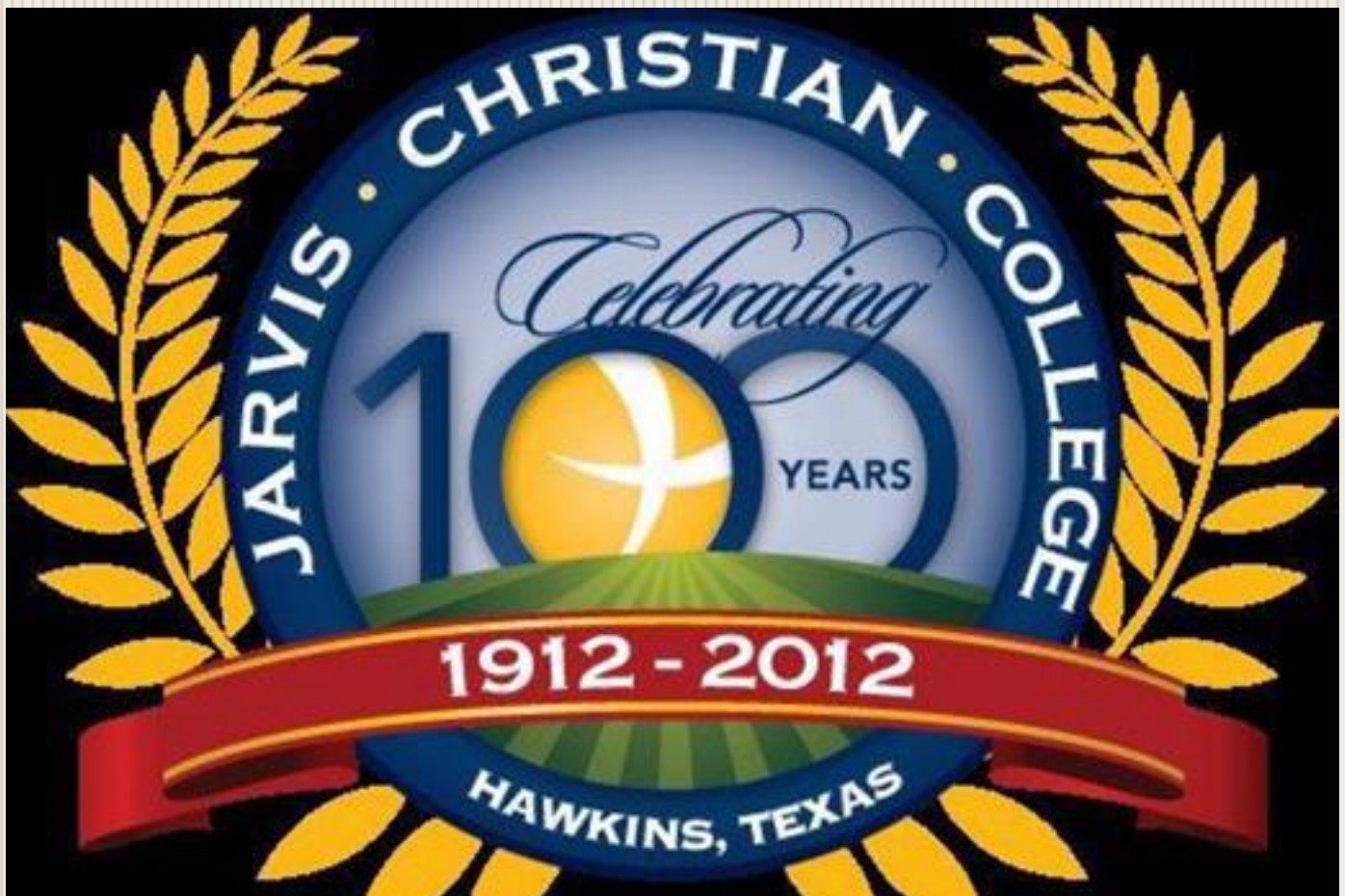


# ADMINISTRATIVE HANDBOOK



## JARVIS CHRISTIAN COLLEGE

### OFFICE OF HUMAN RESOURCES

EBS Building (Administration Building)

PR 7631, Hwy. 80 East

P.O. Box 1470

Hawkins, Texas 75765

Revised March 22, 2013



## ACCREDITATION STATUS

**Jarvis Christian College** is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award baccalaureate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Jarvis Christian College.

The Commission is to be contacted *only* if there is evidence that appears to support the College's significant non-compliance with a requirement or standard. Normal inquiries about Jarvis Christian College, such as admission requirements, financial aid, educational programs, etc., should be addressed directly to the College and not to the Commission's office.

Jarvis Christian College is an equal opportunity employer.

**TTY (800) 735-2989**



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## **INFORMATION**

### **SECTION - HR 1.0**

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#### **THE HISTORY OF JARVIS CHRISTIAN COLLEGE**

Jarvis Christian College is a historically Black College that has been affiliated with the Christian Church (Disciples of Christ) since its inception. The College began as Jarvis Christian Institute, modeled after Southern Christian Institute, Edwards, Mississippi, and its formal instructional program commenced January 13, 1913, with an enrollment of twelve students, all in the elementary grades.

The recorded history began in 1904 when the Negro Disciples of Christ in Texas, spearheaded by Mrs. Mary Alphin, State Organizer, in conjunction with the Christian Woman's Board of Missions, began planning for a school for Black youth. Financial goals were set. The Negro Disciples of Christ in Texas were to raise \$1,000 for a school; the Christian Woman's Board of Missions would contribute \$10,000, if this were done. Meanwhile, Miss Virginia Hearn, State Secretary for Women's Work, convinced Mrs. Ida Van Zandt Jarvis of the need for a school for Black youth.

In turn, Mrs. Jarvis worked to persuade her husband, Major James Jones Jarvis, to donate land upon which a school could be built. In 1910, Major and Mrs. Jarvis deeded 456 acres of land near Hawkins, Texas, to the Christian Woman's Board of Mission on the condition that it keep up and maintain a school for the elevation and education of the Negro race...in which school there shall be efficient religious and industrial training. Inherent in the spirit of the donation was that the land would be used to educate *head, heart, and hand* and to produce useful citizens and earnest Christians.

In 1912, Mr. Thomas Buchanan Frost, a graduate of Southern Christian Institute, who was to serve as Superintendent, came to start a school. Soon, Mr. Charles Albert Berry, also a Southern Christian Institute graduate came to serve as Principal.

In 1914, Mr. James Nelson Ervin came from Johnson City, Tennessee, to be the first President.

In 1938, Mr. Peter Clarence Washington came from East St. Louis, Illinois, to serve as the second President.

In 1949, Dr. John B. Eubanks assumed administrative duties as Executive Vice-President. He was named the third President in 1951.

In 1953, Dr. Cleo Walter Blackburn, who served as consultant to President Eubanks, began his eleven-year tenure as the fourth President.

In 1959, Dr. John Oliver Perpener, Jr. was named Executive Vice President and served as resident executive. In 1964, an alumnus became Provost and Chief Administrative Officer.

In 1972, Dr. John Paul Jones was appointed the sixth President.

In 1976, Dr. Earl Wadsworth Rand, an Alumnus and former Dean of Jarvis Christian College, became the seventh President.

In 1980, Dr. Charles Albert Berry, Jr., an alumnus, became the eighth President.

In 1988, Dr. Julius Franklin Nimmons, Jr., became the ninth President.

In 1991, Dr. Sebetha Jenkins became the tenth President.

In 2009, Dr. Cornell Thomas became the eleventh President.

On April 2, 2012, Dr. Lester C. Newman became the twelfth President and who is currently serving in that capacity.

### **PHILOSOPHY**

Jarvis Christian College, having been founded by and continuing its affiliation with the Christian Church (Disciples of Christ) for the purpose of higher education, seeks to give added meaning to all its activities by making religion and spiritual values of central importance. A Christian Church exists on the campus. Students, faculty members and their families and friends are invited to attend and participate in the services of the campus church.

Since religious ideas are so inextricably involved with the American political and cultural tradition, Jarvis Christian College proposes to expose its students to religious ideas and to challenge them to put faith into action within the college community. Insofar as respect for the dignity and worth of the individual is common to both faith and democratic practice, the development of a personal faith may be seen to be doubly important. At the same time, Jarvis Christian College recognizes that effective religion must be voluntary and that denominational insistence and insulation are inconsistent with the broadly ecumenical spirit of the Christian Church (Disciples of Christ).

Recognizing that democracy is ideally both an end and a means to other meaningful ends in education; Jarvis Christian College seeks to encourage in its members an acceptance of the primacy of individuals as persons and the necessary interdependence of the concepts of freedom and responsibility. Students, seeking experiences and wisdom, are the reason for the existence of Jarvis Christian College. All personnel are challenged to demonstrate both competence and compassion as they patiently help students toward further maturity.

An accredited College like Jarvis Christian College is not only a teaching institution which collects and passes on to its students the accumulated knowledge and scholarship, but it is also a many-faceted center of learning in which equally important obligations include enrichment and advancement of knowledge through creative research and scholarly and scientific services to its communities. Jarvis Christian College accepts these obligations and seeks to foster an environment in which outstanding scholars and scientists in all fields may flourish as they teach.

### **A Covenant between the Christian Church (Disciples of Christ) and All Colleges and Universities Affiliated with the Christian Church**

#### **PREAMBLE**

Church-related institutions of higher education have had and should continue to have a crucial role in the Church's mission. The Christian Church (Disciples of Christ) desiring to reaffirm its commitment to the role of higher education in the fulfillment of its total mission, and this institution of higher education related to the Christian Church (Disciples of Christ), desiring to reaffirm its role and relationship in the Church's total mission, do voluntarily enter into covenant as follows:



## **CHURCH**

1. The Church will be learning and informed church, which encourages the pursuit of understanding, knowledge and wisdom.
2. The Church will reinforce and advocate the purpose of the academic institution in promoting open exploration of ideas and the responsible use of scholarship encouraging the pursuit of truth for the betterment of individuals and society.
3. The Church will recognize the right, desirability and necessity of the institution to be under the independent control of its own governing board and not that of the individual, the state or of the Church.
4. The Church will join as a partner with the institution to dialogue between faith and knowledge and in support of academic freedom.
5. The Church will serve as a resource in recruitment and referral of qualified administrators and faculty personnel
6. The Church will assist the institution when appropriate, in those matters, which relate to the pastoral concerns of its students, faculty, administration and staff.
7. The Church will provide supportive services to the institution through the Division of Higher Education and other general administrative units and manifestations of the Church.
8. The Church will encourage periodic official and unofficial campus visits by Church personnel to further the understanding of the inception and to discover ways in which common goals and purposes can be attained.
9. The Church will acknowledge the formative nature and on-going worth of higher education in the past, present and future of the Christian Church (Disciples of Christ).
10. The Church will encourage and assist its congregation in making qualified students aware of the available educational opportunities at the institution and will share in financial aid to students.
11. The Church will make a financial commitment to the institution consistent with the established procedures for financial support from the Christian Church (Disciples of Christ) and will assist in donor solicitation and fund raising.
12. The Church will state in its Year Book and Directory and other appropriate documents and literature its relationship with the institution.

## **INSTITUTION**

1. The institution will focus the learning experience upon the total person through continual inquiry, scholarship and research among its staff, faculty and students.
2. The institution will maintain educational standards of excellence with accreditation by appropriate bodies while preparing persons to develop their individuality and to make responsible use of their knowledge, skills and abilities.
3. The institution will reflect the Judeo-Christian tradition in its leadership consistent with its charter and the laws of the land.
4. The institution will provide within the framework of academic freedom on-campus curricular opportunities for religious understanding, including Biblical studies.
5. The institution will use the personnel services of the church, particularly its Division of Higher Education, as a resource for locating prospective administrators, faculty and trustees.
6. The institution will provide on-campus opportunities for voluntary workshop and other means for the moral and ethical development of persons with its collegiate community.
7. The institution will cultivate a service relationship by offering to congregations, regions and general administrative units of the church the resources of higher education - personnel, programs and facilities.

8. The institution will seek to understand the church's concerns, aware that the church and institution hold in common the development of persons to their highest potential and the shaping of a society beneficial to all.
  9. The institution will include in its structure a means of preserving its Christian Church (Disciples of Christ) heritage and will pursue the vital relationships, goals and purposes common to the institution and the Church.
  10. The institution will give due consideration to admitting qualified students recruited by congregations and will seek to help applicants through counseling and financial aid, irrespective of race, creed or national origin.
  11. The institution will abide by the funding procedures and disciplines established for organizations receiving financial support from the Christian Church (Disciples of Christ) and will administer itself in a responsible manner with financial integrity.
  12. The institution will state in its catalog and other appropriate documents and literature its relationship with the Christian Church (Disciples of Christ).
- The Christian Church (Disciples of Christ) and our colleges and universities hereby agree and covenant with each other in accordance with the above and foregoing.

### **MISSION**

Jarvis Christian College is historically Black liberal arts, baccalaureate degree-granting institution affiliated with the Christian Church (Disciples of Christ). The mission of the college is to prepare students intellectually, through academic programs that promote excellence in teaching and learning; socially, through student-centered support programs that encourage positive and constructive communication among peers, faculty, and staff; spiritually, through programs that stimulate spiritual growth and worship; and personally, through interaction that fosters self-development and maturity. The mission further seeks to prepare students for professional and graduate studies, productive careers, and to function effectively in a global and technological society.

## **ADMINISTRATIVE STRUCTURE**

### **SECTION - HR 2.0**

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#### **THE BOARD OF TRUSTEES**

Under its charter issued by the State of Texas, its Board of Trustees controls Jarvis Christian College. The bylaws, as amended, provide that the Board of Trustees consists of up to 25 members in two categories. General trustees are elected in staggered classes and hold office for a term of three years. The representative trustees are the Student Government Association President, the Jarvis Christian College/Southern Christian Institute National Alumni and Ex-Students Association President, and a faculty representative, all of whom are nominated to the Jarvis Christian College Board of Trustees upon their election by their respective constituencies.

Regular meetings are held in the months of April and September. Other meetings are held at the call of the Chair of the Jarvis Christian College Board of Trustees. The Board of Trustees decides matters of basic policy, approves budgets, selects the President and is the ultimate authority for all College-related matters.

Officers of the Board of Trustees are the Chair, the Vice-Chair, the Secretary, the Treasurer and such other officers, as the Board deems necessary. Standing committees of the Board of Trustees are the Executive Committee, the Finance Committee, the Academic Affairs Committee, the Student Affairs Committee, the Nominating Committee, the Investment Committee, the Building and Grounds Committee, the Technology Committee, Audit Committee, Compensation Committee, Strategic Committee, and the Human Resources Committee. The Executive Committee acts for the Board as authorized.

### **THE PRESIDENT**

The President of the College is the Chief Executive Officer of Jarvis Christian College, accountable to and appointed by the Jarvis Christian College Board of Trustees. The duties reflected in the title include the general and active management of the business and other affairs, executing all orders, resolutions, and policies, recommending policies, appointing personnel, and presenting a budget to the Board of Trustees.

### **EXECUTIVE CABINET**

The President of the College is the chair of the Executive Cabinet, and the Executive Assistant to the President is the secretary. Ordinarily, persons who want to appear before the Executive Council may do so by writing a letter to the Executive Assistant to the President at least five days prior to the desired meeting date, indicating the nature of the presentation. The individual will be notified concerning the disposition of the request.

Membership on the Executive Council consists of the President of the College, the Executive Assistant to the President, the Provost Vice President for Academic Affairs, the Vice President for Finance and Administration and the Vice President for Institutional Advancement, Vice President of Institutional Effectiveness, Vice President of Student Services and Director of Human Resources.

### **Executive Assistant to the President and Director of Administrative Management Programs**

The Executive Assistant to the President is accountable to the President for all special projects and assignments from the President and assists the President by serving as a liaison between students, faculty, and staff in addition to coordinating and monitoring subordinate programs and projects to attain goals and objectives of the work unit.

### **Provost/Vice President for Academic Affairs**

The Vice President for Academic Affairs is accountable to the President of the College for the administrative management and supervision of the Jarvis Christian College instructional program. This includes, but is not limited to, supervision of the academic divisions, the faculty and the academic support programs.

### **CFO/Vice President for Finance and Administration**

The Vice President for Administration and Finance is accountable to the President of the College. Duties and responsibilities include, but are not limited to, the administrative management, supervision, and implementation of the financial operations, budget preparation, budget development, administrative management and program development, and supervision of all aspects of facilities and maintenance entities.

### **Vice President for Student Services**

The Vice President for Student Affairs is accountable to the President of the College. This includes, but is not limited to, student program development, administrative management and supervision of the student life programs.

### **Vice President for Institutional Advancement and Development**

The Vice President for Institutional Advancement and Development is accountable to the President for administrative management, program development, supervision and operation of all fund fundraising, development and implementation of financial and other resource developments and public relations

### **Vice President for Institutional Effectiveness, Research, Planning Assessment and SACS Liaison**

The Vice President for Institutional Effectiveness is accountable for the collection, analysis, and dissemination of data related to all aspects of the College's mission, as needed for institutional planning, decision making, policy formation, assessment, and reporting. This individual will spearhead all activities related to SACS accreditation. The individual selected will also coordinate the Colleges planning and institutional effectiveness process.

### **Director of Human Resources, Professional Development and Compliance Issues**

The Human Resource Director is accountable for effectively managing all of the operations of personnel and professional development for the college. This responsibility covers areas such as working practices, recruitment, pay, conditions of employment and staff diversity, as well as, provide coaching to management on employments matters; lead, manage and conduct internal investigation when necessary, as well, and support overall organizational efforts to ensure all practices and polices meet legal and regulatory standards.

### **Channels of Authority and Communication – Protocol (Chain-of-Command)**

In order to conduct business properly and in order, all employees must adhere to some established procedures, commonly referred to as protocol or "chain-of-command". Established procedures of protocol applies to all employees at the College, as well as, all persons interacting with the College, to ensure that all issues are heard and decisions are made in an effective and efficient manner.

Any issue, including suggestions for improvements, complaints, and other requests for action should be directed to the immediate supervisor and/or director of that respective area. If the response does not satisfactorily address the issues, then it should be brought to the attention of the Vice President of that Department. The Vice President has the responsibility for reviewing issues and resolving at the department level. If the Vice President does not have the authority or resources to resolve the issue at the department level, it is the Vice President's responsibility to bring the issue to the attention of the Office of the President.

In addition, requests to direct reports should be directed through the Vice President's Office or the Vice President and Director/Supervisor should be copied on the request.

With the exception of the President, Faculty and Staff are expected to adhere to the "chain-of-command" policy effective immediate. This policy does not preclude access to any of the administrative officials in the case of exceptional matters.

**PERSONNEL****SECTION – HR 3.0 – Equal Employment Opportunity Policy – 3.1**

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Jarvis Christian College declares as policy that all applicants for admission and employment, students, parents, employees, sources of referral of applicants and employment, and any and all entities having business with the College are hereby notified that this College does not discriminate on the basis of race, color, national origin, religion, sex, age, or physically challenged in admission or access to, or treatment or employment in, its programs and activities.

The College assures that all applicants for employment and all College employees are given equal consideration based solely on job-related factors, such as qualifications, experience, performance, and availability. Such equal consideration applies to all personnel actions, including but not limited to recruitment, selection, appointment, job assignment, training, transfer, promotion, merit increases, demotion, termination, pay rates, and fringe benefits. The Human Resources Director reviews, evaluates, and monitors all personnel matters to ensure that they are in accordance with this policy.

The College conforms to all applicable federal and state laws, rules, guidelines and regulations and provides equal employment opportunity in all employment and employee relations. Thus, this College pledges compliance with the regulations implementing Title VI, Title IX, The Americans with Disabilities Act of 1990 as amended and Section 504 of the Rehabilitation Act of 1973, as amended.

The College requires its personnel to act in conformity with the principles outlined in this policy through strict adherence to the above statements and recognizes that the effective application of equal opportunity in employment must involve more than a nondiscriminatory policy statement. Jarvis Christian College takes positive steps to eliminate any discrimination from its personnel practices, and creates an environment that encourages equal opportunity for all of its employees.

The College pledges to protect qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. The College will also provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship.

The Human Resources Director takes seriously and will investigate promptly and thoroughly all charges of alleged discrimination in employment, and informs College employees of their rights in regard to equal employment.

Jarvis Christian College distributes information regarding equal employment opportunity through the employee handbook, new employee orientation materials, training materials, staff meetings, and various publications. EEO-related complaints may be made to the Human Resources Director, located in the EBS Building, Office #106.

## **PERSONNEL**

### **SECTION 3 –Employment Process – HR 3.2**

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#### **Administrative and Staff Employees**

Employment for all administrative and staff employees will be provided through a letter from the President. Employment at Jarvis Christian College is “At Will”. Employment may be terminated by either party with or without cause.

In the event the services of an employee are not desired, the employee will receive a letter of notification from the College President.

All appointments, promotions and salary increments require performance evaluations and recommendations for continued employment. Terms and conditions of service for all employees of the College are carefully enumerated for each category of employment.

#### **Salary Schedule**

Advancement on the salary schedule is normally at the rate of one step per year of satisfactory performance of duties, if funds are available. Employees advance at least one increment upon moving from one position column to a higher column. Salary schedules provide for uniform advancement, based upon years of service to Jarvis Christian College without regard to race, creed, color, religion or national origin.

The salary schedules are reviewed and updated yearly and are effective until such time as they are revised or approved:

1. Senior Administrative Officers Schedule
2. Administrative Managers Schedule
3. Staff Schedule

#### **Employment Classifications**

**The following shall govern the classifications of employment recognized by the College:**

##### **Full Time Staff**

Employees who work 40 hours a week per terms of agreement are considered full time.

##### **Part Time Staff**

Employees who work less than 40 hours a week and are not entitled to employment benefits.

##### **Temporary Staff**

Employees who are hired for a specified term, usually no more than ninety (90) days. Temporary employees are not entitled to any employment benefits.

**Staff Personnel** are divided into four basic groups:

**Executive/Administrative Personnel** are those employees whose positions require primary and major responsibility for decision-making and/or management of the College. These persons usually direct the work of others.

**Other (Support Service) Personnel** are employed for the primary purpose of performing academic support, student service and institutional support activities.

**Clerical and Secretarial Personnel** are those employees whose positions require clerical or secretarial duties. This category includes personnel who are responsible for internal and external communications, recording and retrieval of data or information, and other clerical work.

**Service/Maintenance Personnel** are those employees whose positions contribute to the safety and maintenance of campus life.

### **Emeritus Staff**

Administrative and general staff employees may be granted the *Emeritus* designation at the time of or after retirement. If granted, the term *Emeritus* is added after the title held at the time of retirement. Candidates for *Emeritus* status must have been associated with the College for at least ten years and must have contributed unusually meritorious service to Jarvis Christian College.

The procedure for nomination and appointment of staff to *Emeritus* status is the same as that for staff promotion. *Emeritus* status does not entitle the holder any mandatory compensation from Jarvis Christian College, but such persons are accorded full staff benefits in the matter of cultural and social activities and attendance at Jarvis Christian College sponsored events. The names and titles of all *Emeritus* staff members are printed in the College Catalog.

## **PERSONNEL**

### **SECTION 3 –Employment – Selection Process - HR 3.3**

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#### **Creation of New Position**

New positions must be requested by the senior administrative officer at the time of budget preparation. At any other time, a written request should be submitted to the College President. Approval of a new position will depend on the available budgeted funds and need for the position.

#### **Recruitment and Selection**

If the decision is made to fill a budget administrative or general staff vacancy or a new position, upon receipt of an approved *Notice of Personnel Request Form*, with attached updated job description, the Human Resources Office shall:

- Prepare position announcement and post on the website.
- Review the active applicant files to determine if any persons contained therein might be qualified for the vacant position.
- Publicize by contacting Texas Employment Commission and other employment agencies.

- Place classified ads in local newspapers and professional journals and publications.
- Acknowledge receipt of applications, review and conduct initial screening in accordance with position description, and schedule testing as required.
- Forward all applications to the appropriate search committee for evaluation and selection of final candidates.
- Schedule selected applicants for interview through use of employment review form.

All prospective employees must complete and submit an application for employment, resume, three letters of recommendation and official transcript(s) (when applicable) to the Human Resources Office. Vacant positions may be filled by promotion, transfer, rehire or new hire. Applications and/or resumes are kept on file for six months submission date. Employees considered for rehire must submit a new application and resume.

**Search Committee (Department Heads or Managers) will:**

1. Interview referred applicants
2. Complete the employment review form and return to the Human Resources Office and advise of recommended action for consideration.
3. Upon final selection, complete a *Recommendation to Employ* Form and return to the Human Resources Office, along with all applications for employment. When the paper work is received in the Human Resources Office, the candidate will be notified to return to the office to complete the *Employment Eligibility and Verification (INS Form 1-9)*.

When all required documents are received, showing the applicant is employable for the position, the Human Resources Director will forward the recommended applicant file to the Office of the President for final approval.

**Notification:** Upon the approval of the candidate by the College President, the Human Resources Office will request the candidate to come in to complete proper forms for employment with the college.

**Salary Requirement:** The Salary specified on the Recommendation to Employ Form must be in accordance with the regulations set forth in the appropriate salary schedule. Any exceptions recommended by department head and/or senior administrative officer must have final approval of the President.

**Letters of Assignment:** All employees of the College shall be employed by a Letter of Assignment prepared by the Office of Human Resources. Before the letter is legally in effect, it must be signed by the College President and the employee.

No employee shall be permitted to perform services on behalf of the College until the letter of appointment is signed and returned to the Office of Human Resources.



### **Assignment Extension**

The recommendation to the President and the administration not to renew an assignment under this policy shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, disability, or age. Reasons for not extending an employee's assignment shall be:

1. Financial exigency
2. Deficiencies pointed out in observation reports, appraisals or evaluations, supplemental memoranda, or communications.
3. Failure to fulfill duties or responsibilities.
4. Incompetence or inefficiency in the performance of required or assigned duties.
5. Inability to maintain discipline in the classroom or at assigned school-related functions.
6. Insubordination or failure to comply with official directives.
7. Failure to comply with Board policies or administrative regulations.
8. Conducting personal business during school hours when it results in neglect of duties.
9. Drunkenness or excessive use of alcoholic beverages; illegal use of drugs, hallucinogens, or other substances regulated by the Texas Controlled Substances Act.
10. Conviction of any felony or any crime involving moral turpitude.
11. Failure to report any arrest, conviction, or deferred adjudication for any felony or any crime involving moral turpitude as required by policy.
12. Failure to meet Jarvis Christian College's standards of professional conduct.
13. A significant lack of student progress.
14. Assault on an employee or student.
15. Falsification of records or other documents related to Jarvis Christian College's activities.

### **Duration of Assignments**

#### **Staff Personnel**

Except for those staff employees mentioned below, all other staff employees may be employed for a twelve-month period of a following calendar year or portions of a year thereof. The beginning dates are stipulated in each **Letter of Assignment**.

#### **Other Staff Personnel**

As approved by the President of the College, support personnel may be employed on a nine-month, ten-month or eleven-month basis.

#### **Summer Assignments**

Summer appointments are based on the needs of the College. Nine-month employees, if needed and selected for summer duty, will be notified by an official letter from the President. This notification will specify duty assignment, dates of employment and salary.

#### **Renewal and Non-Renewal of Employment**

At least thirty (30) calendar days prior to the end of the period of employment, the College will issue renewals of appointments, dependent upon action taken at the spring meeting of the Board of Trustees. Renewal of employment for all employees will be through a letter from the President. In the event the services of a faculty or staff employee are not desired for the next applicable

employment period, the employee will receive a letter of notification of the same from the College President.

Employment at Jarvis Christian is an “at will” relationship; either the employee or the employer may dissolve the employment relationship at any time, with or without cause, and with or without notices.

### **Accommodation of Employees or Applicants with Disabilities (Physically Challenged)**

In its hiring and personnel action, Jarvis Christian College does not discriminate against individuals who are disabled. The College provides reasonable accommodations (if not an undue burden) for applicants and employees with disabilities so they can complete the application process or perform their work.

### **Requests for Accommodations**

Applicants who need an accommodation for a disability should advise the Human Resources Director. Employees who are disabled and need accommodations should inform one of the following: their immediate supervisor, department chair/director or Human Resources.

### **Additional Requirements**

An individual who requests accommodations may be asked to provide a statement from a physician or other health care professional explaining the individual’s functional limitations. The College at its discretion may require a medical examination or medical inquiry to confirm the individual’s functional limitations by a health care professional it chooses.

A person not satisfied with the accommodations provided, may seek advice from the Human Resources Office.

## **PERSONNEL**

### **SECTION 3 – Performance and Evaluation Process - HR 3.4**

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#### **Performance Evaluations for Staff**

This policy is applicable to all regular, continuous employed, staff, regardless of time worked (FTE). This policy is not applicable to faculty or students.

#### **New Hire Probationary Period**

A probationary period of six (6) months shall prevail for newly employed general staff and administrative personnel. The purpose of the probationary period is to allow time for a supervisor to orient an employee to the work requirements and expectations of the position and to determine whether or not the employee demonstrates satisfactory knowledge and skills in the performance of the work assignments. At any time during the probationary period, either party may terminate employment without notice. Employment at Jarvis Christian is an “at will” relationship; either the employee or the employer may dissolve the employment relationship at any time, with or without cause, and with or without notice.

Staff members who **transfer** to new positions also must complete a six-month probationary period. If the adjustment is not satisfactory, the individual may be returned to his or her previous position or a similar position, if either is available and circumstances so warrant.

### **Performance Evaluations (Staff Employees)**

It is the policy of the College to conduct performance evaluations with employees at least on an annual basis. However, performance evaluations may be conducted more frequently as determined by the administrator. New employee evaluations will be conducted in accordance with procedures established under Orientation for New Employees (See Orientation Period). Reviews with employees on a scheduled basis are an employee development activity intended to assist and motivate employees to attain their maximum potential. Faculty employees will refer to the faculty handbook.

Supervisors are responsible for conducting thorough, impartial and timely performance evaluations with employees who report directly to them. Evaluation forms are intended to assist supervisors in recording their assessments of employee performance and in communicating their appraisals with employees.

The written results of an evaluation, including supervisor and employee signatures and any statements, will be retained in the department, and the staff member shall receive a copy of his/her finalized performance evaluation upon request.

The date of the last performance evaluation for each employee shall be maintained by the department on the Human Resource System. Evaluation forms may be obtained from the Human Resources Office.

### **Supervisor Training**

All supervisors who conduct performance evaluations are required to receive training in the techniques of a uniform and effective staff performance evaluation program at least once every three years.

These training sessions should include presentations and discussions of such subjects as:

- Detailed explanation of the employee performance evaluation and rating system to be used.
- Instructions as to what the administration of the department expects in the way of performance standards and the requirements for disseminating the expectations to all staff members
- The requirements and desirability of maintaining an effective and uniform evaluation program within and among all units of the department
- Caution about the pitfalls of common errors which can cause problems in performance rating, including:
  - rating all staff as average
  - allowing one aspect of a staff member's performance to influence the entire evaluation
  - over-valuing or under-valuing a given factor

- discriminating based on race, sex, age, religion, ethnicity, color, national origin, sexual orientation, religion, veterans' status, or qualified disability
- Criteria used to evaluate the performance of the staff should be directly related to the skills, abilities, and behaviors required to accomplish the work. The criteria or factors may vary with the type of work being reviewed. A current job description should be maintained on each position.

### **Process Improvement Plan**

- In the event that a staff member is rated "Needs Improvement" or "Unsatisfactory," with a serious problem concerning performance and/or behavior, and the staff member does not show satisfactory progress upon being informed of the deficiencies, a department should recommend a Process Improvement Plan to address any deficiencies. (This type of Process Improvement Plan should not be used for minor deficiencies; minor matters should be reviewed in the supervisor's daily contact with the staff member.)
- The following procedures are suggested for conducting Process Improvement Plan:
  - The immediate supervisor or higher ranking supervisor should initiate the action for staff deficiency review.
  - The staff member should be given a clear explanation of the deficient performance or problem behavior.
  - The expected level of performance or behavior and the action necessary to meet the expectations should be outlined, along with the time frame allowed for improvement and the consequences for failure to meet the standards set forth.
  - At the close of the review, the staff member should be advised as to when the matter will again be discussed, and this date should be noted.
  - The supervisor shall "follow up" the review on the date set to determine whether the staff member is making progress in the correction of the problems outlined in the review, or whether further corrective action is needed.
  - In the event that the staff member's performance does not improve, the department may find it necessary to take further disciplinary action, including discharge.
  - Appropriate records should be shared with the employee and higher ranking supervisor and maintained in the employee's personnel file in the department.

## **PERSONNEL**

### **SECTION 3 – LEAVE POLICY - HR 3.5**

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#### **Leaves**

Some leaves, including professional/educational leaves, may be granted for periods of up to one year based upon the nature of the employee's need for the leave, department staffing, and other relevant considerations.

Leaves are submitted by recommendation of the employee's supervisor, in consultation with the Human Resources Director with the final approval of the Office of the President. When a person is on leave, the other staff members may be asked to do the work of an individual on leave. However, if the position is to be filled, reasonable efforts will be made to fill it with temporary personnel. The College attempts to place employees returning from leave in the same or equivalent position of employment. However the College does not guarantee reinstatement at the end of a leave.

Employment may be terminated if:

- The individual resigns,
- The individual fails to report for work when not on leave,
- There is not a position on the same level or a lower level available when the employee is able to or desires to return to work,
- At the time the individual is able to return to work, no position acceptable to the employee is available and he or she refuses the position offered, or a disabled employee with accommodations (that are not an undue burden) is unable to perform the essential functions of the job or to perform his or her duties without endangering the health and safety of the employee or of others.

### **Types of Leaves**

Leaves of absence from active employment with the College with or without pay may be granted for the following reasons.

#### **Bereavement Leave**

Employee's bereaved by the death of a close relative are granted time off with salary for a period of three days per year. Relative is defined as a parent, grandparent, spouse, sibling, child or anyone of like relationship by marriage. Bereavement leave after three days is chargeable to sick leave up to a maximum of ten (10) days.

#### **Jury Duty**

The College will continue salary in full for the full time employee called to jury duty provided the following conditions are met: the summons is presented to the supervisor and Human Resources Director at least three days prior to the time scheduled to serve and evidence is provided to Human Resources of having served on a jury for the time claimed.

#### **Family/Medical Leave**

Leaves of absence for medical reasons (including pregnancy) are granted for the period of time an individual is declared unable to work by his or her physician. The individual or his or her authorized representative may request the leave. The appropriate supervisor or department chair may also initiate a leave. In accordance with the Family Leave Act of 1993, family leave is unpaid leave and is granted upon request with appropriate documentation.

Family leaves, which may be limited to 12 weeks in any 12-month period, will be provided if requested for the birth of a child of the employee, the placement of a child with the employee for adoption or foster care, in order to care for a seriously ill member of the employee's immediate family (spouse, son, daughter, or parent), an extension of a medical leave in which case the 12 week limit may be applied to the entire period of absence. In the case of family leave to care for an ill family member, a physician's statement may be required.

The employee's supervisor, department chair or other appropriate administrative officer in consultation with the Human Resources Director recommends approval of the leave. For approval of a medical leave, the College requires a physician's statement specifying the date the

individual first became unable to work and the anticipated date for return to work. Employees are eligible for medical leaves from the date of hire.

If the medical leave is a consequence of an injury related to work for Jarvis Christian College, the conditions of medical leave are the same as those stated above, except that Workers' Compensation Coverage stands in place of short-term disability payments of salary.

Family leaves are unpaid, although staff may draw upon available benefit time. Upon return from leave, the employee must present a physician's statement certifying that the employee is able to assume the full duties of responsibility. For more information or forms for FMLA, contact the Office of Human Resources.

### **Sick Leave**

The College provides medical leave with compensation to all employees whose absence from work is required by his personal illness or injury. Employees are eligible for one (1) working day of medical leave after completing (1) month of continuous, uninterrupted employment. Medical leave is earned at the rate of one (1) day per month and can be accumulated from year-to-year up to a maximum of sixty days. Medical leave will not be granted if the absence is due to an illness or injury incurred while committing a felony or illness or injury resulting from paid employment of any kind other than employment by the College.

In the case of any doubt as to the existence or cause of an illness or injury, which requires absence from work, the decision of a physician selected by the College will be final.

An employee who is sick on an observed holiday receives regular holiday pay for that day, and is not deducted from medical leave credit. When an employee becomes ill or disabled while on vacation, the employee may use accumulated medical leave, provided the supervisor is notified as soon as possible and the employee submits satisfactory evidence confirming the illness or disability. If an employee is absent from work due to illness or injury for more than three (3) days, a statement should be submitted from the employee's physician.

If an employee is unable to perform assigned duties as a result of compensable on-the-job injury, the employee may use medical leave and/or vacation leave in order to continue receiving salary.

Upon termination of employment, an employee cannot apply for remuneration of unused sick days.

### **Military Leave**

The College will grant a leave of absence without pay for military leave subject to the following conditions:

Any employee who presents official orders requiring attendance for a period of training or other active duty as a member of the United States Armed Forces, State Reserve Corps or State Guard will be granted leave of absence without pay for the period of such services. Upon completion of such service, and the employee received an honorable discharge, the employee will be reinstated to their former position in accordance with the applicable laws regulating such matters. Benefit plans and accruals are not continued while an employee is on permanent active duty.

### **Advanced Study Leave (All Employees)**

After three years of continuous full-time employment, an employee could be eligible for study leave pending the availability of funds from external or internal sources, or where appropriate, without pay. A recommendation must be made by the immediate supervisor, endorsed by the division chair, senior administrative officer and approved by the College President.

In instances where the leave is funded by external or internal sources, the employee must agree to pursue advanced study in an area based on the needs of the College, as recommended and approved through the lines of authority. The amount of financial support (when available) shall not exceed the regular salary and shall be given as an advanced study stipend.

The employee must repay to Jarvis Christian College two years of post-study leave service for each full year of study leave. Study leave with or without pay shall not exceed two years.

### **Sabbatical Leave**

Sabbatical leave may be granted to faculty at the end of five years of service for one year with half-salary or at the end of seven years of service for one year with full salary. This policy is dependent on the availability of institutional funds. Other faculty leaves of absence may be supported with external funding.

### **Special Leave**

Special leaves of absence without pay may be allowed for periods of inactive employment covering more than one day, but not exceeding one year. If an absence is to continue for longer than one year, the employee is to notify the Human Resources Director to this effect and request a specified extension of time at least thirty days prior to the expiration date of the leave of absence. The senior administrative officer and the employee's supervisor will review the request for extension and jointly recommend an extension or termination of the leave of absence to the President of the College who may approve or deny the recommendation. If the request is denied and the employee is unable to return to work, the services of the employee are terminated and the official date of termination is the last day of the originally approved period of leave.

Ordinarily, special leaves of absence are granted without pay. Payment to employees on special leave of absence is considered to be unusual and must have the written approval of the President of the College.

## **PERSONNEL**

### **SECTION 3 – HOLIDAY POLICY - HR 3.6**

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#### **Holidays**

The College recognizes certain days during the year as paid holidays for its employees. The following days will be observed as paid holidays:

- Martin Luther King's Observance Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving Day

Christmas Eve  
 Christmas Day  
 New Year's Eve  
 New Year's Day

In addition to the holidays listed above, eligible employees may be allowed additional days off with pay as announced by the President.

### **Eligibility**

Regular full-time twelve-month employees are eligible to receive the above holidays "off" with pay. Employees classified as part-time or temporary are not eligible for pay for holidays.

### **Holiday within a Vacation Period**

Should a holiday occur during an employee's vacation period, an additional day of vacation will be allowed.

### **Holiday on Saturday or Sunday**

If a holiday falls on Saturday, it will usually be observed on the preceding Friday. If a holiday falls on Sunday, it will usually be observed on the following Monday. If a holiday falls on Saturday or Sunday, employees regularly scheduled to work on Saturday and Sunday will observe the holiday on another day designated by the College.

## **PERSONNEL**

### **SECTION 3 – VACATION POLICY - HR 3.7**

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#### **Vacation**

It is the policy of the College to grant vacation with pay to regular full time twelve-month employees to the extent of accrued vacation time up to the maximum allowed.

#### **Entitlement**

Eligible employees are entitled to annual vacation leave based on the work schedule. Vacation time may be taken at the pleasure of the employee upon final approval of the President and the convenience of the College. Requests for the same time off by two or more persons in any department that will have an adverse effect on the functions of the College may not be approved. Employees with seniority will be given preference in competitive requests. Annual entitlement based on full-time employment is:

#### **Years of Service**

Year 1	48 hours per year (6 days)
Years 2 through 5	96 hours per year (12 days)
Years 6 through 10	144 hours per year (18 days)
Years 11 and above	192 hours per year (24 days)

#### **Accrual**

At the beginning of the fiscal year (July 1 – June 30), the College will credit 12-month employees with proposed accrual vacation days for the entire benefit year. Clarification:



Although these days are credited at the beginning of year, vacation days must be earned at the accrued rate.

New twelve month employees start to accrue vacation time at the rate of 8.00 hours per month after completing 6 months of employment. In the first year of employment, credit for 6 vacation days will be applied at the beginning of the seventh month.

Employees **must** schedule and take vacations within the current fiscal year. Actual vacation time taken and eligible vacation days will be reconciled for each employee at the end of the fiscal year. In the event that an employee is separated from the College for any reason during the fiscal year, adjustments for vacation time taken in excess of eligible vacation days will be applied in calculating final compensation. Where there are extenuating circumstances, vacations not taken by June 30 may be carried forward to the next fiscal year, but **must** be approved through normal channels of authority to the President. However, the President has the right to deny carry-over vacation requests. Under no circumstance, can carry-over vacation exceed 5 days. Carry-over vacation days are forfeited if not taken by **December 31** of the ensuing fiscal year.

With the exception of paid holidays, whenever you plan to take, or have taken, any leave of absence (e.g., vacation leave, sick leave, personal leave, funeral leave, leave without pay, and court leave), you will need to fill out a “**Absence Report – Vacation Time or Other Leave**” form. These forms should be completed prior to your taking leave; however, sick leave reports may be prepared after the leave has occurred. This form is located in the Office of Human Resources and must be submitted to your immediate supervisor for approval before or immediate upon your return to the College. Clarification: All leave and vacations must requests must have the final approval by the President prior to commencement or for unplanned leaves, immediate upon the return to the College.

## **PERSONNEL**

### **SECTION 3 – OTHER BENEFITS AND SERVICES - HR 3.8**

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#### **Group Insurance**

Regular full-time employees of the College are eligible for participation in the College’s group health and life insurance program. Details of the plans are available in the Human Resources Office.

The College pays a portion of the premium for participating employees. The employee pays the balance of the premium and the entire premium for any dependent coverage. In addition, group dental insurance is provided for employees and dependents. The employee pays the full premium for this coverage. Group insurance will become effective when the application is completed and received by the insurance company. A new employee is eligible for group insurance *immediately upon employment with the College, and the employee must enroll or waive coverage within the first thirty (30) days of employment.*

#### **Retirement/Pension Plan**

The College offers a defined retirement plan option for employees through ING. After a waiting period of 6 months enrollment in one of the defined plans, the College will begin contributing (3) three percent of the employee’s salary. For more detailed information, please contact Human Resources.

### **Social Security (FICA)**

All employees of the College are covered under the Federal Insurance Act (FICA), also referred to as the Social Security Program. The Act provides benefits, such as disability, old age, and survivors' benefits. The College and employee contribute a designated percent of the employee's salary for FICA coverage in accordance with the established rate.

### **Unemployment Compensation**

The Texas Unemployment Compensation Act covers regular employees of the College. The College reimburses the Texas Employment Commission directly for benefits paid to former employees. This benefit is provided without cost to the employee.

### **Workers' Compensation Insurance**

The College carries Workers' Compensation Insurance, which is maintained in accordance with the laws of the State of Texas. The insurance is provided without cost to all employees.

Workers' Compensation provides for the payment of (1) cost of medical treatment for injuries arising out of and in the course of employment, and (2) loss of wages.

All injuries received while performing duties, as an employee of Jarvis Christian College must be reported immediately to the immediate supervisor. The supervisor should complete the First Report of Injury Form no matter how trivial the incident seems at the time. This form, which may be obtained from the human Resources Office must be completed by the employee or supervisor and returned to the Human Resources Office. The required forms will be submitted to the insurance carrier and Industrial Accident Board as appropriate. When no sick leave or vacation leave is remaining, the employee may be compensated at a rate established by the Texas Workers' Compensation Act.

In cases where the employee has no sick leave or vacation accrued, there is a seven-day waiting period before compensation begins. In no instance should an employee receive full salary from the College and Workers' Compensation pay at the same time.

### **Cafeteria Plan (Section 125)**

The College provides a flexible benefit plan administered by Colonial Life Insurance, which affords tax savings to employees by using qualified insurance premiums. Participation is voluntary.

### **Tuition Discounts**

College employees are eligible for a 50% discount on actual tuition charged. Persons eligible for tuition discounts must apply prior to the semester in which the discount is sought.

### **Professional Development**

Jarvis Christian College recognizes that the key to a successful educational program is a well-trained, competent staff dedicated to professional growth. While professional growth through participation in ongoing staff development activities is the responsibility of all employees, the encouragement for such professional growth is a College obligation. Therefore, the College is committed to the development and scheduling of appropriate staff development activities which will enable employees to effectively meet their responsibility.

An effective staff development program which meets identified student, College, and personal needs must:

- serve all employees;
- meet the identified needs of staff;
- provide an appropriate balance among skills training, skills maintenance, and program development; and
- provide for input from staff members in program development.

In accordance with this policy, the College will maintain a staff development program, committing time and available resources to enhance the skills and attitudes of its employees.

Jarvis Christian College recognizes that an appropriate orientation program can aid in the assimilation of new staff members into the College community and can also contribute to the continued growth of returning personnel.

The College provides mandatory orientation for all employees. Part-time faculty/staff members are also required to attend where they learn about issues that directly affect them as well. Each new employee receives information on the College's history, mission, vision and values, as well as Board directives and policies. In addition to this general information, each employee receives an orientation to their functional unit from their supervisor.

All employees shall participate in the in-service program. Failure to participate, unless a medical certificate attesting to illness is presented, or an emergency leave is granted, and the approval of the President, may constitute an instance of neglect of duty. In-service training programs shall address matters related to all aspects of the College community.

Employees of the College with at least one (1) year of service may take up to three (3) semester hours during the regular workday at Jarvis Christian College to increase their competence and/or work performance in their current position and to prepare them for advancement. A 50% discounted rate on actual tuition charged for those three (3) hours and a reduced, or waived, fee whichever is appropriate will be applied to the employee's account. This is subject to approval by the immediate supervisor, area and/or division chair, senior administrative officer, and the President. Employees may also take courses elsewhere as long as course sessions do not conflict or affect the employee's duty with the College.

### **Library Services**

Books are loaned to faculty/staff for a two- week period, but may be re-checked after that time for further use. All books are subject to recall if needed by other patrons. Books charged to a faculty/staff member should not be loaned to students without a change of library record.

Spouses and children of faculty/staff members may charge materials out for the regular loan period and are liable for any lost book charges or fines incurred.

**PERSONNEL****SECTION 3 – WAGE AND SALARY ADMINISTRATION - HR 3.9**

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**Fair Labor Standards Act**

Jarvis Christian College is subject to the minimum wage and overtime pay provisions of the Fair Labor Standards Act of 1938, as amended.

**Exempt Status**

This position meets the FLSA tests for exemption from the timekeeping and overtime provision of the Act.

**Nonexempt Status**

This position does not meet the FLSA test for exemption from the overtime and timekeeping provision of the Act, and the employee must be compensated for overtime.

**Minimum Wage**

The Fair Labor Standards Act currently specifies that those employees covered by this law will be paid no less than the minimum wage.

**Overtime Pay**

The Fair Labor Standards Act requires (for those employees covered by the law) premium time payment for all hours worked over forty hours in a scheduled workweek. Compensatory time off may not be granted in lieu of cash compensation for hours worked in excess of forty hours per week unless the time off can be granted during the same pay period as the overtime worked. Prior approval by the immediate supervisor, senior administrative officer and the President of the College are required before committing Jarvis Christian College to overtime pay.

**Payday**

Full-time employees are paid on the last working day of the month.

Non-exempt employees are paid twice a month. Employees are responsible for submitting their hours worked via timesheets. Supervisors are required to approve employee timesheets and submit to the Payroll Office on or before the designated due date.

**Administrative Office Hours**

Normal office hours established for the College are 8:00 a.m. to 5:00 p.m. Monday through Friday, with one hour for lunch. The hours will be observed by all staff employees. A rotation schedule must be followed in administrative offices in an effort to provide service without closing the office during the lunch hour. The department head will assign the lunch hour. Alternate work schedule agreement form must be completed and on file in the Office of Human Resource for employees who do not work the normal office hours (i.e., residence hall coordinators, maintenance, and IT support)

**Financial Exigency****General Statement of Policy**

Should a condition of financial exigency or the threat of it ever exist at the College, the Board of Trustees and its standing committees, the President of the College ("President"), the

administrative officers, and the appropriate committees participate in a manner consistent with their duties and purviews as defined in the By-Laws of the Board of Trustees.

Financial Exigency is an imminent financial crisis that threatens the survival of the College as a whole and that cannot be alleviated by less drastic means than reductions in professional staff including the termination of appointments. ("Termination" refers to the release of personnel through means other than non-renewal of contract: e.g., the early ending of an unexpired contract in the case of personnel or the release from contract of untenured/tenured faculty members).

### **Recommendation**

Recommendation to the Board of Trustees whether to declare Financial Exigency is the sole prerogative of the President. President shall make a recommendation to the Board whether to declare financial exigency.

**The Board of Trustees, alone, has the authority to declare a state of financial exigency.**

## **PERSONNEL**

### **SECTION 3 – OTHER WORK - HR 3.10**

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#### **Outside Employment (Staff)**

Any full-time employee of the College may accept outside employment if it does not interfere with the regular assignment, duties, and responsibilities. Outside employment during a working day of the employee must be requested in writing by the employee and approved by the supervisor and the College President. Faculty will need to refer to Faculty Handbook.

#### **Consultant Work**

Care should be taken that the College is not used as a vehicle for personal gain beyond the designated College compensation. Ordinarily, when a fee or honorarium is paid for services, employees must take vacation or leave without pay for time absent to perform professional services or consulting work for other institutions or organizations. In this instance, all expenses involved are the responsibility of the employee, for the employee is deemed to be personally engaged rather than a designated College representative. Conversely, when no fee or honorarium is paid for professional services or consulting work, employees may be granted leave with pay for time absent to perform professional services or consulting work. *In this instance, if funds are available, the college may assist with the expenses involved when these external services are determined to be on behalf of the college.* In no case should employees giving speeches, performances, consultations, or provide like services on behalf of the College and charge the receiving institution, however, donations to the College on behalf of these services may be accepted.

## **PERSONNEL**

### **SECTION 3 – ATTENDANCE POLICY - HR 3.11**

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Jarvis Christian College endeavors to keep employee attendance at a maximum and absences at a minimum. However, Jarvis Christian College realizes that absences are unavoidable, and therefore, allows certain absences with or without pay.

**Responsibilities of all Employees**

Every employee of Jarvis Christian College has the following obligations and responsibilities concerning absence, regardless of regular or temporary status, position or work assignment, and regardless of eligibility or non-eligibility for absence pay allowance, or regardless of whether it is a regular scheduled work day or non-scheduled work day.

**Advance Notice**

When the need for being absent from work is known in advance, the employee must notify the supervisor at least five days in advance.

**Notice of Unexpected Absence**

When an employee who has not given advance notice finds that it cannot be given, the employee or someone else must notify the immediate supervisor before starting time or within the first hour of the normal work schedule.

**Tardiness/Absence Guidelines**

Punctuality and regular attendance are important factors in consideration for job retention and advancement. Excessive tardiness and absences are subject to disciplinary action. Any employee who is tardy more than five times or three unexcused absences in a twelve (12) month period will be subject to disciplinary action and/or dismissal. Unless an absence has been authorized in advance, or an absence is either unavoidable or justifiable, every employee is expected to report for scheduled work. In all cases an executed Absence Report Form should be submitted to the Human Resources Office.

**Failure to Give Notice**

Failure of an employee to give the notice required in the paragraphs as stated above, unless manifestly impossible, shall constitute cause for reasonable disciplinary penalty, including cause for denial of absence pay allowance, suspension, or dismissal.

**PERSONNEL****SECTION 3 – CONFLICT RESOLUTION/GRIEVANCE PROCEDURE - HR 3.12**

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**Conflict Resolution/Grievances****Grievance Procedure**

Jarvis Christian College is committed to providing the best possible working conditions for all employees. This commitment strives to ensure that all employees are treated fairly in all matters relating to their employment. If a problem or concern cannot be resolved at the supervisor, department chairperson or vice president's level, then the employee can make a written request to the Human Resources Director or Vice President for Fiscal Affairs\* to have their concerns heard by the Grievance Committee. The grievance procedure commences only after all informal means have been exhausted through the lines of communication and authority and is available only to full-time non-probationary employees of the College. Employees have a right to participate in the established grievance process without fear of reprisal. However, please understand that all problems cannot be successfully handled to the exclusive satisfaction of all parties involved. The faculty, staff, and administration of Jarvis Christian College maintains that

if all affected individuals, and groups, work collaboratively many situations can be resolved to the general satisfaction of all involved.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps:

1. Employee presents grievance to immediate supervisor after the incident occurs. A written grievance statement should be submitted to the supervisor outlining the following:
  - a. nature of the grievance and facts upon which it is based;
  - b. the law(s), rule(s), regulation(s), policy(s) or procedure(s), if any, alleged to have been violated;
  - c. the remedy or relief requested.

If the supervisor is unavailable or employee believes it would be inappropriate to contact that person, the employee may present the problem to the next level of management. This statement must be submitted within ten (10) working days following the event on which the grievance is based.

2. Supervisor responds to problem during discussion or after consulting with appropriate management, when necessary. The supervisor should give his or her written response within ten (10) working days after statement is received. All documentation should be forwarded to the Human Resources Director for retention.
3. If the employee is dissatisfied with the supervisor's response, a written appeal stating the reasons for continued dissatisfaction may be made to the next level or division vice president. Copies of the grievance statement and the supervisor's response should be attached. This appeal should be submitted within (10) working days of the supervisor's response. A copy of the appeal and all attachments should be forwarded to the Director of Human Resource.
4. The area manager if applicable, or vice president receiving the appeal will investigate the grievance. This may include meetings with the employee, supervisor, and the Human Resources Director. After reaching a decision, the area manager or vice president will send a written response to the employee within (10) working days after receipt of the appeal. A copy of the decision will be sent to the Human Resources Director including proposed sanction, if any.
5. If the employee is dissatisfied with the vice president's response, a written appeal stating the reasons for continued dissatisfaction may be made to the Human Resources Director for submittal to the Grievance Committee within (5) working days of the vice president's response. This appeal includes a statement of the resolution sought and copies of all previously written statements concerned with the case.
6. The Human Resources Director will notify the President of the appeal to the grievance committee. The President will review the grievance committee to insure that the committee is composed of faculty/staff members not previously involved in the process.

Copies of documents provided to the President will be transmitted to the committee. A hearing will be scheduled within (5) working days.

7. The committee will meet, select a recorder and review the case. The committee moves to conduct an investigation with access to all pertinent files, records, interviews with faculty, staff and administrators as appropriate. The committee will submit a report to the President within (5) working days recommending the following:
  - a. Rejection of the complaint, i.e. for insufficient grounds or appropriate action previously rendered;
  - b. Acceptance of the complaint, with recommended sanction.
8. The President reviews the file and accompanying recommendation and gives the grievant and the accused employee written notification of the disposition of the case within (5) working days of the receipt of the committee's recommendation.

*\*In the absence of the Human Resources Director, the Vice President for Fiscal Affairs will serve in that capacity.*

## **PERSONNEL**

### **SECTION 3 – DISCIPLINE POLICY AND PROCEDURES - HR 3.13**

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It is the policy of Jarvis Christian College to keep open the lines of communication between the administration and employees and to establish a friendly, cooperative work environment that will eliminate serious disciplinary problems.

The President will provide directors, supervisors, managers, and coordinators with the necessary preparation and training to maintain an efficient and productive work force to enable them to recommend appropriate disciplinary actions against employees as warranted.

All employees are expected to perform their work efficiently and effectively and to be mindful of the public's expectations of the College and its employees. Supervisors are expected to set an example by their own conduct, attitude and work habits.

If, however, disciplinary problems arise, supervisors should make every effort to ensure that employees have a thorough understanding of the College's policies and an awareness of what is expected in the area of job performance.

It is the intent of this policy to ensure that supervisors are consistent in taking disciplinary action against employees involved in similar situations.

#### **Purpose of the Policy**

The purpose of this policy is to provide guidelines for disciplinary action to ensure that everyone is treated fairly and that there is due process. Application of these guidelines must be consistent and equitable so that all employees receive like treatment for similar offenses.

The following procedures have been developed to ensure compliance and consistency with all regulations that pertain to disciplinary action at Jarvis Christian College.



### **Reporting Procedures**

All employee disciplinary issues shall be reported to the Human Resources Director who will proceed with the following actions:

- 1) Inform the President or designee of the personnel issues immediately
- 2) Investigate the matter as directed
- 3) Make appropriate recommendations to the President or designee in writing as deemed necessary

**All supporting documentation shall be included.**

### **Disciplinary Action Process**

The basis of effective employee discipline is knowledge and acceptance of performance responsibilities which are to be understood by both the supervisor and the employee. This will ensure that the employee will be forewarned that failure to meet job responsibilities will result in some form of disciplinary action by the College. The employee should also be told that the severity or impact of the offense determines the degree at which disciplinary action will be administered. Failure by an employee to meet job responsibilities should result in immediate and consistent action by the supervisor; that is, the infraction should be called to the employee's attention as soon as possible after the offense occurs. The disciplinary action recommended for a particular offense should be the same for all employees. When it is necessary for the supervisor to take disciplinary action, he/she must remember that the disciplinary action is directed at a particular act of the employee and is not directed at the employee as a person.

### **Disciplinary Infractions**

- (1) Minor Infraction
  - a. Verbal Counseling
  - b. Written Statement (i.e. written warning)
- (2) Major or Serious Infraction
  - a. Employee Disciplinary Referral
  - b. Consultation
- (3) Severe Infraction
  - a. Immediate Suspension with pay pending HR investigation
  - b. Possible Termination/Dismissal

The following are disciplinary actions which may be taken, and they are listed in order of severity with the least severe action listed first:

- (1) For a *minor infraction*, an employee should receive *verbal counseling* provided by the immediate supervisor concerning the reasons why the infraction was unacceptable behavior or work performance. The employee should be advised as to what is considered appropriate behavior/work performance. If it becomes necessary to give an employee another warning, a *written statement* should be made and placed in the employee's file maintained by the supervisor.
- (2) If the offense continues, or a *major or serious infraction* occurs, an *Employee Disciplinary Referral* should be issued to the employee which should include the following: 1) the time, date, and other facts about the incident which are pertinent;

2) a description of the offense; 3) the actions required on the part of the employee to correct the situation to prevent it from reoccurring; and 4) documentation of any previous oral or written warnings relating to the same type of events. This memorandum should be maintained in the supervisor's office files. The employee may respond to this memorandum. Any response by the employee shall be attached to the memorandum.

In such cases, the signature of the employee is required to acknowledge receipt of the written warning. It does not indicate concurrence with the information contained in the warning. Copies of written warnings should go into the files and a copy should go to the employee. If the employee fails to improve by the date given on the warning, other disciplinary action, including termination, may result.

**Consultation.** Following a written warning, the immediate supervisor should consult with the employee to check on progress and improvement in the problem area. Consultations should be documented accurately as to the dates and outcomes of the meetings.

- (3) Should the offense be extremely serious, or if the offense continues after written notice, or if all of the above fail to produce results, a meeting should be scheduled with the Human Resources Director and the employee file forwarded to the Human Resources Director documenting the course of events leading up to disciplinary action. This will result in a disciplinary suspension with possible loss of pay for a limited time, reduction in pay for a limited time, or removal from current position. The actual order for such disciplinary purposes must be in writing, and the reasons why the action is taken must be explained in detail in a letter to the employee.

Before such disciplinary action involving the loss of pay occurs, a preliminary review must be held by the Human Resources Director that affords the employee an opportunity to review the charges and provide to the administration reasons why the action should not be taken.

- (4) All disciplinary actions shall be carefully reviewed by the Human Resources Director.  
If a supervisor believes that one of these actions is justified based on the employee's failure to perform job responsibilities or comply with work rules, he/she may recommend a certain action to the President after the on-site investigation or after the investigation performed by the Human Resources Director. The final decision regarding the nature of a disciplinary action will be that of the President and may result in dismissal.
- (5) The ultimate sanction is dismissal, and this step should be considered only after other means have been exhausted: The events leading up to dismissal shall be of such magnitude and of such a serious nature that termination is in order. Dismissal can be accomplished only after a review process that affords the employee opportunity to review recommended action and provides to administration reasons why the action should not be taken. Final review and approval of all disciplinary actions will be the responsibility of the President.

- (6) *Severe Clause*: If circumstances are such that an employee is being dangerously disruptive; is creating a hazard to herself, other employees, or the workplace; is creating excessive disturbance in the workplace; or if the circumstances are severe (i.e., gross insubordination, intoxication on the job, sexual relations with a student, pending criminal charges, racial slurs, excessive use of force against a student, etc.) then the immediate supervisor has the authority to impose an immediate suspension with pay pending an investigation by the Human Resources Director. The supervisor who imposes suspension **MUST** then immediately notify the Human Resources Director and provide proper documentation to ensure the required paperwork is completed in a timely manner.

The following factors are to be considered in determining severity of action:

1. Employee's work history,
2. Previous infractions,
3. Severity of infraction,
4. Extent of disruption or impairment to service,
5. Extent of damage to the College, and/or
6. Extent of damage to campus property or the property of others.

A disciplinary action can be imposed for any disruptive behavior, which is any activity that severely impairs the fulfillment of the College's responsibilities; or which causes unsafe, severely inefficient, harassing or threatening work environment; or which severely damages the College's public image or credibility; or which involves disrespectful or threatening conduct to or about other employees or the general public. The following list of behaviors IS NOT ALL—INCLUSIVE, but it is intended to serve as a general guide:

- Failure to perform job responsibilities during work time
- Excessive tardiness (which may be defined as an hour or more late in reporting to duty or a continuous occurrence of this infraction)
- Unexcused absenteeism
- Leaving without permission
- Malicious use of profane language
- Threatening or engaging in violence (Le., fighting or resulting in injury to others and/or property)
- Insubordination (unwillingness to carry out supervisory directives)
- Dishonesty
- Possession, use, or under the influence of intoxicants
- Possession, use, disbursement or under the influence of illegal drugs
- Unauthorized possession or use of weapons on premises
- Unauthorized use of equipment or property
- Stealing school property or property of a co-worker, or student property of another
- Destruction or abuse of property or equipment
- Falsification of records such as, but not limited to, time and attendance records, employment status, information, records, travel vouchers, etc.
- Unauthorized release of confidential information
- Intentional conduct in violation of the Code of Ethics

## **PERSONNEL**

### **SECTION 3 – SEPARATION PROCEDURES - HR 3.14**

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A Separation Clearance Form should be initiated when an employer - employee relationship is discontinued for the following reasons:

#### **Voluntary Resignation**

Should a general staff employee find it necessary to terminate employment, the employee should submit a letter of resignation to the College President with a copy to the immediate supervisor, two weeks prior to the exact date of resignation. In the case of administrative staff employees or senior administrative officers, one month's (30 days) notice prior to the exact date of resignation. In all instances, the immediate supervisor will submit a letter of endorsement or denial through the lines of authority to the College President. The College President will notify the employee of the conditions in which separation may occur with a copy to the Human Resources Office.

#### **College Termination**

Advanced notice from the College will usually be given depending upon the circumstances surrounding the dismissal. An employee will be paid for actual time worked and accrued vacation up to the maximum of the employee's annual entitlement.

#### **Retirement Procedure**

When retirement occurs for whatever reason, the employment relationship with the College is effectively severed on the stipulated retirement date. An employee choosing to retire must provide a written notice to the College President one month prior to the exact date of retirement.

#### **Death**

Payment to the employee's estate will be paid for actual time worked and accrued vacation leave up to the maximum of the employee's annual entitlement.

#### **Procedure for Separation Clearance**

The terminated employee will:

Pick up a *Separation Clearance Form* and *Employee Exit Form* for completion from the Human Resources Office.

Pay or make arrangements to pay any indebtedness owed to the College.

Return library books and other College property.

One day prior to the final workday employee will:

Return completed *Separation Clearance Form*, *Exit Interview Form*, keys and ID card to the Human Resources Office.

Coordinate with Human Resources and Payroll regarding insurance and leave forwarding address.

### **Final Paycheck**

Upon completion of the required clearance process, a final paycheck will be released on the next regularly scheduled payday or as otherwise directed. W-2 form will be mailed to the forwarding address.

## **PERSONNEL**

### **SECTION 3 – COLLEGE KEY PROCEDURES - HR 3.15**

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This procedure will apply to all College keys, including door keys, desk keys, file cabinet keys and storage keys:

The supervisor will obtain a *Key Authorization Form* from the Human Resources Office.

The supervisor will list all keys needed by the employee, sign the *Key Authorization Form* and submit it to the Human Resources Director.

The employee will pick up the necessary keys from the Human Resources Director after signing for each key.

The Human Resources Director will distribute copies of the form as follows: Employee, Supervisor, Human Resources, Business Office, and Physical Plant Office.

All master keys and building keys require approval from the College President.

Employees must pay a replacement fee of \$5.00 for each lost key.

All keys must be returned to the Director of Human Resources upon termination of a position, change or designation, or any movement, which requires different keys, or no keys.

## **PERSONNEL**

### **SECTION 3 – SECURITY CHECK-IN/CHECK –OUT PROCEDURES - HR 3.16**

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In the interests of campus security, all College employees working after hours or on weekends are required to follow the established check-in/check-out procedures:

Employees returning to the campus to work after hours must stop at the Security Station and sign in, giving name, date time and the building in which he/she will be working. Employees who work late in their offices after the buildings have closed are required to notify the Security Office for the check-in/check-out log. In either instance, employees must stop by the Security Station upon leaving campus and sign out giving the time.

#### ***Campus Security***

1. Handles all matters relating to campus personnel security.
2. Coordinates requests for emergency assistance.

3. Responsible for enforcement of campus traffic regulations.
4. Reports to Vice President for Student Affairs

## **PERSONNEL**

### **SECTION 3 – SAFETY POLICY - HR 3.17**

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Jarvis Christian College has the policy of doing all that is reasonable to provide and maintain a safe and healthful environment for work and study. To accomplish this, the College will provide proper equipment and training in safe work practices and will comply with all federal, state and local codes pertaining to health and safety. All supervisory personnel will be responsible for the safety of personnel under their direct supervision. The Director of Human Resources acts as the OSHA contact for issues and concerns related to OSHA regulations. In addition refer to Safety and Emergency Management System manual – SEMS.

In addition, each employee and student has a personal responsibility to work in accordance with accepted safety practice and to follow all safety regulations. The duties of others who are involved in the maintenance of a safe environment are outlined below.

#### **Safety Committee**

1. Establishes broad and consistent policies relating to all aspects of campus safety.
2. Reviews College safety conditions and makes recommendations for improvement as appropriate
3. Makes recommendations to the President on matters not resolved between operating departments and the safety committee.

#### **Safety Officers**

1. Makes periodic inspections of all College facilities and makes recommendations to department head for improvement of unsafe conditions or procedures.
2. Offers advice and assistance in the form of safety engineering as needed or requested.
3. Reviews all new construction and modification of existing facilities for adequacy of safety design.
4. Investigates serious accidents and reports to the Safety committee on their cause and recommendations for prevention of reoccurrence.
5. Keeps records and prepares reports to insure compliance with Occupational Safety and Health Act.
6. Reports to the Vice President for Administration and Finance.

### **Department Heads**

1. Has primary responsibility for the maintenance of safe conditions in the department.
2. Holds supervisory personnel of the department responsible for implementation and enforcement of safety policies.
3. Budgets and authorizes necessary expenditures for safety.

### **Supervisory Personnel**

1. Responsible for the enforcement of established safety policies and practices.
2. Institutes appropriate safety precautions peculiar to their own research or instructional activities.

### **Building Safety Representatives**

1. Reports unsafe conditions to Safety Officers and department head as soon as they are observed.

### **Traffic Safety**

Control of vehicles on the campus is necessary for the efficient operation of the College. The following regulations will be in force at all times.

### **Enforcement**

The Texas laws governing traffic are effective and applicable at Jarvis Christian College. There must be adherence to the traffic laws, rules of the road, speed, parking and noise restrictions within the limits of the campus.

- **Speed Limit:** The maximum speed limit on the campus is 20 miles per hour.
- **Parking:** Parking areas are designated for students, employees and visitors.

Double parking is not permitted anywhere, at any time. No vehicles should park in any of the following areas:

- Within five feet of an intersection
- On lawns or medians
- On curbs or sidewalks
- In front of crosswalks
- Within 20 feet of a fire hydrant
- On spaces designated for loading or unloading
- In front of or on service drives
- At spaces marked "No Parking"

### **Flow of Traffic**

The flow of traffic on the campus will follow the established routes and streets and/or routes as indicated by visible markings.

## **Noise Control**

Operators of vehicles will refrain from unnecessary sounding of horns or other warning devices on campus. All motor vehicles must be effectively muffled. Any such vehicle operated with unnecessary noise on the campus will be considered as violating this provision. To keep costs down, every reasonable effort must be made to return the rental car:

## **Vehicle Registration**

Students, faculty and staff employees must register their vehicles with the Campus Security Office for a campus sticker. If vehicles are brought to the campus after registration has been completed, they should be registered in the Security Office not later than three days after employment. Registration of each vehicle is necessary only once during the fiscal year. Students and Faculty will be assessed a non-refundable fee for registration for each vehicle registered.

All persons applying for vehicle registration under the above provisions will be required to furnish registration information and proof of liability coverage as required by state law.

## **Employee Responsibility**

Employees in whose name a vehicle is registered shall be responsible, at all times, for any liability damage claims (including parking penalties) arising in connection with the possession or operation of the motor vehicle on this campus. The College assumes no responsibility for the care or protection of any vehicle or its contents at any time.

## **Violation and Penalties**

Persons who receive notice of traffic or parking violations should report within seven days to the cashier's window in the Emma B. Smith Administration Building to pay the fine.

Penalties for violations (parking, unnecessary noise, vehicles without stickers, speeding, expired stickers or other driving violations) are payable in cash only.

The College reserves the right to remove any illegally parked vehicle from the campus. The vehicle's owner will be required to pay a towing fee in addition to the parking violation fee after twenty-four (24) hours. Parking violation tickets will be issued for out-of-date permits. Repeated offenses may result in denial of the privilege to operate a motor vehicle on the campus.

## **POLICIES**

### **SECTION 4.0 – ETHICAL CONDUCT POLICY - HR 4.1**

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#### **General Ethical Conduct**

Each employee is expected to exemplify the following characteristics: self-discipline, respect for the rights of others, honesty, and personal integrity. Employees should also possess the physical stamina and clarity of mind necessary to fulfill obligations within the area of their professional responsibility and academic competence. Additionally, they should strive to establish a spirit of cooperativeness and should be responsive to the leadership of the administration.



Employees are not to access, acquire, use, copy, transfer or disclose confidential information including but not limited to academic records, personnel, and other financial information-except to the extent necessary to fulfill their employment duties. All appropriate action, whether by instruction, agreement, or otherwise, to insure the protection, confidentiality and security of all such information.

### **Code of Ethics**

The same respect for the pursuit and transmission of knowledge that underlies academic freedom also demands self-discipline and rigorous intellectual honesty from all faculty/staff/staff members. They are obligated to be fair, unselfish, responsible, and on occasion self-critical. Students' moral and intellectual growth requires a climate where ethical standards prevail, and the creation of such a climate is a primary responsibility of the faculty/staff/staff. The following statements do not define all areas of faculty/staff ethics, but they do suggest guidelines for professional conduct for the faculty/staff/staff at Jarvis Christian College.

1. The primary responsibility of the faculty/staff/staff member is the transmission and discovery of knowledge.
2. The general attitude of the faculty/staff member toward the rules and regulations of the College should be one of understanding and support. However, when rules seem unjust, the faculty/staff member may take the prescribed steps to alter or remove them.
3. When there is conflict of ideas or activities between faculty/staff members, they should discuss problems in a professional manner. If a solution cannot be found by this means, the matter should be presented to the appropriate administrative officer, who shall act as arbiter.
4. In advising students about the selection of courses, faculty/staff should be careful to deal fairly with the reputations of their colleagues.
5. When faculty/staff observe a student committing an infraction of a College regulation, it is their responsibility to speak to the student on the subject. The nature of the infraction determines whether it should be reported for disciplinary action.
6. Faculty/staff members should refrain from counseling in fields in which they have not had special training. If situations arise requiring special counseling, students should be directed by faculty/staff to the appropriate office.
7. Only the chairperson or secretary of a faculty/staff committee is authorized to make announcements of committee actions. No committee member should reveal information of a sensitive nature (or any information about personnel matters) in such a way as to prejudice and jeopardize committee deliberations and recommendations.
8. Faculty/staff members should be actively concerned with those aspects of the general welfare of their students that affect the education process.

9. Faculty/staff should not tutor students for pay except under conditions known and approved by responsible authorities.
10. Faculty/staff members should make their abilities and influence available for service to the community.
11. Faculty/staff members should not undertake external activities, which would interfere with the performance of their duties at Jarvis Christian College.
12. Faculty/staff should refrain from making public statements about confidential subjects within Jarvis Christian College. They should maintain in strict confidence all departmental or institutional matters not intended for publication or broadcast.
13. Because of the position of trust they occupy faculty/staff members must be careful to avoid any behavior which could be considered sexual harassment and relationships with students which are considered improper. Please refer to the College Policy on Sexual Harassment.

This policy is designed chiefly to serve as a guide for employees to avoid possible conflicts between their employment and outside interests. In those situations where doubt may exist as to the propriety of certain relationships or activities, employees are encouraged to make a full disclosure of the facts to his/her immediate supervisor, the Human Resources Director, or the President prior to entering such relationships or engaging in such activities. In addition, employees shall not:

*\* Use institutional privileges for private gain.*

Solicit or receive compensation, other than that allowed by law, for performance of his/her duties. This precludes, among other things, acceptance of any gratuities, gifts, or favors that might impair or appear to impair professional judgment; and any personal dealings with any individual or entity with whom he/she has any direct or indirect contact for purposes of obtaining from such individual or entity, noncompetitive contracts, services, or materials.

*Knowingly authorize or employ the authority or influence of his/her office to secure authorization of any public contract in which he/she, a member of his/her family, or any of his/her business associates has an interest.*

*\* Offer any favor, service, or thing of value to obtain special advantage.*

*\* Permit commercial exploitation of his/her professional position.*

*\* Engage in selling any of the following merchandise or services for personal profit to students or parents not approved by the administration, including but not limited to, instructional supplies and equipment, reference books, educational tours, etc..*

*\* Furnish lists of students or parents to anyone selling such materials or services.*

Employees will use time granted for leave, planning and workshops for the purpose for which it is intended.

## **POLICIES**

### **SECTION 4.0 – NEPOTISM POLICY - HR 4.2**

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#### **Nepotism**

Jarvis Christian College seeks to foster an environment where people are treated with respect and trust. Employment of family members may be problematic because such situations can create a conflict of interest, an appearance of favoritism, and increased potential for a hostile work environment. Because of these concerns, the College is sensitive to circumstances in which relatives of employees might be hired, transferred, or promoted to positions where one relative might have influence over any of the following: a relative's employment, performance review, salary administration, promotion, or other employment-related decisions.

The College requires full disclosure of any relationship to the Human Resources Office at the time of employment or at any time that it occurs in the course of employment. Relationships covered by this policy include: spouse, spousal equivalents, parents, grandparents, brothers, sisters, children, grandchildren, aunts, uncles, nephews, nieces, and relatives by marriage (in-laws).

## **POLICIES**

### **SECTION 4.0 – CONFLICT OF INTEREST POLICY - HR 4.3**

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#### **Conflict of Interest Policy**

The purpose of this policy is to establish basic terms and conditions regarding conflict of interest. Employees must refrain from any circumstances whereby the employee will benefit or could be perceived to benefit as a result of the employee's position with Jarvis Christian College, actions or influences, and/or where advancement of those interests are detrimental to the interests and/or reputation of, or potentially harmful to the College.

Specifically:

- An employee shall not accept money, gifts or favors from a student that could compromise or be perceived to compromise the ability of the employee to instruct and evaluate the student in a fair and effective manner.
- An employ shall not accept money, gifts or favors from vendors that could compromise or be perceived to compromise the ability of the employee to conduct business in a fair and equitable manner.

## **POLICIES**

### **SECTION 4.0 - SEXUAL HARASSMENT AND DISCRIMINATION POLICY - HR 4.4**

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#### **Jarvis Christian College SEXUAL HARASSMENT POLICY**

Jarvis Christian College is committed to maintaining an environment free of discrimination or forms of harassment that unreasonably interfere with the security, well-being, or academic

experience of any member of our community. Sexual harassment on Jarvis or in other settings related to Jarvis employment or enrollment is unlawful and will not be tolerated. Jarvis will respond promptly to formal complaints of sexual harassment and, where it is determined that sexual harassment has occurred, will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate. This policy applies to all activities of Jarvis, including any Jarvis sponsored activities away from the campus.

While this policy sets forth Jarvis' goal of promoting a work and educational environment that is free from harassment, the policy is not designed or intended to limit Jarvis' authority to discipline or take remedial action for conduct that Jarvis deems inappropriate or unacceptable, regardless of whether that conduct satisfies the legal definition of harassment.

### **Definition of Sexual Harassment**

Both federal and state laws define and prohibit sexual harassment in employment and in the provision of educational services to students. In Texas, the legal definition of sexual harassment is as follows: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
2. submission to or rejection of such conduct by an individual is used as the basis for employment, grading, or academic decisions affecting such individuals, or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Under these definitions, direct or implied requests by a supervisor, professor, athletic coach or trainer, or other individual responsible for work or academic evaluations for sexual favors in exchange for actual or promised job or academic benefits constitutes sexual harassment. Benefits include grades, academic assignments, research opportunities, favorable reviews and recommendations, salary increases, promotions, increased benefits and continued employment or enrollment.

Sexual harassment can occur between individuals of the same gender and regardless of sexual orientation. The same standards that apply to harassment between individuals of the opposite sex apply to harassment involving individuals of the same sex.

The legal definition of sexual harassment is broad, and, in addition to the above examples, other sexually-oriented conduct may also constitute sexual harassment. Whether intended or not by the person engaging in the conduct, sexually-oriented conduct that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating or humiliating to another on the basis of sex may also constitute sexual harassment.

### **Commitment to Academic Freedom**

As an academic institution, teaching, doing research, and learning are subject to the protections of "academic freedom." Actions or words used in the context of the academic curriculum and teaching environments that serve legitimate and reasonable educational purposes will not be

evaluated as sexual harassment or other unlawful discrimination because of the principles underlying academic freedom.

### **Examples of Conduct**

While it is not possible to list all circumstances that constitute sexual harassment, the following are some examples of conduct that may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Threats or insinuations that a person's employment, wages, academic grade, promotional opportunities, classroom work assignments or other conditions of employment or academic life may be adversely affected by not submitting to sexual advances;
- Dissemination of sexually explicit voicemail, email, graphics, downloaded material or web sites;
- Unwelcome sexual epithets, sexual jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
- Unwelcome comment about an individual's sexual activity;
- Displaying sexually suggestive objects, pictures or cartoons;
- Unwelcome leering, sexual behavior, or sexual gestures;
- Unwelcome inquiries into another's sexual experiences;
- Unwelcome discussion of one's sexual activities;
- Creating a hostile environment for others by engaging in harassing conduct that affects the workplace, or the teaching or research environment or work assignments, compensation, and/or benefits. In addition to the conduct described above, romantic involvement (even if consensual) between supervisors and subordinates or between a faculty member and a student may create a hostile environment.

Depending on the totality of the circumstances and the nature of the complaint, the fact that a relationship began as a consensual relationship may NOT be a defense to a claim of sexual harassment.

### **Reporting Sexual Harassment Allegations**

If you have supervisory responsibilities and possible harassment or other violations of this policy are reported to you, whether or not the person making the report is personally affected, you must immediately advise the Director of Human Resources verbally, written or both.

If you are a faculty member who receives information from a person who believes that she or he is being or has been sexually harassed, you must immediately advise the Director of Human Resources.

If you are a student, contractor, or employee without supervisory responsibility who has been harassed, witnessed another being harassed, or become aware of harassment, you should contact the Director of Human Resources, a supervisor, or a faculty member for assistance with the situation.

This reporting will result in an evaluation of how best to respond and can include informal resolution, intervention, or filing of a formal complaint (see below). Be aware that the complainant's interest in confidentiality and the reputation of the accused are of equal importance at every stage of considering information shared.

### **Informal Resolution and Opportunities to Ask Questions**

An individual who believes he or she has been subjected to sexual harassment is advised to make it clear to the offender that such behavior is offensive. Early informal methods are often effective in correcting questionable behavior or resolving incidents of possible harassment. A person seeking assistance with an informal resolution should contact Jarvis' Human Resources Department.

### **Formal Complaint**

An individual who believes that he or she has been subjected to harassment may file a formal complaint with Jarvis. This may be done in writing or orally by contacting the Director of Human Resources. If the Director is unavailable or if circumstances make it more appropriate, the complaint may be filed with the CFO/Vice President of Finance and Administration; Provost/Vice President Academic Affairs; Vice President Institutional Advancement and Development; Vice President Student Services; Vice President of Institutional Effectiveness, Research, Planning Assessment and SAS Liaison; or Executive Assistant and Director of Administrative Management Programs. These individuals are also available to discuss any concerns related to sexual harassment and to provide information about Jarvis' policy on harassment and its complaint process. All formal complaints shall be forwarded to the Director of Human Resources immediately.

### **Complaint Investigation**

When Jarvis receives a formal complaint, it will promptly investigate the allegation. An investigation will determine facts that support findings about the complaint. The investigation generally will include interviews with: (1) the complainant; (2) the accused (the "respondent"); (3) witnesses (if any and if deemed necessary by Jarvis); and others as determined by the investigator.

All employees and students are expected to cooperate fully in efforts to investigate and enforce this policy. When Jarvis has completed the investigation, the findings of the investigation will be shared with the complainant, the respondent, and others involved to the extent appropriate.

The investigation shall be conducted by Jarvis' Sexual Harassment Investigation Committee, which shall be appointed by the President.

### **Confidentiality**

Jarvis recognizes that confidentiality is very important. All actions taken to investigate and resolve complaints shall be conducted with as much privacy, discretion, and confidentiality as possible without compromising the thoroughness and fairness of the investigation. All persons

involved in an investigation are expected to treat the process with respect and to hold information confidentially. Information about individual complaints and their disposition will be shared only on a “need to know” basis. However, even informal efforts to end harassment may require that an accused harasser learn of the identity of the complainant. Jarvis will work closely with students or employees to ensure their ability to complete their academic program or continue to work during all stages of handling an informal or formal complaint of sexual harassment.

### **Disciplinary Action**

If it is determined that an employee or student has engaged in sexual harassment or other inappropriate conduct, Jarvis shall take appropriate actions under the circumstances. Such action may include written warnings, required counseling, probation, suspension, termination, or expulsion, and it may include such other forms of disciplinary action, as Jarvis deems appropriate. Likewise, if it is determined that a complainant invoked the investigatory process in bad faith or knowingly presented false or misleading information, appropriate disciplinary action will be taken. Alleged crimes may be referred to the appropriate law enforcement authorities notwithstanding the status or outcome of any investigation or appeal.

### **Appeals**

The Complainant or Accused may appeal the results of any investigation or disciplinary action by filing a notice of appeal with the Director of Human Resources within fifteen (15) days of receiving the results of the investigation or disciplinary action. Within ten (10) days of receiving the appeal, the Director of Human Resources shall assemble an Appeal Review Panel to review any investigation results or disciplinary action that is timely appealed. The Appeal Review Panel shall consist of three members. If the Accused is a student, the Appeal Review Panel shall consist of the Provost, Vice President of Student Services, and a person appointed by the President. If the Accused is a faculty member, the Appeal Review Panel shall consist of the Provost, the Chair of an Academic Department other than the Accused’s Chair, and a person appointed by the President. If the Accused is an employee or contractor, the Appeal Review Panel shall consist of the highest officer in the employee’s chain of command under the President, a supervisor who does not supervise the Accused, and a person appointed by the President. If the Accused is a direct report to the President, the Director of Human Resources shall transform the notice of appeals into a notice of second level appeal.

The Accused and Complainant shall both be provided the opportunity to present evidence and make a statement to the Appeal Review Panel. The Accused and Complainant shall not be present while the other is presenting evidence, unless permitted by the Appeal Review Panel in limited circumstances. The Appeal Review Panel may request evidence, including testimony from witnesses, that it believes is relevant. Within thirty (30) days of the conclusion of its independent investigation, the Appeal Review Panel shall issue a report agreeing with the original decision or replacing the original decision with its own.

The Complainant or Accused may appeal the determination of the Appeal Review Panel by filing a notice of second level appeal with the Director of Human Resources within ten (10) days of receiving the decision of the Appeal Review Panel. Second level appeals, along with the initial investigation and complete file from the Appeal Review Panel, shall be forwarded to the President for final determination. The President shall issue his/her final decision within thirty

(30) days of receiving the second level appeal. If the President believes further evidence is required, he/she shall provide notice of his/her tentative schedule for decision to the Complainant and Accused within the original timeframe.

### **No Retaliation for Filing or Assisting with a Complaint of Sexual Harassment**

Retaliation against any individual for making a good faith complaint of sexual harassment or for assisting in good faith in the investigation of such a complaint is illegal and will not be tolerated. All acts of retaliation are subject to disciplinary actions, up to and including termination and expulsion. Individuals who believe they have been subjected to retaliation should immediately report their concerns to the Director of Human Resources. The Director of Human Resources shall document the new formal complaint and begin a new investigation of the retaliation allegation. The investigation and appeals shall be conducted pursuant to this policy.

### **Commitment to Awareness and Response Training**

Jarvis provides regular sexual harassment awareness and response training programs for supervisors and individuals identified with responsibilities in this policy. Additionally, Jarvis informs the community about what constitutes sexual harassment, as well as its commitment to zero tolerance to sexual harassment.

### **State and Federal Agency Complaints**

In addition to the above, an individual who believes he or she has been subjected to harassment may file a formal complaint with government agencies with jurisdiction. Using the Jarvis' complaint process does not prohibit an individual from filing a complaint with any of these agencies. Claims filed with the U.S. Equal Employment Opportunity Commission ("EEOC") must be filed within 300 days from the date of the alleged violation.

U.S. Equal Employment Opportunity Commission (EEOC)  
207 S. Houston Street, 3<sup>rd</sup> Floor  
Dallas, TX 75202  
Telephone: 214.253.2720  
800.669.4000

You may also file your claim with the Texas Workforce Commission within 180 days from the date of the alleged violation.

Texas Workforce Commission  
Civil Rights Division  
101 E. 15<sup>th</sup> St., Rm 144-T  
Austin, TX 78778-0001

Complaints from students may also be filed with the U.S. Department of Education's Office of Civil Rights within 180 days from the date of the alleged violation.

U.S. Department of Education  
Office of Civil Rights  
1999 Bryan Street, Suite 1620



Dallas, TX 75201-6810  
Telephone: 214.661.9600  
National 800.421.3481

### **Criminal Matters**

If the Complainant believes a crime has been committed, he/she is encouraged to contact local law enforcement officials to file a criminal complaint.

### **Related Matters**

This policy was updated in December 2013 and supersedes all prior Jarvis policies on sexual harassment.

## **POLICIES**

### **SECTION 4.0 – WORKPLACE VIOLENCE POLICY - HR 4.5**

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#### **Workplace Violence**

Jarvis Christian College has a zero tolerance policy for violence in the workplace. W

Workplace violence is defined to include, but is not limited to, the following:

1. Physically aggressive, violent or threatening behavior, such as attempts to instill fear in others or intimidation;
2. Verbal or physical threats of any sort;
3. Any other conduct that suggests a tendency toward violent behavior. Such behavior includes, but is not limited to, excessive arguing, profanity, threats of sabotage of Jarvis Christian College property, belligerent speech or a demonstrated pattern of insubordination and refusal to follow Jarvis Christian College's policies and procedures;
  1. Causing physical damage to Jarvis Christian College's facilities or defacing College property or the property of others; or
  2. With the exception of Jarvis Christian College security personnel, carrying firearms or weapons of any type or kind onto Jarvis Christian College premises, in Jarvis Christian College parking lots, or while conducting Jarvis Christian College business.

If any Jarvis Christian College employee becomes aware of or observes any of the above-referenced behavior or actions by a co-worker, consultant, customer, third party vendor, visitor, or any other party, he/she should notify his/her supervisor, any member of the administration, and/or the Human Resources Director immediately.

Employees should notify the Human Resources Director if they are aware of any restraining orders that are in effect, or of the existence of any other non-work-related situation with the potential to erupt into workplace violence.

All reports of violence at Jarvis Christian College will be taken seriously and will be investigated thoroughly and promptly. To the extent possible, The Human Resources Director will keep the identity of the reporting employee confidential. However, under certain circumstances, the Human Resources Director may need to disclose the reporting employee's

identity (for example, to protect that individual's safety). Jarvis Christian College will not tolerate retaliation in any form against an employee who makes a report of workplace violence.

If, after a thorough investigation, the Human Resources Director determines that workplace violence has occurred, he/she will report the findings to the President and appropriate corrective action will be taken and discipline will be imposed on the offending employee(s). The level of appropriate discipline will depend on the facts in each case, and may include oral or written warnings, reassignment of responsibilities, probation, suspension, or termination. If a non-employee is responsible for the violent activities, Jarvis Christian College will take corrective action to ensure that such behavior is not repeated.

## **POLICIES**

### **SECTION 4.0 - ALCOHOL/SUBSTANCE ABUSE POLICY - HR 4.6**

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#### **Alcohol/Substance Abuse**

Jarvis Christian College is committed to maintaining a **drug free workplace**; therefore the following policy relative to alcohol, drug and substance abuse has been adopted in keeping with the **Drug-Free Workplace Act**:

The College neither by attitude nor deed condones substance abuse in any form. Therefore, the unlawful manufacture, distribution, dispensing, possession, sale, or use of a controlled substance and the abuse of other substances (including but not limited to alcohol) will be subject to suspension or termination from the College.

#### **Drug-Free Workplace Policy**

##### **I. Purpose**

Jarvis Christian College is committed to providing and maintaining a drug-free workplace. Therefore, in its attempt to minimize and ultimately eliminate substance abuse, the College has implemented a comprehensive program designed to educate and keep students and employees informed of the dangers, alternative treatment programs, and the penalties associated with the abuse of drugs and alcohol.

As a church related institution, the College has as one of its fundamental purposes the training of intellectually and morally responsible students. In this vein, it will strive to create an environment that is not only safe and secure, but an environment, which encourages and supports students and employees. To this end, the College has adopted the following policy relative to alcohol, drug and substance abuse in keeping with the Drug-Free Workplace Act.

##### **II. Policy Statement**

The College neither by attitude nor deed condones substance abuse in any form. Therefore, the unlawful manufacture, distribution, dispensing, possession, sale, or use of a controlled substance and the abuse of other substances (including, but not limited to alcohol) by any employee or student may be considered reason for suspension or termination from the College.

##### **Policy Implementation**

In addition to the institution's disciplinary sanctions for drug and alcohol abuse

information regarding local, state or federal penalties will be made available to students and employees by the following means:

- College newspapers
- Campus mail
- Jarvis Christian College Student Handbooks
- Campus drug awareness program
- Brochures
- Bulletin-board displays
- Faculty/Staff Workshops

### **Health Risks Associated with Drug Abuse**

Jarvis Christian College is committed to maintain a drug-free workplace. The College will reinforce this commitment by keeping students and employees informed of the health risks associated with the use of illicit drugs and abuse of alcohol. Students and employees will be educated about the risks by:

1. Seminars and/or workshops
2. Brochures, pamphlets, campus newsletters and news articles provided via campus mail, campus programs and bulletin-boards
3. Drug awareness programs

### **III. Counseling, Treatment, and Rehabilitation**

In its attempt to minimize and eventually eliminate drug and substance abuse, Jarvis Christian College has adopted the following plan of action for students and employees.

If an employee is discovered or suspected of abusing drugs and or/or alcohol, it must be reported to the immediate supervisor. It is the responsibility of the supervisors to report the matter to the senior administrative officer who will interview the employee. If necessary, the employee is then referred to the Human Resources Office for referral to an outside agency, as appropriate. All parties involved with this process will be committed to confidentiality. Employees who are referred to, and enroll in, a rehabilitation program must authorize the agency to keep the institution informed of his/her progress. All individuals who operate heavy machinery or drive company vehicles are subject to random drug/alcohol testing for the safety of the campus body at the College's expense.

### **IV. Disciplinary Sanctions**

The College will impose disciplinary sanctions on students and employees consistent with College policies and local, state and federal laws for unlawfully possessing, using or distributing illicit drugs, drug paraphernalia, and for alcohol abuse on College property or at off-campus College sponsored activities. The provisions in the *Administrative Handbook*, as well as the *Student Handbook* refer to disciplinary sanctions are incorporated herein and made a part thereof.

### **V. Consistency of Program**

The College will make "good faith" effort to ensure that disciplinary sanctions are consistently enforced.

## **VI. Certification**

Each student and employee of the College will be furnished a copy of the Jarvis Christian College Drug-Free Workplace: Alcohol/Substance Abuse Policy on an annual basis. Employees and students will acknowledge receipt of the document by signing a certification receipt.

## **PROCEDURES**

### **SECTION 4.0 - INCLEMENT WEATHER - HR 4.7**

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#### **Inclement Weather**

Employees will be paid for time lost due to inclement weather under the following condition:

*When inclement weather creates a condition under which there might be a question as to whether the College will be closed or a change in the workday schedule, the President or a designated administrative official will release to the campus and local news media a statement concerning the College schedule. In the absence of such announcements, employees will report to work on time. If an employee makes the personal decision not to report to work, it will be considered an approved absence without pay.*

## **PROCEDURES**

### **SECTION 4.0 - DISASTER PLAN - HR 4.8**

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#### **Disaster Plan**

Jarvis Christian College has a catastrophe (disaster) plan for your safety. This plan includes directives on what to do, how to do it and who will be in charge in case of a catastrophe. Major catastrophes have been identified as chemical spills, fire, inclement weather conditions and threatening calls.

The catastrophe plan was developed in cooperation with local and state emergency officials. Security and safety personnel will serve as our campus liaisons with government and meteorological personnel. During times of need, the College will work cooperatively with government officials.

Detailed copies of the plan are housed in the following areas and are available for your review:

Institutional Research Conference Room  
 The Olin Library  
 Security Office  
 Human Resources Office

A campus-wide warning procedure is in place to alert persons of impending danger. These procedures are designed to inform individuals of the appropriate action to take in time of need.

**PROCEDURE****SECTION 4.0 - COMMERCIAL PROMOTIONS - HR 4.9**

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Commercial enterprises sometime solicit advertising from off-campus firms for publications or products with the promise that the item will be distributed on campus to students and/or faculty and staff. Jarvis Christian College does not permit such distribution except where approval has been given by the Office of Institutional Advancement and Development and/or the Office of Fiscal Affairs.

**PROCEDURES****SECTION 4.0 - REQUESTS FOR EXTERNAL FUNDS - HR 4.10**

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**Requests for External Funds**

All appeals, applications for or solicitation of funds, whether from public or private sources are to be coordinated with the Office Institutional Advancement and Development.

Requests for external funds should be routed via a form (Request for External Funds) through the appropriate senior administrator. Forms are available in the Office of Development. Request for approval to submit an application for programmatic funding from any public or private source should be prepared by the applicant, and pre-screened by the Executive Council to insure:

- \* Consistency with College policy
- \* Feasibility and capability
- \* Adequate costing
- \* Availability of required matching funds, in-kind contributions and released time, which the College can provide.

**PROCEDURES****SECTION 4.0 - SALES & SOLICITATIONS - HR 4.11**

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**Sales & Solicitations**

No faculty member, student or college representative may solicit any individual, firm or foundation until approval has been received from the Office of Institutional Advancement and Development. This office will ascertain whether the prospective donor has a previous record of giving to Jarvis Christian College, and if so, for what purpose, after which the impact of the proposed solicitation can be weighed. Only when clearance has been obtained is solicitation permitted.

Canvassing, selling and offering for sale by external vendors is strictly prohibited on campus and in College buildings. Faculty and staff members who are approached by vendors should notify the Vice President of Fiscal Affairs. Approved vendors will present a pass issued by the Vice President of Fiscal Affairs and are restricted to making appointments for business after hours only.

## **PROCEDURES**

### **SECTION 4.0 - OFFICIAL SEAL/LOGO - HR 4.12**

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All Jarvis Christian College advertising should contain the JCC logo and should utilize the optima type family whenever possible. All JCC advertising must be scheduled and placed by the Office of Public Relations.

Student initiated publications (those planned and produced by students), designed for the Vice President of Student Affairs must approve distribution to persons other than the members of the sponsoring student organization. College regulations prohibit the sale of advertisements for student publications, programs or special brochures, except by permission of the Department of Public Relations in cooperation with the Office of Institutional Advancement and Development.

In addition, individuals or firms seeking permission to use the College's name, its official seal or other Jarvis Christian College symbols (such as the Bulldog) on a product for commercial purposes must obtain prior approval from the Public Relations Office. This includes give-away items containing commercial advertising for distribution on campus.

## **PROCEDURES**

### **SECTION 4.0 - USE OF COLLEGE FACILITIES - HR 4.13**

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#### **Use of College Facilities**

##### **Internal Requests**

Requests for the use of facilities should be made two weeks in advance of the activity. Scheduling and final approval of requests are the responsibilities of Student Affairs. Fund raising activities between Monday and Thursday must be scheduled to end no later than 10:00 p.m.

##### **External Requests**

The President's Office on recommendation by the Office of Institutional Advancement and the Office of Fiscal Affairs must approve the use of any College facilities by outside groups. Outside groups receiving preference are those that share the educational goals of the College.

Applications for use of facilities should be in writing at least thirty (30) days before the proposed event. Application blanks may be secured from the Office of Institutional Advancement and Development.

Fees for use of facilities will be determined by the Office of Fiscal Affairs, and will be assessed for custodial, security and other special services required beyond normally scheduled operations. Evidence of appropriate liability insurance must be provided prior to use of facilities.

#### **Athletic Events Charges**

Athletic **activities** held on the campus will have the following admission fees:

Jarvis students

Admission free with ID card

Other Students	\$2.00
College employees	Admission free with ID, except play-off games
General admission	\$3.00
Children under school age (5 years and under)	Free of charge

### **Jarvis News Service**

News and feature stories, pictures and other materials are sent to mass media (newspapers, magazines, radio and television) on a systematic basis by the Office of Public Relations. This unit is constantly in search of campus news suitable for release and the active help and interest of every faculty and staff member is fundamental.

All news, features and publicity to the mass media must be released through the Office of Public Relations to insure widest and most appropriate use.

As a general rule, all items of interest to and/or about students, a faculty/staff member will also be of interest to one or more of the College's many stakeholders. Promotions, honors, research projects, publications, unusual and interesting students, meetings, and speeches are suitable for news releases. Such items should be sent to the Office of Public Relations at least three weeks in advance for proper handling

### **Photography**

Photographic coverage is provided by the Office of Public Relations for campus functions (i.e., conferences, convocations, assemblies, vespers services, V.I.P. visits, dinners, luncheons, etc.). a completed inter-departmental requisition should be made at least one week in advance of the event to the Department of Public Relations for coverage. A charge of \$25.00 will be levied on the requesting department for taking photographs and processing of film.

After processing has been completed, a copy of photographs will be forwarded to the requesting department.

### **Official College Calendar**

An annual calendar of campus programs and events is available from the Office of the Registrar at the beginning of the Fall semester. A more detailed calendar is maintained in the Office of Student Activities. These calendars should be consulted before scheduling additional events.

### **Public Announcements**

All public announcements of an official or policy-making nature **must** be released through and by the Office of Public Relations. Care should be taken in this area, and if any doubt exists, reporters and others seeking such information should be referred to that office. However, this policy does not preclude contact of faculty members by representatives of outside media for information such as personal interviews, special stories on work in progress and similar items. Such contacts are encouraged, but when made, the Office of Public Relations must be informed so that any assistance, if needed can be given and to avoid duplication and contradiction.

**PROCEDURES****SECTION 4.0 - CHECK CASHING - HR 4.14**

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**Check Cashing Policy**

The College does not cash personal checks.

**POLICIES****SECTION 4.0 - TRAVEL POLICY - HR 4.15**

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**Travel Policy**

The College policy on travel is intended to provide guidelines to control travel expenditures, meet the reasonable needs of the travelers and facilitate proper reporting while ensuring compliance with IRS requirements.

The traveler is responsible for ensuring the accuracy of travel arrangements, preparation of forms, and for compliance with federal regulations, College and department policies, and sponsored agreement terms

**Trips regarded as “College Business”**

The following types of trips may be considered as “College business” for which travel may be provided:

Trips to a meeting of a group whose work is public or semi-public in character, wherein the College has a responsibility to participate and the person’s field of specialization is such that he/she can contribute to the program and plans of such an organization.

Trips to international, national, regional or state learned societies for the formal presentation to original research by an employee, or for the employee to participate as a duly elected officer of society.

Trips to a meeting of a group whose members are employees or students for the purpose of keeping in touch with the type of training needed to fit students for particular fields of occupation.

Trips to a meeting of a group representing a special industry wherein the person’s field of specialization is such that he/she can assist in the solution of problems confronting this industry.

Trips to a meeting, membership of which is institutional and of which the College is a member. (i.e., staff members officially representing the College in some phase of the proceedings.)

Trips of the teaching staff in charge of student teaching visitations, official judging teams, athletic teams, College choirs, bands or ensembles, debating teams or similar activities.

Trips by officers and employees in charge of official exhibits.



Trips by officers, employees or other approved individuals to meetings, conferences, etc., of value to the College. The purpose of these conferences “must have reasonable, substantial and direct relation” to purposes for which the college was established. Professional meetings, conferences, seminars, etc., should relate directly to the attendee’s area of responsibility at the College.

Trips to inspect equipment or supplies for the possible purchase by the College.

Trips to interview potential faculty and staff members.

Trips engaged in student recruitment efforts.

Trips engaged in development and fund raising for the College.

Trips to attend Board of Trustees and/or Board Committee Meeting.

### **Approval for Travel**

Trips meeting the criteria for “College business travel” should be submitted on the *Application for Leave And Travel* and forwarded to the Business Office at least ten (10) days prior to the date of departure. No travel expenses shall be incurred or money disbursed without the proper channeling and approval of leave requests. Additional travel advances are withheld until all appropriate travel form and supporting documents have been received in the Business Office.

### **Travel Expense**

The College will reimburse employees for travel expenses incurred while on official business for the College. Reimbursement for such expenses shall be in accordance with established allowances for approved travel. Requests for reimbursement should be submitted to the supervisor and the departments authorized account signer for review and approval. The department will forward it to the business office. All travel expense reports are due within ten (10) working days after returning from each trip with all receipts attached.

### **Spouses/Relatives/Invited Guests**

When a spouse, relative or invited guest is traveling with an employee, the cost of transportation, lodging and meals for the spouse, relative or invited guest is considered a personal expense unless there is a valid business reason for the College to incur the expense. Written approval from the President’s office is required prior to travel. If expenses include entertainment, meals or lodging provided for spouses/relative/invited guests, an Entertainment Expense Statement detailing the relevant expenses must be attached to the Travel Statement.

### **Double Travel Expense Payments**

When an officer or employee of Jarvis Christian College engages in travel that is to be compensated from any source other than College funds, a claim shall not be submitted under the provisions of these regulations.

### **Use of College Credit Cards**

When necessary, the president/directors may authorize the use of College card(s) for transportation and/or other expenses. Full receipting is required for use of all such cards.

## **Allowances for Travel under Federal/State Programs**

An officer or employee traveling under any contract administered by the federal or state government shall be reimbursed for travel expenses and allowances on the same basis as other employees except that provisions of contracts shall govern when specific travel guidelines are included.

On Federal or State sponsored projects, airfare costs in excess of the lowest available commercial discount fare, Federal/State government contract airfare (where authorized and available), or customary standard (coach or equivalent) airfare, are unallowable except when such accommodation would require roundabout routing; require travel during unreasonable hours; excessively prolong travel; greatly increase the duration of the flight; result in increased cost that would offset transportation savings; or offer accommodations not reasonably adequate for the medical needs of the traveler.

## **Lodging**

### Hotel Reservations

When choosing lodging, consider those with single room rates. When applicable, employees are encouraged to use facilities that offer business rates, senior citizen rates, or special promotion/conference rates. Employees traveling together will share a room when appropriate.

### Hotel Cancellation Procedures

Each employee is responsible for canceling hotel room reservations. The employee should request and record the cancellation number in case of billing disputes. Employees requesting to be reimbursed when they have failed to cancel a reservation must provide a written explanation for failure to cancel the reservation.

### Hotel Payment Procedures

All hotel expenses should be paid using one of the following methods:

- \* corporate credit card
- \* direct bill when payment is required in advance or for special events
- \* personal credit card
- \* purchase order for group travel

## **Telephone Usage**

Employees may be reimbursed when using personal telephone calling card for business phone calls that are reasonable and necessary for conducting business. Personal calls will not be reimbursed while traveling on business. All calls must be identified with an explanation of all reimbursable calls on the travel application.

When staying at a hotel, avoid making phone calls that have a surcharge. To minimize substantial additional charges added by hotels to the telephone bills, use a credit card, or public phone whenever possible.

## **Meals**

### Allowance for Meals

An allowance for meals and lodging will be paid to officers and employees of Jarvis Christian College on a thirty (30) dollars per day per diem.

When employees or officers are in travel status for a period of at least six (6) hours, but less than twenty-four (24) hours, a partial meal allowance will be subject to the guidelines listed below:

*Six dollars (\$6.00) will be paid for breakfast if the employee departs from his/her residence or the campus before 7:00 AM and/or returns after 7:00 PM.*

*Eight dollars (\$8.00) will be paid for lunch if the employee departs before 12:00 noon and returns after 1:00 PM.*

*Sixteen dollars (\$16.00) will be paid for dinner if the employee departs before 6:00 PM and returns after 7:00 PM.*

When paying for clients, with whom the employee is doing business, submit with receipts their names, their organizations, and how they contribute to the business purpose of the meal.

Employees will not generally be reimbursed for a meal if it is included in a registration fee. If there are extenuating circumstances, a supervisor must authorize the additional expense for which the employee must submit a receipt and an explanation of the business purpose of the meal.

### **Guidelines for Tips and Gratuities**

Tips for a waiter should not exceed a recommended 15% and the gratuity is included in the daily per diem allowance. This figure cannot be claimed separately.

### **Other Reimbursable Expenses**

Employees may be reimbursed for the following miscellaneous expenses:

- business phone calls
- cellular phone use for business calls
- faxes
- food and beverages
- gasoline for rental cars
- ground transportation
- overnight delivery/postage
- parking, when extended travel is involved, airport remote lot parking accommodations should be used
- seminar fees (these can be direct-paid)
- taxis (receipts needed)
- tolls
- excess baggage will be reimbursed only when transporting College materials.

***Note:** This list of reimbursable expenses is intended to be representative, not comprehensive.*

## Transportation

### Making Air Travel Reservations

Reimbursement shall be made to an officer or employee who uses public transportation while on official travel for the College. When making air travel reservations, the employee is expected to use the lowest logical coach class airfare available, while meeting the business needs of the trip. Employees are expected to consider the total cost to the College including subsistence and lost work when making travel arrangements.

Should an employee utilize ticketless travel, they must request a receipt from that airline.

When purchasing airfare, consider the following factors for determining the lowest fare alternatives: specifically negotiated fares; penalty fares (super savers); Saturday night stay fares; advance purchase fares; connecting and one-stop fares; promotional/convention fares. Pre-planning is urged with reservations made as far in advance of the departure date as possible to secure lower rates. Purchases of tickets at the airport or purchases of “next day travel” should not be made except in rare emergency cases. To facilitate advance purchase of airline tickets, instruct the travel agency to direct bill the College.

If the employee must purchase a premium airfare, submit a letter of explanation to the department administrator for approval. Should the employee fail to receive approval, they will be reimbursed at the lowest available airfare.

### Unused Airline Tickets

If the trip was canceled after the ticket was issued, and it is a **refundable** ticket, follow the procedures listed below:

- Return the ticket to the business office or to the travel agency that issued the ticket to expedite refunds.
- Request a Refund Receipt to document any fees and attach it to your travel request.

If the trip was canceled after the ticket was issued, and it was a **nonrefundable** ticket, utilize the following procedures:

- Return the ticket to the department administrator.
- A travel advance account should be established for the value of the unused ticket. The value of the ticket will be the responsibility of the department to utilize the ticket prior to the date of expiration. If the ticket is not used before the date of expiration, it will be the department’s responsibility to write off the account balance.

### Lost or Stolen Airline Tickets

If the ticket is lost or stolen, the employee must:

- Fill out a lost ticket application at the airline ticket counter or with your travel agency. There may be a fee for this service.
- Submit the carbon copy of the lost ticket application with your reimbursement request.

- Complete a police report if stolen a copy of the report must accompany your reimbursement request.

#### Ground Transportation to and From Airports

Employees are encouraged to use the most economical mode of transportation to and from airports, and share ground transportation whenever possible. Consider the following modes of transportation:

- Public transportation (buses, subways, shared taxis)
- Hotel and airport shuttle services

Keep in mind; you will need receipts for your request for reimbursement.

#### Combining College Business Travel with Other Travel

The College will only reimburse employees for the business portion of the trip if it is combined with personal vacation travel. The employee must provide evidence to support the business portion of the trip and the allocation of the expenses that are business related. At the time of ticketing, obtain a quote to document the incremental costs that will be treated as personal expenses and include them with the “Application for Leave and Travel” form.

#### Use of Private Vehicle

*Intra-State Travel* - An officer or employee of Jarvis Christian College who uses his/her personal vehicle for the College shall be reimbursed at the rate of twenty-six cents (.36) per mile. For official business, such mileage shall be computed by using the odometer reading from point of departure to destination and return. No additional expense incidental to the use of an automobile shall be allowed. After each travel, a report must be properly executed on the appropriate travel form and submitted at the time of request for reimbursement.

**Interstate** - The same reimbursement rate, restrictions and allowances for intra-state travel shall apply to interstate travel. However, the cost of the use of personal automobile shall not exceed the cost of commercial tourist transportation from point to point. To determine the allowance for the use of personal auto, the following shall apply:

*The total allowance for personal automobile shall not exceed the cost of the economy fare on an airline from the airport nearest to the point of departure and arrival.*

*Travel allowance at the established rate shall apply to and from the nearest major commercial airport.*

*When more than one employee travels interstate in a personally owned automobile, they shall be reimbursed for meals and lodging based on vehicle travel time.*

*When traveling in personally owned vehicle, the employee will not be reimbursed for any repairs to personal vehicles even if these costs result from business travel.*

Reimbursement shall be limited to the actual cost of transportation, which is evidenced by receipts

### Personal Vehicle Accidents

In the event of an accident, the following procedure should be followed:

- The employee should contact his/her insurance company, as the College does not have primary insurance coverage on liability claims;
- Contact local authorities as required;
- Contact department administrator.

### Rental Vehicles

Vehicles should only be rented when:

- Other transportation is not available.
- Such use will result in savings of time or cost to the College.

When traveling by air, a car may be rented upon reaching the destination if it is less expensive than other transportation modes such as taxis, airport limousines or shuttles.

#### Returning Rental Cars

To keep costs down, every reasonable effort must be made to return the rental car:

- to the original rental city;
- on time, to avoid additional hourly charges;
- with a full tank of gas.

### Rental Car Accidents

Should a rental car accident occur, immediately contact:

- the rental car company, in accordance with the rental car company's requirements for reporting accidents;
- local authorities, as required;
- the Vice President for Fiscal Affairs (the next working day)
- personal insurance company
- department administrator.

### Fleet Vehicles

The following guidelines will be honored when using College fleet vehicles:

- All authorized drivers of College vehicles must be certified by submission of driver's license, a completion of consent to obtain MVR (Motor Vehicle Record) with the appropriate fee, along with completion of "Fleet Driver's Commitment". The Coordinator of Transportation will update all MVR's and evaluate each driver annually, based on established criteria by the College.
- The following MVR evaluation criteria, on or off the job violation, will disqualify any person as an authorized driver:
  - Three (3) or more moving violations within the preceding 36 months;
  - Driving under the influence of drugs or alcohol;
  - Hit and Run Accident;

- Failure to report an accident;
  - Operating a vehicle under a suspended or revoked license;
  - Homicide, assault or a felony arising from the operation of a motor vehicle; or
  - Reckless driving, speed, or contest racing.
- The Coordinator of Transportation will authorize the use of College vehicles only on the presentation of an executed Request for Transportation Form or submitted on which an MVR approved driver and alternate driver are both listed.
  - There will be no personal use of College owned vehicles without the express written authority by the President of the College.
  - Seat belt utilization is required of all drivers and passengers of College owned vehicles and in vehicles operated on College business.
  - All accidents must be reported to the police and to the fleet office immediately.  
**Caution:** In all cases, the employee must promptly file a written accident report to the Office of Fiscal Affairs.
  - Mileage of College vehicles must be checked and recorded by the Coordinator of Transportation upon departure from the campus and upon return to campus. The keys to the vehicles are to be left with Security.
  - In extreme emergencies involving student health and welfare, the Vice President for Student Affairs will be permitted to issue a vehicle.

A College vehicle is at all times available for student health transportation. The priorities for use of these vehicles are as follows:

- Student Health
- Recruitment
- College choir
- Internship, student teaching & religious practices
- Athletics
- General transportation
- Returned vehicles must be clean or further use may be denied.

**Caution:** *The employee is responsible for paying any parking or traffic violations received while driving a fleet vehicle.*

- Violation of any of the above rules will result in suspension from use of College vehicles by the President of the College.
- More detailed guidelines can be found in the Transportation Policy Manual.

## **PROCEDURES**

### **SECTION 4.0 - INVENTORY CONTROL - HR 4.16**

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## **Inventory Control**

The inventory control section of the College is responsible for maintaining the perpetual inventory records of all movable equipment acquired by the College. All employees of the College who have equipment and or supplies assigned to them must keep accurate inventory records. All department heads are accountable to the President of the College and are personally responsible for equipment and supplies assigned to his/her department. Current listings should be maintained and updated monthly by the departments. Loss should be reported immediately to the Security Office and to the Inventory Clerk. The department head is also responsible for notifying the Inventory and Equipment clerk of gifts received, acquisition, disposal, or transfer of equipment in their custody.

Persons leaving the employment of the College are required to submit an inventory list and obtain a release from his/her division head before they receive their final paycheck.

## **PROCEDURES**

### **SECTION 4.0 - INFORMATION TECHNOLOGY SERVICES - HR 4.17**

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#### **Information Technology Services**

##### **Telephone Use**

Listed below are guidelines for use of the telephone system:

Employees are not authorized to accept collect calls. Get name and number from the operator and return the call (if it is College business).

##### **Requests for Computer Services**

The following policy and procedure is established for the handling of requests for computerized lists of names and addresses of incoming students, groups, or similar requests:

All new requests for lists of names and addresses must be sent to the Business Office. All existing inter-office requests for this information should be processed through the individual offices involved.

The Business Office should be kept informed of the processing schedules so that new requests can be scheduled in with existing reports being processed.

Lists requested by students or College personnel must have the approval of the appropriate department heads.

Lists requested by non-Jarvis groups or organizations must have the approval of the College President. The following criteria will be used in evaluating requests from these groups:

- the enterprise must be legitimate and not in conflict with general College standards;
- the enterprise must be financially stable enough to provide the goods or services being advertised.
- the enterprise must be required to certify that the address labels and list will be used only by the original purchaser and only for the specific purpose stated.



The Business Office will send the list and invoice to the individual or firm that made the initial request. When payment is made, the money will be deposited in a special income account to be designated.

### **E-Mail**

The Office of Information Technology provides email access to all faculty, staff, students, and administrators for the express purpose of handling College business or classroom related activities. For students, email can also be used for personal correspondence with friends and family. However, at no time should the use of College email by faculty or staff impede the operations of the College.

Persons found forwarding unsolicited and unwanted email utilizing the College's computer network will be initially contacted and asked to cease the aforementioned actions. If it continues, access to the College network will be terminated. The senior administration officer to whom the affected employee reports will have to submit, in writing, to the information Technology Department, a request to restore the user's account.

### **Establishment of E-Mail Account**

The Office of Information Technology will only create an email account for new users after receiving official (written) notification from the Human Resources office, or the corresponding Senior Officer, indicating the following:

- Name of New Employee
- Division
- Title
- Immediate Supervisor

No accounts will be created until this information is presented.

### **Inappropriate Electronic Communications**

Knowing or reckless distribution of unwanted email or other electronic communication is prohibited. Broadcast, chain letters, pornography, intentional distribution of computer viruses or any unauthorized schemes that may cause excessive network traffic, computing load, or damage are prohibited.

### **Use of Network Resources**

The Jarvis computer network is designed to assist faculty and staff in the successful completion of their daily duties; therefore, the use of bandwidth limiting programs during the course of the business day is strictly forbidden. This includes, but is not limited to Yahoo Instant Messenger, MSN Messenger, AOL Messenger, Kazaa, and MSN Gaming. The Office of Information Technology reserves the right to terminate sessions of any user utilizing the above referenced services, especially during peak operational times of the College network.

### **Mailroom Hours**

The College Mailroom functions to support the activities of the College. It will not be utilized to solicit funds, distribution of advertising notices for activities or product that are not a normal functions of the College. Any mail of these types left at the mailroom will not be delivered and will be destroyed if a return address is not furnished.

The College Mailroom delivers mail Monday through Friday to the local United States Postal facility in Hawkins, Texas. Typically, the mailroom handles all first class, priority, and express letters and packages sent from the institution. Federal Express, DHL, Airborne, and other express mail carrier packages can also be picked up in the mailroom; however, they must be sent from an authorized location, as designated by the specific carrier. Contact the carrier directly for details.

All mail received into the Mailroom is available for employee or student pick-up at the designated times. Unauthorized persons are not allowed to get the mail for others without advance notice being given to the Mailroom Clerk.

The College Mailroom will be open at the following hours Monday through Friday for college mail services:

M-F - 8:00 a.m.-1p.m. 2:00 - 3:15 p.m. 4:00 - 5:00 p.m.

All mail must be in the mailroom by 3:00 p.m. daily in order to be processed for the afternoon mail run to the U.S. Post Office. Hours for distribution in the residence halls are 1:00 p.m. until 4:00 p.m. Monday through Friday. Mail is not delivered on weekends or holidays.

Persons, other than students, are discouraged from receiving personal mail at the College address. The mailroom and associated post office box are for official, college-related business. If persons perpetually get personal mail sent to the College, a notice will be sent informing them that they need to secure an external location for personal mail. If the delivery of person mail continues, it will be returned to sender without notice.

## **POLICIES**

### **SECTION 4.0 - PERSONNEL FILES - HR 4.18**

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#### **Personnel File Policy**

The College shall require the maintenance of a uniform system of personnel records for all employees. It shall be the responsibility of the Human Resources Director to keep the records updated and complete in accordance with statutory provisions.

#### **DEFINITIONS**

The following are definitions as they pertain to this policy:

- A. *Document* means any written or otherwise tangible material intended to be or actually used as a part of or any evidence of the work history of any employee including, but not limited to, any and all reports, comments, reprimands, correspondence, memoranda, evaluations, observations, and grievances relative to a particular employee.
- B. *Personnel file* means the “single official file” in the Human Resources Department that contains the cumulative collection of any and all documents maintained by the College with respect to each individual employee.
- C. *Personnel file custodian* means that person employed by the College charged with the duty of maintaining and preserving the personnel files (i.e., the Human Resources Director).

D. *Third party* means any person or entity not regularly employed, or employed under a contract by the College.

### **PERSONNEL FILE MAINTENANCE**

A personnel file shall be accurately maintained in the Human Resources Office for each present and former employee. These files shall contain applications for employment; references; records relative to compensation; payroll deductions; evaluations; and such other matters as may be considered pertinent to the proper maintenance of all personnel records. It is the duty of the employee to furnish the Human Resources Director with certificates, transcripts, statements of degrees, and other educational experience related documentation.

It is also important that accurate, current records be maintained for benefits and employment purposes. Therefore, all employees are required to notify the Human Resources Director immediately if there is any change in relevant personal or employment information such as changes in address, phone numbers, marital status, emergency contact information, insurance beneficiary, number of dependents or legal name.

All information contained in the personnel file is the property of Jarvis Christian College and is not available for review by anyone other than the employee, his/her supervisor, and the Human Resources Department. Employees may examine their personnel files after contacting the human resources department in advance to schedule an appointment; however, these documents may not be removed from Jarvis Christian College's premises or photocopied without the specific authorization of the Human Resources Director.

If an employee believes that information in their personnel file is incorrect, they must submit a written request to change the information to the Human Resources Director. If such a request is granted, the human resources department will make the change in the presence of the employee. If the request is denied, an employee can ask to place a statement of disagreement in the file. This statement of disagreement will become a permanent part of the employee's file.

Jarvis Christian College considers falsification of personnel records to be a serious offense, and upon discovery, can lead to disciplinary action up to and including termination. Jarvis Christian College retains all human resource records for five (5) years after an employee leaves employment. This five year retention is in compliance with the Texas Administrative Code, Title 13, Chapter 6, §6.10, Subsection 3.1.002.

The Human Resources Director shall be the designated custodian of all personnel files and shall have the overall responsibility for maintaining and preserving the confidentiality of the files.

No document, except those resulting from routine record keeping, shall be placed in the employee's personnel file until that employee has been presented with the original document and a copy prior to filing. The employee, upon receipt of the original document, shall sign the original document attesting receipt of the copy. The signature shall not be construed as an agreement on the contents of the document.

Any rebuttal or response to a document placed in an employee's personnel file shall be submitted by the employee within fifteen (15) working days of the date the original document was signed. The time period may be extended for ten (10) days provided a written request is made for such

an extension within the original fifteen (15) day period. Any rebuttal or response to a document shall be dated and signed by appropriate personnel and shall be attached to the original document when placed in the personnel file.

### **Records Management and Retention Procedures**

Jarvis Christian College recognizes the need for orderly management and retrieval of all official records and a documented records retention and destruction schedule congruent with all state and federal laws and regulations.

Duplicate files, duplicate copied, library materials, and stocks of obsolete forms or pamphlets originally intended for distribution are not considered to be official records or record copies. Duplicates or non-record copies should be destroyed when they cease to be useful.

All records will be retained for the minimum periods stated in the Records Retention Schedule. All records must be maintained until all required audits are completed. The records should be kept beyond the listed retention periods when there is a probability of litigation either involving the records or requiring their use.

Certain inactive records are retained to meet legal and fiscal requirements or future administrative needs, or because of historical significance. Department heads are responsible for the management of their department's records, including the records of all faculty and staff members within their departments.

Vital records or records which are necessary for the continuation of the College's operation following a disaster will be identified and protected.

Personnel record documentation should be kept on a *Record of Contact*.

### **Record Retention Schedule**

*Admission Records* are retained for Archives.

*Audit Data* is archived.

*Employee Benefit Plans* are kept for the life of the plan and held one year after the plan expires.

*Financial Aid Records* are retained a minimum of seven (7) years.

*Financial Records* are maintained a minimum of seven (7) years.

*Historical Records* include, but are not limited to the following: reports, committee minutes, newspaper articles, publicity releases, photographs, are preserved in the Archives of the College.

*Payroll Records* this includes name, address, sex, date of birth, occupation, pay rates, wages, and length of workweek. Retain minimum of seven (7) years.

*Personnel Records* are kept for a minimum of five (5) years or longer if necessary, depending upon the situation.

*Student Records* are maintained by the Office of the Registrar.

*Wage Data* along with other employment and earnings records, such as time and earnings cards, work schedules, records of additions or deductions from wages will be maintained and kept for two (2) years.

### **Student Records**

All permanent academic records of students, including grades, are kept in the Office of the Registrar. Complete grades are posted to transcripts at the end of each semester by the Office of the Registrar and are available only to those with official needs. Student records are managed in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA).

### **Student Rights and Student Conduct**

The welfare of the student at Jarvis Christian College is a primary concern of the faculty and administrative staff of the college. Guidelines have been developed to insure the rights and responsibilities of each individual in the college community. Copies of the regulations pertaining to Student Rights and Conduct are found in *The Bulletin, Student Residential Life Handbook and College Catalog*.

### **Notice of Right to Review Student Records**

Jarvis Christian College acknowledges the right of a student to review records that are maintained. Jarvis Christian College further acknowledges the right of parents of students under eighteen years of age to review these students' records. Policy and procedures regulating the review of student records are also recorded in the **Student Handbook**. All questions regarding the right to review student records should be referred to the Office of Student Affairs.

Jarvis Christian College maintains the following records which are considered permanent student records subject to the *Family Educational Rights and Privacy Act of 1974 (FERPA)*:

<b><i>Document</i></b>	<b><i>Where Maintained</i></b>
ISIR	Student Financial Aid
College Work-Study Records	Student Financial Aid
Award and Acceptance Letters	Student Financial Aid
Supplemental Financial Application	Student Financial Aid
Student Eligibility Report	Student Financial Aid
Official Transcript	Office of the Registrar
Grade Reports	Office of the Registrar
Disciplinary Sanctions	Office of Student Affairs

Jarvis Christian College, in compliance with the aforementioned law, will make available for review the records listed above upon written and approved request using the form *Request to Review Student Records*. All such reviews must be made within the confines of the office where the records are maintained. Persons eligible to review such records are:

1. Currently enrolled Jarvis Christian College students who wish to review their own records.
2. Graduates or former students wishing to review their own records.

3. A parent or legal guardian of a currently enrolled student who is under the age of eighteen.
4. A parent or legal guardian of a former student, graduate, or currently enrolled student who is over eighteen years of age and who authorizes the review of information.

### **Release of Records**

Written requests for documents under the Texas Open Records Act should be directed to the Vice President for Fiscal Affairs and handled immediately pursuant to the provisions of the Texas Open Records Act.

Generally, student records are confidential records. Student disciplinary records are to be maintained separate from the academic records; both sets of records are confidential. Locations of records are listed in the *Student Handbook*, along with the *Administrative Handbook*.

### **Lost and Found**

The Campus Security Office is the official Lost and Found Office. Articles lost or found should be reported as soon as possible to help the office in returning property to the rightful owner.

## **PROCEDURES**

### **SECTION 5.0 - PROTOCOL – HR 5.1**

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#### **PROTOCOL (Chain-of-Command)**

In order to conduct business properly and in order, all employees must adhere to some established procedures, commonly referred to as protocol or “chain-of-command”. Established procedures of protocol applies to all employees at the College, as well as, all persons interacting with the College, to ensure that all issues are heard and decisions are made in an effective and efficient manner.

Any issue, including suggestions for improvements, complaints, and other requests for action should be directed to the immediate supervisor and/or director of that respective area. If the response does not satisfactorily address the issues, then it should be brought to the attention of the Vice President of that Department. The Vice President has the responsibility for reviewing issues and resolving at the department level. If the Vice President does not have the authority or resources to resolve the issue at the department level, it is the Vice President’s responsibility to bring the issue to the attention of the Office of the President.

In addition, requests to direct reports should be directed through the Vice President’s Office or the Vice President and Director/Supervisor should be copied on the request.

With the exception of the President, Faculty and Staff are expected to adhere to the “chain-of-command” policy effective immediate.

## **POLICIES**

### **SECTION 5.0 - REDUCTION IN STAFF POLICY – HR 5.2**

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#### **REDUCTION IN STAFF POLICY**

In accordance with, and complementary to, the official College policies dealing with budget reduction(s) or other reasons such as technological replacement and/or program discontinuance, these policies and procedures will be implemented at such time(s) it becomes necessary to have a reduction in work force. When situations such as this arise, a Letter of Non-Renewal will be issued.

### **SCOPE**

These policies and procedures are applicable to all staff and faculty personnel assigned throughout the College, regardless of the source of funding for the position.

### **POLICY**

It is the policy of the College to provide stable employment to faculty and staff personnel. However, there may be occasions, which necessitate a reduction in the staff work force.

A reduction in work force shall be among the last options implemented by the College. It may be instituted in cases of bona fide budget reduction, lack of work, lack of funds, program discontinuation, technological replacement, obsolete job qualification requirements, or any other condition of serious financial distress that may be determined or declared at any time in the future. When such conditions exist, the President, with a review and approval by the Board of Trustees, will announce or declare the implementation of this policy.

The decision as to the extent of the reduction in work force within the College shall be recommended by the President, with prior review by the Board of Trustees.

When options are available as to which job(s) to select for reduction, the President will consult with the appropriate Vice President to select the position(s) where such reductions will have the least amount of negative impact on the vital programs of that unit.

Staff retention during periods of work force reduction where the number of staff in the selected job(s) exceed the number of positions to be eliminated will be based upon performance as well as length of time in service, commonly referred to as seniority. Performance and seniority are determined for the purpose of this policy as follows:

The level of performance shall be determined by the three most recent written performance reviews as provided in the Performance Evaluation Policy.

Seniority shall be determined as College-wide continuous employment date.

Staff members who receive a Non-Renewal Letter do not routinely have the right to enter formal grievance charges in regard to this action, except for reasons of alleged violation of these policies and procedures governing such reduction of work force, or for alleged acts of discrimination. This provision supersedes normal grievance procedures adopted by the College.

Reassignment of staff members to comparable or similar vacant positions in unaffected areas:

Whenever it is determined that a reduction in work force is necessary, the President, after consultation with the appropriate unit administrator, has the discretion and authority to place the

affected staff member(s) in vacant position(s) without the affected staff member(s) necessarily having to compete with others.

In all cases of reassignment, the staff member must possess the minimum qualifications for the new position.

In cases in which the affected staff member(s) are not reassigned to other positions the persons will be issued the Letter of Non-Renewal in accordance with the policies and procedures that deal with a reduction in work force.

This policy is designed to protect incumbent, staff members who are faced with receiving a Letter of Non-Renewal due to a situation as described in this Policy, from always having to compete should a position be open.

At the time of Nonrenewal, all earned but unused annual leave and/or compensatory leave will be taken prior to the effective end date. The effective date will be the next day following the last day worked by the affected staff member. When organizational needs result in the non-renewal of a long-term employee, the College will use the following criteria to reward years of service:

**Years of Service are based on Years of Rate**

**Years of Services Awards Calculated at of Pay**

**Consecutive Service from Most Recent Date of Hire**

A. Thirty or more years of service	Twelve Weeks of additional paid leave and/or pay, or a combination of both to be determined by the College.
B. Twenty or more years of service but less than thirty	Nine weeks of additional paid leave and/or pay, or a combination of both to be determined by the College.
C. Ten or more years of service but less than twenty	Six weeks of additional paid leave and/or pay, or a combination of both to be determined by the College.
D. Five or more years of service but less than ten	Three weeks of additional paid leave and/or pay, or a combination of both to be determined by the College.
E. Less than five years of service	Two weeks of additional paid leave and/or pay, or a combination of both to be determined by the College.

Persons that received a Letter of Non-Renewal will be eligible for new employment with the College, but such new employment will be under the same conditions as for all new staff



members, including the successful completion of a new 90 day orientation period immediately after the date of new employment where required.

### **PROCEDURES**

At any time a reduction in work force becomes necessary, the President, with input from the appropriate Vice President, shall develop the plan for the reduction in work force for review by the Board of Trustees.

The plan shall include all the possible alternative solutions to the condition of serious financial distress prior to taking the reduction in work force action including all pertinent factors as to what functions and/or job(s) are to be affected and the number of persons that will be impacted. In the event of changes in the qualifications for the position, the plan shall include details regarding the change and steps taken in order for the individuals to meet the new qualifications.

The appropriate Vice President shall include a listing of all staff members within the affected unit including the three most recent performance review ratings, continuous employment date, age, and ethnicity.

The reduction in work force will be accomplished within each affected unit by job, removing from the University payroll the least senior person(s) with the lowest performance level; repeating the procedure until the number of persons to be removed from the payroll has been reached.

All persons affected by this reduction in work force shall be notified in writing as early as possible, 30-60 days. However, it is noted that in the case of funding by a grant or contract, shorter notice may be appropriate.

#### **The Letter of Non-Renewal shall contain the following information:**

The effective date of the non-renewal.

A statement advising the incumbent of eligibility to apply for unemployment compensation.

The right of the employee to continue to maintain eligible insurance coverage subject however to the continued payment of insurance premiums by the employee. If the employee wishes to cancel coverage, the cancellation must be done within 30 days of the last day of work or the employee will be responsible for the cost of coverage until cancellation at the next annual enrollment period.

When a vacancy occurs it will be listed with Human Resources and those that Received Letters of Non-Renewal can apply according to statues outlined above.

This policy does not include employees who are offered another position with the College, but refuse said offer. Nor does this policy include employees terminated for cause.

The College reserves the right to suspend or modify this policy, or any portion thereof,

when financial shortfalls occur. The College reserves the right to make this determination without prior notice.

## **POLICIES**

### **SECTION 5.0 - MEMORIAL GROUNDS POLICY– HR 5.3**

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#### **JARVIS CHRISTIAN OPERATING STANDARDS MEMORIAL GROUNDS**

##### **PURPOSE**

The Pioneer Cemetery is located on Jarvis property. Individuals buried there are people who have contributed to Jarvis in some manner. Requests are sometimes made by families asking that the Pioneer Cemetery be the final resting place for their loved ones. To that end, the following operating standards and procedures have been established.

##### **SCOPE**

The Jarvis Christian College Pioneer Cemetery is part of the Jarvis Christian College legacy. It is dedicated to the founding families and descendants, as well as the faculty and staff of JCC. Any descendent of Major J.J. Jarvis or his wife, Ida Van Zandt Jarvis; Thomas Buchanan Frost; Charles Albert Berry, Sr.; Mary Alphin; Zach Howard; and former Presidents and/or spouses, who wish to be buried in the Jarvis Pioneer Cemetery, will be given priority and may select a location for the plot in the cemetery.

##### **POLICY**

A Cemetery Committee, consisting of current Jarvis faculty and/or staff, and appointed by the President, will act as a liaison body between the College and the public to review all requests of individuals wanting to be buried in the Jarvis Pioneer Cemetery.

The President will have the final approval on the Cemetery Committee's recommendations. Any exceptions to the policy must be informed to the Board of Trustee for approval.

The Finance Office is responsible for the management, which includes the care and upkeep of the cemetery.

##### **PROCEDURE**

When requests for burial in the Jarvis Pioneer Cemetery are received by the College, they will be sent to the Cemetery Committee for review. In making their decision to grant a request for burial in the Jarvis Pioneer Cemetery the Committee will, for example, consider the following:

- A. The deceased must have worked at the college for a period of five years; exception will be made at the discretion of the President and the Board of Trustees.
- B. The deceased must have worked at the College full-time.
- C. The deceased must have made considerable contributions to the College thereby impacting on students positively through education or finance.

The process for selecting gravesites shall be as follows:

- A. Gravesites will be selected by the Cemetery Committee with input from the family, and final approval from the President.
- B. Any gravesite may be chosen except those already included in a family plot.
- C. Existing graves may not be moved to accommodate the burial of a recently deceased individual.
- D. If a family decides they want to move the graves of their loved ones to another cemetery, they must contact the Office of Finance and Administration, who will coordinate the move through the Cemetery Committee. The family will incur all costs associated with this venture.

Any change of plans with regard to the burial of any member or members of a family in the Jarvis Pioneer Cemetery should be communicated immediately to the Cemetery Committee so that the rejected gravesite can be allocated for use by others.

Any additional improvements at the gravesite must be approved by the College and paid for by the family.

Burial expenses, which include opening and closing of the grave, headstones, markers, etc., must be arranged and paid for by the family.

All burials must be under the direction of a funeral home that is licensed by the Texas Funeral Service Commission and conform to regulations regarding, for example:

- A. Grave Size
- B. Requirements for covering of the grave
- C. Headstones or markers

All funds pertaining to the Cemetery, regardless of purpose for which it is to be used, must be deposited in the Cemetery Account at Jarvis Christian College in the Office of Finance and Administration.

All expenditures from the Cemetery Account will require the signatures of the Vice President for Finance and Administration and the President or his/her designee.

All Cemetery records will be kept in the Office of the President and available for viewing upon request by the public with two weeks' notice.

The College will accept all donations from families. Such donations will be placed in the Cemetery Fund and be used for the upkeep of the cemetery.

## **POLICIES**

### **SECTION 5.0 - INTELLECTUAL PROPERTY POLICY – HR 5.4**

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#### **JARVIS CHRISTIAN INTELLECTUAL PROPERTY POLICY**

Jarvis Christian College hereby establishes this Intellectual Property (“IP”) Policy with respect to the development, protection, and transfer of rights to IP resulting from the work of its Faculty, Employees, Students, and other third parties.

#### **Introduction**

Jarvis is dedicated to providing an environment that supports the creation and development of Intellectual Property by Faculty, Employees, and Students, which IP includes, but is not limited to, inventions, copyrights (including computer software), trademarks, and tangible research property such as biological materials. Such activities contribute to the academic and professional development of Faculty, Employees, and Students, enhance the reputation of Jarvis, and provide additional educational opportunities for participating Students. While Intellectual Property may, in some cases, be the product of a Creator and that Creator’s time and resources, oftentimes, the creation and development of Intellectual Property depends not only on the Creator’s ingenuity, time and resources, but also on contributions (both monetary and otherwise) from Jarvis and third parties. It is important, therefore, to stimulate the development of Intellectual Property by protecting the interests of all those involved in the creation and development of Intellectual Property at Jarvis or using Jarvis Resources.

The following policy is applicable to all full and part time faculty, staff, employees, students, and nonemployees who use Jarvis funds, facilities, or other resources, or participate in Jarvis-administered research, including visiting faculty, industrial personnel and directors, regardless of obligations to other companies or institutions. For purposes of this policy, these individuals will be referred to as “covered persons” or “persons covered by this policy”.

From time to time, it may be in the best interests of Jarvis to enter into agreements with third parties that are exceptions to the policies reflected in this document and the persons covered by this policy. Exceptions shall be made after consultation with the President or designee and only upon written agreements signed by individuals authorized to grant such exceptions on behalf of Jarvis.

#### **Section I. Inventions and Patents**

A. Definitions. The following terms have the provided meanings for purposes of this policy:

*Inventor*. Shall mean a person covered by this policy who individually or jointly with others makes an Invention and who meets the criteria for inventorship under United States patent laws and regulations.

*Invention*. Shall mean any patentable or potentially patentable idea, discovery or know-how and any associated or supporting technology that is required for development or application of the idea, discovery or know-how.

*Supported Invention.* Shall mean an *Invention* conceived or reduced to practice by a person covered by this policy (whether alone or together with others) if conceived or reduced to practice in whole or in part:

1. Under or subject to an agreement between Jarvis and a third party; or
2. With use of direct or indirect financial support from Jarvis, including support or funding from any outside source awarded to or administered by Jarvis; or
3. With use (other than incidental use) of space, facilities, materials or other resources provided by or through Jarvis.

*Incidental Invention.* Shall mean an *Invention* (other than a *Supported Invention*) that is conceived or reduced to practice by a person covered by this policy making an incidental use of space, facilities, materials or other resources related to the conception or reduction to practice of such *Invention*.

B. Disclosure Obligations. *Covered persons* are required to notify the President or designee of each *Supported Invention* and *Incidental Invention* through a disclosure document as prescribed by the President or designee, except as otherwise provided in Section III regarding *Sponsored Software Inventions*.

C. Ownership Determination. Upon review of the disclosure document, the President or designee will determine whether the *Invention* is a *Supported Invention* or an *Incidental Invention* and, in the case of a *Supported Invention*, shall further determine, with assistance from patent counsel, who are the *Inventor(s)*, consistent with U.S. patent law. Jarvis shall have the right to own and each *Inventor*, at Jarvis' request, shall assign to Jarvis all of his/her/its right, title, and interest in a *Supported Invention*. Ownership of an *Incidental Invention* shall remain with its *Inventor(s)*, subject to any rights that may be granted to Jarvis as required by this policy.

D. Filing of Patent Applications. The President or designee shall be solely responsible for determining whether a patent application shall be filed on a *Supported Invention*. Filing determinations may be made on the basis of commercial potential, obligations to and rights of third parties, or for other reasons which the President or designee, in his/her discretion, deems appropriate. *Inventor(s)* of a *Supported Invention* for which patent applications are filed shall cooperate, without expense to the *Inventor*, in the patenting process in all ways required by Jarvis or its agent or designee.

E. Commercialization. The President or designee shall have the sole discretion with respect to the commercialization of a *Supported Invention*, but shall take into account the public interest. Where a *Supported Invention* is subject to an external agreement with a third party (for example, the federal government or other funding sponsor), the President or designee shall make decisions consistent with that agreement. The President or designee shall make decisions concerning commercialization as he/she deems appropriate and shall make reasonable efforts to keep *Inventor(s)* involved and informed of his/her commercialization efforts.

F. Royalty Sharing. Where royalties are generated by Jarvis as a consequence of commercializing a *Supported Invention*, royalties will be shared with the *Inventor(s)* as described in Section V ("Royalty Sharing") of this policy. Jarvis shall have the right to modify the Royalty Sharing section of this policy in accordance with Section VI.C of this policy.

G. Release of Inventions. Where Jarvis determines that it will not file a patent application on a *Supported Invention*, abandons a patent application on a *Supported Invention* prior to issuance of the patent, or abandons an issued patent on a *Supported Invention*, the *Inventor(s)* may request a release of the *Invention*. Upon determining that releasing the *Invention* to the *Inventor(s)* will not violate the terms of an external funding agreement and is in the best interests of Jarvis and the public, the PRESIDENT OR DESIGNEE may agree to a release and in such case will assign or release all interest which it holds or has the right to hold in the *Invention* to the *Inventor(s)* in equal shares, or such other shares as the *Inventors* may all agree. Release of *Supported Inventions* may be conditioned upon, among other things, agreement by the *Inventor(s)* to the following:

1. To reimburse Jarvis for all out-of-pocket legal expenses and fees incurred by the Jarvis if and when the *Inventor(s)* receive income from the *Invention*.
2. To share with Jarvis 20% of the net income (income remaining from gross income after repayment of Jarvis expenses above and the *Inventor(s)*' legal and licensing expenses) received by the *Inventors* from the *Invention*. Income subject to this revenue sharing provision includes equity received by *Inventors* as consideration for the *Invention* but does not include financing received for purposes of research and development.
3. Upon request, to report to Jarvis regarding efforts to develop the *Invention* for public use and, at Jarvis' request, to reassign those *Inventions* that the *Inventor(s)*, their agents or designees are not developing for the benefit of the public.
4. To fulfill any obligations that may exist to sponsors of the research that led to the *Invention*.
5. To grant back to Jarvis an irrevocable, perpetual, royalty-free, nonexclusive, worldwide right and license to use the *Invention* for its research, education and clinical care purposes and a right to grant the same rights to other non-profit institutions.
6. To agree to such limitations on Jarvis' liability and indemnity provisions as Jarvis may request.

H. Jarvis Rights in Incidental Inventions. In recognition of the contribution the Jarvis community as a whole makes in support of innovation at Jarvis, *Inventor(s)* agree to grant to Jarvis an irrevocable, perpetual, non-exclusive, royalty free, world-wide right to use *Incidental Inventions* in Jarvis' non-profit educational and research activities.

## Section II. Copyrights

A. Ownership. Subject to the Exceptions in subsection B below, *Authors* are entitled to own the copyright and retain any revenue derived therefrom in books, films, video cassettes, works of art, musical works and other copyrightable materials of whatever nature or kind and in whatever format developed, except that computer software and databases shall be subject to Section III ("Computer Software") of this policy. It is expected that when entering into agreements for the publication and distribution of copyrighted materials, *Authors* will make arrangements that best serve the public interest. As used in this policy, "Author" means any person covered by this policy who creates a work of authorship qualifying for protection under U.S. copyright law.

### B. Exceptions.

1. Whenever research or a related activity is subject to an agreement between Jarvis and a third party that contains obligations or restrictions concerning copyright or the use of

copyrighted materials, those materials shall be handled in accordance with the agreement. In negotiating with third parties, project directors and Jarvis should strive to protect and advance the public interest as well as obtain the greatest latitude and rights for the individual *Author(s)* and Jarvis consistent with the public interest and this policy.

2. In circumstances where Jarvis involvement in the creation and development of copyrighted materials is more than incidental, including, but not limited to, use of resources such as funds, facilities, equipment or other Jarvis resources, in consideration of making such resources available, ownership and rights to shares of royalties or income or both shall be fairly and equitably apportioned as between Jarvis and the *Author(s)*. This policy encourages, whenever feasible, Jarvis and the *Author(s)* to reach agreement prior to the commencement of a project on the rights that Jarvis and *Author(s)* will have in the resulting copyrighted materials.
3. A copyrightable work created within the scope of employment by non-teaching employees of Jarvis shall be a “work made for hire” under the U.S. Copyright Act of 1976 (17 USC §101 et seq.) and Jarvis shall be deemed the *Author* and shall own the copyright.
4. Jarvis may also commission copyrightable works from Jarvis personnel, including faculty and students. A commissioned work falling within the “work made for hire” definition of the U.S. Copyright Act (17 USC 101 et seq.) shall constitute a work-for-hire and be owned by Jarvis.
5. Jarvis, at any time, may acquire ownership or rights in copyright and copyrighted materials by agreement with the *Author(s)* or other rightsholder(s), on such terms as are agreed.

C. Other Applicable Policy. Sections I.E and I.F of this policy shall apply to *Copyrights* that are assigned to Jarvis under paragraph B.1 above as if they were *Supported Inventions*, except as otherwise provided in the other paragraphs of Section II.B.

D. Classroom Recordings. With consent of a Faculty member, Jarvis may record, in any form now known or later invented, such Faculty member’s classroom lectures and may use, copy, reproduce, distribute, prepare derivative works using, perform and display such recordings for the benefit of Jarvis so long as such recordings are used for non-revenue producing purposes. In the event Jarvis desires to use such recordings for revenue producing purposes Jarvis shall reach a separate agreement with the respective faculty member regarding such use or shall contract to produce same as a work for hire under a separate agreement.

### **Section III. Computer Software**

#### A. Definitions.

*Sponsored Computer Software*. Shall mean any computer program (including, without limitation, microcode, subroutines, and operating systems), regardless of form of expression or object in which it is embodied, together with any users’ manuals and other accompanying explanatory materials and any computer database, that is developed:

1. Under or subject to agreement between Jarvis and a third party; or
2. With use of direct or indirect financial support from Jarvis, including support or funding from any outside source awarded to or administered by Jarvis; or

3. With use (other than incidental use) of space, facilities, materials or other resources provided by or through Jarvis.

*Sponsored Software Invention.* Shall mean *Sponsored Computer Software* that is an *Invention* as defined under Section I of this policy.

#### B. Disclosure Obligations.

1. A *Sponsored Software Invention* shall be required to be disclosed to the President or designee as an *Invention* only in cases where:
  - a. The *Sponsored Software Invention* was developed under or subject to agreement between Jarvis and a third party as in paragraph A.1 above; or
  - b. The Inventor(s) and/or Author(s) deem the *Sponsored Software Invention* to have commercial potential and/or favor seeking patent protection for the *Invention*.

All *Sponsored Software Inventions* required to be disclosed to the President or designee as an *Invention*, and any *Sponsored Software Inventions* otherwise identified, shall be treated for all purposes under this policy like other *Inventions*, except as expressly provided otherwise in this Section III.

2. *Sponsored Computer Software* that is not required to be disclosed as an *Invention* under paragraph B.1 above shall be disclosed to the President or designee in accordance with such disclosure procedures as the President or designee may direct.

#### C. Ownership.

1. Jarvis shall own all patents, copyrights and other intellectual property rights in *Sponsored Computer Software*. For the avoidance of doubt, where Jarvis determines that a patent application will not be filed for a *Sponsored Software Invention* or, if filed, a patent does not issue, *Sponsored Computer Software* will remain the property of Jarvis. Where a patent application is filed on a *Sponsored Software Invention*, Jarvis shall have a right of ownership in all associated copyrights as supporting technology. The purpose of this section of the policy is to enable utilization of *Sponsored Computer Software* in the public interest regardless of the potential for a division of ownership due to the patentable and copyrightable nature of computer software.
2. Computer programs and databases that are not included in paragraph C.1 above shall, for all purposes, be treated in accordance with the policies provided under Section II "Copyrights".

D. Release of *Sponsored Computer Software*. Where Jarvis has the right but elects not to commercialize *Sponsored Computer Software*, Jarvis may release its rights, in its sole discretion, subject to a written agreement reserving certain rights to Jarvis and signed by all individuals who have been determined to be *Inventor(s)* and *Author(s)* of the *Sponsored Computer Software*.

E. Other Applicable Policy. Sections I.E. and I.F. of this policy apply to *Sponsored Computer Software* and to *Inventors* and *Authors* of *Sponsored Computer Software* as if *Sponsored Computer Software* were a *Supported Invention*.

### Section IV. Unpatented Materials



## A. Definitions.

*Unpatented Materials (including biological materials).* Means cell lines, organisms, proteins, plasmids, DNA/RNA, chemical compounds, transgenic animals and other materials useful for research or for commercial purposes for which patent applications are not filed or, if filed, do not issue, where such materials are developed by persons covered by this policy:

1. Under or subject to agreement between Jarvis and a third party; or
2. With use of direct or indirect financial support from Jarvis, including support or funding from any outside source awarded to or administered by Jarvis; or
3. With use (other than incidental use) of space, facilities, materials or other resources provided by or through Jarvis.

*Contributors.* Means those individuals who are determined by the head of the laboratory/department or the principal investigator of a research program, as applicable, to have made a contribution to the development of the *Unpatented Materials*.

B. Ownership and Commercialization. Jarvis shall own all rights in *Unpatented Materials* and may make appropriate distribution in the public interest, including licensing or transferring *Unpatented Materials*, for research and commercial purposes. Individuals named as *Contributors* shall be entitled to a share of licensing revenues in accordance with paragraph B of Section V of this policy.

## Section V. Royalty Sharing

A. Distributable Royalties. Jarvis employs a single uniform structure for distribution of royalties to *Inventors, Authors, and Contributors* (for the purposes of this Section V, collectively, “*Creators*” and each a “*Creator*”). Jarvis will distribute *Net Royalties* received by Jarvis from the licensing or other distribution of its intellectual property or technology covered by this policy, as and to the extent provided in this policy. *Net Royalties* are calculated based on gross receipts consisting of cash and securities or other equity shares in an enterprise received by Jarvis in return for use of its intellectual property, but do not include other non-cash benefits, sponsored research funding, or other financial benefits such as gifts. *Net Royalties* equal those gross receipts that Jarvis is entitled to retain, less: (i) Jarvis’ out-of-pocket costs and fees associated with securing, maintaining and enforcing intellectual property protection such as patenting and litigation expenses, (ii) out-of-pocket costs incurred by Jarvis in the licensing of the intellectual property and (iii) any out-of-pocket expenses in making, shipping or otherwise distributing biological or other materials (including, without limitation, *Unpatented Materials*). As used herein, the term “*Creation*” shall mean any *Invention, Computer Software, copyright or Unpatented Material* as to which *Net Royalties* are to be distributed in accordance with this policy.

B. Standard Distribution Method. Except as otherwise provided in this policy, the following formula will apply to the distribution of *Net Royalties* among *Creators*, their respective research laboratories/departments and Jarvis, based on amounts received by Jarvis:

Administrative fee – 15%  
Of the remainder:  
    *Creator* personal share – 35%

*Creator* research share – 15%  
*Creator* Department/laboratory share – 15%  
*Jarvis* share – 35%

C. Alternative Distribution Methods. *Net Royalties* earned from licensing of *Creations* with multiple *Creators* will be distributed as follows:

- i. *Among multiple Inventors and/or Authors for a single patented invention or copyright:* Personal shares will be allocated among *Inventors* and/or *Authors* according to a written agreement among them or, if there is no agreement, in equal shares. Research shares, department/laboratory shares will be allocated equally where *Inventors* or *Authors* come from different laboratories/departments, regardless of the number of *Inventors/Authors* from each laboratory/department, unless otherwise agreed among all *Inventors/Authors*.
- ii. *Among multiple Contributors to a single Unpatented Material:* Personal shares will be apportioned among *Contributors* as they mutually agree in writing or, if no agreement is reached among the *Contributors*, according to an administrative determination of apportionment that shall be made by the head of the laboratory/department in which the *Unpatented Material* has been made. Research shares, department/laboratory shares will be allocated as in paragraph C.1 for patented inventions and copyrights.
- iii. *For multiple Creations licensed as a package:* First, *Net Royalties* will be allocated among the licensed *Creations* as agreed in writing among all *Creators* or, if no agreement, in equal shares among such *Creations*. In the alternative, upon request of any of the *Creators*, the President or designee will determine the relative value to the package of each of the *Creations*. The foregoing notwithstanding, where an executed license agreement assigns different values to different *Creations* licensed as a package, that value shall be the value assigned for purposes of allocating *Net Royalties* among such *Creation*. Second, the *Creator* personal share and the research, department/laboratory shares of *Net Royalties* so allocated to each of the *Creations* in the package will be allocated in accordance with paragraph C.1 or C.2, as applicable.

D. Rights of Appeal. Administrative decisions made under paragraphs C.2 and C.3 above may be appealed by the persons affected to the Intellectual Property Committee for final determination provided the appeal is made in writing to the PRESIDENT OR DESIGNEE within 45 days of such persons receiving written notification of the administrative decision.

E. Portability of Royalty Shares. Personal royalty shares will be payable to *Creators* regardless of their employment status at Jarvis or elsewhere. Research shares will not follow individuals leaving Jarvis, but will be payable to the individual's Jarvis laboratory or, if no such laboratory remains, the individual's Jarvis department. Where an individual leaves one department and/or laboratory for another at Jarvis, the departmental and/or research share will move with him or her.

## **Section VI. Intellectual Property Committee; Changes to Policy**

A. Overall Responsibility. Jarvis' Intellectual Property Committee, appointed by the President, shall be responsible for interpreting this policy and resolving questions and disputes concerning it. From time to time, the Committee may suggest changes to this policy on its own initiative or at the request of the President or Board of Trustees.

B. Other Responsibilities. Other responsibilities of the Committee include the hearing of appeals as provided under this policy and such other duties as may be assigned from time to time by the President and Jarvis' Board of Trustees.

C. Changes to Policy. In addition to the right to make changes specifically provided elsewhere in this policy, Jarvis reserves the right to amend or modify any of the terms of this policy as it may determine from time to time. The Board of Trustees and President shall have the power to make such amendments and modifications. Any such modification or amendment shall become effective upon adoption by the Board of Trustees or as of such other time as the Board of Trustees shall specify.

## **Section VII. Miscellaneous**

A. Implementing Procedures and Documentation. The PRESIDENT OR DESIGNEE shall have responsibility for developing procedures and documentation as necessary for implementing this policy. Implementation procedures as recommended by the PRESIDENT OR DESIGNEE shall be subject to the approval of the Intellectual Property Committee.

B. Further Assurances of Covered Persons. By making use of Jarvis' facilities and/or by participating in Jarvis-administered research programs and/or activities of Jarvis that are subject to agreements with third parties, persons covered by this policy agree to assist and cooperate with Jarvis in those actions reasonably undertaken by Jarvis pursuant to this policy. All expenses related to providing assistance and cooperation shall be the responsibility of Jarvis.

C. Applicability of New Policy Provisions. For the avoidance of doubt, except as otherwise specifically provided, this policy does not apply to Inventions, Copyrights, Computer Software and/or Unpatented Materials made or developed prior to the effective date of this policy.

**APPENDIX A – HARASSMENT ACKNOWLEDGEMENT FORM**

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**Acknowledgment Notice of Receipt and Understanding of Jarvis Christian College’s Policy against Harassment in the Workplace:**

I acknowledge that I have received a copy of Jarvis Christian College’s Policy against Harassment, that I have read and understand the policy, and that by signing this acknowledgment, I agree to adhere to the policy as a condition of my employment and/or continuing employment with Jarvis Christian College.

I acknowledge that I understand how to follow the procedures set out in this policy and that if I have any questions, I will ask for clarification.

I agree to report any incident of harassment in a timely manner, and I understand that there are a number of different individuals who are authorized to take my complaint and act on it appropriately.

I further acknowledge that my failure to adhere to this policy may subject me to disciplinary action, up to and including immediate termination without advance warning.

I have reviewed this policy and have been given the opportunity to ask questions about the policy.

I know that I may file a complaint of harassment or participate in an investigation without fear of retaliation.

---

Employee’s Signature

---

Date

## **APPENDIX B – EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM**

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The *Administrative Policies and Procedures Manual* (herein, called **the Employee Handbook**) supersedes all previous employee handbooks.

I acknowledge that I have received a copy of the Jarvis Christian College Administrative Policies and Procedures Manual and that by signing this acknowledgment, I agree to adhere to these policies and procedures as a condition of my employment and/or continuing employment with Jarvis Christian College.

I understand that I am to read and become familiar with the contents of this manual. If I have any questions, I understand that I should talk with my Supervisor or the Human Resources Director.

I further understand that this manual is not intended to, nor does it create promises or representations of continued employment. Every employee has an at-will relationship with the College. This means that I am free to resign my employment at any time, just as Jarvis Christian College is free to terminate my employment, for any or no reason, with or without cause or the use of progressive discipline, at any time with or without notice.

This manual represents a summary of the more important College guidelines at the time of publication and is not intended to be all inclusive. In all instances, the benefit plan texts, trust documents and master contracts, as appropriate, are the governing documents. The Employee Handbook, personnel policies, benefit plan texts, any trust agreements, or master contracts are not employment contracts.

Apart from our policy of at-will employment and those policies required by law, Jarvis Christian College may change its policies or practices at any time without prior notice.

Further, I understand that this document will become part of my personnel file.

\_\_\_\_\_  
Employee Name (Please print)

\_\_\_\_\_  
Location/Department

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**APPENDIX C – CONFLICT OF INTEREST ACKNOWLEDGEMENT FORM**

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**JARVIS CHRISTIAN COLLEGE  
CONFLICT OF INTEREST DISCLOSURE FORM**

Name: \_\_\_\_\_

Position (employee): \_\_\_\_\_

Please describe below any relationships or circumstances that you believe could contribute to a conflict of interest between

Jarvis Christian College and your personal interests, financial or otherwise:

\_\_\_\_\_ I have no conflict of interest to report.

\_\_\_\_\_ I have the following conflict of interest to report with the following vendors/businesses:

1.
2.
3.
4.
5.
6.

I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, the conflict of interest policy of Jarvis Christian College.

Signature: \_\_\_\_\_

## **APPENDIX D – DISCLOSURE OF MISCONDUCT POLICY ACKNOWLEDGEMENT FORM (Addendum – BOT Meeting May 31, 2013)**

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### **Purpose**

The purpose of this policy is to set forth the Jarvis Christian College policy on disclosure of misconduct and to protect individuals from retaliation in the form of an adverse employment action for disclosing what they believe evidences certain unlawful or unethical practices. This policy is applicable to all employees of the College and to applicants for jobs at the College.

### **Statement of Policy**

It is the policy of Jarvis Christian College that employees and applicants shall be free without fear of retaliation to report conduct within the College that they reasonably believe may constitute misconduct including, but not limited to, the following: wire fraud, mail fraud, bank fraud, securities fraud or questionable accounting and internal controls, auditing matters, harassment, discrimination, hostile workplace, safety and security issues, illegal or unethical business practices, wrongful termination, hate messages, cyber-bullying, faculty and staff handbook violations, violations of laws, mismanagement, waste of institutional resources, and abuse of authority. A representative of the College shall not take or refuse to take any employment action in retaliation against an employee or applicant who reports possible misconduct under this policy in good faith or who, following such disclosure, seeks a remedy provided under this policy or any law or other College policy. However, employees or applicants who knowingly file false or misleading reports, or without a reasonable belief as to truth or accuracy, will not be protected by this policy, and in the case of an employee, may be subject to disciplinary action, including termination of employment.

### **Process for Disclosure**

An employee or applicant shall disclose all relevant information regarding evidenced misconduct to the President or designee in a signed written document within ninety (90) days of the day on which he or she first knew of the misconduct.

The President or designee shall consider the disclosure and take whatever action he or she determines to be appropriate under the law and circumstances of the disclosure. The President or designee will contact the complainant within 5 business days and acknowledge the reported violation was received. The complainant will be notified about what actions will be taken. If no further action or investigation is to follow, an explanation for the decision will be given to the complainant.

Any complainant who reasonably believes they have been retaliated against in violation of this policy shall follow the same procedures as they did when they filed the original complaint.

In the case of disclosure of misconduct involving the President, the disclosure shall be directed to the Chairman of the Board of Trustees. The Chairman or Board Designee shall consider the disclosure and take whatever action he or she determines to be appropriate under the law and circumstances of the disclosure.

My signature below indicates my receipt and understanding of this policy. I also verify that I have been provided with the opportunity to ask questions about the policy.

---

Employee Signature

---

Date

## **APPENDIX E – CONFIDENTIALITY AGREEMENT**

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### **Jarvis Christian College Confidentiality Agreement**

Information contained in hard copy or electronic records for Jarvis Christian College (JCC) students, employees, volunteers, vendors/contractors, alumni as well as institutional financial records must be maintained in a secure and confidential manner at all times. This also applies to confidential verbal information that is discussed during the daily operation of business. Only those items that are considered public information may be released.

JCC employees are authorized access to confidential information as a condition of employment to the extent necessary to perform their duties. As an employee, student, volunteer, or vendor/contractor of JCC, you are required to protect against unauthorized access to such information, ensure the security and privacy of such information, and disclose any anticipated threats or hazards to such information.

Any questions regarding release of such information to another person should be directed to your supervisor or their designee.

Release or distribution of any confidential information outside the intended and approved use is strictly prohibited and could result in disciplinary action up to and including termination of employment or services.

I acknowledge and agree to the above statement.

\_\_\_\_\_  
Employee Name (Printed)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Name (Printed)

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

#### **Copy Distribution:**

- Full-Time Employees: Return original to HR once completed.
- Part-Time Employees: Return original to HR once completed.



## **APPENDIX F– SUBSTANTIVE CHANGE POLICY**

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### **JARVIS CHRISTIAN COLLEGE SUBSTANTIVE CHANGE POLICY**

#### **Jarvis Christian College Substantive Change Policy**

When Jarvis Christian College has a significant modification or expansion of its nature and scope a substantive change review is required. The College will notify the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) for an appropriate review prior to the initiation of the change(s).

If the College discovers an unreported substantive change, the College will take immediate action to submit the unreported substantive change in its required format (notification letter, prospectus, etc.) to the SACSCOC President prior to formal reviews by the Commission on Colleges.

#### **Definition of substantive change**

Substantive changes include the following:

- Any change in the established mission or objectives of the institution
- Any change in legal status, form of control, or ownership of the institution
- The addition of courses or programs that represent a significant departure, either in content or method of delivery, from those that were offered when the institution was last evaluated
- The addition of courses or programs of study at a degree or credential level different from that which is included in the institution's current accreditation or reaffirmation
- A change from clock hours to credit hours
- A substantial increase in the number of clock or credit hours awarded for successful completion of a program

- The establishment of an additional location geographically apart from the main campus at which the institution offers at least 50% of an educational program
- The establishment of a branch campus
- Closing a program, off-campus site, branch campus or institution
- Entering into a collaborative academic arrangement that includes only the initiation of a dual or joint academic program with another institution
- Acquiring another institution or a program or location of another institution
- Adding a permanent location at a site where the institution is conducting a teach-out program for a closed institution
- Entering into a contract by which an entity not eligible for Title IV funding offers 25% or more of one or more of the accredited institution's programs

### **Procedure for reporting substantive changes**

To establish a pattern of approval prior to the initiation of changes, or to submit an unreported substantive change, the procedure for reporting and notifying the Commission on Colleges of substantive changes follows:

- A substantive change report is initiated in the respective College Unit (academic affairs, finance and administration, institutional advancement and development, institutional effectiveness, student services) and submitted to the respective unit vice president.
  - If the change is academic in nature, the report is submitted to the Curriculum Committee for review and approval, then forwarded to the Faculty Governance for review and approval
  - If the change is non-academic in nature, it is presented directly to the Office of the President by the respective vice president

- The unit vice president submits the request to the Office of the President to be presented in the President's Executive Cabinet (PEC) for review and approval
- The Office of the President submits the substantive change request to the Board of Trustees for review and approval
- Once approved by the Board of Trustees the request, in its required format, is submitted to the Office of the Accreditation Liaison.

The Office of the Accreditation Liaison sends the request, in its required format, to the Commission on Colleges for review and final approval.