of granting tenure is linked directly to the faculty evaluation process (section 4.7) and. Every time a faculty member is granted tenure, those standards are recognized, reinforced, and renewed. Therefore, tenure is not a reward for years of service but recognition of superior service and potential that merits an invitation to spend the remainder of the faculty member's career at the college.

The criteria for the granting of tenure shall be synonymous with the criteria for faculty evaluation in section 4.7. The faculty member so honored shall be considered superior in all phases of service including (1) teaching effectiveness, (2) service to students, (3) scholarship, and (4) service to the institution, community, and discipline, or demonstrate achievement so exceptional in one or more of these categories that the granting of tenure is justified.

4.9.2 Eligibility for Tenure

- a. A faculty member shall be eligible for tenure only if the position is defined as a tenure-track position and the faculty member is recognized in the contract as eligible for tenure by virtue of status as a full-time faculty member or by having primary faculty responsibilities and status, even while assigned significant non-teaching or administrative duties.
- b. A faculty member shall be eligible for a contract granting tenure upon completion of six years of college teaching, at least three of which shall have been at the college, and upon the issuance of a contract specifying the offer of tenure for the seventh year of service. Hereafter, “years of service” will refer to the length of service at the college, including any credit approved for service at other institutions. This credit shall be recognized in the first contract offered at the college.

The decision on the granting of tenure is made by the Board of Trustees upon recommendation of the president. The decision shall be communicated to the faculty member on or before December 1 of the sixth year of service. If tenure is not granted, the current (sixth) contract serves as a terminal contract. Limited employment (normally not more than one year) after a failure to earn tenure may be an option if it serves the best interests of the institution and serves a role in the planned transition of the faculty member.

- c. Accumulation of time toward tenure shall be suspended, but not lost, during leave of absence for study, illness, exchange of teachers, military service, travel, or administrative service by mutual agreement between the president and the faculty member. Any agreement to count service at another institution or in another role shall be formalized in writing, with the approval of the president, prior to the beginning of the contract year of leave. Any faculty member who resigns prior to the granting of tenure forfeits the time accumulated and, if reemployed, may have that time restored only upon the recommendation of the president and the approval of the Board of Trustees.
- d. A faculty member begins progress toward the possible grant of tenure by means of a formal evaluation performed annually during the first three years of employment (see section 4.5.) The faculty member may request and enter into a pre-tenure peer mentoring process during the fourth year in consultation with the vice-president of academic affairs. The peer mentor will be assigned as a result of a consultation among the faculty member, the ~~academic dean~~ vice-president of academic affairs, and the division chair. The formal evaluation in the fifth year is pivotal in the tenure decision, although that decision itself is not made until the fall of the sixth year by the president and Board of Trustees.

4.9.3 Faculty Granted Tenure under Previous Systems

The status of faculty members tenured under previous systems is not changed by the provisions in this volume IV.

4.9.4 Tenure System for all new Faculty, 1994-1995 Onward

Years of Service (Step)	Length of Appointment	Activity
2-3	1 year	Annual evaluation
4	1 year	No evaluation, voluntary pre-tenure process
5	1 year	Formal, intensive evaluation

6	1 year	Tenure decision on or before December 1
7	Tenure	Contract reflecting tenure, with evaluation every 5 th year

4.10 Faculty Compensation Policies

The college is committed to providing adequate and equitable salaries and benefits to faculty. Each year the president presents a draft budget for the subsequent year to the Board of Trustees at their fall term meeting. That proposal includes general salary and benefit level recommendations. The trustees adopt a final version of the budget, including disposition of the salary/benefit recommendations, in January.

The president develops the salary/benefit recommendations for the draft budget in consultation with the faculty personnel committee and the vice-president of academic affairs. The committee, or a designated representative, engages in research on salary levels at comparable institutions, assesses the levels and distribution of compensation at Southwestern College, and shares the results of this research with the faculty, the president, the vice-president of academic affairs, and the trustees business affairs committee. Once a budget is adopted by the board, individual salaries are approved for inclusion in faculty contracts by the president based on recommendations by the vice-president of academic affairs.

4.11 Separation

At times, the college or individual faculty members may find it necessary to end their contractual relationship. To protect the interests of both parties, categories of separation are here defined, and the policies and procedures related to each are set forth. Types of separation are resignation, retirement, non-reappointment, layoff, suspension or dismissal for cause, and termination at end of contract/voluntary separation.

4.11.1 Resignation

Voluntary resignation may take effect at the end of any year of service, providing that written notice of this intention is given on or before April 1. If a new contract for the upcoming year has been signed by April 1, any resignation request after that date shall be given sympathetic consideration by the administration but will require written authorization from the president in order to release the faculty member from that contract.

4.11.2 Retirement

Faculty members who have reached age 59 ½ may retire with TIAA-CREF benefits.

4.11.3 Non-Renewal of Faculty Members with Notice Contracts

The college may elect not to renew the contract of a non-tenured faculty member holding academic rank, providing notice shall be given on or before February 1 to persons in years of service one through two, and on or before December 1 of the third year of service (or the equivalent on the tenure ladder) and thereafter.

Since a notice of non-renewal is not a dismissal for cause, it is not necessary for the college to set forth its reasons.

Should the faculty member whose appointment is not extended obtain another position before the end of the academic year in which notification of such non-extension occurs, the contract in force can be cancelled by mutual agreement with the president of the college.

Legitimate reasons for non-reappointment of faculty employed pursuant to a notice contract may include but are not limited to the following:

- a. Cancellation of or change in a program as defined in subsection 4.11.5.1;
- b. Declining enrollment;
- c. Need for reduction in staff;
- d. Incongruence between the teaching interests of the faculty member and the educational goals of the college;
- e. Unfavorable reviews of the faculty member's major appointment responsibilities of teaching or advising and other appointment responsibilities as illustrated in section 4.5 or as evaluated according to the procedures of section 4.7.

The decision not to reappoint a faculty member is made by the president except that any such decision may not be discriminatory, arbitrary or capricious. The president shall act after receiving the written recommendation of the vice-president of academic affairs, who shall have consulted with the appropriate division chairperson or program director. If the faculty member is the division chairperson, the vice-president of academic affairs consults with the remaining division chairpersons.

In cases where faculty members believe that non-reappointment has been discriminatory, arbitrary or capricious, they may commence a grievance in accordance with procedures established in section 4.12 of this volume IV. The burden of proof lies with the faculty member. The review of the faculty review committee shall be limited to determining whether the non-reappointment was motivated solely by unlawful discrimination or whether there was a reasonable basis for the decision.

4.11.4 Disability

If mental or physical incapacity substantially impairs the ability of a faculty member to perform assigned duties and the inability cannot be reasonably accommodated, that person, with or without tenure, may be relieved of duties by the college.

4.11.5 Layoffs

Layoff is a severance action by which the college terminates the services of a ranked faculty member before the expiration of a current contract, without prejudice as to performance. Reasons for layoff include:

- a. Major changes in curricular requirements or academic programs;
- b. Enrollment emergency; and
- c. Financial exigency.

Specific procedures for layoff can be found below.

4.11.5.1 Major Changes in Curricular Requirements or Academic Programs

Termination of a ranked faculty member, with or without tenure, may occur as a result of a significant change, including discontinuation of a curricular requirement, an academic program or department in whole or in part. (A "program" is an organized sequence of courses such as the requirements for a major or special educational project.)

Faculty laid off under a program change will receive at least one year's notice from the time of an official notice to the faculty member of the decision to change or eliminate a program and be paid at the salary of the contract in force at the time of the notice. The decision to modify a program's individual staffing, short of an enrollment emergency or financial exigency (see below) rests with the president, on recommendation of the vice-president of academic affairs. Major changes in a program or its elimination will be approved by the board of trustees on recommendation of the president. When possible, the college will end such programs, and the faculty member's relationship to the college at the end of an academic semester.

4.11.5.2 Enrollment Emergency

When a decline in enrollment, a loss of funding or other external factors are such that the institution's projected budget for a given academic year cannot be balanced and no other alternatives except program shifts or cuts are available, the president, after consultation with the executive committee of the faculty and the administrative council will make the policy declaration that the college is in a state of enrollment emergency. The number of FTE students is calculated by the college services office and is used in determining an enrollment emergency.

The president will consult with the executive committee of the faculty and the administrative council in a joint meeting. This group will develop a plan to alleviate the enrollment emergency. Faculty layoff under such a situation shall follow the procedure for layoff designated in this volume IV.

4.11.5.3 Financial Exigency

Financial exigency is a rare and serious institutional crisis that presents an urgent need for the college to reorder its current expenditures in order to quickly remedy its inability to meet projected annual financial obligations. In considering how to deal with such a financial situation, the retention of a viable academic program is the primary goal, and it must be demonstrated to the faculty, through the executive committee of the faculty, that the faculty is not bearing an undue proportion of the necessary economies.

Decisions regarding necessary program reductions will be made by the president and the vice-president of academic affairs in consultation with the administrative council and the executive committee of the faculty. The decision should be based on advice from the concerned departments, programs, and divisions and related areas of academic concentration as to the short and long-term viability of the proposed program. Final approval rests with the Board of Trustees, based on the president's recommendations.

4.11.5.4 Procedures Regarding Layoff

When enrollment emergency, financial exigency or major changes in the curricular requirements, academic programs, or divisions in whole or in part necessitate the termination of faculty members, a special layoff advisory committee shall be convened, composed of the vice-president of academic affairs, the division chairs, and the chairperson of the faculty. This committee will consult with the executive committee of the faculty and the faculty personnel committee. The chairperson of the layoff committee shall be elected by its members. The layoff committee shall deliberate to determine the most appropriate action to be taken. Such action may be to eliminate some departments or programs in whole or in part, or to distribute layoffs throughout the faculty so as to prevent the elimination of any program or department. In addition to academic quality and integrity, the layoff committee will primarily consider seniority and equal opportunity

guidelines as well as a reasonable examination of all the faculty members affected by the changes.

The layoff committee will communicate its recommendation to the president of the college. The president, taking into account the recommendations of the layoff committee, shall then recommend such action as is deemed appropriate to the Board of Trustees for their approval.

In the case of financial exigency where short notices and effective action are necessary, the following procedures may be followed:

- a. The layoff advisory committee may directly advise the president to hold all contracts and serve notice to all faculty with term and notice contracts that such contracts will not be renewed pending a final decision on the seriousness of the financial situation.
- b. A tenured faculty member whose contract is terminated for reasons of permanent curriculum revision, enrollment emergency or financial exigency shall receive a salary for one year after the date of notification of such termination, provided the faculty member carries out the duties assigned by the college during this period.
- c. If a full-time ranked faculty member is laid off, no replacement for that position will be hired within a period of three years unless the laid-off faculty member has been offered reappointment. The conditions of reappointment will be comparable to those held at the time of the layoff; and the faculty member will be given at least one month after written notice of the offer to accept the position. It shall be the duty of the laid-off faculty members to keep the college informed of a current address.

A serious and demonstrated institutional effort will be made to assist such faculty members to find employment either at the college or elsewhere in industry, government, or in other educational institutions. Tenured faculty who have been laid off may be placed in non-teaching positions at the college if there are openings for which they are qualified.

4.11.5.5 Order of Layoff

Once the academic unit(s) or program(s) to be affected have been determined, faculty layoff shall follow these specific guidelines and procedures.

Prior to involuntary layoffs, the following voluntary measures should be investigated.

- a. If a department, program or division must be reduced by one full-time faculty member, retaining all faculty on a reduced salary and work load should be considered. For example, if a department with five persons is to be reduced to four, all five could volunteer to go on four-fifths salary and workload, thus keeping everyone employed during the crisis. While such a program is appealing, its voluntary nature must be emphasized.
- b. The possibility of voluntary, early or gradual retirements should be investigated.

Following implementation of any voluntary measures, layoffs will proceed as follows:

- a. All administrative ranked faculty (not including division chairs) should first be laid off within the department, program or division involved unless program integrity would be adversely affected.
- b. All term and notice contract faculty should be laid off within the department, program or division involved unless program integrity would be adversely affected.

- c. Taking program integrity and seniority into consideration, probationary faculty will be laid off next.
- d. If tenured faculty members are laid off, the following order will be followed considering program first: lowest rank, lowest degree in rank, lowest seniority in rank. The vice-president of academic affairs shall provide the official documentation on rank, degrees and seniority.

Faculty members who receive notice of layoff have the right to file a grievance with the faculty review committee (see section 4.12). The issue of the grievance shall be confined to procedural issues, adequacy of sources of data, and evidence for the need of the layoff. A layoff will not be delayed in the case that the grievance is not settled by the effective date of layoff; nor will the grievance procedure be interrupted or denied because of the layoff.

4.11.6 Dismissal for Cause

Dismissal for cause is a severance action by which the college terminates its contract with the faculty member for just cause. Any teaching contract is subject to action under this subsection. Dismissal for cause must be directly and substantially related to the fitness of a faculty member to continue in their professional capacity as a faculty member. Dismissal for cause will not be used to restrain a faculty member's academic freedom. The faculty personnel committee shall serve in an advisory capacity to the president of the college on dismissal for cause.

Dismissal proceedings may be instituted on the following grounds:

- a. Professional incompetence;
- b. Failure to perform job related assignments or other neglect of academic duties;
- c. Breach of any term or condition of employment or other serious personal misconduct;
- d. Formal or overt rejection of the fundamental mission and purpose of the college;
- e. Knowing or reckless violation of the professional ethics of the college or of the rights and freedom of fellow faculty members, administrators, or students;
- f. Knowing or reckless violation of established legal rights of students or employees of the college including, without limitation, any form of discrimination or harassment;
- g. Conviction of a crime directly related to the faculty member's fitness to practice the faculty member's profession;
- h. Dishonesty, including, but not limited to, plagiarism, falsification of credentials or experience, or the misappropriation or misapplication of funds; or
- i. Failure to follow standards of the institution in respect to standards, policies, directives and guidelines within this policy manual after oral and written warnings.

The process for implementing dismissal for cause shall include the following:

- a. Written notice to the faculty member from the vice-president of academic affairs that a recommendation for dismissal for cause shall be made to the president. This notice shall contain a statement of the grounds upon which the recommendation is to be made, and a brief summary of information supporting such grounds;
- b. A reasonable opportunity for the faculty member to meet with the vice-president of academic affairs to present the faculty member's defense to the dismissal recommendation before the recommendation is made; and

- c. A reasonable opportunity for the faculty member to meet with the president of the college to present the faculty member's defense to the dismissal recommendation if it is accepted by the president.

The president shall make the ultimate decision regarding termination.

In any case involving dismissal for cause, the burden of proof that just cause exists shall be on the college, which proof shall be by a preponderance of the evidence in the record considered as a whole.

The decision to terminate a faculty member for cause may be the basis of a grievance before the faculty review committee, which shall review the case in accordance with procedures established in section 4.12 of this volume IV.

4.11.7 Action Short of Dismissal

Depending on the circumstances, the president of the college may elect to impose a disciplinary action short of dismissal, for causes listed in subsection 4.11.6, such as suspension for a period of time with or without pay or withdrawal of faculty privilege. In unusual circumstances, the president of the college may take disciplinary action without previous citation or warning. Suspension may also be the temporary separation of a faculty member from the college, when it is determined by the president of the college that there is a strong likelihood that the faculty member's continued presence at the college poses an immediate threat or harm to the college, or to individual members of the college community. Such suspension shall be with pay and shall last only so long as the threat of harm continues or until dismissal for cause occurs.

In view of the past merits of a faculty member, final action by the president of the college may take a milder form of temporary suspension rather than outright dismissal. Such suspension may not last beyond a full year, but may entail the total or partial discontinuance of all salaries and benefits, the suspension of all promotion and salary increments, and the temporary suspension or withdrawal of all faculty privileges. The faculty personnel committee shall serve in an advisory capacity to the president of the college on such matters. The faculty member so disciplined has the right to institute the grievance procedure described in section 4.12. The decision of the president of the college after such a review shall be final.

4.11.8 Progressive Discipline of Faculty Members

Discharge for cause should, except in extraordinary circumstances, be preceded by a written admonition by the appropriate administrative officer describing the alleged problem and warning that the faculty member's contract status is in jeopardy. The warning must also stipulate a period of time within which correction of the alleged problem is expected. If the faculty member does not contest the allegation and fulfills the faculty member's duties, the matter is settled. If the faculty member fails to correct the problem, dismissal procedures or a lesser sanction may be applied.

Disciplinary actions described in subsections 4.11.7 and 4.11.8 may be appealed through the grievance procedures in section 4.12.

4.12 Grievance Policy

The college recognizes and endorses the importance of academic due process and of the ability to adjudicate grievances properly and without fear of prejudice or reprisal. While the college encourages the informal and prompt settlement of grievances, in some instances differences

cannot be settled informally, and in such instances the college endorses the application of the orderly processes herein set forth. The procedures that follow are designed to protect the rights of faculty members to academic due process and to academic freedom. It is the intent of the college that these procedures be the sole method for the resolution of all applicable grievances.

The college grievance process is an internal process, managed by the faculty review committee. That committee functions only when a grievance is filed. Due to the episodic nature of its activity, election to membership does not excuse a faculty member so elected from service on one of the standing committees of the faculty.

When a complaint equivalent or substantially similar to a grievance (as defined below) has been filed with an outside agency, the faculty review committee shall not hear the matter unless there is evidence that such a hearing would facilitate the resolution of the complaint. Any such complaint which has been filed and resolved by an outside agency cannot then be presented as a grievance internally to the college.

The faculty review committee reserves the right to deny continuance of the grievance process to a grievant who has actively sought to involve a lawyer in the committee's processes or in the personal or written process of presentation of the complaint to the committee.

4.12.1 Definition of Grievance

A grievance is defined as an allegation by a faculty member, a group of faculty members, or the faculty that one of the following situations has occurred:

- a. An alleged breach or misinterpretation of the terms of the agreement embodied in this volume IV of the policy manual; or
- b. An alleged violation of college policy or procedure as set forth in any volume of the policy manual.

4.12.2 Informal Procedures

Upon the occurrence of an allegedly grievable offense, a faculty member may file a written grievance with the faculty review committee. Grievances must be received in writing by a member of the faculty review committee within 21 calendar days of when the grievant first knew or, through the exercise of reasonable diligence, should have known of the occurrence of the event(s) upon which the grievance is based. The calculation of these calendar days should exclude official college holidays.

The faculty review committee will consider all written grievances, together with any supporting evidence submitted by a faculty member, a group of faculty members, or the faculty. Written grievances should set forth in detail (1) the alleged wrong; (2) against whom the grievance is directed; (3) the relief or remedy sought by the grievant; and (4) any other data deemed pertinent by the grievant.

The faculty review committee will attempt to settle the grievance by informal methods. In the course of doing this, the faculty review committee will collect pertinent documents and will conduct informal discussions among the concerned parties, at all times preserving the confidentiality of the proceedings.

If a faculty member alleges that a decision regarding non-reappointment or denial of promotion was based on inadequate consideration, the faculty review committee will determine whether the

decision was the result of adequate consideration in terms of the relevant standards set forth in this volume IV of this policy manual.

The faculty review committee will not substitute its judgment on the merits of the decision for the judgment of the deciding person or persons. If the faculty review committee believes that adequate consideration was not given to the faculty member's qualifications, it may request reconsideration by the deciding person or persons, indicating the respects in which it believes the consideration may have been inadequate.

If the faculty review committee finds that a grievance does not merit a formal hearing, except in cases described in subsections 4.12.2.1 or 4.12.2.2, the process shall then end. When the grievant has a right to a formal hearing, as delineated in subsection 4.12.2.1, the faculty review committee is required to authorize a formal hearing upon request by the faculty member.

Since the informal consideration of allegations by the faculty review committee is the first step in the grievance process, it cannot be bypassed. However, the grievant may choose to waive a formal hearing before an ad hoc hearing committee if one is called for and proceed to the appeal process set forth in subsection 4.12.4.

The faculty review committee has the authority to resolve the grievance at the informal level, if the parties to the grievance accept the settlement. Such a settlement shall not set a precedent.

4.12.2.1 Allegations Involving Individual Faculty Members

If the grievant is an individual faculty member and the grievance cannot be resolved by the informal methods of the faculty review committee, the grievant may request formal consideration by the grievance hearing committee (see subsection 4.12.3). This hearing committee will hear any grievance sent to it by the faculty review committee. Decisions of the grievance hearing committee, however, may be appealed only as set forth in subsection 4.12.4.

An individual faculty member has a right to a formal grievance when the unresolved grievance includes, but is not limited to, one of the following:

- a. Dismissal of the faculty member;
- b. Suspension or reassignment of the faculty member;
- c. Layoff of the faculty member;
- d. Non-reappointment of the faculty member;
- e. Denial of promotion of the faculty member; or
- f. Denial of placement within the general salary schedule commensurate with the qualifications of the faculty member.

With regard to the foregoing six items, the grievant may allege only that one of the following situations has occurred:

- a. A decision was based on considerations that violate the faculty member's academic freedom;
- b. A decision was based on considerations that violate the governing policies bearing upon nondiscrimination with respect to race, gender, religion, national origin, marital status, disability or other factors which cannot lawfully form the basis for an employment decision;
- c. The faculty member's specific contract provisions were not taken into consideration;

- d. Appropriate college or committee procedures, as set forth in this section 4.12 or elsewhere in this volume IV of this policy manual were violated.

4.12.2.2 Allegations Involving More Than One Faculty Member

If the grievant is the faculty or a group of faculty members and the grievance cannot be resolved by informal methods, the faculty review committee will present a recommended resolution of the grievance in writing to all parties and to the president of the college within 14 calendar days after receipt of the grievance. This resolution can be accepted by both parties or rejected by either party. Rejection or acceptance by each party will be communicated in writing to the faculty review committee with a copy to the president of the college within seven (7) calendar days of receipt of the recommended resolution from the faculty review committee. Any rejection must include the reasons for rejection and, if desired, suggested alternative solutions. If the matter remains unresolved for an additional 14 calendar days following the receipt of a response from each party, either party may request that the grievance proceed to subsection 4.12.4.

4.12.3 Formal Hearing Procedures

4.12.3.1 Notification by the Faculty Review Committee

When a formal hearing is to be conducted, the faculty review committee will provide written notification to the parties involved and to the president of the college.

4.12.3.2 Formation of the Grievance Hearing Committee

The faculty review committee will supervise the formation of a grievance hearing committee to conduct formal hearings. Following the election of the members of the faculty review committee, the faculty will nominate faculty members for a pool of potential members for a grievance hearing committee, if and when such an ad-hoc committee is required. The nominations shall be by secret ballot. Faculty members already elected to the faculty review committee shall not be eligible for nomination for the pool. The eight (8) persons receiving the highest vote totals shall constitute the pool. Election to the pool shall not foreclose service on any faculty standing committee or other committee or council, except the faculty review committee.

When a hearing committee is required, the hearing committee will be formed as follows: the grievant will select two faculty members from the pool as the first and second members of the hearing committee; the president of the college or the president's designee will then select two (2) faculty members from the pool (if the grievant is an individual, these selections shall not be the grievant's division chairperson) as the third and fourth members of the hearing committee; these four hearing committee members thus chosen will select a fifth member who will be the chairperson of the hearing committee.

4.12.3.3 Date, Time and Place of Formal Hearing

The hearing committee will set a date, time and place for the formal hearing that is agreeable to all parties concerned. The arrangements should be completed within ten (10) calendar days after receipt of the grievance by the hearing committee from the faculty review committee.

The formal hearing will begin no more than ten (10) calendar days after completion of the arrangements, during which time all parties shall prepare evidence and obtain documentary and other information.

4.12.3.4 Due Process in Proceedings

The formal hearing will be conducted in private and the parties will make no public statements about the case during the course of the hearing.

The chairperson of the hearing committee will conduct all meetings and hearings deemed necessary by the hearing committee to resolve the grievance. The grievant may have an advisor present only to provide advice to the grievant. Such an advisor may not address the hearing committee without the permission of the chairperson.

All parties to the grievance will have the right to obtain witnesses and present evidence. If either the college or the hearing committee feels that an independent medical or psychological opinion would be helpful in the deliberations of the hearing committee, the faculty member may be required to undergo a medical or psychological examination by an appropriate professional of the requesting party's choice and at the college's expense. If the grievant fails to comply with such a requirement by the college or the hearing committee, the hearing committee will dismiss the grievance.

The college will cooperate with the hearing committee in securing witnesses and making available documentary and other evidence requested by the grievant to the extent not limited by law. All parties will have the right to cross-examine witnesses. Where a witness has made a statement and cannot or will not appear, but the hearing committee determines that fairness requires admission of the witness' statement, the hearing committee will identify the witness, disclose their statement, and if possible, provide for interrogatories. The hearing committee will grant appropriate continuances to enable either party to investigate evidence or for any other appropriate reason.

A documented and demonstrable effort will be made to obtain the most reliable evidence available; however, the hearing committee will not be bound by strict rules of legal evidence.

4.12.3.5 Burdens of Proof

In cases involving non-reappointment, denial of promotion, or determination of salary, the burden of proof that adequate cause exists for the grievance, shall be on the grievant which proof shall be by a preponderance of the evidence.

In any case of dismissal, suspension or layoff, the burden of proof that adequate cause exists for the action shall be on the college, which proof shall be by a preponderance of the evidence. In cases involving termination, a determination that an academic program is to be discontinued will be considered prima facie valid, providing that the applicable procedures set forth in section 4.11 in this volume IV of the policy manual have been followed.

4.12.3.6 Record of Hearing

The formal hearing shall be recorded by the college and made available to the hearing committee. The costs of this recording shall be borne by the college. Copies or transcripts of the recording shall be provided at the expense of the party(ies) requesting it.

4.12.3.7 Recommendations

The recommendation of the hearing committee will take the form of findings of fact, conclusions, and recommended disposition of the grievance which must be based solely on the hearing record, and pertinent college procedures as set forth in this section 4.12 or elsewhere in this volume IV of this policy manual, as well as applicable law.

The hearing committee will present its recommendation, in writing, to all parties and to the president of the college within seven calendar days of the conclusion of the formal hearing. This decision, insofar as it consists of a recommended disposition of the grievance, may either be accepted by both parties or rejected by either party. Rejection or acceptance by each party will be communicated in writing to the hearing committee, with a copy to the president of the college, within five calendar days of receipt of the recommendation of the hearing committee.

4.12.4 Appeals

The grievant(s) may, within ten (10) calendar days of receipt of the recommendation of the hearing committee, or as otherwise provided in this section 4.12, file a written appeal to the president of the college, who shall review the record and respond within ten (10) calendar days as to the final disposition of the grievance within the college. The decision of the president of the college is final, except as provided in subsection 4.12.5 below.

4.12.5 President of the College as Party to Action

If the president of the college is a direct party to the grievance in the first instance, the grievant(s) may file an appeal, beyond that provided in subsection 4.12.4 above, within ten (10) calendar days of the receipt of the president of the college's decision. Such an appeal is filed with the chairperson of the Board of Trustees. If the Board of Trustees is not scheduled to meet within the next thirty (30) days, the executive committee of the Board of Trustees may act as the Board of Trustees. The Board of Trustees will then review the record of the case at its next meeting and will render a decision on the grievance within ten (10) calendar days of that meeting to all parties. The decision of the Board of Trustees is final.

4.12.6 General Provisions

The filing or pending filing of any grievance under the provisions of this section 4.12 shall not prevent the college from taking the action complained of, subject to a final decision regarding the grievance.

Failure at any step of this procedure to communicate the decision regarding the grievance within the specified time limits or such additional period of time, as shall be mutually agreed upon in writing, shall permit the grievant to proceed to the next step.

Failure at any step of this procedure to appeal a grievance to the next step within the specified time limits, or such additional period of time as may be mutually agreed upon in writing, shall be deemed to be acceptance by the grievant of the decision rendered at that step.

Extensions of time will normally be granted for good reason (e.g., illness) by mutual written agreement of the parties and the approval of the appropriate committee.

4.13 Revision Process for Policies and Procedures Pertaining to Faculty

While authority to change policy ultimately resides with the Board of Trustees, recommendations for change are invited from all persons involved. Persons seeking to amend a portion of volume IV should present a proposal to the executive committee of the faculty.

With the exception of personnel policies and fringe benefits, policy changes can be written to become effective immediately after approval by the Board of Trustees or to become effective on publication of the next official version (on-line and/or hard-copy) of this document. This volume

shall be available to all faculty members on-line. Any hard-copy version of faculty-related policies in this volume and other volumes shall be published on or before August 1 each year.

Volume IV shall be reviewed annually by the faculty to ensure that all information and approved policies are updated, and that outdated information and policies are removed. Each fall the faculty chairperson and the vice-president of academic affairs, with consultation from committee chairpersons, will assign appropriate sections to committees for review and/or revision. Committee chairpersons will be notified in writing prior to October 1 of their respective committee's responsibility for review.

Proposed changes in policy shall be presented to the faculty for a reading one month prior to a scheduled vote and can be approved by a simple majority of the faculty voting with a quorum present. Approval by the trustees, on recommendation of the president, will take place at the subsequent trustee meeting. Minor editorial revisions do not require faculty or trustee approval. All annual changes should be completed and approved by the trustees prior to the March 1 issuance of faculty contracts for the subsequent year.

4.13.1 Procedure for Revision to Volume IV

The following procedure is adopted as an orderly process for the initiation and consideration of amendments to all sections of this volume IV of the policy manual.

Except as may otherwise be expressly provided, the rest of the policy manual is not covered by this procedure and may be amended by applicable administrative procedure adopted by the Board of Trustees.

The college and the executive committee of the faculty commit their good faith efforts to the process of achieving agreement on policy issues affecting faculty employment. That commitment shall not prejudice the responsibility and authority of the president of the college and the Board of Trustees to exercise their prerogatives to govern and administer the college.

While recognizing that the adoption of policy, however formulated or proposed, is a power reserved to the Board of Trustees the procedure outlined below is designed to satisfy the need for an orderly procedure allowing all segments of the college to contribute, each in its appropriate capacity, to the formulation or alteration of policy statements. In addition, the procedures set forth in this section 4.14 are calculated to make policy revision effective by introducing into it the principle of self-limitation, which prevents endless debate and allows particular issues to be brought to decisive action.

4.13.2 Proposed Amendments

Proposals for revising volume IV of the policy manual can be made by the Board of Trustees, the president of the college, an administrator, the executive committee of the faculty, any committee or council established pursuant to this policy manual, or individual faculty members.

The proposals shall be submitted to the executive committee of the faculty in the following recommended format:

- a. Proposals should be made in the form of text intended to replace, in whole or part, some current provisions of the policy manual or add new provisions;
- b. A particular proposal should contain no more than one alteration of substance; and
- c. A brief explanation of the reason(s) for the revision should accompany the proposal.

4.13.3 Processing of Proposals

Proposals originated under subsection 4.13.2 shall be considered by the executive committee of the faculty, which shall pursue one of the following courses of action:

- a. The committee may receive and transmit the proposal to the faculty without change or comment;
- b. The committee may endorse the proposal and attach its endorsement to the original proposal;
- c. With the consent of the submitter, the committee may either alter or amend the proposal before transmitting it to the faculty; or
- d. If the submitter does not agree to committee alterations or amendments, the committee may object to the proposal and attach its objections or amendment before sending it to the president of the college and the faculty.

The faculty shall accept or reject the amendment(s) by a simple majority vote. The faculty may modify the proposal and accept the modification, or may return the proposal to the executive committee for further work.

4.13.4 Administrative Approval

After the faculty has endorsed a change in volume IV of the policy manual, it shall submit the recommended change to the president of the college.

If the proposal(s) are approved by the president of the college, the president shall present the proposal(s) to the Board of Trustees for consideration.

If the president of the college disagrees with the proposed changes, the president, citing reasons for the disagreements, and the executive committee of the faculty shall meet to discuss the next steps, which may include further study, modification, or resubmission of the proposal.

Before definitive action on policy manual revision proposals, the Board of Trustees may commission a subcommittee of its members to meet with the president of the college and the executive committee of the faculty to discuss final adjustments in the revised texts;

The Board of Trustees shall either approve or reject the proposed revision; and

the Board of Trustees retains the right, in the best interest of the college and in their fiduciary capacity, to alter the provisions of volume IV of the policy manual after following the procedures in this section 4.13.

4.13.5 Emergency Procedure

If any provision of volume IV of the policy manual is in conflict with federal, or local law or ordinance or is otherwise illegal, invalid or unenforceable to any extent, the provision of this and the application of the provision in question can be changed immediately by the Board of Trustees, on recommendation of the president. Any remaining provisions that are not illegal or enforceable continue to apply. In the case of such a need for emergency revision, the Board of Trustees will vote to approve the revision and, if approved, it will be immediately entered in the on-line edition of the policy manual.

In making emergency recommendations, the president of the college shall consult with the executive committee of the faculty. The proposed change will be considered at the next meeting

of the full Board of Trustees or the executive committee, whichever comes first. The president shall then communicate the decision of the Board of Trustees to the executive committee of the faculty.

4.13.6 General Rules of Implementation

- a. Any amendments of the provisions of the policy manual approved according to the procedures set forth in this section, 4.13, will take effect and be a part of the next offer of employment extended to any faculty member by the college. For faculty members on contract periods other than the academic year, the amendment shall be effective for and incorporated into any offer of employment scheduled to commence after the beginning of the academic year succeeding the academic year in which the amendment was adopted. Any grandparent provision shall be specific to a given policy and so noted.

In other parts or sections not specifically addressed in this section 4.13, changes may be effected at once by the directive of the president of the college or the Board of Trustees, as appropriate. Such changes, however, may not be inconsistent with this section 4.13 or any sections of volume IV of the policy manual;

- b. All new members of the faculty shall be given access to a copy of the policy manual at the time of their initial appointment as a new faculty member. Continuing members of the faculty will have access to the most current policy manual and be able to review any approved amendments to the manual;
- c. A copy of the policy manual with current revisions shall be available on-line to all full-time employees of the college and hard-copy updated editions shall be available for inspection during regular hours at the offices of the president of the college, the office of the vice-president of academic affairs, and the office of the chair of the faculty; and

Proposed amendments to any part of this volume IV of the policy manual under discussion by the Board of Trustees shall have no status, not even a promissory one, until final action by the Board of Trustees has been taken.

4.14 Faculty Portfolio Guidelines

A faculty member's portfolio is an evolving, continually updated document that provides evidence of the faculty member's unique contribution to Southwestern College. The following guidelines have been established to standardize the format and content of the portfolios submitted by faculty members as part of the faculty evaluation and promotion application processes.

Faculty portfolios are to be organized into five sections separated by tabs—an introductory section followed by four sections that address the four faculty evaluation criteria of teaching effectiveness, service to students, scholarship, and service to the institution, community, and discipline (see the Southwestern College Policy Manual, Volume 4, section 4.7.1 for a description of the criteria for faculty evaluation). The format and contents of these sections are described below. The entire portfolio (except for material that is not in document form, such as recordings) *must be contained in a single three-inch three-ring binder*. Examples of faculty portfolios can be obtained by contacting the vice-president of academic affairs, or the chair of the faculty personnel committee.

Introduction—This section of the faculty portfolio should include a faculty member’s current curriculum vitae and the most recent evaluation by the vice-president of academic affairs.

Teaching Effectiveness—This section of the faculty portfolio should begin with a one- to two-page narrative that addresses the faculty member’s teaching effectiveness. All documentation included as evidence in this section must be referred to in the faculty member’s narrative. The narrative should also include a statement of the faculty member’s educational philosophy and a discussion of the faculty member’s plans for teaching improvement. In addition, this section should include a summary of the faculty member’s contributions to the general education program. Possible sources of evidence for this section include:

- Recordings of lectures or presentations
- Campus-administered student evaluations (selected)
- Instructor-produced student evaluations
- Examples of students’ products
- Description of works in progress
- Self-reflection paper(s) with response(s) from peers
- Unsolicited student comments

Service to Students—This section of the faculty portfolio should begin with a one- to two-page narrative that addresses the faculty member’s advising effectiveness. All documentation included as evidence in this section must be referred to in the faculty member’s narrative. The narrative should also include a discussion of the faculty member’s plans for advising improvement. Possible sources of evidence for this section include:

- Advising evaluation surveys
- Success of four-year plans for students
- Retention efforts
- Student interviews
- Documentation of student contact

Scholarship—This section of the faculty portfolio should begin with a one- to two-page narrative that addresses the faculty member’s scholarship and creativity. All documentation included as evidence in this section must be referred to in the faculty member’s narrative. The narrative should also include a discussion of the faculty member’s plans for scholarly and creative activity. Possible sources of evidence for this section include:

- Syllabi/handouts
- Rewriting of course or program documents based upon faculty development contacts
- Discussion of changes in teaching strategies
- Publications
- Poster presentations
- Workshop presentations

- Performances and creative displays
- Travel
- Supportive documentation from peers regarding creative works
- Formal course work
- Informal (but organized) programs of self-study

Service to the Institution, Community, and Discipline—This section of the faculty portfolio should begin with a one- to two-page narrative that addresses the faculty member’s institutional, community, and professional service. All documentation included as evidence in this section must be referred to in the faculty member’s narrative. The narrative should also include a discussion of the faculty member’s plans for future service activities. Possible sources of evidence for this section include:

- Discussion of community service and its impact on the Southwestern College community
- Summary of committee work and responsibilities
- Involvement in campus activities
- Department/divisional responsibilities
- Professional service

4.15 Types of Scholarship

Scholarship needs to be appropriate to Southwestern College while partaking of the standards for scholarship in the broader academic community. Scholarship can take many forms. To encourage a flexible perspective on the definition of scholarship when applied to faculty evaluation, the following is an explanation of four basic types of scholarship, which reflect the categories proposed by Ernest L. Boyer in *Scholarship Reconsidered* (1990). Therefore scholarship may include, but not be limited to:

- The scholarship of discovery* encompasses those scholarly activities which extend the stock of human knowledge through the discovery or collection of new information. Such scholarship seeks to confront the unknown and typically exhibits a dedication to free inquiry, disciplined investigation, and the pursuit of knowledge for its own sake. The scholarship of discovery includes, but is not limited to, what is sometimes referred to as basic or original research.
- The scholarship of integration* encompasses scholarly activities which are primarily interdisciplinary or interpretive in nature. Such scholarship seeks to better understand existing knowledge by making connections across disciplines: illuminating data in a revealing manner; drawing together isolated factors; or placing known information into broader contexts. It synthesizes, interprets, and connects the findings in a way that brings new meaning to those facts.
- The scholarship of application* encompasses scholarly activities which seek to relate the knowledge in one's field to the affairs of society. Such scholarship moves toward engagement with the community beyond academia in a variety of ways, such as by using social problems as the agenda for scholarly investigation; drawing upon existing knowledge

for the purpose of crafting solutions to social problems; or making information or ideas accessible to the public.

- d. *The scholarship of teaching* encompasses scholarly activities which are directly related to pedagogical practices. Such scholarship seeks to improve the teaching and advising of students through discovery, evaluation, and transmission of information about the learning process.

VOLUME 5 — Administrator and Staff Personnel Policies

5.1 General Policy

Volume V has been developed for use by college employees who do not hold faculty appointments.

Volume V is to be used for general information only. It is not intended to be comprehensive or to address all possible applications of, or exceptions to, the general policies and procedures described. *Nothing contained in this manual provides or guarantees employment for any specific period of time. All college employees are employed at will and may be terminated, according to state law, with or without cause at any time or may resign for any reason at any time.* Insurance benefits described here and in volume III of the policy manual are subject to the actual plan documents and the college reserves the right to modify or discontinue any program, at any time, as deemed necessary by legislative changes or by college officers. It is the college's expectation and intention that the policies described in this volume V will from time to time be modified, rescinded, or replaced. The college at its own discretion, and as appropriate, will discuss changes with the appropriate committees (see volume I). All questions regarding the information contained in this volume V are to be addressed to the director of human resources.

Contracts

Administrators and staff are offered an employment contract covering a specific period. The contract spells out the period of employment, rate of pay and eligibility of benefits.

Contracts are issued annually no later than April 1st for the fiscal year commencing in July. Contracts are to be returned to the president's office no later than five (5) days after they have been offered. Any exceptions to these deadlines must be approved by the president.

5.2 Definitions

The following definitions will aid in the understanding of the terms used in this volume V:

WORK WEEK the payroll work week begins at 12:01 a.m. on Monday and ends at 12:00 midnight on Sunday.

FULL TIME employees are those who are not in a temporary or probationary status and who are regularly scheduled to work for Southwestern College for at least 40 hours per week and for at least 9 months per fiscal year. Full time employees are eligible for benefits, subject to the terms conditions and limitations of each benefit program.

PROVISIONAL FULL TIME employees are those who are who are regularly scheduled to work for Southwestern College for 30-39 hours per week. Provisional full time employees are eligible for benefits subject to the terms and conditions of each benefit program.

PART TIME employees are those who work at least 20 hours but less than 30 hours per week and for at least 9 months per fiscal year. Generally, part time employees are not eligible for Southwestern College benefits based on hours worked.

TEMPORARY employees are those who are hired to work less temporarily than 20 hours per week. Their function is to supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. While temporary employees receive all legally mandated benefits (such as worker's compensation insurance and

Social Security) they are not eligible for the college's other benefit programs. This category generally includes adjunct/affiliate faculty, staff, and student positions.

5.2.1 Fair Labor Standards Act Provisions

All positions, whether full-time, part-time, or temporary, carry a classification based on the Fair Labor Standards Act as either exempt (non-hourly professional) or non-exempt (hourly) employees. In general, exempt employees are employees holding bona fide executive, administrative, or professional positions and are exempt from overtime. All other employees are deemed to be non-exempt.

EXECUTIVE EXEMPTION

All of the following tests must be met:

1. The employee must be compensated on a salary basis (as defined in the regulations at a rate not less than \$455 per week);
2. The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise in which the individual is employed;
3. Customarily and regularly directs the work of two or more other full-time employees;
4. Has authority to hire or fire other employees or to make recommendations as to hiring, firing and the advancement, promotion, or change of status of employees.

ADMINISTRATIVE EXEMPTION

All of the following tests must be met:

1. The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
2. Primary duty is the performance of office or non-manual work directly related to management policies or general operations of the individual's employer or the customers of the individual's employers.
3. Customarily and regularly exercises discretion and independent judgment with respect to matters of significance.

LEARNED PROFESSIONAL EXEMPTION

All of the following tests must be met:

1. The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
2. The employee's primary duty must be work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment.
3. The advanced knowledge must be in a field of science or learning; and
4. The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

5.3 Guidelines for Search of Administration and Staff Positions

The vice president of the department shall consult with the president when a vacancy occurs or when a new position is created. If the position is authorized, the president and the vice president of the department shall draft a job description for the position, as well as determine position, title, salary, and contract terms.

Review of resumes, checking references, and telephone interviews will normally precede the on-campus interviews of candidates. The position may involve a presentation by the candidate and opportunities for the candidate to meet and be interviewed by diverse members of the campus community, including students. The vice president of the department will develop the advertisement for the position, taking care to follow equal opportunity/affirmative action processes and send the advertisement to the director of human resources with a request for the posting publications and sites. The president and vice president may agree in certain circumstances that the vacancy may be filled internally.

Notification of external vacancies will be posted on www.sckans.edu/about/employment. All commitments to employ, including title, job description and salary, are ultimately the decision of the president.

Nothing in these guidelines is meant to prevent the president and vice president from the restructuring of departments or reassignment of staff members.

A copy of the job description should be given to all new employees.

5.4 Initial Employment Period

All new employee appointments include a 90-day initial employment period. If at any time during this period it is decided by the employee or the supervisor that the employee is not suited for the job, the employee will be separated or allowed to resign. In such cases, the records shall reflect resignation. A performance review is required for new employees immediately prior to the end of the 90-day initial employment period. Completion of the initial employment period does not guarantee continued employment for any period of time thereafter. During the initial employment period, the employee is not eligible to use accumulated vacation time.

5.5 Performance Reviews

Supervisors are encouraged to provide their employees with ongoing feedback regarding their performance. A performance review is required on an annual basis for all administrative and staff positions. Completed performance reviews must be submitted to the director of human resources and will be included in the employee's file.

5.6 Promotion and Transfer

The college strives to promote the most capable and experienced employees based on their demonstrated ability to assume greater responsibility and perform essential job tasks. Consequently, reasonable efforts will be made to fill vacant positions from within when possible. Employees who have completed one year of service in their current position may apply and be considered for posted job opportunities at the college. In special circumstances and with proper administrative approval, an employee may seek a transfer prior to completing one year of service in his or her position. At the same time, it may be deemed necessary to recruit and hire outside the college to attract the most qualified person for a particular job vacancy. Therefore, job openings may be posted on the college website and other areas accessible to all employees. Simultaneously, outside recruiting sources may be used. Posted vacancies shall remain open for

a minimum of three (3) workdays. To be eligible to apply for a posted vacancy, employees must meet the minimum hiring specifications for the position, have completed his/her introductory period, and be an employee in good standing in terms of his/her overall work record. Selections for promotions and transfers shall be made based on an individual's overall qualification and ability to perform the essential duties required of the job, with or without reasonable accommodation.

An employee who is interested in applying for an opening in another department should first discuss intentions with their supervisor. An employee's indication of interest in a transfer will in no way affect the employee's current position. The department from which the transfer is being made is entitled to at least two weeks' notice.

5.7 Separation from Employment

5.7.1 Types of Separation

5.7.1.1 Resignation

Resignation is voluntary termination of employment initiated by the employee. It is requested hourly employees give two weeks' and salary employees give thirty (30) days' notice in writing to the department supervisor and to the director of human resources.

5.7.1.2 Retirement/Early Retirement

Employees retiring from the college are asked to give at least 30 days' notice. Once notice of intent to retire has been given, the college may begin the process of replacing the employee. If an employee has given notice of intent to retire, the employee cannot revoke the notice without consent of the president

5.7.1.3 Budget Constraints/Program Changes

The college reserves the right to eliminate positions due to budgetary constraints or program changes. Employees will normally be given thirty days notice of such terminations.

5.7.1.4 Non-Renewal of Appointment

The college reserves the right to not renew the appointment of any administrator or staff person. For administrators on an annual contract, notification of intent to not renew shall be communicated in writing to the employee on or before March 1, relating to contracts to be issued April 1. In such a case, the employee will be expected and permitted to complete the contract.

5.7.1.5 Discharge From Employment; Disciplinary Action

Discharge is a separation initiated by the college. The college has the right to terminate any employee at-will, with or without cause, with or without notice. The college reserves the right to use progressive discipline on a case-by-case basis.

The following warning procedures may be used by supervisors to alert employees as to unsatisfactory behavior, performance or record:

- A. Oral Warning: A private explanation and discussion of the deficiency, including how this deficiency is to be rectified and indication of time by which the deficiency must be corrected. The delivery of this oral warning should be documented by the supervisor even though it was not presented in writing to the employee.
- B. Written Warning: This second warning will be in writing and may be accomplished either through the annual performance appraisal or the performance improvement plan. In either instance there must be written reference to the date of the oral warning and must clearly

identify the problem and outline a course of corrective action within a specified time frame. The employee must date and sign this warning.

Suspension without pay may be an additional consequence to the written warning process. Such suspension will be at the sole discretion of the college for not less than five days and be administered on a case-by-case basis. Length of suspension will be determined by the severity of the conduct, record, action or performance. This will also be signed by the employee, as evidence that the employee has seen the document.

- C. Final Action: termination: Notice of Termination will be given if the performance deficiency was not rectified within the specified time frame.

All written warnings will be retained in the employee's personnel file in the human resources office.

The college retains the right to take disciplinary action up to and including termination for serious infractions, misconduct, violations of rules or safety measures, or for other serious performance issues.

Actions which may result in immediate dismissal include, but are not limited to:

1. Falsification of personnel records, including time records and applications for employment and altering the time card of another employee.
2. Incompetence or inefficiency.
3. Inexcusable neglect of duties, insubordination, or disobedience.
4. Unauthorized possession of or drinking of any alcoholic beverages or the use, sale, dispensing, or possession of narcotics, barbiturates, hallucinogens, amphetamines or marijuana on college owned or operated property. (The use, as prescribed, of appropriately prescribed medication is excepted.)
5. Unexcused absence for three (3) consecutive days without notification or reasonable cause.
6. Theft, including unauthorized use or removal of college property and stealing from fellow employees, students or others on college owned or operated property.
7. Unauthorized possession firearms, knives, or explosives or any other item that could be considered a dangerous weapon.
8. Immoral or indecent conduct on college premises or conviction by a court of law of such conduct off the job.
9. Threatening, intimidating, coercing, or interfering with fellow employees on college owned or operated property.
10. Conviction of a serious criminal offense, including, but not limited to murder, armed robbery, arson, or assault, whether or not on college owned or operated property.
11. Any act of fighting or physical altercation on college owned or operated property.
12. Refusal to perform assigned duties or follow instructions of a supervisor.
13. Failure to correct conditions covered in written warnings.
14. Release of confidential information to unauthorized persons.
15. Abusive or threatening language directed toward students, faculty, staff, administrators or visitors to the college.
16. Violations of the college's equal opportunity policies (see Volume III) including but not limited to sexual harassment, misconduct or other discriminatory behavior (see Volume II).

17. Any other serious violation of any other policy of the college and/or term of the contract.

Actions which may result in dismissal for more than one occurrence include, but are not limited to:

1. Wasting time or loitering
2. Leaving college premises or work area without permission during working hours.
3. Misuse of sick leave privileges and benefits.
4. Tardiness.
5. Negligence in the performance of duty.
6. Negligence or abuse in the use of college property or equipment.
7. Failure to report an incident and/or injury to student, self, or visitor.
8. Sleeping during working hours.
9. Violation of or disregard for fire safety or common safety practices, or smoking in unauthorized areas.
10. Gambling on college premises.
11. Being absent from work without vacation or sick leave unless on approved FMLA.
12. Repeated violations of policies of the college and/or terms of the contract.

5.7.2 Employment References

Supervisors should not respond to verbal requests for employment references and should refer such requests to the office of the director of human resources.

If an employee of the college has agreed to serve as a personal reference for another employee, they are doing so on a personal basis and are not representing the college.

5.7.3 Verification of Employment

Prospective employers, financial institutions, and residential property managers routinely contact employers requesting information on a former or current employee's work history and salary. All such requests of this type shall be referred to and completed by the office of human resources.

For written requests, information will be provided on the form provided only when it is accompanied by a former or current employee's signed authorization to release information form. The written form will be returned directly to the requesting party. Telephone requests will be limited to dates of employment, employee status, title, and confirmation of salary if provided by external party.

5.8 Non-Exempt Employee Policies (Staff)

5.8.1 Overtime

Overtime hours are defined as hours **worked** in excess of forty during one week. These are paid at 1 1/2 times the regular hourly rate. Hours earned in the same week by virtue of vacation, or sick leave are not hours "worked."

5.8.2 Time Cards

Time cards are a legal record of hours worked and every attempt should be made to make sure the time recorded is accurate. See the Employee Handbook.

5.8.3 Breaks

Two fifteen-minute breaks are authorized each day plus 60 minutes for lunch for each employee scheduled to work for a work period of 6 or more hours.

5.8.4 Travel

Time spent traveling to and from the primary place of work is not work time and therefore is not compensable. If the employee must travel to another site or out of town the travel time is compensable from the time they leave their starting location.

- A. One-day out-of-town travel. If a non-exempt employee travels out of town for less than one day, they must be paid for all travel time, excluding travel time from home to public transportation (commuting time) and bona fide meal times.
- B. Overnight travel. Employees who travel overnight on business must be paid for time spent in traveling (except for meal periods) during their normal working hours on their regular working days as well as during normal working hours on their non-working days, such as Saturdays, Sundays, and holidays.

5.8.5 Training Programs, Lectures and Meetings

Time spent voluntarily in training programs, lectures and meetings not directly related to the employee's job are not compensable.

5.9 Vacation and Holidays

5.9.1 Staff Vacation and Sick Leave

The principle of continuity plays an important role in earning days that can be used for vacation and sick leave. An hourly-paid staff member must work 90% of the potential monthly work hours each month before these benefits are earned and recorded and are thereby available for subsequent use for vacation or sick leave.

Work hours are interpreted to mean hours for which the employee is paid. Thus, paid vacation or paid leave does not disrupt the count of potential work hours required to earn benefit days. If the college requests that an employee not work (for example, some employees are asked not to work over spring break) the count is suspended but not broken for that period.

College staff and administration earn paid vacation days that may be used for rest, recreation, and personal business during the year. The number of days earned and the maximum number of days that can be accrued are shown on the benefits summary in this volume and in Volume III.

Requests for vacation time used in one hour increments should be arranged as far in advance as possible. A vacation request form for administrators must be submitted to and approved by the supervisor and forwarded to the business office. Normally, vacations should be scheduled in periods when there will be the least interruption of work. *It is required that all employees take 40 consecutive hours of vacation each year.*

Vacation time cannot be taken until it has been accrued or the initial three-month employment period has been completed.

Vacation time does not accumulate over the limits shown on the benefits summary. Payment will not be made in lieu of vacation time, except for accrued unused vacation at the time of termination. Maximum vacation time paid at termination will be as shown in the table below.

Nine-month staff members are encouraged to take their vacations at times when school is not in session (e.g., Christmas time or spring vacation).

5.9.2 Summary of Leave Benefits for Hourly (Non-Exempt) Personnel

<u>Earning Sick Leave</u>	<u>40 Hours Full Time</u>	<u>30-39 Hours Three-Fourths Time</u>	<u>20-29 Hours Part Time</u>
Earned for each month worked	8 Hrs*	6 Hrs*	4 Hrs*
Maximum that can be accrued	480 Hrs (60 days)	360 Hrs (45 days)	240 Hrs (30 days)
<u>Using Sick Leave</u>			
Personal illness	All available	All available	All Available
Family illness	All available	All available	All Available
Quarantine	All available	All available	All available
<u>Earning Vacation</u>	<u>40 Hours Full Time</u>	<u>30-39 Hours Three-Fourths Time</u>	<u>20-29 Hours Part Time</u>
Earned for each month worked:			
Years 1-6	10 Hrs	7.5 Hrs	5 Hrs
Subsequent years	13.33 Hrs	9.99 Hrs	6.67 Hrs
Maximum that can be accrued:			
Years 1-6	120 Hrs (15 days)	90 Hrs (11.25 days)	60 Hrs (7.5 Days)
Subsequent years	160 Hrs (20 days)	120 Hrs (15 days)	80 Hrs (10 Days)
<u>Using Vacation**</u>			
Smallest unit available	1 Hr	1 Hr	1 Hr
Maximum paid upon Termination with proper notice:			
<u>Years 1-6</u>	60 Hrs (7.5 Days)	45 Hrs (5.63 Days)	30 Hrs (3.75 Days)
Subsequent Years	80 Hrs (10 days)	60 Hrs (7.50 Days)	40 Hrs (5 Days)

Accumulated vacation cannot be used as part of notice time at termination.

*Full time: working 40 hours for at least 9 months

Three-fourths time: working 30-39 hours for at least 9 months of the fiscal year

Part Time: working 20-29 hours for at least 9 months of the fiscal year

**It is required that each employee take 40 consecutive hours of vacation time each year.

Failure to work scheduled hours for 4 consecutive weeks may result in reduced accumulation.

FAMILY LEAVE

The college will allow 5 business days off with pay for a staff employee for the birth or adoption of a child. The employee may also use accumulated paid vacation and accumulated sick leave for the birth or adoption of a child. An eligible employee who requests Family and Medical Leave (FMLA) may exhaust paid vacation or sick leave which then becomes a part of the 12 weeks of leave which the employee is entitled under the Family Medical Leave Act of 1993. FMLA offers eligible employees job protection up to a maximum of 12 weeks in a 12-month period. See Volume III Section 3.9.

FUNERAL LEAVE

A maximum of four (4) days off with pay will be allowed when a death occurs in the employee's immediate family. The immediate family consists of a spouse, domestic partner, child, stepchild, sibling, parent, stepparent, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law.

For the funeral of other relatives or when serving as a pallbearer, time may be taken and charged to vacation time.

5.9.3 Summary of Leave Benefits for Administrative Personnel

Earning Vacation	Full time 40 Hours	Three-Fourths Time 30-39 Hours
Earned each Month Worked:		
Years 1-6	10 Hrs	7.5 Hrs
Subsequent Years	13.33 Hrs	9.99 Hrs
Maximum Vacation That can be Accrued:		
Years 1-6	120 Hrs (15 Days)	90 Hrs (11.25 Days)
Subsequent Years	160 Hrs (20 Days)	120 Hrs (15 Days)

Maximum Vacation Paid upon Termination with Proper Notice:		
Years 1-6	60 Hrs (7.5 Days)	45 Hrs (5.63 Days)
Subsequent Years	80 Hrs (10 Days)	60 Hrs (7.50) Days)

Accumulated Vacation may not be used to extend the termination date.

Using Vacation		
Smallest Unit Available	1 Hr	1 Hr

It is required that each employee take 40 consecutive hours of vacation each year.

Accumulated Vacation days may be used as extended sick leave after accumulated sick leave has been used.

When an administrator accrues the full number of vacation days available for one year, the benefit ceases until some or all of those vacation days are taken. Vacation may be accumulated beyond this limit with prior, specific approval of the supervisor for the purpose of an extended vacation but not for additional compensation at termination of employment.

A vacation request form must be submitted to and approved by the supervisor and forwarded to the business office prior to the planned vacation.

Earning Sick Leave	Full Time 40 Hrs	Three-Fourths Time 30-39 Hrs
Earned for each month worked	8 Hr	6 Hr
Maximum that can be Accrued	480 Hr (60 Days)	360 Hr (45 Days)
Using Sick Leave		
Personal Illness	All Available	All Available
Family Illness	All Available	All Available
Quarantine	All Available	All Available

Family Leave

The college will allow 5 business days off with pay for an administrator or staff employee for the birth or adoption of a child. The employee may also use accumulated paid vacation and accumulated sick leave for the birth or adoption of a child. An eligible employee who requests Family and Medical Leave (FMLA) may exhaust paid vacation and sick leave which then becomes a part of the 12 weeks of leave which the employee is entitled to under the Family

Medical Leave Act of 1993. FMLA offers eligible employees job protection up to a maximum of 12 weeks in a 12-month period. Volume III Section 3.9.1 Family and Medical Leave.

Funeral Leave

A Maximum of four days off with pay will be allowed when a death occurs in the employee's immediate family. The immediate family consists of a spouse, domestic partner, child, stepchild, sibling, parent, stepparent, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law.

For the funeral of other relatives or when serving as a pallbearer, time may be taken and charged to vacation time.

5.9.4 Paid Holidays

- Labor Day, 1 day. Offices closed on Labor Day.
- Thanksgiving, 2 days. Thursday and Friday of Thanksgiving week.
- Christmas, 4 days. Offices will be closed three days in addition to the holiday.
- New Year's Day, 1 day. If New Year's Day is on a weekend, offices will be closed on Friday or Monday, as designated by the college president.
- Easter, 1 day. Offices closed on Good Friday or the Friday of spring break if school is in session on Good Friday.
- Memorial Day, 1 day. Offices closed on Memorial Day.
- Independence Day, 1 day. Offices closed on Independence Day, or on a Friday or Monday if Independence Day is on a weekend.
- Any exceptions to these paid holidays will be as contracted.
- No classes are held on Martin Luther King, Jr., day but offices remain open.
- Other Federal holidays, such as Columbus Day, Veterans Day, Presidents Day, are traded for holiday time at Christmas. Offices remain open on these holidays.

5.10 Grievance Procedure for Administrative/Staff Employees

The college recognizes the right of employees to express their grievances and to seek a solution concerning disagreements arising from working relationships, working conditions, employment practices, or differences of interpretation of policy that might arise between the institution and its employees.

A full-time employee may process a grievance regarding any of these matters on completion of the initial employment period. The employee is not eligible to use the grievance process until the initial employment period is completed. Temporary or part-time employees are also not eligible to use the process.

The procedures for processing a grievance are as follows:

Step 1. An employee brings a grievance to the head or supervisor of the grievant's department. A disposition of the grievance shall be made by the department head or supervisor within five (5) working days (an extension of this timeline can be made if a peculiarity of the calendar makes it impossible, e.g. a holiday or the absence of the supervisor).

Step 2. If the grievance is not settled in the previous step, or if the employee does not wish to take up the grievance with the department supervisor, it must be submitted in writing to the director responsible for the area in which the grievant is employed.

Disposition of the grievance shall be made in writing by the director responsible for the area in which the grievant is employed within five (5) working days after its presentation (an extension of this timeline can be made if a peculiarity of the calendar makes it impossible, e.g. a holiday or the absence of the supervisor).

Step 3. If the grievance remains unsettled after disposition by the director or vice president responsible for the area in which the grievant is employed, the employee may submit an appeal to the director of human resources. The director of human resources shall establish and chair an ad hoc committee of no less than two (2) additional administrative or staff personnel not directly involved in the grievance who will conduct a complete review of the grievance. An advisory opinion regarding the grievance will be forwarded to the parties by the director of human resources in writing within then (10) working days after its presentation. In the event that the director of human resources is a party to the grievance, the president shall appoint another administrator to chair the committee.

Step 4. If the grievance is not settled as a result of step 3, the employee may appeal to the president. Within seven (7) working days of receipt of the disposition from the director of human resources, the employee must notify the director of human resources in writing that the employee wishes to appeal to the president. The president shall review the facts and make a decision. This decision is final and will be recorded in the grievance file.

There is no further appeal within the college beyond the president unless the president in the first instance was the charged party in the grievance. In that case the procedure in Volume IV subsection 4.12.5 may be followed if the grievant wishes to appeal to the Board of Trustees.

VOLUME 6 — Professional Studies Policies

6.1 About Professional Studies

6.1.1 History

In the early 1990's, the beginnings of Professional Studies (an initiative to provide degree-completion programs for working adult learners) were being considered by the college. In 1994, the first “center” was established in downtown Winfield. From those early beginnings, Professional Studies has grown to include locations in East Wichita, KS (established in 1996), West Wichita, KS (1998), McConnell AFB, KS (2003), Oklahoma City/Midwest City, OK (2005), and Fort Riley, KS (2006). Some of these locations offer classes during the day, evening and on the weekends in six-week sessions (some education classes are offered in 12-week sessions).

In addition to expanding its “center” operations, Southwestern College received approval by its regional accrediting body (The Higher Learning Commission) to offer courses, programs and degrees online in 2001. A handful of undergraduate programs were moved online in the beginning with a gradual expansion to meet learner needs and demands. In 2002, Southwestern College was tapped to provide online coursework to soldier-students through the innovative eArmyU initiative. Participating in eArmyU launched the college into an active program of serving the voluntary education needs of military personnel.

In addition to offering undergraduate degree-completion programs to adult learners, the college has expanded its operations to include graduate education at the master's and doctoral level. Graduate programs are offered both in the classroom and online.

More information about Southwestern College Professional Studies may be found at www.SouthwesternCollege.org.

6.1.2 Locations

A complete listing of Professional Studies locations, contact information and maps is available on the website at: <http://www.southwesterncollege.org/contact-us/locations>.

6.1.3 Personnel/Organizational Structure

The associate vice president for academic affairs professional studies/online education reports to the vice president for academic affairs, dean of the college and directs the college's Professional Studies academic operations under the college academic vision and mission.

The director of enrollment services and marketing, in consort with the executive vice president creates marketing plans and creates and manages enrollment strategies and staff to successfully market academic programs to meet learner needs.

6.1.4 Governance

6.1.4.1 *Professional Studies Curriculum Council*

The Professional Studies Curriculum Council reviews all Professional Studies curricular proposals, including addition and deletion of courses, changes in course numbering, credit hours, and course descriptions. The Council reviews the establishment of proposed new Professional Studies majors, certificates, and all new degree programs to ensure that they are consistent with the mission, vision, and expectations of the college. The Council is chaired by the vice president for academic affairs professional studies/online education and its membership will include two

academic program directors or lead faculty members, two affiliate faculty members, and two Professional Studies administrators. Members will be appointed annually by the president in consultation with the associate vice president for academic affairs professional studies/online education. The president, academic vice president and dean of the college, library director, and registrar serve ex-officio. All actions of the Professional Studies Curriculum Council are subject to review and final approval by the president.

6.1.4.2 Professional Studies Academic Affairs Council

The Professional Studies Academic Affairs Council reviews proposals concerning academic policies and procedures for undergraduate or graduate programs in Professional Studies, including, but not limited to, admission requirements, scholastic standards, student conduct issues, and other academic policy issues. The Council is chaired by the associate vice president for academic affairs professional studies/online education and its membership will include two academic program directors or lead faculty members, two affiliate faculty members, and two Professional Studies administrators. Members will be appointed annually by the president in consultation with the vice president for academic affair, dean of the college and the associate vice president for professional studies/online education. The president, academic vice president, dean of the college, library director, and registrar serve ex-officio. All actions of the Professional Studies Academic Affairs Council are subject to review and final approval by the president.

6.2 Learner Information

6.2.1 Admission, Enrollment and Coaching

6.2.1.1 Undergraduate Learners

Additional information about admission into the undergraduate degree-completion program, the application and enrollment procedures, as well as current tuition and fees is available on the Professional Studies website – www.SouthwesternCollege.org.

The college will work with each learner concerning payment options. A variety of payment options may be available including company reimbursement plans, military tuition assistance, and self-pay (full payment or partial payment). Financial aid is available for those who qualify.

An academic success coach will be assigned to each learner to provide academic assistance.

6.2.1.2 Graduate Learners

Additional information about admission into the graduate programs, the application and enrollment procedures, as well as current tuition and fees is available on the Professional Studies website – www.SouthwesternCollege.org.

The college will work with each graduate learner concerning payment options. A variety of payment options may be available including company reimbursement plans, military tuition assistance, and self-pay (full payment or partial payment). Financial aid is available for those who qualify.

A graduate academic success coach will be assigned to each learner to provide academic assistance.

6.2.2 Academic Information and Policies

Learners will meet graduation requirements stated in the catalog under which they first enter Southwestern College. Current catalogs may be found at [https://www.sckans.edu/student-services/registrars-office/course-catalogs/Policies Governing Affiliate Faculty](https://www.sckans.edu/student-services/registrars-office/course-catalogs/Policies%20Governing%20Affiliate%20Faculty)

This section pertains to all affiliate faculty members who teach in the classroom or online for Professional Studies.

An affiliate instructor is a part-time employee of the college who:

- A. Always receives a term contract (a sample contract may be obtained from the office of human resources).
- B. Receives no fringe benefits or tuition remissions.
- C. Does not accrue time towards tenure, promotion, or sabbaticals.
- D. Is appointed after a review of credentials and experience and the conduct of an interview by the executive director for faculty affairs.
- E. Completes the Introduction to Online Teaching course and other requirements prior to consideration for online teaching assignments.

6.2.2.1 Standards for Appointment

A person assigned the title of affiliate faculty member shall meet the standards provided by the Higher Learning Commission for faculty appointments as adopted by Southwestern College.

6.2.2.2 Affiliate Member by Rank

An instructor who teaches on a part-time per course basis for the college, and who is a full-time ranked faculty member of another institution of post-secondary education or has other full-time employment, will be assigned “affiliate” rank at the college that is equivalent to the instructor’s rank at the other institution.

6.2.2.3 Lead Affiliate Faculty Members

The lead affiliate faculty members act as a liaison within the specific majors/programs offered by Professional Studies with the affiliate faculty members in their major areas. Specifically, they:

1. Review and revise curriculum (texts, syllabi) and participate actively in major/program reviews.
2. Mentor new affiliate faculty members.
3. Participate in college assessment activities.

They are selected by the associate vice president for professional studies online/education and the executive director for faculty affairs based upon experience with the programs, expertise and willingness to serve.

6.2.2.4 Type of Contract

Term contracts at the college are given to affiliate faculty members, and are limited to the term of employment outlined in the applicable contract. Term contracts do not confer upon an instructor’s entitlement to continued employment after the term specified in the employment contract expires. Course teaching assignments are provided in advance of each session start.

6.2.2.5 Affiliate Faculty Member Evaluation

Evaluation is a dynamic and continuous process. Classes are held every six weeks (some teacher education classes are 12 weeks) throughout the year. Eight different class sessions per year are conducted. Affiliate faculty members are evaluated every session through the use of end-of-course evaluations.

The information gleaned from the evaluation is helpful for the affiliate faculty member's continued professional development and is shared with the faculty member after grades are posted. Highlights concerning the course content and textbooks are reviewed each session and summarized for use in major/program reviews. All written comments and scores are documented and filed in the executive director for faculty affairs office.

6.2.2.6 Academic Freedom for Affiliate Faculty Members

Affiliate faculty members are fully protected for classroom academic freedom as follows:

Academic communities traditionally have been the guardians of freedom in all its forms. Controversy and dissent have been basic to the expansion of knowledge and spiritual growth.

The instructor shall be free to discuss, debate, or dissent on all subjects, but should not introduce into the classroom controversial matter which has no relationship to the subject matter of the course.

The intent of this statement is not to discourage what is "controversial." Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The statement serves to underscore the need for the instructor to avoid persistently intruding material that has no relationship to the subject.

The instructor shall be entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other duties.

6.2.2.7 Grievance Procedure for Affiliate Faculty Members

The college recognizes the right of affiliate faculty members to express their grievances and to seek a solution concerning disagreements arising from working relationships, working conditions, employment practices, or differences of interpretation of policy that might arise between the institution and its employees.

The procedures for processing a grievance are as follows:

- Step 1. An instructor brings a grievance to the associate vice president for academic affairs professional studies/online education. A disposition of the grievance shall be made by within two (2) working days.
- Step 2. If the grievance is not settled in the previous step, or if the affiliate faculty member does not wish to take up the grievance with the associate vice president for academic affairs professional studies/online education, it must be submitted in writing to the vice president for academic affairs, dean of the college. The vice president shall establish and chair an ad hoc committee of no less than two (2) additional administrative or staff personnel not directly involved in the grievance who will conduct a complete review of the grievance. An advisory opinion regarding the grievance will be forwarded to the parties by the vice president for academic affairs, dean of the college in writing within then (10) working days after its presentation.

Step 3. If the grievance is not settled as a result of step 2, the affiliate faculty member may appeal to the president. Within seven (7) working days of receipt of the disposition from the vice president for academic affairs professional studies/online education, the affiliate faculty member must notify the vice president for academic affairs, dean of the college in writing that the affiliate faculty member wishes to appeal to the president. The president shall review the facts and make a decision. This decision is final and will be recorded in the grievance file.

There is no further appeal within the college beyond the president unless the president in the first instance was the charged party in the grievance. In that case the procedure in volume IV subsection 4.13.5 may be followed if the grievant wishes to appeal to the executive committee of the Board of Trustees.

6.2.2.8 Affiliate Faculty Development and Resources

Throughout the year, a series of faculty development workshops are offered for affiliate faculty. For practicing professionals for whom teaching is a part-time responsibility, special attention is given to adult learning theories and learning styles in all training and ongoing faculty development. Additionally, an affiliate faculty development resources have been established to support affiliate faculty.

6.3 Academic Quality Control

Expectations to ensure high academic standards and high quality classes:

1. Classes reflect current workplace issues, bridge theory with practice, and allow opportunities for learners to utilize their knowledge, from and in, their respective careers.
2. A variety of meaningful learning activities are utilized in classes.
3. Faculty members adhere to high standards in their class preparation.
4. Syllabi, course learning modules, and detailed class activities/instructional techniques are developed and utilized.
5. Learners have assignments each week and are made accountable for them.
6. Learner grades reflect actual work completed.
7. Classes are not cancelled without the executive director's approval, nor are classes dismissed early.
8. Learners are encouraged to take only one class and spend 8-12 hours per week studying outside of class.

6.4 Outcomes Assessment

Southwestern College is committed to high academic quality and student experiences. The outcomes assessment program at Southwestern exists to evaluate the effectiveness of the college experience in assisting students' movement toward the outcomes identified as flowing from the mission of the college. To that end, aggregate data are collected from learners and reported. The process and product of student assessment focuses on the centrality of the teaching mission of higher education, and on the institution's ability to self-correct in ways meaningful to the educational experience of learners.

VOLUME 7- Student Policies

7.1 College Regulations

All students are expected to follow the policies and regulations of the college including those published in the policy manual, catalog, and student handbook. When a student enrolls in the College, it means that they have accepted that they are subject to the college's policies and regulations. Therefore, all students have the responsibility to be familiar with Southwestern Community Standards. Actions or behavior inconsistent with the College's policies and procedures, which are based on Christian and academic traditions of the institution may result in conduct sanctions, campus housing restrictions or suspension, or academic suspension or expulsion as set forth in this Volume.

7.2 Student Affairs Personnel

- Vice President for Student Affairs/Dean of Students—provides administrative leadership for student affairs.
- Director of Residence Life—oversees campus housing, and assists with student concerns.
- Director of Security/Safety—oversees the safety and security of the campus community.
- Director of Campus Life- provides leadership for the Student Government Association and Student Foundation. Creates and manages student activities.
- Security Officers—help to maintain a safe and secure community.
- Resident Directors and Apartment Managers – live in on-campus housing and are available to students to listen, answer questions, and provide guidance and support when necessary.
- Resident Assistants—live on designated floors and help advise new students with a transition to residential life.

7.3 Student Organizations and Activity Program

Student organizations are formed to meet the social, academic, and service needs of the students. They give the incentive and opportunity for student leadership and interaction.

7.3.1 Student Government Association

The objective of student government is to involve the student directly in the formulation of campus concerns and policy. The Student Government Association is the main student governing body and concerns itself with all phases of campus life. Representatives from the student body, appointed by the SGA, hold positions on a wide variety of committees throughout the institution. SGA maintains its own budget and allocates fees to student campus projects. Additional information regarding the SGA is provided in Volume I of this policy manual.

7.3.2 Student Foundation

The Student Foundation is responsible to the student body to direct and plan a range of activities, supported by the association's budget, to meet the entertainment needs of the student body.

7.3.3 Academic and Honor Societies

The college has active chapters in national honor societies. Membership in these organizations is in recognition of good scholarship and effective participation in the respective fields. Each year, those seniors who have been academically outstanding in college are honored by being named members of the Order of the Mound. Ten percent of the graduating class may be named. Transfer students must complete at least 60 semester hours on campus in order to receive consideration.

The Masterbuilder Award is the highest honor students can confer upon a senior. Selection is completed through a general student election prior to commencement. The college also elects members to Who's Who Among Students in American Universities and Colleges. Selection of no more than ten percent of the senior class is based upon total leadership, including scholarship, campus activities, contribution to college life, and future promise.

7.3.4 Clubs & Organization Sponsors

All organizational activities must have a advisor (who is a Southwestern Employee) present. If no advisor is present at an event, the club or organization risks being put on probation or suspension. The director of campus life will meet with the leaders of the club or organization to determine the next steps in helping the organization be successful and utilizing a advisor effectively.

7.3.5 Meeting and Time Restrictions (General Program Restrictions)

All students at the college are recognized to have academic and collegiate obligations which must be supported by campus groups and activities.

Examples of improperly restrictive time requirements imposed by an individual, club or student organization include but are not limited to pre-initiation and initiation periods and are as follows:

- Any activity or requirement which is so time-consuming as to significantly interfere with class work or study time. This includes but is not limited to pre-initiation and initiation periods.
- Conducting a new member-related activity between the hours of 12:00 midnight and 6:00 a.m. Sunday–Thursday.
- Permitting less than six continuous hours of sleep for pledges/associates each night between 12:00 midnight and 9:00 a.m.
- Conducting any non-academic pledge/associate activity within one complete week before final examinations each semester.

7.4 Family in the Classroom or Workplace

Generally, family members should not be present with students in the classroom or a place of student employment. The only exceptions should be occasional visits or emergencies.

7.5 Medical Leave/Medical Withdrawal

Students who experience health problems may request a **medical leave** or medical withdrawal from the college. A medical leave may be requested for an upcoming semester, or up to and until the last day to enroll for the semester. After this date, registered students can request a

medical withdrawal from classes up to and until the date that final grades are due.

Such requests must be accompanied by medical documentation from an appropriate medical professional (i.e., M.D., D.O., Psy.D, LPC), indicating that the leave or withdrawal is recommended. Students should note that the preparation of this statement will require their formal consent to release relevant information from appropriate medical professionals to the college, and for the college to release relevant information, as needed, to those medical professionals. If a medical withdrawal is approved, the student will be withdrawn from all classes by the Registrar and will receive a “AW” on their transcript for each class, so that they receive no credit or grade for these courses, leaving their GPA unaffected.

Students may not withdraw from selected classes, but only from their entire class schedule of coursework. Students seeking to pursue a medical leave or withdrawal from the college may start the process with the Academic Dean or Dean of Students. Official withdrawal from the college can also have specific financial and academic implications. It is recommended that students also meet with their academic advisor and director of financial aid.

Please note that federal and state financial aid regulations do not allow students to be on any type of official leave from the college, including medical leave, for more than two consecutive semesters or 180 days, without applying for re-admission to the college. Therefore, students who are on leave for more than two semesters will be withdrawn from the college and must reapply through the office of admissions. Readmitted students have their financial aid re-evaluated at the time of admission and follow the academic catalog of the year of readmission, which may change the range of academic programs they may pursue. A student who wishes to return to campus following a medical leave must furnish the appropriate documentation from a medical professional, stating that the student has received the appropriate medical attention and is, in the professional’s opinion, ready to resume studies to the college.

Under certain circumstances, the college may require a student to withdraw from the college for medical reasons or take a medical leave of absence. Such action is warranted if, in the judgment of a team of professional Southwestern College staff members, the student poses a threat to the lives of others or exhibits behavior that seriously interferes with his or her ability to function and/or with the educational environment and pursuits of others.

7.6 Prohibited Behavior

The following sections (7.6 – 7.9) set forth definitions of prohibited conduct that may result in the application of the student disciplinary process. This list is to explain in detail this type of conduct and is not intended to be all-inclusive. The College reserves the right to invoke the disciplinary process for violations of laws, regulations, and College policies, or for disregarding the direction of a College official or engaging in other misconduct.

7.6.1 Obstructing College Activities or Procedures

Students will not knowingly disrupt or obstruct the college’s activities or procedures in the pursuit of the college’s mission.

7.6.2 Providing False Information to an Employee

Students will not knowingly or recklessly furnish false written or oral information to college officials including forgery, alteration, misuse of college documents or records, and providing false identification.

7.6.3 Responding to a College Employee

Students will comply with the directions of college officials and will not interfere with an official acting in the performance of his/her duties.

7.6.4 Other Policy Violations

Violations of the college policies could include, but are not limited to:

- Visitation
- Quiet Hours
- Inappropriate Decorations
- Care of the room
- Pets
- Improper disposal of trash
- Prohibited electrical appliances
- Smoking
- Vaping
- Hazing
- Alcohol possession
- Unauthorized guests
- Vandalism
- Providing false information to an employee
- Not completing assigned sanctions
- Not responding to a college employee
- Threatening behavior
- Propping open any locked door
- Obstructing college activities or procedures
- Unauthorized entry or use of campus housing and/or property
- Failure to comply with instructions from an college employee
- Endangering, disorderly, and/or disruptive conduct
- Stalking that is not otherwise covered by the College's Title IX policy
- Intimidation both physical and verbal
- Theft
- False fire alarm or tampering with fire equipment
- Use, production, distribution, sale, or possession of alcohol or drugs in a manner prohibited under state or federal law
- Possession of weapons including firearms, knives, or explosives or any item that could be considered a dangerous weapon
- Incidents where the student has been considered a subject by local, state, or federal law enforcement.

- Racial comments
- Hate crimes
- Harassment that is not otherwise covered by the College's Title IX policy
- Bullying

7.7 Policy on Alcohol and Drugs

The possession, use, or distribution of alcoholic beverages or illicit drugs by students or employees is strictly prohibited on the property of the college or as part of any college activity taking place off college property. Additionally, the possession, use, or distribution of alcoholic beverages or illicit drugs is strictly prohibited as part of any activity taking place on college property, even if that activity does not involve students or employees.

No college funds will be expended for the purchase of alcoholic beverages or illicit drugs at any group activity taking place on or off college property (e.g. alumni event, campaign reception, etc.)

Students who host, participate, or attend activities where alcohol or illicit drugs are present on campus property violate the college's code of conduct and may result in discipline. They may be reported to the appropriate law enforcement officials if local, state, or federal statutes are violated in addition to being subject to the following sanctions:

1. Placement on probationary status
2. Temporary suspension from classes and activities
3. Suspension for a semester from classes and activities
4. Expulsion

In addition to the above sanctions, a student may be required to meet with a campus counselor. In lieu of suspension or expulsion, a student may be required to complete a drug or alcohol abuse education or treatment program as a condition of continued enrollment. The cost of completing such a program will be the responsibility of the student.

7.8 Hazing

Hazing by any group or organization is not allowed at Southwestern College. The college defines hazing as any action or activity taken or situation intentionally created, whether on or off campus, which produces psychological abuse, physical abuse, improper obligations or time restrictions. Consent of pledge does not exempt any organization from this regulation.

Therefore, any instance of physical abuse, psychological abuse, improper obligations, requirements, or time restrictions involving new members and their activities associated with an obligation for membership shall therefore be understood to be incidents of hazing.

7.8.1 Physical Abuse

Physical abuse is understood to be any action taken or situation created which may foreseeably cause pain, injury, or undue physical stress, fatigue, or discomfort where such act has the purpose or effect of humiliating, degrading, or embarrassing the recipient without a legitimate purpose. Examples of physical abuse include but are not limited to the following:

- Forced consumption of alcohol

- Forced or required consumption of non-alcoholic beverages or substances
- Forced or required consumption of spoiled foods, raw onions, goldfish, or any unpalatable foods which an individual normally refuses to eat
- Dropping food in mouths as part of any initiation
- Calisthenics such as push-ups, sit-ups or runs that are not for the purpose of healthy exercise
- Tying individuals to chairs, poles, or other objects
- Simulated or actual branding
- Causing excessive fatigue through physical or psychological shocks, such as forced participation in extreme exercise beyond normal ability
- Paddle swats of any nature, including the trading of swats with activities
- Pushing, shoving, tackling or any other kind of physical abuse that does not have a legitimate purpose, such as athletics.
- Throwing anything, such as whipped cream, garbage, water, paint, etc., at an individual.

7.8.2 Psychological Abuse

Psychological abuse is understood to be any action taken by an individual, club, or organization to create a situation that may foreseeably produce embarrassment, ridicule, harassment, mental or emotional discomfort, or be threatening or frightening in nature. Examples of psychological abuse include but are not limited to the following:

- Lineups, any form of verbal abuse, or any other activity that serves no constructive purpose.
- Deception, prior to the ritual, which is designed to convince a pledge/associate member that the person will not be initiated or that the person will be hurt during the ritual ceremony.
- Yelling or screaming at pledge/associate member.
- Calling pledge/associate members demeaning names.
- Any audible harassment that is not otherwise covered under the College's anti-harassment or discrimination policies.
- Any individual or group interrogations of a negative or demeaning nature.
- Creating areas that are uncomfortable due to temperature, noise, size or air quality.

7.8.3 Improper Requirements or Obligations

All membership requirements or obligations must in some way enhance the individual's emotional, spiritual, or intellectual development. Examples of improper requirements or obligations include but are not limited to the following:

- Endorsing pranks such as panty-raids, harassing another organization, etc.
- Endorsing an activity that violates Federal, State, and/or local laws as well as campus policies or that is objectionable.
- Endorsing an activity that is disruptive to classes or other student areas.
- Defacing trees, grounds, buildings, or objects.
- Conducting quests, treasure hunts, or little sister hunts that include illegal activity, physical abuse, or psychological abuse.
- Requiring pledge/associate members to march in formation.

- Requiring memorization of non-fraternity related materials.
- Not permitting pledge/associate members to talk for extended periods of time.
- Endorsing public stunts or buffoonery.
- Encouraging pledge/associate members to act like animals or other objects.
- Intentionally messing up a room for pledge/associate members to clean.
- Encouraging total or partial nudity at any time.
- Encouraging pledge/associate members to run personal errands or any other form of personal servitude.
- Encouraging pledge/associate members to participate in the act of flouring and/or showering other members.

7.9 Student Code of Conduct

Student Affairs has developed the following code of conduct to provide direction for students attending Southwestern College. It should be understood that the Southwestern College disciplinary system is not a court of law and strict rules of evidence do not apply.

This code of conduct applies to all conduct occurring on the college's campus, in its programs and activities, or at college-sponsored events, except where the conduct is covered by the college's Title IX Policy and Procedures. Incidents off campus will be reviewed by the Vice President for Student Affairs or designee, and students may be subject to this code of conduct and held responsible for their behavior for off-campus actions as well. Descriptions of prohibited conduct are listed above in Sections 7.5-7.8. The college may also invoke this process for inappropriate conduct not listed above.

Each school year, students, staff, and faculty of the college join together out of a mutual commitment to promote each person's personal and corporate development. Every attempt needs to be made by all participants in our learning community to ensure that intellectual, spiritual, social, emotional, and physical growth is maximized. All members of our community work together to provide a positive and safe community. All college policies and procedures are designed to be fair, respectful, and non-discriminatory.

7.9.1 Definitions

- *College* means Southwestern College
- College premises include all land, buildings, facilities, and property in the possession of or owned, used, or controlled by the college.
- *Excessive* means three or more violations of the code of conduct, policies, rules, and regulations during a student's matriculation at Southwestern College.
- *Organization* means any number of persons who have complied with the formal requirements for college recognition as stated in the student government association constitution.
- *Appeal* means the process used to evaluate the decision made by a student affairs administrator.
- *Incident* means behavior by students that violates the official policies, rules, and regulations of the college.
- *Sanction* means the penalty or restriction placed on a student as a result of being found in

- violation of the policies, rules, and regulations of the college.
- *Hearing* means the formal process used to hear facts and determine if a violation has occurred.
- *Business days* refers to those days when offices are open to conduct business, excluding Saturdays and Sundays.

7.9.2 Interim Suspension

The Vice President for Student Affairs or designee may interim suspend a student from the college for an interim period pending disciplinary or criminal proceedings or for medical evaluation. An interim suspension may be imposed whenever there is specific and individualized information that the student poses a substantial and immediate threat to him/herself, to others, or to the continuation of college functions.

The Vice President for Student Affairs or designee will notify the student in writing as soon as possible after being notified of the alleged misconduct. The notice will include the basis for the Interim Suspension, the process for appeal and review of the Interim Suspension, information on how to contact the security office for questions about the terms of the Interim Suspension, and information on how to receive permission to enter college property for limited purposes. Other relevant staff and faculty may be informed of the Interim Suspension.

A student may appeal the interim suspension to the Vice President for Student Affairs or designee within two (2) business days. The interim suspension remains in effect during any appeal. The student will be given the opportunity to meet with the Vice President or designee in person (if appropriate) within 2 business days of submission of the appeal. Only the following issues may be discussed during the meeting: The reliability of the information concerning the student's conduct and whether the conduct and circumstances reasonably indicate the continued presence of the student on college property poses a significant risk to the health or safety of any member of the college community, operations, or educational process.

During the period of Interim Suspension, the student may explore opportunities for continued academic progress remotely. Decisions regarding continued academic progress are made at the sole discretion of each faculty member. It is the responsibility of the student to communicate with each faculty member.

Students subject to Interim Suspension may be restricted from accessing the college campus, as well as events on or off campus, pending the outcome of a disciplinary hearing. The student may request access by contacting the Vice President for Student Affairs or designee. If access is granted and a student violates the terms of that access, the student may be denied all access to the college campus and on or off campus events and may be subject to disciplinary action for non-compliance.

The Interim Suspension shall not exceed a reasonable time, assuming the student's response to the notice is timely. A disciplinary hearing on the alleged violation(s) of the code of conduct will be promptly scheduled. If a student is formally suspended, the effective date will be the date of the interim suspension.

7.9.3 Procedure

1. Prohibited conduct may be reported to any of the following student affairs administrators: Resident Advisor (RA), Residence Director (RD), Apartment Manager (AM), Student Affairs administrative assistant, Director of Safety and Security, Director of Campus Life, Director of Residence Life and Vice President for Student Affairs/Dean of Students.
2. The student affairs administrator will submit an incident report with the Student Affairs Office. An incident review committee, consisting of Student Affairs staff, will determine if there is reason to proceed to a meeting with a hearing officer. The hearing officer will be a Student Affairs staff member.
3. If there is no reason to proceed or if there is insufficient information to proceed, no action will be taken.
4. If reason to proceed is found, the involved parties will receive notice of a meeting scheduled with a hearing officer(s).
5. At this meeting the hearing officer(s) will discuss the incident with the involved parties. The hearing officer(s) may determine if the involved students are responsible for any policy violations. However, if more information or witnesses are needed, that process may take additional time.
6. After a decision is made by the hearing officer(s), any appropriate sanctions will be given to the student who has been accused of engaging in the prohibited conduct.
7. If an accused student fails to appear at the meeting and refuses to participate in the student conduct process, the hearing officer(s) will make a decision regarding their responsibility with the available information.
8. The student is responsible for completing their assigned sanction by the given deadline.

7.9.4 Appeal

A student may appeal the decision or sanction resulting from any violation within three (3) business days from the date of the decision letter. The appeal is requested by completing an Appeal Form in the student affairs office. A student affairs administrator not previously involved in the student's conduct hearing will review the appeal.

A student must provide detailed justification for the appeal that goes beyond mere dissatisfaction. Appeals may be made and considered using the following categories:

- A procedural error was made that had a significant influence on the decision
- New information or relevant facts have surfaced were not available at the original hearing. The absence of this information has significant influence on the decision
- The sanction imposed was inappropriate for the violation

The appealing student is responsible for proving grounds for the appeal exist. If the appeal is

granted from the above guidelines, the case will be remanded to the initial hearing officer(s) to consider new information.

7.9.5 Sanctions

The college recognizes that each individual is unique and each incident occurs under varying conditions. Therefore, specific sanctions for each violation are not established. If a student fails to complete his or her assigned sanction, he or she will incur a fine between \$50 to \$150 fine and other possible disciplinary action. The following sanctions may be implemented individually or in any combination by the appropriate disciplinary authority. This list is representative and is not inclusive. Cases that involve dating violence, domestic violence, sexual assault, and stalking are subject to the sanctions listed in the college's Title IX policy.

- *Parental Notification* - Subject to the limitations of FERPA, parents or guardians may be notified when a student is charged with a more serious incident or multiple policy violations. They may also be notified when a student is suspended or expelled during the discipline process. Parents or guardians may also be notified about other disciplinary actions and serious concerns at the discretion of the Vice President for Student Affairs/Dean of Students (or designee).
- *Warning* - A student may receive an oral or written warning after the hearing process that engaging in continued violation of the college code of conduct, policies, rules, and regulations may result in increased sanctions.
- *Alternative Forms of Discipline* - A student may be subject to procedures designed to fit the discipline of the individual and of the circumstances surrounding the particular case such as a research paper, letter of apology, reflection paper, and/or educational seminar.
- *Dining Hall Suspension* - A student may be removed from the dining hall for an assigned period of time and under such conditions as deemed necessary concerning the terms of the student's re-admission to the dining hall. Meals may not be obtained through the dining hall in any manner during this period. A refund of charges shall not be given.
- *Evaluation/Counseling* - A student is required to obtain an alcohol and/or drug evaluation, and/or receive counseling for a designated number of sessions.
- *Community Service* - A student may be required to spend one or more hours volunteering, under the supervision of an appropriate individual.
- *Fine* - A student may be fined an amount not exceeding \$500 per semester, in addition to paying for restitution.
- *Disciplinary Probation*: This sanction is usually in combination with one or more other sanctions. If another incident occurs while on disciplinary probation, the student may be suspended from the college.
- *Individual Student Suspension*: A student may be removed from the college for an assigned period of time and under such conditions as deemed necessary with regard to such factors as the student's campus visiting privileges and terms of the student's re-admission to the college. A refund of tuition, fees, and room/board charges is dependent on the college's financial aid policy.
- *Restitution Compensation*: A student may be required to pay restitution compensation for damages to persons or property caused by the student's actions.

- *Suspension from Campus Facilities:* A student may lose privileges of entering selected campus facilities for a specific period of time. A refund of tuition, fees, and room/board charges is dependent on the college's financial aid policy.
- *Expulsion:* A student may be expelled from the college. This penalty results in an immediate and permanent ban from enrollment. A refund of tuition, fees, and room/board charges is dependent on the college's financial aid policy.

7.9.6 Readmission for Administrative Withdrawn Students

A student wishing to be considered for readmission after being administratively withdrawn must contact the Vice President for Student Affairs or designee. This policy does not supersede any other college policies regarding admissions, academic performance, student code of conduct, or international immigration requirements.

To begin the readmission process, the petitioning student must have completed the following steps by July 15th for the fall semester and December 1st for the spring semester.

- Submit a letter of readmission to the student affairs office with details of activities since leaving Southwestern College that explain why the student was removed, what they have done to correct the issue since that time, and their plan for avoiding behavior or other incidents if readmitted.
- The student must meet all previous financial obligations before an evaluation of readmission will be determined.
- Provide an official transcript showing satisfactory academic work and behavioral conduct if they attended school elsewhere.

The decision on readmission will be conducted by the vice president of students or designee and the vice president of academic affairs or designee. They will gather pertinent information, consult with campus personnel, and evaluate the readmission letter and supporting documents from the student.

7.9.7 Disciplinary Records

Unless otherwise specified in another college policy, the student affairs office maintains disciplinary records for seven years after the student leaves the college. Under the Family Educational Rights and Privacy Act (FERPA), students have a right to access their own disciplinary records. Records may be released to a third party if permitted by FERPA.

7.10 Housing Policies

7.10.1 Residency Requirements

All full-time main campus students are required to live on campus except those who are married, veterans, twenty-one years old or older AND reached senior status, or live with their parents or legal guardians (within 50 miles of campus).

Students who drop below full-time status (12 hours) must have approval from the Assistant Dean of Students/Director of Residence Life to continue to live on campus.

7.10.2 Room Deposits

All residents are required to make and maintain a \$150 room deposit upon entering the college. Damages will be charged against this deposit as described by the housing policies of the college. The room deposit remains permanently on account until the student withdraws from college, graduates, or is given permission to move off campus. At that time a refund check will be issued after the student account balance has been adjusted for any damages or fines and the student does not have an outstanding bill with the institution.

A student who requests a room for a forthcoming term and then cancels that reservation may lose the housing deposit. Students who move in and then decide to leave are charged the full room rate, but the room deposit is refundable.

7.10.3 Care of Rooms/Residence Hall/Apartments

- Students must leave their rooms in the condition in which they were found at the beginning of occupancy. Rooms must be clean and include all required furniture.
- Students must receive prior approval from the Director of Residence Life before making any room modifications.
- All furniture within the room must remain in the room throughout occupancy unless arrangements are made with the Resident Director.

7.10.4 Damages to Room, Residence Hall, or Apartment

Damages within a room will be charged to the student or students assigned to the room. Damage in public areas of the building will be charged to all community members unless the responsible party is identified. The college does not assume responsibility for the damages or loss of any student property. All charges are applied to the room deposit.

7.10.5 Assigned Check-In Time

- All residential students receive specific information regarding check-in procedures with their admission information. Parents should verify that homeowner's insurance covers personal items in case of loss, theft, or damage. If not, the college recommends students acquire renter's insurance. Southwestern College assumes no liability for theft, loss, or damage to any property of the student, including loss from fire, flood, or wind.
- Students will report to the assigned living area and complete the necessary paperwork required by Residence Life before receiving their keys. No keys are given until check-in procedures are completed. Any corrections to a Room Condition Report must be made within 24 hours.
- The Room Condition Report will be retained and reviewed at check-out. Any damages will be billed to the student.

7.10.6 Assigned Check-Out Time

- Students must make an appointment to check out with the Resident Assistant, Resident Director, or Apartment Manager 24 hours before moving out.
- The Resident Assistant, Resident Director, or Apartment Manager will go over the Room Condition Report with the student.

- If a student loses or fails to return a key, the student will be charged. If the key breaks, a new one will be issued at no charge as long as the broken pieces are returned.
- If a student exits the College, the date the check-out process is completed is the date the billing for the room will cease.
- Consult the academic calendar on the registrar's web page for times for checking out of rooms/residence halls. Exceptions to this policy will be made only under extreme circumstances. Students who request an exception to stay in the residence halls during a period when the halls are closed must submit a written request to the Director of Residence Life (or designee) at least one week before check-out deadlines.
- Any items left in rooms after the check-out period will be disposed of.
- If there are any damages to the room the student will be notified. Damage charges will be applied against a student's residence hall deposit account.

7.10.7 Decoration of Rooms

Students should use common courtesy and tasteful decorating practices when decorating their rooms. No signs or posters referring to alcohol or drugs may be displayed on or near the window or door that may be viewed from anyone outside the room. Public display of items which are offensive to others in the campus community may be requested for removal. No display and/or collection of alcohol containers, full or empty, will be allowed anywhere in the residence halls or apartments. No wallpapering of the residence hall room or apartment with spent alcohol boxes or cartons will be allowed. The decoration of rooms must conform to the regulations set forth by the state fire marshal. Exits may not be blocked. The arrangement of the room should not obstruct air circulation from the air conditioner units. No burning of any kind, including candles and incense is permitted. The Director of Residence Life has the right to require students to make changes in their room if deemed unsafe, offensive, or if a damage to the facility could occur.

Beds may be bunked only to the height of standard bunk beds. A resident director must be notified when beds are being bunked or any lofting of beds takes place.

Materials that can permanently damage walls, such as tacks, duct tape, nails, etc., should not be used for pictures, posters, or other decorations. Any window covering must be approved by the Resident Director or Apartment Manager.

7.10.8 Housing Grievances

Students are encouraged to resolve problems directly with each other if possible. If problems persist, the student is encouraged to seek out a Resident Assistant or Apartment Manager. Grievances will be resolved as quickly as possible.

7.10.9 Guests

Residents may have overnight guests of same gender in their room or apartment. Overnight guest arrangements must be made with the Resident Director. The maximum number of consecutive nights a guest may stay is three. The student's permission must be given in writing to a housing staff member before any non-residents of the space enter the room without the student present. All policies regarding guests apply to family members. Students are responsible for guests observing residence hall and institution regulations.

7.10.10 Custodians and Maintenance

Custodians clean the public areas of the residence halls. Plant operations personnel will enter rooms to make repairs and inspect the furnishings and condition of the room. Students must make notice of the need for repairs to the facilities department. RDs and RAs will periodically inspect the cleanliness of residence hall rooms to prevent problems and possible check-out fines. If the pattern continues, an incident report may be filed.

7.10.11 Keys and Student IDs

Room keys, building keys, and student IDs are the property of the college and must be presented to residence life staff if requested. A campus housing key or student ID that is lost, stolen, or destroyed will result in a charge to the student for a replacement. Students who must be let into campus housing by a college employee due to a misplaced key or ID may be charged.

7.10 Laundry Equipment

Washers and dryers are located throughout the campus. The cost to operate these machines is covered by a laundry fee charged to the student's account.

7.10.12 Meal Contract

Per the Southwestern College Housing Contract, all residents, except those residing in the Warren apartments or those who student teach must have a meal contract. Meal service dates are listed on the official college calendar. When a student signs a contract to live in campus housing, the student has a choice of meal plans. Residents who do not select a meal plan will be assigned the meal plan with the highest allotted meal credits.

Each meal plan includes a declining balance that can be used in the Java Jinx, Stir and Bustle, or Cafeteria. The meal credits can only be used in the Cafeteria. Meals will need to be used by the end of the semester or they will be lost, but declining balance amounts purchased outside of a meal plan can be rolled over from the fall semester to the spring semester.

The meal contract is only valid during food service hours.

7.10.13 Pets on Campus

Any pets in the residence halls or apartments must be approved in writing by the Director of Residence Life.

7.10.14 Quiet Hours

Residence hall quiet hours are necessary to insure privacy and the need for study and rest by students. Quiet hours are from 10 p.m. to 10 a.m. Hours other than designated quiet hours are considered courtesy hours where residents respect their neighbors. Students are expected to use common courtesy for their roommates and those living in the residence halls and apartments.

7.10.15 Room Changes

A room change form must be filled out and returned to the Director of Residence Life who

will make a room assignment and notify the students if and when a room change may take place. The students will be billed accordingly for the room change based on the date of the move.

The college reserves the right to require or refuse a student to change rooms or residence halls at any time for reasonable cause. A student can be dismissed from campus housing when in violation of policy or as deemed necessary by the Vice President for Student Affairs/Dean of Students.

7.10.16 Consolidation Policy

When necessary or desirable, the college will change room assignments when vacancies occur in a double room. It is the student's responsibility in cooperation with the Office of Residence Life to find a new roommate if his/her roommate moves out. If a roommate is not found, the remaining student must consolidate with another student or assume an increased rate. Freshmen are not allowed to have private rooms their first semester. The college will not assume any financial responsibility due to room or roommate changes.

7.10.17 Administrative Room Search Policy

The Vice President for Student Affairs and designee(s) have the right to enter any room in a campus residence hall or apartment when there is information to indicate that there is a potential danger to a person or property or if they believe a violation of policy has occurred. If not present, the students will receive verbal or written notice to indicate their room was entered. Two members of the Residence Life staff/Administrators/Security must be present during all room searches.

Residence Life Staff has the right to enter all rooms for health and safety inspections at any time and during all breaks to unplug appliances or check for damages. The Director of Residence Life must approve all hall room checks. Students may be found in violation of the code of conduct during these checks. Violations will be documented and reported to the Director of Residence Life by the end of the working day.

The college does not arbitrarily search residence hall rooms or apartments. Nor does the college arbitrarily seize student property. College officials have the right to enter and inspect residence hall rooms and apartments, as well as their contents, when necessary to protect and maintain the property of the college, preserve the health and safety of students, or maintain conduct standards. College officials have the right to seize unapproved student property in the course of these inspections.

7.10.19 Fire Hazards

No smoking or tobacco use is permitted inside any campus building including student rooms. Burnt or burning candles and incense are fire hazards and are not allowed. No open flame of any kind is allowed inside campus buildings. Other prohibited items in residence halls include but are not limited to the following:

- Halogen lights
- Air fryers
- Pressure cookers (InstantPot)

- Toasters and toaster ovens
- Hot plates
- Electrical skillets
- Space heaters
- Heat lamps
- Electric coffee makers without automatic shut-off

Exceptions: Warren apartments may have the following kitchen appliances:

- Air fryers
- Pressure cookers (InstantPot)
- Toasters and toaster ovens
- Hot plates
- Electric skillets

All electrical appliances are subject to the approval of the college through the Residence Life Department. Questions should be directed to the Director of Residence Life at residence.life@sckans.edu.

7.10.20 Solicitors

No outside solicitors are allowed in any residence hall and student union, except with permission from the Vice President for Student Affairs/Dean of Students. Notify your Resident Director/Apartment Manager or Security if solicitors are in the residence hall.

7.10.21 Storage

The college will not store any student property. The college is not responsible for any students' belongings at any time. Bicycles are not to be stored in residence hall stairwells.

7.10.22 Visiting Hours

Visitors must be at least 18 years of age unless they are accompanied by a parent or legal guardian. Residents are responsible for the behavior of their visitors. Resident Director and Apartment Managers reserves the right to ask any visitor to leave at any time. Students violating visitation policy are subject to disciplinary action.

Broadhurst Hall, Sutton Hall, Reid Hall, Winfield Hall, and Warren Apartments have open visitation hours; however, all other housing policies apply, and visitors must be 18 years of age unless they are accompanied by a parent or legal guardian.

Cole Hall and Wallingford have posted visiting hours. Members of the opposite gender cannot be in each other's rooms after posted visiting hours.

7.10.23 Personal Property

Resident's rooms should be locked whenever the room is unoccupied. The college is committed to taking reasonable precautions to protect students from criminal acts occurring on campus; however, the student must realize some responsibilities. The college does not insure the property of students and is not responsible for student property that is lost, stolen, or damaged. It is advisable to carry adequate insurance to cover personal property. A student who must be let into

their room by a college employee may be charged a fee.

7.10.24 Propping Open of Any Locked Door or Fire Doors

Fire doors must remain shut at all times unless they are on an automatic closure system. Fire doors which are propped open will allow a fire to quickly spread throughout a building. It is prohibited to prop open a fire door in any building on campus.

It is prohibited to prop open any door in any campus building once that door or building has been secured and locked.

7.10.25 Use of College Buildings and Properties

The college prohibits unauthorized entry and/or use of campus facilities and properties including unauthorized access to or use of ID cards, keys, telephones, voice mail, and fax. Students will not intentionally or recklessly damage, destroy, deface, or tamper with the property of the college or the property of another person or entity.

7.11 Emergency Policies and Procedures

Additional information is provided in this policy manual. A written report regarding all emergencies is required. Staff should be notified of any emergencies.

7.11.1 Medical Emergencies

Ambulance dial 911

Security/Safety 620-229-0012

In a medical emergency requiring ambulance service call 911 and then contact a Residence Life staff member. Do not transport a sick or injured person by yourself. If there is any question about what to do, please call security at 620-229-0012.

7.11.2 Mental Health Emergencies

Police	911
Sheriff	911
Security/Safety	620-229-0012
Vice President for Student Affairs, Dean of Students	620-229-6175
Four County Mental Health	620-221-9664
Four County Mental Health -After hours crisis number	800-499-1748

7.11.3 Maintenance Emergencies

Please contact the Resident Director or Security at 620-229-0012 who will contact plant operations. During business hours you can contact plant operations at 620-229-6321 or email fixit@sckans.edu.

7.11.4 Fire Safety Policy

1. Misuse of fire alarms and fire extinguishers constitutes a violation of campus policy

and federal regulations. Arson, fire alarm/smoke detector tampering, and false reports are violations that may result in college disciplinary action as well as prosecution by law.

2. No smoking, including vaping, is allowed in any building on campus.
3. All appliances should be in good condition with cords intact.
4. Flammable liquids are prohibited.
5. The burning of candles, as well as incense, is prohibited. Flammable liquid-filled devices are prohibited.
6. The College prohibits the use, possession or storage of electric skateboards/hover boards/self-balancing two-wheel scooters and other similar equipment in all college-owned buildings.
7. Any violations of the above policies will result in college disciplinary action.
8. Never risk your own personal safety.

In Case of Fire

1. Pull the nearest fire alarm.
2. Leave the building immediately in accordance with the fire drill instructions. (move to at least 50 feet from the building)
3. Call the Winfield Fire Department: 911.
4. Contact a Residence Life staff member.
5. Call security at 620-229-0012 and plant operations at 620-229-6321

Fire Drill Instructions

1. The sound of the fire alarm is the signal for a fire evacuation—for practice or for an actual fire.
2. At the sound of the alarm:
 - a. Turn off lights.
 - b. Close windows.
 - c. Put on shoes, coat, or robe.
 - d. Go into hallway. Close door if you are sure everyone is out of room.
 - e. Move outside of building according to fire exit route, at least 50 feet from the building.
 - f. Return to room when an “All Clear” is given.

For more information on fire safety see a Resident Director, Apartment Manager, or Security personnel.

7.12 Crime Awareness and Campus Safety

The college complies with the Crime Awareness & Campus Safety Security Act of 1990. The Annual Security Report is available in the Student Affairs Office and on the college web page.

All general grievances as well as all criminal actions are to be reported to Student Affairs staff. Student Affairs staff includes Hall Directors, Apartment Managers, the Director of Residence Life, the Director of Campus Life, the Director of Safety and Security, security officers, and the Vice President for Student Affairs/Dean of Students. All events that involve the violating of any federal, state, or local law are to also be reported to the Winfield Police Department. All incidents occurring on campus are required to have a written report filed regarding each event, and campus judicial procedures are to be followed as well as city, state, and federal procedures.

Campus security officers and hall staff work with students to maintain safety and security on campus. Campus security patrols campus daily and can be reached at 620-229-0012. Additionally, Resident Assistants and Resident Directors are on duty throughout the school year.

All students and staff are encouraged to promptly and accurately report all crimes which occur on campus. Education on crime reporting is included in employee training and student orientation. Campus security procedures and practices are discussed with students through residence hall meetings, wing meetings, and printed material that is distributed throughout the school year. Employees are kept informed of campus security issues as the need arises throughout the year.

The college does not provide off-campus facilities for any student organizations. The college does not recognize any student activities off-campus except for specific school-sponsored trips and activities.

College alcohol/drug policies forbid the use or possession of any alcoholic beverage or illegal drugs. A complete review of the alcohol/drug policy is also a part of the student handbook and this policy manual.

7.12.1 Sexual Assault Prevention and Response

Southwestern College educates the campus community about sexual assaults through programs offered through student affairs and the Winfield Police Department. Literature on sexual assault prevention education, risk reduction, and the college response is available through the Office of Student Affairs.

If someone is a victim of a sexual assault at this institution, their first priority should be to get to a place of safety. They should then obtain necessary medical treatment. The college strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to a college official or the Winfield Police Department. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim.
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a victim of sexual assault contacts a college official, the Title IX Coordinator will be notified. The victim of sexual assault may choose for the investigation to be pursued through the criminal justice system and the college student conduct judicial system, both, or either. The Title IX Coordinator will guide the victim through the available options and support the victim in his or her decision. Various counseling options are available through the campus Wellness

Coordinator, Campus Ministries, and outside agencies such as Four County Mental Health and the Domestic Violence & Sexual Assault Resource Center.

A student found responsible of violating the college sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the college for the first offense. Student victims have the option to change their academic and/or on-campus living situation after an alleged sexual assault if such changes are reasonably available.

7.12.2 Missing Persons Policy

The Higher Education Act requires that all institutions that provide on campus student housing must establish missing student notification policy and procedures.

The following policy and procedure has been established to assist in locating Southwestern College students living in Southwestern College owned on-campus housing, who, based on the facts and circumstances known to Southwestern College, Southwestern College has determined to be missing.

Emergency Contact: Students have the option to identify an emergency contact when they apply for on-campus housing. Students may also register this confidential contact information through the office of the registrar or the student affairs office.

Reporting a Missing Student: Any missing person report relating to a student shall be referred immediately to the student affairs office and its departments (residence life, and security).

Investigating a Missing Student: Upon notification from any entity that any student may be missing, Southwestern College may use any of the following resources to assist in locating the student. The resources may be used in any order and combination.

- Resident assistants, resident directors, apartment managers, the director of residence life, the vice president for student affairs/dean of students, the director of safety and security, or security officers may assist in the search for a student.
- Student Affairs staff may check the student's ID card usage, including residence hall access and meal plan use.
- Student Affairs staff may key into the student's assigned room. They may also search on-campus public locations (classrooms, library, athletic facilities, and cafeteria).
- Student Affairs staff may try to contact known friends, family, coaches, faculty members, or other administrative offices to seek last sighting information or other contact information.
- Student Affairs staff may work with IT to look up email logs for the last login and use of the Southwestern College email system.

If there is any reason for concern or indication of foul play, the local police department will immediately be contacted for assistance.

Notification: If Southwestern College, after investigating a report of a missing student, determines the student is missing and has not returned to campus, Southwestern College will initiate the notification procedure. The president of the college will be notified. The missing individual's designated emergency contact will be notified. If the student is under 18 years of age, and not an emancipated individual, Southwestern College must notify a custodial parent or guardian that the student is determined to be missing. If emergency contact information has not been supplied by the student, local law enforcement will be notified.