

SOUTHEAST ARKANSAS COLLEGE

FACULTY and STAFF HANDBOOK

2018 – 2019

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1. General Employment Considerations

Unless indicated otherwise, all employees are subject to the policies of this Handbook. Adjunct faculty and extra-help employees must adhere to the professional conduct of this Handbook, though they may not be subject to the specific benefits and specific requirements of full-time employees. This handbook does not constitute a contract for employment with Southeast Arkansas College, either expressed or implied, and Southeast Arkansas College reserves the right at any time to change, delete, or add to any of the provisions at its sole discretion without notice. If at any time you have questions regarding your employment, please contact your supervisor or your Human Resources Department.

This employee handbook supersedes all previous employee handbooks and management memos, which may have been issued on subjects covered herein. In the event of a change in any law, regulation, or College Policy cited in this handbook, the current law or policy will be automatically substituted and applied. The College Faculty and Staff Handbook applies to both Classified and Non-classified employees.

- 1.1. **Employment at Will** – Employment at Southeast Arkansas College is at-will. Either you or Southeast Arkansas College may terminate the employment relationship at any time, for any lawful reason, with or without cause and with or without notice. The at-will relationship remains in full force and effect notwithstanding any statements to the contrary made by college employees or set forth in any documents.

No representative of SEARK has the authority to modify this policy for any employee, or to enter into any oral agreement, that changes the at-will employment relationship. This policy may not be modified by statements contained in the SEARK Policies and Procedures, this Handbook or any other employee handbooks, employment applications, recruiting materials, or other materials provided to applicants and employees in connection with their employment. None of these documents, whether singly or in combination, create an express or implied contract of employment for a definite period or concerning any terms or conditions of employment.

Completion of any Introductory Six-Month Probationary Period or attainment of Regular Employment status does not change an employee's status as an employee-at-will or in any way restrict SEARK's rights to change the terms and conditions of employment.

- 1.1.1. All full-time positions, including faculty, are subject to the probationary period. Employees who accept new positions within the organization are also subject to the probationary period.
- 1.1.2. Disciplinary action may be taken in the form of verbal, written verbal, written warning, and dismissal. Depending on the degree of the offense the first action may be dismissal. Movement through each action is not required

1.2. **Definition of Terms**

- 1.2.1. **Administration** (non-classified) – President and Vice Presidents
- 1.2.2. **Professional Staff** (other non-classified administrative support staff) – Deans, Counselors, Program Directors, Coordinators and Department Heads
- 1.2.3. **Faculty** - includes 9- and 10-month instructors.
- 1.2.4. **Support Staff** (classified) - includes all employees who support the administration, professional staff and faculty.
- 1.2.5. **Extra Help Employee / Adjunct Faculty** - refers to an individual hired on a temporary or part-time basis. An extra help employee is subject to a 29 hours per week limit with a maximum of 1500 hours in a fiscal year and does not receive any benefits (i.e., retirement, insurance, annual or sick leave). Adjunct Faculty may teach up to 9 hours fall & spring and 6 hours summer.
- 1.2.6. **Classified Employee** - includes all members of the staff who support the faculty and administration. The positions and pay for these positions are tied to the ADHE Pay Plan and have a pay grade assigned. This includes, but is not limited to, clerical, secretarial, maintenance, auxiliary services, grants and certain mid-level management positions
- 1.2.7. **Non-classified Employees** - Includes members of the staff who fill administrative/professional positions, have a line item maximum salary assigned and whose positions are approved through the Arkansas Department of Higher Ed or Grants.
- 1.2.8. **Exempt Employee** - An employee who is paid on a salary basis, receives the same salary regardless of any hours he or she works more than 40 hours, and is employed in a position performing certain administrative, executive, or professional functions. Exempt Employees include administration, professional staff, non-classified employees, all twelve-month educational academic positions, faculty, adjunct faculty, and a few classified employees defined as exempt by the Fair Labor Standards Act. Exempt Employees are exempt from the overtime provisions of the Fair Labor Standards Act.
- 1.2.9. **Non-Exempt Employee** - An employee who is not exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act. Non-Exempt Employees are those employees who must be paid at least the minimum wage for each hour worked and must be given compensation time for any hours worked over 40 in any given work week. The definition of Non-Exempt Employees includes most employees designated by SEARK as classified and extra-help employees in Section 1.2.6.

- 1.3. **Adherence to Fair Employment Practices** - Southeast Arkansas College does not discriminate against any employee based on race, color, sex, religion, national origin, or handicap. Southeast Arkansas College gives preference to certain qualified veterans, their spouses, or the surviving spouse of a deceased qualified veteran in hiring and employment.
- 1.4. **Affirmative Action Policy** – Southeast Arkansas College is an equal opportunity/affirmative action employer. Decisions relating to employment, student admission or other functions, operations or activities are made without regard to race, color, sex, religion, national origin, age or disability of qualified handicapped individuals. The College complies with Titles VI and VII of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act of 1990 (ADA). All members of the faculty, staff and student body are expected to assist with and adhere to all related statutes and laws dealing with this policy. The President of the College is responsible for implementing this policy through appropriate personnel.
- 1.5. **Americans with Disabilities Act** – The Americans with Disabilities Act (ADA), extends previous legislation and adds a broad array of employment and access rights to disabled citizens. The ADA applies to all employment related activities and is intended to ensure a level of service to disabled individuals that is equivalent to the level of service provided to those without disabilities. Additional information is available from the Disability Counselor.
- 1.6. **Organizational Structure** - The organizational chart is a diagramed illustration of administrative authority, chain of command, and responsibility and is a guide to institutional activity. It outlines the College’s major units and the overall reporting structure. Every effort is made to keep the College Organizational Charts updated as changes to our organization take place. See College Website under [Faculty & Staff Handbook](#)
- 1.7. **Representation of the College** - College officials and members of the faculty or staff may be delegated by the Board or the President to represent the College on appropriate occasions. No such delegate, however, may commit the College to any doctrine, policy, financial matter, or action without first obtaining the approval of the President, or when appropriate, the Board.
- 1.8. **Dress Code** - SEARK College is a business, therefore, employees are expected to exhibit professionalism in their dress. All clothing worn by SEARK employees should reflect a professional image of a public employee. All SEARK employees shall exemplify the highest standards of professional appearance as SEARK representatives to the community. This policy applies to employees on all SEARK campuses, including full- and part-time staff members, faculty, interns, adjunct faculty and student employees during operational hours.

Department supervisors are responsible for monitoring their employee's compliance to the dress code. Violations of the SEARK dress code as expressed herein will be immediately brought to the attention of the employee in a manner appropriate to the violations. Dress code violations will be discussed in private with the employee. A remedy could involve a suggestion to dress more appropriately in the future, or a request for the employee to leave the work place to change attire. Employees who continue to violate the SEARK dress code could be subject to disciplinary action up to and including termination of employment with SEARK.

Clothing: The SEARK administration expects employees to project a professional image to the students, parents, business associates and general public. Staff members are expected to dress in a manner appropriate to their working environment and to the type of work performed. Faculty members are expected to project professionalism in their dress and appearance as an example for students in the learning environment. Dress and grooming standards are intended to enhance the image SEARK exhibits for the community it serves. Clothing shall be neat, clean, in good repair and appropriate for the employee's work assignment.

Administrative, administrative support and instructional staff shall wear business professional attire as defined in Section 1.8. Denim (jeans) is not considered appropriate attire (with the exception of Fridays) unless specifically approved by the department supervisor for particular job-related tasks such as packing and moving, restocking shelves, and like tasks. Shorts and/or hats are authorized only if part of an issued SEARK uniform.

Vocational, Buildings & Grounds, Information Technology, and Shipping & Receiving personnel shall wear apparel approved by the department and appropriate to the work conditions. Supervisors will ensure specialized clothing is maintained in good repair by the employee.

SEARK Administration may adopt a slightly less formal dress policy on Fridays. All employees may wear business casual attire on Fridays, to include denim jeans in good repair. Employees must always dress appropriately for their position and present themselves in a professional manner.

Business Professional Attire:

- Dress slacks and dress shirt/sport shirt with collar or sweater/cardigan
- Dress
- Pantsuit
- Skirt with blouse
- Dress shoes appropriate for standing/walking on campus
- Dress boots appropriate for standing/walking on campus (not work or hiking boots)
- Capri or three-quarter pants (must be below the bottom of the knees)

Business Casual Attire:

Everything listed for Business Professional Attire, plus the following:

- Blue jeans or denim wear (no ripped jeans)

Hairstyles: The College reserves the right to evaluate on a case by case basis.

Body Art: The College reserves the right to evaluate on a case by case basis.

1.8.1 **PROHIBITED ATTIRE:** The following list is not all inclusive. It represents, at a minimum, those items of attire and those wardrobe choices which are specifically prohibited.

- Clothing or headgear adorned with racial slurs; lewd, obscene or derogatory words, statements or pictures; political slogans; or clothing with unprofessional symbols, phrases or slogans to include clothing that advertises tobacco, alcohol products, sexual innuendo or any controlled substance.
- T-shirts of any kind unless authorized by the supervisor for a job specific task or college event with written approval by the responsible; sports jerseys; sweat shirts; halter tops; tank tops; spaghetti straps; undershirts; midriff blouses; hip huggers; low-rise pants/slacks; tight-fitting or revealing garments and spandex garments shall not be worn.
- Warm-ups or sweat suits unless approved by the department supervisor for a job-specific task.
- Shower shoes, beach shoes, house slippers and cros.
- Caps or hats (except in Buildings & Grounds)

1.8.2 **EXCEPTION TO POLICY:** An exception to this policy may be made on a case-by-case basis for employees under the Americans with Disabilities Act or those with a medical condition which requires certain apparel. To receive an exception, employees must provide HR with a request for accommodation from an appropriate healthcare provider.

1.9. **Committees** - Faculty and staff may be assigned to serve on various committees. All employees are expected to attend assigned committee meetings as part of their employment.

1.10. **Code of Ethics** - Employees at Southeast Arkansas College will be oriented on the Code of Ethics Policy and will sign a document to that effect at the time of employment and when updated. http://seark.edu/sites/default/files/upload/SoutheastArkansas_Code_of_Ethics.pdf

1.11. **Conflicts of Interest** - Each employee of the College has an obligation to report any personal financial interest in any enterprise that also does business with the College, and these disclosures must be made to the President and reported to the Board. It shall be a violation of this provision for any employee of the College to accept any personal gift, gratuity, or reward from any person, firm, or corporation having a business relationship with the institution.

- 1.11.1 **Engaging in Outside Employment** - No full-time employee of the College shall engage in any outside employment, which, in the judgment of the administration, reflects unprofessionally against the faculty or the College image, is considered unethical, or interferes with the employee's regular duties.

SEARK employees cannot receive duplicate payment for the same hour internally or externally. Acceptance of outside employment during the working day and receiving compensation while working the same time at SEARK is prohibited.

Any employment with another State of Arkansas agency, college, university or school must be disclosed on Employment Disclosure Forms to ensure that State salary maximums are not exceeded. See Website Employee Disclosure Form under [Faculty & Staff Handbook](#)

- 1.11.2 **Financial Interest in Contracts** - An employee of the College shall not have a direct financial interest in any contract for supplies or services to the College, other than the services for which he/she is under contract.

- 1.11.3 **Political Activities** Southeast Arkansas College state employees can, should, and are encouraged to participate in the election process so long as assistance to candidates is rendered on the employee's own time and state property is not involved. Employees are not to endorse candidates, including the Governor, in their official capacity as state employees.

Arkansas state law prohibits state employees from devoting time or labor during usual working hours toward the campaign of candidates for office or for the nomination to an office. Political banners, posters or literature should never be allowed to be displayed on or in any state office. Political bumper stickers or decals should never be displayed on or in state cars.

This policy is not intended to limit free and objective discussion in the classroom of all ballot issues where appropriate, nor is it intended to limit the right of a faculty member to align actively in any political activity outside the classroom. This policy is not intended to limit the right of an employee to be an advisor (and therefore, a partisan member, if desired) of a properly constituted political club on campus.

- 1.12. **Grievance Procedures** – See Policy on College Website Employee Forms under [Faculty and Staff Handbook](#)

- 1.13. **Reduction in Force** - Reductions in force may be caused by:
- (a) declining or reduced enrollments overall or in a given individual program,
 - (b) reduced appropriations or tax collections,
 - (c) reduced workload, or
 - (d) other conditions that may require personnel reductions.

Professional level personnel reductions may be affected by:

- (a) withdrawal of overload assignments,
- (b) increased student-teacher ratios,
- (c) not filling personnel vacancies,
- (d) reassignments within the College,
- (e) employee termination, or
- (f) increasing assigned credit hour workload.

Employees so terminated may be given some preference in rehiring when conditions permit employment of persons with their qualifications.

- 1.14. **Applying for a Different Position** - Position vacancies will be posted on the College's website and may be publicized in local and state newspapers and journals. Any qualified applicant may apply for a vacant position; however, a separate College application must be submitted for each position sought and all proper application requirements met. Selection for the position shall be made based on merit, education, and experience. If all these factors are deemed equal, length of service at Southeast Arkansas College will be considered.
- 1.15. **Regular Work Day** - The regular work day for employees is from 8:00 a.m. to 5:00 p.m., or an equivalent, based upon the needs of the College. All administrative offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, during the regular school term, unless otherwise allowed by supervisor.

A flexible schedule of regular daily working hours is permitted when it best meets the needs of the College. The immediate supervisor and appropriate area Vice President must approve such variance in the employee's schedule.

- 1.16. **Holidays** - The following 12 holidays will be observed in accordance with the academic calendar:
1. New Year's Day
 2. Martin Luther King Day
 3. Memorial Day
 4. Independence Day
 5. Labor Day
 6. Thanksgiving Day
 7. (Day after Thanksgiving by Governor)
 8. Christmas Eve
 9. Christmas Day

In addition to academic calendar holidays the full-time 12-month employees will also receive the following holidays: Note: These holidays may be observed on a date other than the actual holiday in accordance with the academic calendar.

10. President's Day & Daisy Gaston Bates Day
11. Veterans' Day
12. Employee's Birthday - (Must be taken before next birthday or forfeited.)

- 1.17. **Alternative Summer Work Schedule** - The President has the authority to alter these conditions during the institution's summer sessions provided that each full-time, non-teaching employee is scheduled to work 40 hours each week and essential services are maintained.
- 1.18. **Paychecks of Employees** - Pay for all full-time and adjunct employees is by direct deposit. Employees are paid semi-monthly according to the schedule established by the College. Time sheet employees are paid bi-weekly.
- 1.19. **Benefits** –
- 1.19.1 **Leave** - A leave request is not approved until approved by the supervisor.
- 1.19.1.1 **Sick Leave** –
- Sick leave cannot be used until the first working day of the month after it has been earned.
 - Employees may not borrow from anticipated future accruals.
 - If unauthorized leave is taken, leave without pay will be in effect.
 - Notification of absence due to illness shall be given as soon as possible on the first day of absence to the employee's supervisor.
 - Failure to properly notify the immediate supervisor or to report absence due to illness or injury may result in leave without pay and/or suspension/termination.
 - If an employee fails to make proper notification for use of sick leave or attempts to use sick leave for reasons other than stated below, such absences may result in leave without pay and/or disciplinary action, up to and including suspension/termination. Such determination shall be made by the appropriate supervisor and with a recommendation to the President.
 - Employees accrue sick leave at the rate of one (1) day or eight (8) hours for each complete month of service.
 - The maximum sick leave accrual is 120 days or 960 hours at calendar year-end.
 - Employees continue to earn sick leave at the normal accrual rate when they are on sick leave or annual leave unless ten or more days of Leave Without Pay are taken in a calendar month.
 - Sick leave is granted based on workdays, not calendar days. Non-work days, such as holidays and weekends, are not charged as sick leave.

- Approved absences due to sick leave, except in the case of maternity leave, shall be charged in the following order: (1) earned sick leave, (2) comp time, (3) earned annual leave/birthday leave and (4) leave without pay.

Sick leave may be used for only the following purposes:

- When the employee is unable to work because of sickness, injury; medical, dental, or optical treatment.
 - Death or serious illness of a member of the employee's immediate family. Immediate family is defined as the father, mother, sister, brother, spouse, child, grandparents, grandchild, in-laws, or any individual acting as a parent or guardian of an employee.
 - Nine-month faculty can use a maximum of 8 hours of sick leave per fall/spring semester at their discretion for personal business with prior approval from their supervisor. Nine-month faculty don't earn and cannot take sick leave during the summer term.
- Employees who are on sick leave for five (5) or more consecutive days must furnish a certificate of illness from an attending physician. If the supervisor notes a pattern of sick leave usage or suspects abuse of sick leave, a doctor's written verification may be requested of the employee at any time. A certificate from a Christian Science practitioner listed in the Christian Science Journal may be submitted in lieu of a physician's certificate.
- Requests to use sick leave for purposes of medical, dental, or optical examinations, hospital stays, funerals, etc., shall be made in advance whenever possible. Application for sick leave is to be filed on the first working day upon return.
- Accrued sick leave will be restored to any employee's credit if he/she returns to State employment within six (6) months of termination. This provision shall apply only if the employee was terminated due to budgetary reasons or curtailment of work activities.
- When an employee transfers between State agencies and/or State supported institutions, which are covered by the Uniform Attendance and Leave Policy Act (ACA §21-4-201 et. Seq.), they are possibly entitled to a transfer of the unused portion of his/her annual and sick leave.
- The amount of leave to be transferred shall not exceed the accrual limits established in the Uniform Attendance and Leave Policy Act (ACA §21-4-201 et. Seq.). The receiving agency will be responsible for verifying the employee's accrued leave with the relinquishing agency. The newly hired employee is responsible for providing SEARK Human Resources with contact information for the relinquishing agencies Human Resources.

- Full-time employees who are of retirement age per state definition and formally indicate they are retiring are entitled to payment of unused sick leave based upon a schedule outlined in the DFA Policy and Procedures Manual.
- The College reserves the right to change or stop the Compensation for Unused Sick Leave at Retirement (400 or more hours see State Policy) for employees. Change in policy will be determined by the Board of Trustees.

1.19.1.2 **Children’s Educational Activities Leave (CEAL)** – All full-time state employees shall be entitled to eight (8) total hours of leave, regardless of the number of children, during any one (1) calendar year for the purpose of attending or assisting with the educational activities of a child. Children’s Educational Activities Leave that is unused may not be carried over to the next year. Children’s Educational Activities Leave is not compensable to the state employee at the time of retirement. Proof of attending an educational activity is required at the time the leave is requested.

Definitions as used in this section:

Child -- person enrolled in pre-kindergarten through grade 12 or is over the age of 18 and declared mentally disabled and/or declared legally incompetent who has the following relation to a state employee:

- Natural Child
- Adopted Child
- Stepchild
- Foster Child
- Grandchild
- Ward of the state employee
- Any other legal capacity where the state employee is acting as a parent for the child.

Educational Activity means any school-sponsored activity including without limitations:

- A Parent-Teacher Conference
- Participation in school sponsored tutoring
- Participation in school sponsored volunteer program
- A field trip
- A classroom program
- A school committee meeting
- An academic competition
- Assisting with athletic, music or theater programs

- 1.19.2 **Leave Without Pay** - Employees may not take leave without pay until all their annual leave has been exhausted, except in the cases of maternity leave and agency disciplinary leave without pay. In the case of maternity leave, such employee may elect to take leave without pay, without exhausting accumulated annual and sick leave. In the case of disciplinary leave without pay, the agency may place an employee on a leave without pay status in accordance with the agency's written and publicized personnel policies.
- 1.19.3 **Maternity Leave** - Maternity leave is to be treated as any other leave for sickness or disability. However, the employee may elect to take a leave of absence without pay without exhausting accumulated annual and sick leave.
- 1.19.4 **Family Medical Leave Policy** – Southeast Arkansas College follows the federally mandated Family and Medical Leave Act (FMLA). Policies and procedures for FMLA are available through the offices of Human Resources or on Employee Forms under [Faculty & Staff Handbook](#). Employees on medical leave are not permitted to work outside the office without making arrangements through HR and with approval of the department Vice President.
- 1.19.5 **Absence for Jury Duty and Court Appearances** - No deduction shall be made from the salary of an employee for compensation the employee receives for appearing at jury duty in any court in this state when the reasons for such appearances are not personal to the employee.

Leave requests for jury duty must be submitted along with the appropriate court documentation to the employee's supervisor prior to the absence for jury duty or court appearance.

- 1.19.6 **Absence for Military Leave and Re-Employment of Veterans** - Leave for military duty will be granted pursuant to the Arkansas Department of Finance and Administration Office of Personnel Management's Policy and Procedures Manual. A copy of these rules and regulations will be provided to employees upon request.
- 1.19.7 **Group Insurance for Employees** - Southeast Arkansas College offers a variety of voluntary insurance plans to all new full-time employees which include, but are not limited to, the following: Medical, Dental, Life, Cancer, and Disability. New employees have **30 days** from the date of hire to enroll. Employees not eligible for health insurance benefits are encouraged to visit the [Affordable Care Act website](#).

Note: When on officially granted unpaid leave of absence, an employee will be required to pay the College the cost of premiums. This amount will include the employee's portion as well as the College's portion. Otherwise, the coverage will expire.

1.19.8 **Retirement Plans** - Southeast Arkansas College offers several retirement plans to all full-time employees. Different variables affect which plan will be offered to the employee. The retirement plans currently in effect are:

- Arkansas Teacher Retirement, if eligible
- Arkansas Public Employees Retirement System
- TIAA/CREF
- VALIC

Note: Additional information may be obtained from the Human Resources Office.

1.19.9 **Other Benefit Offerings** – contact Human Resource Office for complete list.

1.19.10 **SEARK Employee/Spouse/Dependent Tuition Exemption Policy** - All full-time SEARK College employees, employees' spouses, and employees' children (children are defined as under age 26 at the time of registration) may qualify for tuition exemption for Southeast Arkansas College academic courses.

Qualifications: Employment status on the first day of the academic semester determines eligibility for tuition exemption. Tuition exemption is based on the in-state tuition rate per credit hour. Required books and fees are not exemptible. A current marriage license, and/or birth certificate are required to prove eligibility for spouse and/or child. A Request for Tuition Exemption form and supporting documentation must be submitted to the Human Resource Personnel Office prior to registration each semester. The last day to apply for admission is the last day to apply for tuition exemption.

Enrollment in Classes on Campus During Work Hours:

- SEARK College employees are not eligible to attend classes during their scheduled work hours until they have been employed for either 6 months or 1 full regular semester.
- Employees who have been employed for either 6 months or 1 full regular semester may, with the approval of their supervisor, take one class per semester during the employee's regularly scheduled working hours following these guidelines:
 - Any time missed may be made up by shortening lunch periods (NOTE--at least 30 minutes for lunch must still be taken each day), by using vacation, by rescheduling work hours, or by taking a reduction in pay.
 - The procedure for making up missed time must be included in the Request for Tuition Waiver, must be made at the beginning of the semester for the entire semester, and must be approved by the employee's supervisor.

Maintaining Tuition Exemption Eligibility:

- Students receiving the Employee/Spouse/Dependent tuition exemption must complete each class with a C or better to maintain tuition exemption status (this does not include classes that are dropped within the add/drop period at the beginning of each semester).
- If a student receiving tuition exemption does not successfully complete each course with a minimum grade of C, the student will be placed on tuition exemption probation for one semester.
 - While on tuition exemption probation, the student is allowed to register for classes but will only receive a tuition exemption for 3 hours. The student will be expected to pay all tuition costs for any hours taken in excess of the 3 exemptible hours.
 - To be taken off probation, the student must successfully complete one semester by making a grade of C or better in all classes.
- If the student does not complete all classes with a minimum grade of C during the probation semester, the student will be placed on tuition exemption suspension. SEARK College will not provide tuition exemption for students on tuition exemption suspension.
 - While on suspension, the student will be responsible for covering all costs involved with any subsequent classes for which he/she registers for at SEARK.
 - To be taken off suspension, the student must successfully complete one semester by making a grade of C or better in all classes, thus demonstrating progress toward program completion.

Employee, spouse, child or dependent student may appeal the individual loss of exemption (in person) to the Vice President for Student Services who may refer the appeal to a committee.

- 1.19.11 **Awards and Recognition Pay** - Each year an outstanding faculty, staff, alumnus, and academic all-star are selected and given a stipend of \$250.00. The recipients are honored at award ceremonies at the Arkansas Community Colleges' annual conference.
- 1.19.12 **Expenditure of College Funds** - All expenditures of College funds must be authorized by the appropriate administrator and are subject to all state purchasing procedures. For questions, contact the SEARK purchasing officer in Business Services or refer to Website [Purchasing Procedures](#).
- 1.19.13 **Authority** - The Board of Trustees directs and authorizes the President of the College to approve expenditures for official functions consistent with the mission and image of the College. The term official functions consists of: official institutional committees and advisory groups; official external committee and advisory groups; receptions, honors, and

awards; faculty and staff functions; and miscellaneous functions consistent with the mission of the College.

- 1.20 **Travel** - All travel expenditures of College funds must be authorized by the appropriate administrator and are subject to all state travel procedures. For questions, contact the SEARK purchasing officer in Business Services or refer to Website [Travel Procedures](#).
- 1.20.1 **Attendance at Professional Meetings** - The immediate supervisor and the appropriate Vice President must approve an employee's plans to attend a workshop, seminar, conference, convention or make professional presentations. All plans are subject to the final approval of the President.
- 1.20.2 **On-Campus Professional Development** - Employees must attend scheduled professional development, unless excused by dean and vice president. Nonattendance of professional development may result in loss of pay, leave and will be reflected in evaluations. Annual Training for Recognizing and Reporting Child Abuse is required for all employees. A copy of the Completion Certificate must be on file in the Human Resource Office. Failure to complete the webinar and provide the certificate may result in disciplinary action.
- 1.20.3 **Authorization of Travel** - Travel by faculty and staff is encouraged when it is intended to promote the professional growth of the College. The opportunity to attend professional meetings will be distributed as broadly as possible. Additionally, administrative leave and travel may be approved for attendance at educational and professional meetings and other activities deemed necessary by the President. See College Website [Employee Forms](#)
- 1.20.4 **Reimbursement for Travel Expenses** - Staff members shall be reimbursed for authorized personal expenses incurred while on official trips for the College. Official trips are those with prior approval. When feasible and available, College owned vehicles should be used rather than private vehicles. If a State automobile is not available, mileage for use of personal automobile will be reimbursed per mile as per state travel policy. All mileage is to be computed from the shortest distance to the destination from and to the employee's duty station. Meals and lodging are to be reimbursed according to state travel policy. See College Website [Employee Forms](#).

Vehicle reservations should be made with the Building and Grounds Supervisor at least 48 hours in advance when possible. Vehicles should be picked up from their regular parking area and returned to that location when the trip is completed. All trash and personal items must be removed from the vehicle and vehicle must be refueled before it is returned.

To receive mileage reimbursement, an employee must fill out a form through the Purchasing Agent's office that is sent to the state for approval based upon the employee's driving record.

Employees must have a valid Arkansas Driver's License, proof of personal automobile liability insurance on file and use a seat belt to meet state guidelines to drive a College vehicle.

Use of smoking, tobacco, E-Cigarettes and vaping devices are not allowed in College vehicles.

When authorized expenses are incurred, the employee will file a travel reimbursement request with the supervising administrator. *Reimbursement for meals and lodging cannot exceed the maximum amount allowed for state employees.*

- 1.21 **Professional Development** - Employees of the College are encouraged to seek improvement within their area of expertise. The College may provide a budget for reimbursement of professional development costs. To qualify for reimbursement, faculty and staff must receive approval from their immediate supervisor, appropriate vice president, and president of the College at least two weeks before the scheduled course/seminar. The activity must be pertinent to the skills/knowledge area in which the person is employed and fit into the overall mission and plans of the College. Attending professional development activities is a privilege and must not interfere with institutional responsibilities for which the employee is compensated.
- 1.22 **Membership in Professional Organizations** – Employees are encouraged to participate in professional organizations at local, state, or national levels as departmental budgets permit.
- 1.23 **Arkansas Freedom of Information Act** - The FOIA defines public records to include data compilations in any form required by law to be kept or otherwise kept, which constitute a record of the performance or lack of performance of official functions which are, or should be, carried out by a public official or employee [or] a governmental agency...@ Ark. Code Ann. §25-19-1031(1). All records maintained in public offices or by public employees within the scope of their employment are presumed to be public records. Various exceptions apply.
- College electronic files, including email files, are part of the Arkansas Freedom of Information Act (AFOIA), Ark. Code Ann. §25-19-101 et seq.
- 1.24 **Technology Usage and Copyright Policies** – These policies apply to all technology users at Southeast Arkansas College. All technology users must carefully review and adhere to the Technology Use Policy. Inappropriate use or violations of the policy may result in loss of these privileges.
- 1.24.1 **Appropriate Use of Technology** - The College provides technology services for educational purposes and to facilitate activities necessary for the efficient operation of the College. The College intends that this technology be used in a manner, which is conducive to learning, is free of illegal acts and shows respect for the rights and dignities of others.

- 1.24.2 **Technology as a Required Resource and Privilege** - Appropriate uses of technology include:
- a. Accessing the Internet for curriculum related research and information gathering;
 - b. Utility and applications software that accomplish tasks and fulfill class functions;
 - c. Communication and collaboration between users and/or other appropriate entities;
 - d. Access to the Internet for up-to-date information published by SEARK College, other state agencies, and various other providers of information that may be necessary in order to complete assigned tasks;
 - e. Activities or projects that support assignments of students (i.e., word processing programs, spreadsheet programs, various educational tools, etc...)
- 1.24.3 **Privacy of Information** - SEARK College reserves the right to monitor and/or log all network activity with or without notice, including e-mail and all web site communication. Users should have no expectation of privacy in the use of these resources.
- 1.24.4 **Use of State Technology and Equipment** - Use of any and all State-owned equipment and supplies shall be restricted to official state use only. Unauthorized or personal use of equipment or supplies may be grounds for dismissal.
- 1.24.5 **User Restrictions** – Technology users will not excessively use the agency network, computer systems, and servers including access to the use of the Internet and other information resources during regular class hours for business unrelated to the class or operation of the college.
- 1.24.6 **Unacceptable Uses** - The following general uses are prohibited, including but not limited to:
- Interference with the security or operation of the computer systems;
 - Vandalizing equipment, software, or hardware;
 - Attempting to alter or gain access to unauthorized files or systems;
 - Using technology in a way that interferes with class or work obligations;
 - Violating the rights of others by publishing or displaying any information that is defamatory, obscene, known to be inaccurate or false, profane, or threatening.
 - It is unacceptable for a user to use, submit, publish, display, or transmit on the network or on any computer system any information which:
 - Violates or infringes on the rights of any other person, including the right to privacy; Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material;

- Inhibits other users from using the system or the efficiency of the computer systems; Uses the system for any illegal purpose.
- Conduct any non-governmental-related fund raising or public relations activities Engage in any activity for personal financial gain, such as buying or selling of commodities or services with a profit motive;
- Visit and/or participate in chat rooms not designed for professional interactions specifically related to one’s job.

1.24.7 **Electronic Mail (E-mail)** - E-mail is considered network activity and as such is subject to all policies regarding acceptable/unacceptable uses of the Internet. The user should not consider e-mail to be either private or secure.

1.24.8 **E-mail Guidelines** - It is the responsibility of users to manage their account in accordance with established guidelines and in such a way that does not interfere with their duties.

1.24.9 **E-mail Storage** - Messages no longer needed must be periodically purged from personal storage areas. If e-mail storage gets too large, ability to send messages is stopped until some e-mail is deleted.

1.24.10 **Copyright Guidelines** – Users must honor copyright laws regarding protected commercial software used at the agency.

1.24.11 **Compliance with Copyright Laws** - The College intends to comply with the U.S. Copyright Law. Employees are prohibited from copying copyrighted work unless the action is authorized by:

- (a) specific exemptions in the copyright law,
- (b) the principle of fair use,
- (c) the fair-use guidelines, or
- (d) licenses or written permission from the copyright owner.

The College will not be responsible for the cost of any legal action taken against any user that violates such laws regardless of the situation or the intent or purpose of the user.

1.24.12 **Enforcement and Penalties** - SEARK users are responsible for complying with this policy. Penalties for noncompliance include, but are not limited to:

- Suspension or usage restrictions of Internet service and email/messaging services.
- Internal disciplinary measures, including disciplinary action such as suspension, termination or expulsion.
- Initiation of criminal or civil action, if appropriate.

In compliance with the Digital Millennium Copyright Act, The Designated Agent may be reached at dmca@seark.edu.

- 1.25 **Confidentiality of Student Educational Records** – Records containing information directly related to a student are confidential and protected from public disclosure by the Family Educational Rights and Privacy Act (FERPA) and the Arkansas Freedom of Information Act. No one shall access any such records maintained in an electronic format or disclose or distribute their contents in any manner inconsistent with federal and state law and College regulations.
- 1.25.1 Federal law (HIPAA) mandates that the privacy of medical information is to be maintained. Any employee who has access to employee or student health information as part of their job duties is required to maintain the confidentiality of those records.
- 1.26 **Civil Rights Acts**
- 1.26.1 **Title VI of the Civil Rights Act of 1964** – It is the policy of the Southeast Arkansas College that no person shall be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity of the College on the grounds of race, or national origin.
- 1.26.2 **Title VII of the Civil Rights Act of 1964** – It is the policy of the Southeast Arkansas College that it shall not discriminate against any person with respect to employment, discharge, compensation, terms, conditions, or privileges of employment, because of such person’s race, color, religion, sex, or national origin.
- 1.26.3 **Sexual Harassment Policy** – Harassment, based on gender, is illegal and a violation of Title VII of the Civil Rights Act of 1964 and Title IX (VAWA), as amended. This policy defines sexual harassment and establishes a procedure whereby alleged sexually harassed faculty, staff, and students may lodge a complaint immediately and confidentially. See College Website Sexual Harassment Policy under [Faculty & Staff Handbook](#) and 4. Federal Policies and Employee Rights page 34 below.
- 1.26.4 **Title IX – Education Amendments of 1972** – It is the policy of Southeast Arkansas College that no person shall, be denied admission, or be subjected to discrimination in admission based on gender. In determining whether a person satisfies any policy or criterion for admission, the College shall not give preference to one person over another based on gender.
- 1.26.5 **Rehabilitation Act of 1973** – Southeast Arkansas College does not discriminate in admission to, or access to, or treatment of, or employment in, its programs or activities on the basis of handicapped status. This commitment is made by the College and is in accordance with Section 504 of the Rehabilitation Act of 1973.
- 1.27 **Drug Free Workplace Policy and Procedures** - It is the policy of Southeast Arkansas College that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited while in the workplace, on college premises, or as part of any college sponsored activities. Workplace also includes vehicles owned, rented

or leased by Southeast Arkansas College. The driver of any state vehicle may be subject to drug and alcohol testing.

Any person while under the influence of illegal drugs or alcohol must not enter the campus. Any person violating this rule will be subject to disciplinary or legal action or both as deemed appropriate for the situation.

Southeast Arkansas College does not differentiate between drug or alcohol users, or sellers. Any person who gives, or in any way transfers a controlled substance as defined by the law or alcohol to another person, or sells or manufactures a controlled substance while on the college premises, will be subject to disciplinary and/or legal action up to and including suspension or termination.

The term “controlled substance” refers to any drug not prescribed for the individual by the licensed health care practitioner, the illegal use of which violates State and Federal regulations. It also includes legal drugs prescribed by a licensed health care practitioner that are being abused.

Employees must notify his or her division dean or other appropriate supervisor in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction.

The Division Chair or Dean, or supervisor of the employee shall immediately convey this information, through appropriate channels, to the supervisor to whom he or she reports. If the convicted employee is engaged in a project funded by federal monies, the aforementioned supervisor will notify the granting or contracting agency within ten days after receiving notice of the conviction. An employee who is convicted under any criminal drug statute for a violation occurring in the workplace is required to successfully complete a drug counseling or rehabilitation program. Additional sanctions, including termination of employment, may be imposed for the first-time and/or repeated convictions.

Adherence to the terms of this policy is a condition of employment at SEARK, including those engaged in work funded by a federal grant or contract.

- 1.28 **Use of Tobacco** – Arkansas requires a smoking ban at all public institutions of higher education effective 8-1-10. See Clean Air on Campus Act of 2009. The college prohibits the use of tobacco (including smokeless), electronic cigarettes and vaping devices in any form on the college campus, property, sponsored events or vehicles owned or leased regardless of location. The policy applies to all students, faculty, staff, vendors, and visitors.

This policy does not apply to nicotine patches, or nicotine gum.

- 1.29 **Sales to Students** - Members of the teaching staff shall not have personal interest in the sale of books, instruments, lecture notes, or similar materials for the explicit purpose of monetary gain. An instructor, however, acting as an authorized agent of the Vice President for Fiscal Affairs or the bookstore manager, may collect fees or sell textbooks, supplies, or other

materials to students enrolled in off-campus classes. Monies are to be handled in a manner prescribed by the Vice President for Fiscal Affairs.

1.30 **Soliciting on Campus** - Only recognized campus organizations with prior approval of the Vice President for Student Affairs may solicit funds.

1.31 **Check Cashing** - The College will not cash personal or two-party checks.

1.32 **Requests for Maintenance** - Requests for maintenance work should be submitted in writing or by e-mail to the Buildings and Grounds Helpdesk (bghelpdesk@seark.edu).

1.33 **Convocation** - Each fall and spring semester full-time faculty and staff are required to attend a pre-semester convocation, which ordinarily is conducted prior to the beginning of classes.

1.34 **Attendance at Commencement\Graduation** – Members of the full-time faculty (9, 10 and 12 month) must sign in and participate in proper academic attire unless previously excused by the Vice President for Academic Affairs or President.

Members of the staff must sign in and work or take part in the Commencement Day exercises unless previously excused by Departmental Vice President.

Failure to take part in Commencement could result in disciplinary action.

1.35 **Drones and other Flying Devices**- Drones and any other electronic flying devices may not be used on the campus without written permission from the Vice President of Student Services.

2. Faculty Employment Issues

- 2.1 **Appointment to the Faculty** - Positions will be filled after a search for potential candidates. A search committee appointed by the appropriate Vice President, Dean, Director, or Coordinator who will make a recommendation to the President will review candidates and/or resumes. Southeast Arkansas College is an Equal Opportunity/Affirmative Action employer.
- 2.2 **Filing of Credentials** - It is the responsibility of each member of the administration and faculty to have current credentials (including a resume) on file in the human resource office. These credentials are records of information. Official transcripts must be mailed from awarding institution directly to Human Resources. Failure to provide needed credentials may result in the termination of contractual agreements.
- 2.3 **Faculty Letter of Appointment** - A Letter of Appointment for the next school year will be provided before July. The Letter of Appointment will specify the faculty member's proposed salary for the coming year, contingent upon the availability of funds. A separate agreement may be issued for extra duties, overload teaching assignments, and the summer session. Some changes in the letter of appointment may be required to insure conformity with established salary provisions, length of time served under the letter of appointment, or changes due to academic advancement. The Letter of Appointment states that those signing agree to abide by all policies, rules, and regulations established by the Board. The President or their designee is authorized to sign all Letters of Appointment.

**In order to qualify for a salary increase due to additional education/degree, the degree obtained must be beneficial to their position, must be from an accredited institution, and the possibility of salary increase should be preapproved by executive cabinet. The faculty member must submit written notification and an official transcript to the Vice President for Academic Affairs then to the President and documentation must be submitted to the Human Resource Office before the advancement becomes effective.

- 2.3.1 **Acceptance of Letter of Appointment** - In order for the administration to effectively plan, it is imperative that letters be returned by the date indicated in the letter. Failure to comply with this provision may void the appointment.
- 2.4 **Compensation and Benefits**
- 2.4.1 **Review of Compensation** - The administration will review the compensation of employees to determine what amounts are adequate to attract, hold, and fairly compensate the caliber of faculty and non-classified personnel essential to an educational program of excellence.

2.4.2 **Determination of Individual Salaries** – The administration of the College shall be responsible for placing members of the faculty at the appropriate salary.

2.4.3 **Attendance** – Faculty members are responsible for holding every session of each course for the full, scheduled time. If an instructor must be absent or late for any reason, he/she should contact the appropriate Dean or Chair/Coordinator the night before, when possible, or before 7:30 a.m. Only illness or emergencies warrant missing a class. Bereavement is considered an emergency. Other leave will be without pay. Instructors teaching an evening class should contact the Dean, Coordinator, Administrative Specialist, or Vice President of Academic Affairs several hours in advance, if he/she cannot be present for class.

2.4.4 **Regular Work Week** - As state employees, all full-time college employees are required to work at least a 40-hour week, excluding meals. Faculty are required to be on campus 36 hours per week. Meal breaks will not be less than 30 minutes or more than 60 minutes each. Breaks will be limited to 15 minutes each - morning, afternoon or evening. The regular work week for 9-month faculty is a minimum 36 scheduled hours per week on-campus excluding meals, and 5 4 off-campus hours to be used for college purposes. Faculty teaching in non-credit and short-term credit programs normally adheres to a regular 40-hour work week schedule as approved by the immediate supervisor.

The 36 hours per week on-campus schedule must include a minimum of 10 posted office hours when faculty are available for student conferences and other college activities.

2.5 **Administrative Guidelines Related to Teaching Loads and Overload Compensation** –

2.5.1 **Introduction** – These guidelines are designed to apply to any person(s) who engages in instructional activities under the auspices of the College. For the purpose of these guidelines, overload applies to a teaching load of any full-time faculty member over 15 hours.

Adjunct refers to an individual employed to teach one or more credit or non-credit courses. Adjunct instructors are generally referred to as individuals employed to teach 9 hours or less in a regular semester and 6 hours or less in summer.

Prep is short for academic preparation. A course, or multiple sections of the same course, is one academic preparation. When evaluating teaching load, 15 lecture contact hours each semester equals one semester credit hour.

When evaluating teaching load, 2 science lab contact hours equals one semester credit hour load of a lecture class. The instructional year has three semesters: fall, spring, and summer. For the purpose of calculating instructional load every semester will be viewed as a whole unit.

The scheduling/acceptance of a teaching overload is optional based upon mutual agreement between the College administration and the full-time instructor or full-time College employee.

Distance education courses (Internet) with at least 10 students have the same weight as lecture courses in the overall load of a faculty member. The Vice President of Academic Affairs will consider distance education courses with less than 10 individually when calculating teaching load. The College will be sensitive in scheduling classes (when possible) to meet personal requests made in writing and in advance of the class scheduling process. The College reserves the right to cancel a class when: (a) fewer than 10 students enroll, (b) a qualified instructor is not available, (c) necessary facilities, equipment or materials are not available, or (d) for reasons which would otherwise make the teaching and learning in the class inefficient or ineffective.

SEARK employees cannot receive duplicate payment for the same hour internally or externally. Acceptance of outside employment during the working day and receiving compensation while working the same time at SEARK is prohibited.

Any employment with another State of Arkansas agency, college, university or school must be disclosed on a Concurrent Employment form to ensure that State salary maximums are not exceeded.

2.6 **Administrative Guidelines –**

- 2.6.1 **Teaching Load** - A normal full-time faculty-teaching load each regular (fall, spring) semester is 15 semester credit hours with three or fewer preps. All classes taught within the confines of a semester, regardless of how scheduled (day/evening, 8-week/16-week, etc.), are considered together when determining teaching load and overload compensation.
- 2.6.2 **Teaching Load Prep** - A normal faculty-teaching load of 15 semester credit hours is reduced to 12 hours when four preps are reached. Nothing extra is awarded for the 5th, 6th, and 7th prep. Extra compensation is awarded again at the 8th prep and subsequently in multiples of four. Course sections that are taught by distance education methods are not considered for additional preps i.e., same online and in-class course doesn't qualify for compensation. If an extra class is assigned that necessitates an overload in terms of hours, while at the same time necessitating four or more preps, then compensation for the overload, as well as the preps, will be paid.
- 2.6.3 **Work Week** - Full-time faculty are required to maintain a 35-hour workweek during the contracted duty period. Overload responsibilities must be considered extraneous to the 35 hours of required teaching/office hours. If an instructor is carrying a six-hour overload, for example, then six hours must be added to the 35-hour week commitment bringing the total weekly responsibility to 41 hours. Student interaction, committee assignments, and other duties that are quality indicators shall not be compromised for the sake of teaching load.

- 2.6.4 **Teaching Overloads** - Full-time faculty are generally 9-month contractual employees. The maximum teaching overload for a full-time faculty member is 9 semester credit hours during the duration of a regular (fall, spring) semester.
- 2.6.5 **Adjunct Maximum Teaching Loads** - The maximum teaching load for part-time and adjunct faculty is 9 semester credit hours during the duration of a regular (fall, spring) semester. The maximum teaching load for part-time and adjunct faculty is 6 semester credit hours during the duration of the summer sessions (summer sessions 1, 2, 3, 4, etc.).
- 2.6.6 **Department Chair Teaching Loads** - The standard teaching load for Department Chairs will be nine semester credit hours.
- 2.6.7 **Technical Course Loads** – Loads for technical courses are calculated the same as other courses. Deans/Chairs should consult the catalogue for the number of contact hours that are lab and lecture and calculate accordingly. Vice President for Academic Affairs will consider contact hours calculations in determining teaching loads.
- 2.6.8 **Non-Credit Instruction** - Non-credit instruction is generally paid per clock hour. A maximum teaching load for non-credit instruction is 15 clock hours per week. The Division Dean/Chair and Vice President for Academic Affairs must approve exceptions to these guidelines.
- 2.6.9 **Pro-Rated Classes** – Classes with fewer than 10 students may be pro-rated for calculating load purposes. A class, for example, with only 8 students may be evaluated at 8/10 the load value of a class with 10 or more students. Likewise, faculty with a total load of fewer than 60 students may not be eligible for overload compensation.
- 2.6.10 **Combined or Stacked Class Load** - Combined or stacked classes (taught at the same time) count as one class and one preparation. Classes, which are team-taught, (two instructors) are pro-rated accordingly (50/50) as to course prep, credit hour load calculation and/or overload compensation, assuming equal participation by each instructor.
- 2.6.11 **Internships** - Internship work experience courses and community service learning courses are treated as lab courses (1/2 the value of lecture courses) in assessing faculty loads. As usual, this is based on 10 or more students.
- 2.6.12 **Independent Study** - The College generally discourages compensation for Independent Study. The College makes every effort to provide comprehensive schedules to benefit students with varying course scheduling demands. When independent study is unavoidable, compensation is \$50.00 per student.
- 2.6.13 **Other Assigned Duties** - Upon advice by the Vice President for Academic Affairs and approval by the President, alterations to teaching loads may be made due to the assignment of administrative duties, accreditation standards, or other academic or load considerations.

- 2.6.14 **Non-Faculty Instruction** - Academically qualified College personnel who are not faculty may be asked to teach a course(s). To qualify for additional compensation, the full-time employee must teach the course outside normal business hours (8:00 a.m. – 5:00 p.m.) or have a special work schedule that is approved by the President. Compensation will be paid according to adjunct or overload policy.
- 2.6.15 **Class Size Overloading** - Compensation is not granted for class size overloading. Classroom headcount is not necessarily a positive or negative factor in the learning environment. Overloading, in the context of the classroom, occurs when there are too many students for the seating capacity of the room, for needed lab equipment such as microscopes and computers, or for other educational considerations that directly impact instructional outcomes. An overloaded class shall be addressed by leveling (putting some of the students in smaller sections), splitting (creating a new section of the class), adding seats or equipment, or other pedagogically sound methods.
- 2.6.16 **Distance Learning-Courses** - Internet courses may be counted the same as a classroom course for the purpose of determining faculty-teaching load. Instructors with fewer than 10 Internet students per course section will be compensated at a rate of \$90.00 per student until the maximum of \$2,100 is reached. Maximum enrollment in a specific section of an Internet course is the same as in person lecture courses.

NOTE: Full compensation per semester credit hour of instruction is \$700 for a minimum of 10 students per class. Pro-rated compensation for a class of fewer than 10 is calculated at the rate of \$90.00 per student.

- 2.7 **Evaluation of Faculty** - Each faculty member is evaluated annually. Evaluations of the faculty are conducted by the administration and by the students to identify strengths of the faculty for reinforcement and to identify areas that may need improvement. Peer evaluation and self-evaluation are encouraged as evaluation methods. The objective of faculty evaluation is to **maintain the best instructional environment possible.**

The College evaluates fulltime and adjunct faculty teaching face-to-face courses using the following procedure. (Concurrent Credit Instructors should refer to the Concurrent Credit Faculty Handbook for evaluation procedure).

The Annual Review Process for Face-to-Face faculty includes:

- Direct Observation by the Division Dean or Coordinator, as designated
- Student Evaluation of Instruction
- An Evaluation Conference, which includes the establishment of personal and professional goals with the faculty member.

The Annual Review Process for online faculty includes:

- Observation of the online environment via meeting with the V.P. Academic Affairs, Academic Dean, or Coordinator, as designated annually.
- Review of course content, learning outcomes, organization, and presentation in Moodle. (Internet Instructor Evaluation Tool Part A).
- Peer Evaluation (Moodle)
- Student evaluation of online instruction. (Embedded in online course)
- Evaluation conference (online or face-to-face) which includes the establishment of personal and professional goals.
- Review the instructor/student interactions as detailed in Part B of the Internet Instructor Evaluation Tool.
- Student Evaluation of Concurrent Enrollment instruction

- 2.7.1 **Direct Observation of the course and/or learning environment by the Division Dean or Coordinator-** The Academic Dean or Coordinator observes instructors and/or the online learning environment annually, by appointment. The Academic Dean or Coordinator observes new instructors, full-time and adjunct, within the first month of instruction. A scored evaluation tool, using a Likert Scale, is completed by the Academic Dean or Coordinator for documentation purposes. The Academic Dean or Coordinator provides the instructor with feedback following the observation—either immediately on-site, online, or by appointment at a later date. A copy of the Departmental rating of faculty is forwarded to the Vice President for Academic Affairs.
- 2.7.2 **Student Evaluation of Instruction-** Student evaluation of instruction is conducted and coordinated with the direct observation of instructors or the instructor with feedback following the observation—either immediately on-site, online, or by appointment at a later date. A copy of the Departmental rating of faculty is forwarded to the Vice President for Academic Affairs.
- 2.7.3 **Annual Evaluation Conference-** The Academic Dean or Coordinator schedule an annual evaluation conference with each full-time and adjunct faculty member. Conferences for online faculty may be conducted and documented through online chats. During this conference, results of student and coordinator observations are discussed. The Student Evaluation of Instruction and Classroom Observation are used by the College to validate instructor performance and provide documentation for consideration, merit and/or contract renewal.

If complaints focusing on course content, instructor behavior, or language proficiency are received at any time during the semester, the Academic Dean and/or the VP for Academic Affairs conduct an immediate investigation. Documentation gathered may be considered in determining instructor contract renewal and/or disciplinary action. The VP for Academic Affairs may be notified and choose to participate in the counseling and the determination of an appropriate plan of action. Information is shared with the President as warranted.

2.7.4 **Dismissal/Non-reappointment of Faculty-** The Faculty Letter of Appointment takes precedence over any agreement or contracts made prior to the date of the Letter of Appointment and may be terminated at any time.

Arkansas is an “at will” state.

Causes for dismissal or non-reappointment of faculty may be, but are not limited to the following:

- willful violation of a State or Federal law,
- use of alcohol during working hours,
- drug abuse,
- felony admission and/or conviction,
- inability to satisfactorily perform assigned duties and responsibilities,
- failure to follow and adhere to college policies,
- neglect of duties,
- insubordination,
- failure to follow the chain of command/organizational chart,
- failure to keep current and maintain competency in one's field,
- general inaccuracy,
- dishonesty,
- misconduct that negatively affects College operations or reputation.

In the event of dismissal/non-reappointment, faculty will be notified as soon as possible. The Board may also elect to close a program with low enrollment. In these cases, the employee will be advised of the intent to close the program as soon as possible.

2.8 **Faculty Leave –**

2.8.1 **Absence for Illness and Vacation**

2.8.1.1 **Sick Leave** - See *General Employment Considerations* section 1.19.1. concerning Sick Leave Guidelines.

2.8.1.2 **Vacation** – Only full-time 12-month faculty members accrue annual leave. See current Faculty Calendar for specified contract days and recesses.

2.8.1.3 **Faculty Personal Day** (9-month faculty only) - See **General Employment Considerations** section 1.19.1. Sick Leave for guidelines.

2.8.1.4 **Absence for Sabbatical** – see 2.11.3 **Sabbatical** for procedure.

2.8.1.5 **Child Education Activity Leave (CEAL)** - See **General Employment Considerations** section 1.19.2 concerning CEAL for guidelines.

- 2.9 **Faculty Responsibilities** –The College is committed to understanding and improving the learning opportunities and environments provided to our students. Faculty must be able to document the relationship between assessment of and improvement in student learning. As evidence of teaching effectiveness and student academic achievement, the faculty are required to participate in assessment activities. These responsibilities include, but are not limited to engaging an individual course, program and institutional assessment activities. The Assessment Team directs all assessment activities.
- 2.10 **Recognition of Academic Freedom-** In the development of knowledge, research endeavors, and creative activities, faculty and students must be free to cultivate a spirit of inquiry and scholarly criticism. They must be able to examine ideas in an atmosphere of freedom and confidence and to participate as responsible citizens in community affairs. Academic freedoms must be subject to the self-restraints imposed by good judgment. The faculty member must fulfill his/her responsibilities to society and to the profession by manifesting academic competence, scholarly discretion, and good judgment. The principle of academic freedom will not protect an incompetent or negligent faculty member, nor will it prevent the institution from making proper efforts to evaluate the work of each professional staff member. Faculty members are expected to recognize that accuracy, forthrightness, integrity, dignity, and civility befit their association with the college and their position as men and women of learning. No staff member shall represent Southeast Arkansas College without authorization.
- 2.10.1 **Teaching Effectiveness** - Faculty must always be well prepared, start and end all scheduled classes on time, and deliver quality instruction in each class assigned.
- 2.10.2 **Academic Advising** - The faculty is responsible for the academic advising, academic planning, registration, and orientation of students. All faculty will post and keep a minimum of 10 office hours per week. The faculty will assist in the selection of appropriate placement in courses and will offer needed counsel. The faculty are required to monitor student advising responsibilities in WebAdvisor.
- 2.10.3 **Course/Departmental Syllabi** - A course/departmental syllabus is on file with the Academic Dean/Chairs and during the first week of class, the instructor shall ensure that each student has access to and understands their current syllabus. An up-to-date syllabus will be prepared for each course in the curriculum.

The syllabus will contain:

- a. Instructor's name
- b. Location and time of class
- c. Location of office and office hours
- d. Instructor's contact information:
- e. Course title and section number
- f. Course description

- g. Required textbook(s) and materials
- h. Instructional methods
- i. Statement on assessment of learning
- j. Attendance policy
- k. Academic dishonesty policy
- l. Grading and testing procedures
- m. Unit objectives stated in behavioral terms
- n. Term objectives stated in competency terms
- o. Schedule of term assignments and activities
- p. Make-up policy
- q. Student w/ disability policy (ADA)

The Vice President for Academic Affairs and Academic Deans will verify that syllabi are posted on Moodle, contain all information listed above and are available to students. This departmental syllabus is to be used as the common syllabus by all instructors who teach a given course. Non-standard syllabi may be necessary for courses delivered over the Internet.

- 2.10.4 **Assignment of Grades:** Instructors are responsible for posting grades through WebAdvisor by the time designated by the Registrar's Office at the end of the semester. Student grade reports are available online through WebAdvisor at the end of the semester.

Instructors are expected to use good judgment and fair methods in determining grades and must communicate to their classes the basis for grading, standards of attendance, and the nature of assignments.

Letter grades granted by the College are explained in the catalog. Grades cannot be sent or posted through e-mail. Grades cannot be posted by personally identifiable information, such as social security numbers or ID numbers, so that no student's rights are violated as specified in the Family Education Rights and Privacy Act (the Buckley Amendment).

Incomplete grades (I) cannot be given without completing the Incomplete Grade Contract, see website under [Admission Apply Now](#) prior to the end of the term. Incomplete grades must be completed within one month from the last day of class or a grade of "F" must be recorded.

- 2.10.5 **Class Attendance and Reporting Policy:** Each faculty member has the prerogative of setting specific attendance requirements for their individual classes. In some courses, active student participation is an integral part of the course, and the instructor may base a portion of the students' grades on attendance and participation. In general, students are expected to attend class regularly. Students who miss class are responsible for finding out about the material covered, homework assignments, and any announcements or examinations. Make up work policies are at the discretion of the instructor and based on her/his published policy in the course syllabus.

On the census day (usually the 11th day of classes), students who have not attended class will be administratively withdrawn based on the reporting done on verification rosters. Faculty are expected to keep and report attendance records through the census day (11th day) in order to accurately report attendance on the verification rosters. Students may be administratively withdrawn from a class by the instructor for excessive absences during the semester, at the discretion of the individual instructor and consistent with the instructor's course policy published in the course syllabus.

- 2.10.6 **Selection of Textbooks** – Prior to selection of textbooks, faculty members should discuss textbooks with their Academic Dean and the Vice President for Academic Affairs, in order to improve book selection or to override adoption policies. A single required set of textbooks must be approved for use in all course sections. If faculty and Academic Dean cannot decide, the Vice President for Academic Affairs will break the tie.

Textbooks are adopted annually during the spring semester in order to be used in the fall semester. Changes cannot be made in the middle of a school year. When textbooks are adopted it should be for 2-year periods unless the technology or research makes them obsolete. Faculty will be encouraged to adopt free/open source electronic books when possible.

Adjunct instructors will use and place on the syllabus, the same textbooks that are adopted by full-time faculty.

If a text is listed as required on the syllabus, it has been stocked in the bookstore at the instructors' or departments' request and must be purchased and used

- 2.10.7 **Student Discipline** – Students who are not following directions or are threatening the health, well-being, or learning environment of the class should be asked to leave the class and the matter reported to the Vice President for Student Affairs immediately. If the student does not follow the instructor's directions, Campus Security should be called at (870-557-4211) or Extension 4911. Students should not be arbitrarily permanently suspended by the instructor from the class until they have spoken to the Vice President for Student Affairs.

If a student is suspected of possessing an unlawful weapon or is under the influence of drugs or alcohol, Campus Security should be notified immediately. Staff members are not allowed to search students or their personal property. Law enforcement authorities may be notified and written documentation of the incident will be prepared.

- 2.10.8 **Classroom Care and Maintenance** - Instructors are often required to share classroom space. Classrooms and work-areas should be left in a good and organized condition. Whiteboards should be erased and lights should be turned off when the room is not in use. Eating, drinking, smoking, and the use of any other form of tobacco, electronic cigarette or vaping devices are not allowed in classrooms. Technology equipment should be turned off at completion of the class.
- 2.10.9 **Responsibilities for Departmental Equipment** - Each department is charged with proper maintenance and will be held accountable for equipment purchased and issued to the instructor's department. This equipment must be inventoried annually and must also be inventoried upon the termination or exit of an instructor. Any suspected theft or inventory discrepancy should be reported to the Business Office.
- No equipment is to be removed from the College campus without the written permission of a Vice President or the President or their designee. A [Removal of Inventory Form](#) is to be completed whenever equipment is moved from one location to another and turned into the Director of Physical Plant.
- 2.10.10 **Performance of Other Duties** – From time to time the faculty may be called upon to work on projects and activities other than their teaching assignments. Such activities may include recruiting and advising students, serving on faculty committees, and performing other duties in College-related functions.
- 2.10.11 **Intellectual Property** - The following policy language was taken in part from the Intellectual Property definitions and guidance from the American Association of University Professors (AAUP). Southeast Arkansas College believes that the public interest is best served by creating an intellectual environment whereby creative efforts and innovations can be encouraged and rewarded, while still retaining for the College and its learning communities' reasonable access to, and use of, the intellectual property for whose creation the College has provided assistance. The College supports the development, production, and dissemination of intellectual property by its faculty members.

What is Intellectual Property?

Although the law provides for several different types of Intellectual Property, faculty concerns center on two: copyrights and patents. The following definitions are taken from pertinent federal statutes:

- When used in this policy the term "Copyright" shall be understood to mean that bundle of rights that protect original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.
- "Works of authorship" (including computer programs) include but are not limited to the following: literary works; musical works, including any

accompanying words; dramatic works, including any accompanying music; pantomimes and choreographic works; pictorial, graphic, and sculptural works (photographs, prints, diagrams, models, and technical drawings); motion pictures and other audiovisual works; sound recordings; and architectural works.

- "Tangible media" include, but are not limited to, books, periodicals, manuscripts, phone records, films, tapes, and disks.
- When used in this policy, the term "Patent" shall be understood to mean that bundle of rights that protect inventions or discoveries which constitute any new and useful process, machine, manufacture, or composition of matter or any new and useful improvement thereof; new and ornamental designs for any useful article and plant patents being for the asexual reproduction of a distinct variety of plant, including cultivated sprouts, mutants, hybrids, and new found seedlings, other than a tuber propagated plant or plant found in an uncultivated state.

Material created for ordinary teaching use in the classroom or online and in department programs, such as syllabi, assignments, and tests, shall remain the property of the faculty author, but the College shall be permitted to use such material for internal instructional, educational, and administrative purposes, including satisfying requests of accreditation agencies for faculty-authored syllabi and course descriptions.

2.11 **Policies and Regulations –**

2.11.1 **Independent Study Policy** – Independent Study Courses are College courses whose objectives can be appropriately and effectively achieved on an independent study basis.

Courses which require lab, clinical or other supervised work experience are generally not deemed suitable for independent study. Students seeking to take a course by independent study must obtain the approval of his/her instructor, advisor, department chair, and the Vice President of Academic Affairs. See College Website [Admission Apply Now](#) for Independent Study Request Form.

2.11.2 **Approval of Field Trips** - Field trips should be approved by the administration one week in advance of the trip, when possible. If transportation is required, the Director of Physical Plant should be contacted two weeks in advance, when possible. Field trips (transporting or requiring students to participate) for a campus sponsored activity are scheduled by using the appropriate form available from the Academic Dean / Chairs / Coordinators. See [Travel Assumption of Risk & Release of Liability Form](#) under Faculty & Staff Handbook

2.11.3 **Faculty Sabbatical** - Any faculty member who has rendered service to the College for at least seven consecutive years may be granted a leave of absence not to exceed one year. Upon the recommendation of the President of the College, and approval by the Board, this leave of absence may be granted for the purpose of permitting study or travel, which will benefit the College and enrich instruction to the students.

While on sabbatical leave, the faculty member may receive a stipend of up to one-half of his/her salary for the previous year. However, benefits do not automatically continue while on sabbatical. When applying for sabbatical, it is imperative the applicant visit with the Vice President for Fiscal Affairs to arrange continuation of benefits. In addition, any faculty member who has rendered service to the College for at least four consecutive years may be granted a leave of absence not to exceed one semester. Upon the recommendation of the President of the College, this leave of absence is also granted to permit study or travel, which will benefit the College and enrich instruction to the students. Faculty members may receive a stipend of up to one-half of his/her semester's salary for the previous academic year. Time spent on sabbatical leave or leave of absence for educational purposes shall count as regular service on the salary schedule.

Any faculty member who files an Application for Sabbatical Leave shall, at the same time, file an affidavit stating that he/she will remain in the employ of the College for at least two years following the return from the leave of absence, unless prevented by ill health, unavoidable conditions, or the College's decision to release the employee.

Failure for other reasons to return for the two-year period will automatically make the person liable for return of all, or part, of the sabbatical stipend equal to the percent of time not completed. No more than five percent of the faculty of the College may be granted sabbatical leave at one time. In case more applications are received than can be granted, the College administration will determine who will receive sabbatical leave.

Sabbatical leave will be granted only when sufficient funds are available to pay the stipend and employ qualified adjunct faculty to teach in the absence of the faculty member who is on leave. Service to Southeast Arkansas College shall count toward time eligibility requirements for sabbatical leave.

3. Staff Employment Issues

This section pertains to 12-month classified staff and non-classified/12-month faculty. The ADHE Pay Plan sets salaries for classified positions. Normally, salary increases occur through raises passed by the legislature. The current pay plan is included in ACT 599 of 2017 Classified Pay to ADHE.

- 3.1 **Employment of Classified Personnel** - Classified personnel shall meet the eligibility requirements of the Arkansas Department of Higher Education. The administrator under whom the classified person will work shall appoint a search committee to interview the prospective applicants and make recommendations to the College President for final approval, without verification by the Board. The College President will advise the Board of any personnel changes at the next Board meeting. Part-time classified employees will be hired using the same process as used to hire classified personnel.
- 3.2 **Employment of Non-Classified Staff** - This classification of employee is typically an administrator or professional staff. The selection of this employee is accomplished through a committee interview.
- 3.3 **Attendance** - Classified employees are expected to work an 8-hour day and a 40- hour week. If an employee must be absent or late for any reason, he/she should contact the immediate supervisor or designee the night before, if possible, or before 7:30 a.m. Violation of the attendance policy involving unscheduled absence or tardiness for whatever reason and absences or tardiness that exhibits a pattern, including excessiveness in either case, will result in disciplinary action and possible termination.
- 3.4 **Overtime Work, Overtime Pay and Compensatory Time-Off** - The State of Arkansas has declared that overtime pay for state employees is the least desirable method of compensation of overtime work. Consequently, the College does not utilize overtime pay as a method of compensation. Non-exempt employees, which include the classified support staff of the College, are eligible for compensatory time. Exempt, classified employees do not earn Compensatory time. Compensatory time is defined as time earned for work performed in excess of forty (40) hours in the workweek. Compensatory time may not be earned in less than fifteen (15) minute increments. All employees performing qualifying non-exempt work within a workweek accrue compensatory time at a rate of one and one half (1 ½) times the number of hours worked in excess of 40 hours. Non-exempt employees are eligible for compensatory time in lieu of overtime payment. Further, it is held to be the policy of the State of Arkansas that any overtime work necessary to the continued effective operations of the state shall be managed in the most efficient and economic manner possible.

All overtime work for compensatory time must be approved in advance and in writing by the appropriate senior administrative official of the College. When possible, the practice of temporarily altering the employee's regular work schedule to provide equivalent time off within a workweek is preferable to compensatory time. A workweek is defined to be between 12:00 a.m. Sunday morning and 11:59 p.m. Saturday night.

3.5 **Compensatory Time** - Compensatory time is defined as time earned for work performed in excess of 40 hours in the workweek. Supervisor approval to work comp time must be received in advance of working the hours. Compensatory time may not be earned in less than fifteen (15) minute increments. If an employee has a balance of Compensatory time, it must be used prior to using annual leave. Compensatory time is reflected on a Leave Form Request under Other and a notation should be made that the employee is using comp time.

3.6 **Sick Leave Policy** - See General Employment Considerations section 1.19.1 for guidelines regarding sick leave.

3.6.1 **Vacation (Annual Leave)** - Annual leave applies to full-time 12-month employees. Vacation periods must be scheduled at the convenience of the College. There may be blackout times that vacation leave may not be taken. Vacations must be scheduled at least five working days before the vacation is to begin. Failure to properly schedule vacations may result in the request being denied. Employees must have annual leave approved verbally by their supervisor before submitting in Paycom. If unauthorized leave is taken, leave without pay is in effect. Employees on 12-month assignments are entitled to annual leave with full pay calculated based on the following accrual schedule:

0 - 3	years service	8 hours per month	(12	days annually)
4 - 5	years service	10 hours per month	(15	days annually)
6 - 12	years service	12 hours per month	(18	days annually)
13 – 20	years service	14 hours per month	(21	days annually)
Over 20	years service	15 hours per month	(22.5	days annually)

Annual leave is cumulative; however, no more than 30 days (240 hours) annual leave shall be carried forward to any new calendar year. **(Employees begin to accrue leave time after completing one month's service.)**

When an employee leaves the institution due to resignation, retirement, or termination, the unused annual leave, subject to approval, may be liquidated by a lump-sum payment not to exceed 30 working days. Unused accumulated annual leave of a deceased employee will be payable to either the estate of the deceased or an individual authorized to receive the payment.

3.7 **Career Service Recognition Payments** - Employees of Southeast Arkansas College and non-faculty employees shall become eligible for annual career service recognition payments upon completion of ten (10) or more years of State service in either elected positions or classified or non-classified regular full-time position or positions.

3.7.1	Years of Service Annual Payment –		
	10 through 14 years	of State service	\$600
	15 through 19 years	of State service	\$700
	20 through 24 years	of State service	\$800
	25 or more years	of State service	\$900

Employees become eligible to receive career service recognition payments on their career service credit date. Employees who have received career service payments in previous biennium shall receive payments on their career service credit date or their increase eligibility date, whichever occurs first within the fiscal year. Payments to non-classified employees shall be made on the anniversary of the employee’s latest hire date.

3.8 **Evaluation** - The employee’s immediate supervisor shall make an annual evaluation of the services of each employee. The evaluation shall be made in writing on a standard form provided by the Human Resources Office and shall include an examination of personnel relationships, job competency, performance of assigned tasks, work, and personal habits. The supervisor shall discuss the evaluation with the employee and shall state to the employee the criteria used in the evaluation. This evaluation shall be done at the employee’s six-month anniversary date and every June thereafter. Copies of this evaluation shall be submitted to the employee and to the Human Resource Office for placement in the employee's permanent record. Should the employee wish to have a review of the evaluation, a request in writing should be made to the President.

3.9 **Dismissal Probationary or Temporary Employees** – All permanent, Full Time employees including Faculty are hired on a six-month probationary or temporary basis and may be dismissed without prior notice during the probationary or temporary period without the right of appeal. The probationary period can be extended upon recommendation of the supervisor with the approval of the Vice President.

4. Federal Policies and Employee Rights

4.1 Title IX and Sexual Harassment Policy

Harassment on the basis of sex is illegal and a violation of Title VII of the Civil Rights Act of 1964, as amended.

Southeast Arkansas College is committed to providing an education and work environment that is free of discrimination. Harassing actions or comments based on an individual's gender, race, national origin, age, religion, disability or any other legally protected characteristic will not be tolerated. Employees, students, or other individuals who feel aggrieved because of conduct that may constitute sexual harassment are *encouraged* to immediately inform the person engaging in such action that the conduct is offensive and must stop.

The policy below defines sexual harassment and establishes a procedure whereby alleged sexually harassed faculty, staff, and students may lodge a complaint immediately and confidentially to the EEOC Compliance Officer or designee for informal resolution or to address formal written complaints. Sexual harassment is a violation of the College policy as well as state and federal law and is neither permitted nor condoned.

Education and Work Environment

Within the education or work environment, sexual harassment is prohibited between employees, students and campus guests.

General Definitions:

Sexual harassment occurs when unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature:

1. Is made either explicitly or implicitly a term or condition of an individual's educational status or employment;
2. Is used as a basis for educational or employment decisions affecting the individual;
3. Has purpose or effect of unreasonably interfering with an individual's educational/work performance or creating an intimidating, hostile, or offensive educational, social or working environment.

Examples that may constitute sexual harassment:

For the purpose of further clarification, sexual harassment includes, but is not limited to:

1. Unsolicited written, electronic, verbal, physical and/or visual contact with sexual overtones. Examples include suggestive comments, slurs, jokes, e-mail, text or epithets; Physical examples include assault, touching, impeding, or blocking movement; Visual examples include leering, gestures, display of sexually suggestive objects or pictures, cartoons, or posters.
2. Continuing to express sexual interest after being informed that the interest is unwelcome. Reciprocal attraction is not considered sexual harassment.
3. Reprisals, threats of reprisal, or implied threats of reprisal following a negative response to sexual interest.
4. Engaging in implicit or explicit coercive sexual behavior that is used to control, influence, or affect the career, salary, and/or work environment of another employee.
5. Engaging in implicit or explicit coercive sexual behavior, which is used to control influence or affect the educational opportunities, grades, and/or learning environment of a student.
6. Offering favors, educational benefits, or employment benefits such as grades, promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

Note: Southeast Arkansas College investigation is conducted independently of any action (or inaction) on the part of law enforcement and criminal justice authorities. Disciplinary sanctions for violation of this policy may include warnings, restrictions, probation, reprimands, suspensions, expulsion, and/or termination of employment. Any disciplinary action taken will depend upon the severity of the offense and based on the outcome of the investigation.

If the TITLE IX COMPLIANCE Officer is named in the harassment complaint or has a personal relationship with those involved, an alternative investigator will be appointed.

At every step of the procedure, confidentiality will be maintained to the extent possible to protect the individuals involved. Employees or students who disclose confidential information or who knowingly provide false information will be subject to disciplinary action.

INFORMAL COMPLAINT RESOLUTION

Before pursuing the formal complaint process, every reasonable effort should be made to resolve issues with students, faculty, staff, or administrators. Whenever possible and safe, the problem or complaint should first be discussed with the individual involved in the complaint. If satisfactory resolution is not reached after discussion with the individual, the complainant should contact the individual's direct supervisor to resolve the complaint. If these efforts are unsuccessful, the formal complaint process may be initiated. The College does not require a complainant to contact the person involved or that person's supervisor if doing so is impracticable, or if the complainant believes that the conduct cannot be effectively addressed through informal means.

FORMAL COMPLAINT / GRIEVANCE PROCEDURES

Responsibility to Report

Any student, faculty, staff, administrator, or visitor to the campus who has experienced or witnessed sexual harassment is strongly encouraged to report the incident. The College must know about incidents of sexual harassment in order to stop them, protect victims, and prevent future incidents.

It is the responsibility of faculty, administrators, and supervisors to report complaints of sexual harassment they receive and of possible sexual harassment of which they become aware. When there is a relationship that involves legally recognized professional confidentiality between the complainant and the person to whom the harassment is reported, the report may be withheld at the request of the complainant.

Notification

Students, faculty, administrators, staff, or visitors to the College are strongly encouraged to report allegations of discrimination or harassment to the Title IX Compliance Officer or designee. Sexual discrimination or harassment reports should be made as soon as possible to facilitate an effective response.

Upon receipt of the complaint/grievance the TITLE IX COMPLIANCE Officer or Designee will

open a formal case file, begin the investigation process and at the appropriate time notify the respondent. The Title IX Compliance Officers are:

Vice President Student Affairs
Mr. Scott Kuttenkuler
Welcome Center-Adm. Room 842

Investigation

1. The TITLE IX COMPLIANCE Officer or designee will investigate and work with others as needed.
2. The EEOC Compliance Officer or designee will:
 - Be trained and secure training for faculty/staff and administrators as needed
 - Identify the correct policies allegedly violated
 - Conduct an immediate initial investigation to determine if there is reasonable cause to justify the allegations and determine an incident has occurred
 - *If there is insufficient evidence to support reasonable cause, the grievance should be closed with no further action
 - Meet with the complainant to finalize the grievance
 - Prepare the notice of allegations on the basis of initial investigation
 - Develop a complete investigation plan which may include a witness list, an evidence list, an intended timeframe, and an order of interviews for all witnesses, including the respondent
 - Conduct a thorough, reliable and impartial investigation. Witnesses may or may not be given notice prior to the interview
 - Complete the investigation promptly, and without unreasonable deviation from the intended timeline.
 - Make a finding on the case, based on a preponderance of the evidence which indicates that a policy violation has or has not occurred
 - Present the findings to the individual alleged accused party to have committed discrimination or harassment or the complainant who may accept/reject the findings or accept/reject the findings in part (See Appeals below)
 - Share the findings and update the complainant on the status of the investigation and the outcome.
 - Share the findings and update the complainant on the status of the investigation and the outcome.

Appeals Before Hearings

If either the grievant or respondent is dissatisfied with the findings of the investigation report, they may file an appeal with the Title IX Compliance Officer. The appeal must be in writing, signed by the person making the appeal, and must be delivered to the Title IX coordinator within five calendar days of the date the report was delivered to the person who is filing the appeal.

Hearings will only be granted by the Compliance Officer in exceptional circumstances.

Because the original finding and sanctions are presumed to have been decided reasonably and appropriately, the party requesting an appeal must show error. The ONLY grounds for appeal are as follows:

1. A procedural or substantive error occurred that significantly affected the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
2. New evidence has been found which was unavailable during the original hearing or investigation that could substantially affect the original finding or sanction. A summary of this new evidence and its potential impact must be included.
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

If the TITLE IX COMPLIANCE Officer/Designee determines that an error occurred, the Officer may review the evidence or collect additional evidence. The Title IX Compliance Officer may refer the grievance to a Hearing Committee with instructions to consider the error.

Appeals Following a Hearing

After the hearing, either the complainant(s) or respondent(s) may appeal the findings and/or sanctions only under the grounds described below. All sanctions imposed by the original hearing body will be in effect during the appeal. The complainant or respondent may seek an appeal by contacting the TITLE IX COMPLIANCE Officer/Designee, in writing, within five (5) business days following receipt of the Letter of Determination. The appeal will go to the President. The President will review the complaint, investigation, sanctions or actions and determine if the internal due process of the College has been followed. The original finding and sanctions will stand if the appeal is not timely or substantively eligible, and the decision is final.

Because the original finding and sanction are presumed to have been decided reasonably and appropriately, the party requesting an appeal must show error. The ONLY grounds for appeal are as follows:

1. A procedural or substantive error occurred that significantly affected the outcome of the hearing (E.g. substantiated bias, material deviation from established procedures, etc.).
2. New evidence has been found which was unavailable during the original hearing or investigation that could substantially affect the original finding or sanction. A summary of this new evidence and its potential impact must be included.
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

If the TITLE IX COMPLIANCE Officer/Designee determines that an error occurred, the Officer may return the grievance to the Hearing Committee with instructions to reconvene to consider the error.

The appeal procedure and determination will typically be completed within 20 business days. The procedures governing the hearing of appeals include the following:

- Sanctions imposed are implemented immediately unless the party determining the sanction stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
- All parties should be informed in a timely manner of the status of requests for appeal, the status of the appeal consideration and the results of the appeal decision
- Appeals are not intended to be full rehearing of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal
- The President will render a written decision on the appeal to all parties within seven (7) business days, or as soon as possible thereafter from hearing of the appeal.

COMPLAINT AND GRIEVANCE PROCESS PROVISIONS

Time Periods

All effort will be made to make a determination in no more than 60 calendar days of filing a formal complaint/grievance.

A business day is defined to mean normal operating hours, Monday through Friday, excluding recognized national and state holidays and S Southeast Arkansas College closings.

Timelines may be modified in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, and/or other related circumstances as may arise. In the event that this step is necessary, the TITLE IX COMPLIANCE Officer or designee will notify the complainant who filed the grievance in writing within the set timeline.

No Retaliation

Retaliation against any person who files a complaint of discrimination, participates in an investigation, or opposes a discriminatory employment or educational practice or policy is prohibited by Southeast Arkansas College policy, federal and state law. A person who believes retaliation has occurred should notify the TITLE IX COMPLIANCE Officer as soon as possible.

False Reports

It is a violation of the *Codes of Conduct* governing Southeast Arkansas College to make an intentionally false report of any policy violation, and it may violate state criminal statutes

and civil defamation laws.

Office of Civil Rights Complaint

Although complainants are encouraged to attempt to resolve complaints pertaining to discrimination by utilizing this Grievance Procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR) (Dallas regional office). Information regarding applicable timelines and procedures is available from OCR.

Office for Civil Rights - U.S. Department of Health and
Human Services 1301 Young Street, Suite 1169
Dallas, TX 75202
Voice Phone (800) 368-1019
FAX (214) 767-0432
TDD (800) 537-7697

Effective Date

This Complaint and Grievance Policy will be effective immediately. Southeast Arkansas College reserves the right to make changes and amendments to this policy and procedure as needed, with appropriate notice.

STATEMENT OF THE RIGHTS OF COMPLAINANT/ALLEGED VICTIM

- The right to be treated with respect by College officials
- The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to College administrators
- The right to have an advisor or advocate to accompany and assist in the campus hearing process. This advisor can be anyone, including an attorney (provided at the complainant's own cost), but the advisor may not take part directly in the hearing itself, though they may communicate with the complainant as necessary. The College should be notified five (5) business days in advance of the hearing if an advisor or advocate will accompany the complainant party
- The right not to be discouraged by College officials from reporting an assault to both on-campus and off-campus authorities
- The right to be informed in a timely manner of the outcome and sanction of any disciplinary hearing involving sexual assault, usually within five (5) business days of the end of the conduct hearing
- The right to be informed by College officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses. This also includes the victim's right not to report

- The right to be notified of available counseling, mental health or student services for victims of sexual assault, both on campus and in the community
- The right to notification of options and assistance for changing academic or employment situations after an alleged sexual assault incident. These changes will be made if they are reasonably available and desired by the victim. No formal complaint, or investigation, campus or criminal, need occur before this option is available. Accommodations may include:
 - o Exam (paper, assignment) rescheduling
 - o Taking an incomplete in a class
 - o Transferring class sections
 - o Temporary withdrawal
 - o Alternative course completion options
 - o Alternative work assignments and/or supervisory changes
- The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing
- The right ***not*** to have any complaint of sexual assault mediated (as opposed to adjudicated)
- The right to make a victim-impact statement at the campus conduct proceeding and to have that statement considered by the Hearing Committee in determining its sanction
- The right to a campus no contact order against another person who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining person or others
- The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus disciplinary officials
- The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution
- The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the accused respondent for compelling safety reasons (this does not include the name of the alleged complainant, which will always be revealed)
- The right to preservation of privacy, to the extent possible and allowed by law
- The right to a hearing closed to the public
- The right to petition for removal of members of the Hearing Committee based on demonstrated bias
- The right to give testimony in a campus hearing by means other than being in the same room with the respondent
- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses
- The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint

- The right to be present for all testimony given and evidence presented before the conduct body
- The right to have complaints heard by conduct and appeals officers
- The right to conduct officials comprised of representatives of both genders
- The right to have College policies and procedures followed without material deviation
- The right to be informed in advance of any public release of information regarding the complaint
- The right not to have released to the public any personally identifiable information about the complainant, without his or her consent.

STATEMENT OF THE RIGHTS OF RESPONDENT/ACCUSED PARTY

- The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct to College administrators against the respondent
- The right to be informed of and have access to campus resources for counseling and advisory services
- The right to be fully informed of the nature, rules and procedures of the campus conduct process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions
- The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation
- The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing
- The right to make an impact statement at the campus conduct proceeding and to have that statement considered by the Hearing Committee when determining its sanctions
- The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution
- The right to review the complainant's testimony and all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the respondent for compelling safety reasons (this does not include the name of the alleged complainant, which will always be revealed)
- The right to a hearing closed to the public
- The right to petition that any member of the conduct body be removed on the basis of bias
- The right to have complaints heard by conduct and appeals officers

- The right to have College policies and procedures followed without material deviation
- The right to have an advisor or advocate to accompany and assist the accused party. This advisor can be anyone, including an attorney (provided at the respondent's own cost), but the advisor may not take part directly in the hearing itself, though they may communicate with the respondent as necessary. The College should be notified five (5) business days in advance of the hearing if an advisor or advocate will accompany the respondent
- The right to a fundamentally fair hearing, as defined in these procedures
- The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice
- The right to written notice of the outcome and sanction of the hearing
- The right to conduct officials comprised of representatives of both genders
- The right to be informed in advance, when possible, of any public release of information regarding the complaint.

Referral Services

Southeast Arkansas College's Retention and Advisement Center maintains a Community Resource Manual, which includes contacts for a variety of issues including sexual assaults or counseling services.

If a student reports a sexual assault, which occurred, on campus, the Pine Bluff Police Department as well as Southeast Arkansas College Security will be contacted immediately. The Vice President for Student Affairs will also be included in the chain of command for notification purposes.

JRMC (Jefferson Regional Medical Center) is the local hospital where a victim will be referred for evaluation and medical treatment.

Following are the crisis services contacts we provide as referrals to students, faculty, staff and College guests:

Jefferson County Rape Crisis Hotline	(870) 541-5386	(870) 541-7100
Southeast Arkansas Behavioral Healthcare New Hope Counseling	(870) 534-1834	
CASA Women’s Shelter	(870) 534-8910	
Rivendell of Pine Bluff	(870) 535-0287	
Healing Place Ministries	(870) 247-3588	
National Sexual Assault Hotline Free & Confidential 24/7	(870) 535-0101	
	800-656-HOPE	800-656-4673

4.2 Title IX - Education Amendments of 1972

It is the policy of the Southeast Arkansas College that no person shall, on the basis of sex, be denied admission, or be subjected to discrimination in admission and/or employment. In determining whether a person satisfies any policy or criterion for admission and employment, the College shall not give preference to one person over another on the basis of sex.

The College shall not apply any rule concerning the parental, family, or marital status of a student which treats persons differently on the basis of sex; shall not discriminate against or exclude any person on the basis of pregnancy, childbirth, termination of pregnancy, or recovery there from, or establish or follow any rule or practice which so discriminates or excludes; shall treat disabilities related to pregnancy, childbirth, termination of pregnancy, or recovery there from in the same manner and under the same policies as any other temporary disability or physical condition; and shall not make pre-admission and employment inquiry as to the marital status of an applicant for admission and employment, including whether such applicant is Miss or Mrs.

The College shall not exclude any person, on the basis of sex, from participation in any academic, extracurricular, research, occupational training, or other education program or activity.

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The College shall not exclude any person, on the basis of sex, from participation in any academic, extracurricular, research, occupational training, or other education program or activity.

4.4 **Rehabilitation Act of 1973**

Southeast Arkansas College does not discriminate in admission to, or access to, or treatment of, or employment in, its programs or activities on the basis of handicapped status. This commitment is made by the College and is in accordance with Section 504 of the Rehabilitation Act of 1973. Section 504 guidelines include the following:

1. The College must not exclude, on the basis of handicap, any qualified handicapped student from participation in any academic, research, occupational training, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular, or other postsecondary education program.
2. The College must make modifications to academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped student.
3. The College must not impose upon handicapped student's rules, such as the prohibition of tape recorders in classrooms or dog guides in campus buildings that have the effect of limiting the participation of handicapped students in a program.

4. The College must provide methods of evaluating the achievement of students who have a handicap that impairs sensory, manual, or speaking skills as will best ensure that the results of the evaluation represents the student's achievement in the course, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where such skills are the factors that the test purports to measure).
5. The College must take necessary steps to ensure that no handicapped student is denied access to a program because of the absence of educational auxiliary aids.
6. In providing financial assistance to qualified handicapped persons, the College may not, on the basis of handicap, provide less assistance than is provided to non-handicapped persons.

In providing personal, academic, or vocational counseling, guidance, or placement services to students, the College must provide these without discrimination on the basis of handicap.

4.5 **Family Educational Rights and Privacy Act**

It is the policy of the Southeast Arkansas College to comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) and to inform students of their rights under FERPA. The following notice of student rights under FERPA shall be given on an annual basis to students. A student at the Southeast Arkansas College has the following rights with regard to his or her education records:

1. To inspect and review all education records pertaining to him or her.
2. That the following information, which is considered to be directory information, will be subject to public disclosure unless the student informs the Registrar in writing before the end of the first week of classes each semester that he or she does not want any or all of these types of information designated as directory information:
 - student's name
 - major field of study
 - participation in officially recognized school activities
 - dates of attendance
 - degrees and awards received
 - the most recent school attended by the student.
3. To request the amendment of his or her education records to ensure that they are not inaccurate, misleading, or otherwise in violation of his or her privacy or other rights.
4. To consent to disclosure of personally identifiable information contained in his or her education records, except to the extent that FERPA authorized disclosure without consent.

5. To file a complaint with the U.S. Department of Education concerning the alleged failure by the College to comply with the requirements of FERPA.
6. To obtain a copy of the College's FERPA policy upon payment of a copying fee. See Website under Catalog [Privacy Rights Students](#) for FERPA Policy.

5. Emergency Policy and Procedures

- 5.1 **Emergency Procedures** – The following guidelines apply to emergency conditions on campus.

It is not possible to establish procedures for every type of emergency, but these guidelines cover many emergency or hazardous situations. Please review them frequently so that you will be prepared in an emergency. Everyone should sign on to E2 Campus to receive emergency notifications.

To Report an Emergency

- Call 870-557-4211 or Extension 4911 (Campus Security on duty) – Campus Security will notify Vice President for Student Affairs Office
- For Police, Fire, Ambulance call 911
- Be ready to provide type of emergency, location, phone number and your name
- Do not hang up until help arrives or until it is safe to do so

Active Shooter on Campus

- Call 911
- Call 870-557-4211 or Extension 4911 (Campus Security on duty)
- Lock down in place

In Case of Fire

- Fire Exits- A fire escape plan are posted in all buildings and on bulletin boards
- Activate fire alarms
- Notify students and visitors and leave the building by closest exit
- Do not use elevator
- Move away from the building and do not reenter until directed by police or fire department or college staff
- Call 911 then 870-557-4211

Medical Emergency

- Get help immediately
- Talk to injured person to see if medical assistance is required
- If the victim does not respond call 911 and 870-557-4211 or Extension 4911 (Campus Security on duty)
- Provide first aid assistance to responder's level of training
- Stay on the line until help arrives or it is safe to hang up
- Provide information to emergency personnel on phone and Campus Security.
- Campus Security will direct emergency services to the correct building and nearest entrance

Weather Related Emergency

- Seek shelter in buildings if necessary (bathrooms, hallways and away from windows)
- Take personal belongings with you and follow staff instructions if you are instructed to shelter in buildings
- Evacuate if instructed in a safe orderly manner

Bomb Threats

- Notify Campus Security at once
- Be as specific as possible when relaying what the caller said

Motor Vehicle Accidents on Campus

- Call Campus Security (870-557-4211) or Extension 4911

Accidents Without Injuries

- If an accident or other emergency occurs in the classroom lab, or shop, take appropriate actions in responding to the situation. Report the event and the actions taken to Campus Security as soon as possible

Emergency Evacuation

- Faculty members are responsible for checking rooms for remaining students before leaving themselves. Faculty members & Building Captains (Vice Presidents, Deans, Department Chairs or Directors) in each building should direct students to the nearest exit and should assist handicapped students.

5.2 **Policies**

5.2.1 **Accidents and Emergencies** - All accidents, emergencies and injuries occurring on campus or during a campus-sponsored activity must be reported to Campus Security at 4911. (See College Website - Worker's Compensation Forms under Faculty & Staff Handbook)

5.2.2 **Emergency Situations**

Tornado Alert Policy- In the event of a tornado warning, instruct all students to go into the halls, away from glass windows and doors.

Fire Exits- A fire escape plan are posted in all buildings and on bulletin boards

Bomb Threat- The fire escape route should be followed in the event of the evacuation of the building. Instructors should check to see that all students leave immediately and move away from the buildings.

Accidents Without Injuries - If an accident or other emergency occurs in the classroom lab, or shop, take appropriate actions in responding to the situation. Report the event and the actions taken to Campus Security as soon as possible.

5.2.3 **Emergency Evacuation** - In the event of fire, bomb threat or other emergency requiring evacuation of a building, faculty should ensure the orderly exit of all students immediately. Faculty members are responsible for checking rooms for remaining students before leaving themselves. Faculty members & Building Captains (Vice Presidents, Deans, Department Chairs or Directors) in each building should direct students to the nearest exit and should assist handicapped students.