

# Employee Policies

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## PHILLIPS THEOLOGICAL SEMINARY

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## PREFACE

The purpose of this *Handbook* is to provide faculty and staff members of Phillips Theological Seminary a summary of employment policies and benefits. Unless otherwise specified, the benefits described apply to all Phillips Theological Seminary Employees.

This *Handbook* does not serve as an express or implied contract or a promise that the policies presented herein can or will apply to all cases. It contains general statements about the Seminary's policies and benefits. In the event of dispute or conflict of policies, source documents will apply. To assist you, publications, individuals, or office locations where more detailed information may be obtained are cited.

The most recent edition or amended sections of this *Handbook* supersede all other copies.

Faculty will find specific policies and procedures regarding tenure, sabbatical leaves, academic responsibilities, and related issues in the Faculty Section of this *Handbook*. If any policies in this *Handbook* are unclear, refer your questions to human resources.

## MISSION STATEMENT

Phillips Theological Seminary is an accredited institution of higher education, affiliated with the Christian Church (Disciples of Christ), whose purpose is to prepare women and men for varied Christian ministries in church and society. One single aim dominates its educational programs: to help the church make the Christian faith effective in human life and society through a competent, educated ministry. The Seminary is committed to providing a creative community of study that facilitates learning, draws students and faculty together in common worship, explores new opportunities for mission and ministry, and seeks in all endeavors to discern and proclaim the Gospel of Jesus Christ.

## NON-DISCRIMINATORY STATEMENT

Phillips Theological Seminary accords equal rights and privileges to all members of the Seminary community. In the administration of its policies and procedures related to admissions, financial aid, academic programs, and hiring, the Seminary does not discriminate on the basis of race, color, national or ethnic origin, age, gender, gender identity, sexual orientation, disability, or theological perspective.

## INSTITUTIONAL CODE OF ETHICS (in process during the 2010-11 school year)

As a graduate theological education institution that declares its commitment to help the church make the Christian faith effective in human life and society, PTS also declares its commitment to strive for the same end through its everyday conduct. All members of the PTS community shall be committed to uphold high ethical standards in enacting the Seminary's educational mission, business operations, and interpersonal relationships.

To these ends, all members of the Phillips Theological Seminary community shall:

- Receive and accord respect and dignity demonstrated by honesty in expressing one's own views and tolerance in receiving the views of others;
- Provide fair and equitable services and education without discrimination, as defined in the affirmative action statements in this *Handbook*;
- Conduct themselves in a manner that befits exemplary moral values, personal integrity, and academic standards and in ways that cause no embarrassment to self or institution;
- Strive for clarity and transparency when communicating within the community and to the wider publics;
- Practice fiscal responsibility as good stewards of the Seminary's finances.

Additionally, all members of the Seminary community who have ministerial standing in their faith communities are expected to adhere to their denomination's code of ethics.

## AFFIRMATIVE ACTION

Phillips Theological Seminary is an affirmative action employer. The hiring and retention of faculty and staff shall not be based on, race, color, national or ethnic origin, age, gender, gender identity, sexual orientation, disability, or theological perspective. (See Non-Discriminatory Statement, page 6.) However, in cases where denominational affiliation is a bona fide requirement, employment may be based on this factor.

For the benefit and well-being of each employee, the President will appoint a member of the Seminary staff annually to serve as the affirmative action officer.

Alleged violations of an employee's rights deemed to be based on race, color, national or ethnic origin, age, gender, gender identity, sexual orientation, disability, or theological perspective may be reported to the President's Office. The President will empanel an affirmative action team and direct the affirmative action officer to initiate an investigation and render a decision.

Normally within three working days after the complaint is filed, the affirmative action officer will initiate whatever steps are deemed appropriate consistent with federal and state regulations on affirmative action and civil rights. Within five working days after receiving the complaint, the affirmative action officer will submit a written report to the President explaining the allegation, referring to applicable laws, and issuing the team's recommendations or reporting that the incident has been resolved.

Should the complainant feel that inappropriate action has been taken or resolution of the allegations is unsatisfactory, an appeal may be made to the Chair of the Board of Trustees. If necessary, the chair of the trustees will appoint a trustee committee to review the case.

In the event the President is charged with a violation of an employee's rights, the charge shall be lodged with the Chair of the Board of Trustees. The Chair shall consult with the Vice-Chair and with the Secretary of the Board, as well as with the affirmative action officer. If these three Board Officers believe there is merit in the charge, they may consult with the Executive Committee of the Board. Either the three Board officers or the Executive Committee shall deliberate regarding the charge, and when necessary, discipline the President.

In the event the affirmative action officer is charged with a violation of an employee's rights, the President shall direct a senior administrator to serve in the capacity of acting affirmative action officer to address the allegation.

The facilities currently occupied by the Seminary are ADA compliant. It is the Seminary's desire and intention to be responsive to the physical needs of people. Therefore, all efforts will be made to provide access for those persons with disabilities to classrooms, offices, common spaces, and restrooms. In the event such access is architecturally not possible, alternate arrangements will be made for teaching, meetings, and personal comfort.

## INCLUSIVE LANGUAGE

As a Christian and theological community, we recognize the important role that language plays in shaping, perpetuating, or reshaping our lives. We know that language is not merely a collection of inert tools that enable us to “say what we want to say,” but is a powerful and subtle force that orders the forms and values through which we perceive and interpret our world.

As Christians and ministers of the Word, we commit ourselves to avoid using language that damages or excludes persons or perpetuates demeaning stereotypes. This includes language that establishes or reinforces bias against people because of their race, gender, ethnic group, age, profession, religion, economic status, national group, sexual orientation, marital status, etc.

- PTS recognizes that there is room for legitimate differences of opinion on such matters and does not attempt to prescribe in detail precisely which words, expressions, and usage are acceptable.
- PTS is not attempting to impose an ideology or arbitrary standard on anyone. It is attempting to raise consciousness in regard to language that may be offensive to some.
- PTS also encourages the community to be aware of the problem of language with reference to God. We should be sensitive to the metaphorical, analogical nature of all our language about God, and be aware that the Bible and Christian tradition use feminine and non-human as well as masculine images and categories for speaking about God.

## GOVERNANCE

Final authority for oversight and management of the Seminary resides in a self-perpetuating Board of Trustees. Institutional policies regarding personnel, staff compensation, tuition, finances, property, and general operations must be approved through the Board and its procedures.

Daily oversight and management of the Seminary is assigned by the Board to administrators who are supported by the President's Cabinet and the Faculty Senate. Internal operations, procedures, and the enactment of institutional policies are the responsibilities of various leadership teams established through cabinet or senate or appointed by the President or the president's designee.

The President of the Seminary is the Chief Executive Officer and reports directly to the Board. The Executive Vice President is the Chief Operating Officer and reports directly to the President. The Vice President for Academic Affairs and the Dean of the Seminary is the Chief Academic Officer and reports directly to the President. The Vice President of Stewardship is the Chief Development Officer and reports directly to the President. The Chief Financial Officer reports directly to the President.

Program Directors have responsibilities for specific departments and report as indicated on the Seminary's organizational chart.

## FACILITIES USAGE

Phillips Theological Seminary considers it part of its mission to share its campus and is pleased to be able to offer its facilities to faculty, staff, and students for meetings, lectures, conferences, programs, retreats, receptions, and other similar gatherings. The Facilities Manager should be contacted for specific details regarding the facility usage and the facility usage non-discrimination policies.

## CAMPUS SECURITY

During the evening hours, when classes are in session on weekends, and when special events are being held, the Seminary provides a uniformed, CLEET-certified security officer who regularly makes rounds of the buildings and grounds, is prepared to address emergency situations, and monitors weather conditions.

The security officer carries an emergency cell phone, and that number is posted numerous places on campus.

## INTERNET USAGE

Policy to be developed.

## EMAIL USAGE

Phillips Theological Seminary has adopted the following Email Usage Policy to limit the risks posed by email. As part of this policy, all Seminary Faculty and Staff should be aware of the following risks posed by email:

- Like any conventional document, email and other electronic files are subject to legal and regulatory exposure and can be considered as evidence in legal proceedings. Adverse parties and investigatory bodies have the ability to discover email. As a result, email may not remain private.
- Email is virtually permanent. Although it may have been deleted off the individual computer's hard drive, through transmission, copies of the email may still exist on multiple hard drives.

In order to mitigate the above risks and to be consistent with established policies and guidelines in this *Handbook* regarding ethics, the Seminary prohibits the following:

- Sending email that would violate Seminary ethics, discrimination, or harassment policies;
- Reading or accessing email directed to others;
- Excessive personal use of company email.

The Seminary reserves the right to monitor usage of email in the ordinary course of business. All Seminary and Faculty and Staff are required to timely dispose of email in accordance with the Seminary document retention policy. Emails that require retention in excess of one (1) year due to business purposes should be transferred to a designated folder for ready access.

## COPYRIGHT POLICY

Phillips Theological Seminary will adhere to US copyright law.

For detailed information, refer to the document “Purpose of Copyright Policy for Phillips Theological Seminary” available in the Seminary library and at every copier station in the Seminary.

## SUBSTANCE ABUSE

Phillips Theological Seminary has adopted a policy statement on Drug Free Schools. The policy statement is distributed to all faculty, staff, and students. A copy also is maintained in the Seminary library.

It is the policy of this institution that no member of the Seminary community may engage in substance abuse. Substance abuse includes the unlawful possession, use, or distribution of drugs or alcohol; and addiction or dependency on alcohol or any controlled substance under the Controlled Substance Act of the United States. If there is reason to believe that any member of the Seminary community has been using illegal substances, the Seminary may require drug testing at the employee's or student's expense.

The Seminary will distribute annually an informative statement including such topics as legal sanctions and health risks to all employees. The statement and this policy normally will be reviewed biennially by the Substance Abuse Committee.

The committee may receive complaints from students, faculty, or staff and make recommendations to the President when necessary. All proceedings and communications of this committee are kept confidential. The Substance Abuse Committee is comprised of the Vice President of Academic Affairs who shall act as chairperson, the president of the Student Senate or a designee, one staff person selected by the President of the Seminary, and one faculty member selected by the Executive Vice President. If one of these committee persons, or one of the persons designated to make an appointment, should be involved in the complaint, that person's right to serve or appoint shall be forfeited. If a committee member asks to be excused from consideration of a complaint, a replacement committee member will be chosen by the Substance Abuse Committee.

Any member of the Seminary community who believes he or she has knowledge of substance abuse by any other member or members of the Seminary community may bring the matter to the attention of the Vice President for Academic Affairs. The complainant should present the complaint as promptly as possible after becoming aware of the alleged substance abuse. The initial discussion between the complainant and the Vice President of Academic Affairs will be kept confidential, with no written record.

If the complainant, after the initial discussion with the Vice President of Academic Affairs, decides to proceed, the complainant must submit a written complaint to the Vice President of Academic Affairs. Within three working days, the Vice President of Academic Affairs will inform the alleged offender in writing of the allegation. The complainant will also receive a copy of this written statement. Dissemination of the information relating to the case will be limited to members of the Substance Abuse Committee and to any party or parties directly involved in the complaint. Every effort will be made to protect the complainant from retaliatory action by the alleged offender.

This process within the Seminary does not preclude pursuit of the matter in other areas.

Within ten (10) working days after the written statement is mailed, the alleged offender will be contacted by the Substance Abuse Committee to schedule a hearing, which shall be held as soon as possible, and not more than twenty (20) working days after the written statement is mailed.

The chairperson of the Substance Abuse Committee will call the committee and the alleged offender together for a hearing. The committee may conduct its own informal inquiry prior to the hearing, may call witnesses to the hearing, and may recess the hearing in order to gather whatever information it deems necessary to assist in reaching a determination as to the merits of the allegation.

The committee's final determination and/or recommendations will be communicated in writing to the alleged offender. The committee may recommend corrective action and/or disciplinary measures regarding the allegation, such as mandatory treatment, suspension, or dismissal from the Seminary or from employment by the Seminary, to the President of the Seminary. The committee should attempt to complete its work within 60 days of receiving a request for a hearing. All records relating to the complaint will be stored in a secure and confidential file by the Vice President for Academic Affairs and will be destroyed after five years.

In the event the President is charged with substance abuse, the complaint shall be brought to the Chair of the Board of Trustees. The Chairperson shall consult with the Vice-Chair, with the Secretary of the Board, and with the Substance Abuse Committee. The Chair, in consultation with the Vice-Chair and the Secretary, shall fulfill the function of the Substance Abuse Committee as outlined above. If the Board officers believe there is merit in the complaint, they may consult with the Executive Committee of the Board. Either the three Board officers or the Executive Committee shall deliberate regarding the complaint and, when necessary, discipline the President.

## SMOKE-FREE CAMPUS

Phillips Theological Seminary is designated as a smoke-free campus. The use of tobacco in any form is prohibited in offices, classrooms, public gathering areas, and personal convenience areas in all facilities occupied by the Seminary during both work hours and non-working hours. Smoking receptacles are located in the back parking areas on the East side of the building.

## WEAPONS BAN

By both Oklahoma Law and by institutional policy, no weapons of any sort are permitted on seminary grounds or in buildings; such weapons include but are not limited to all firearms, incendiary explosive devices, and knives with blades in excess of three inches.

## GRIEVANCE PROCEDURES

The Executive Vice President is the human resources director of the Seminary. Any grievance or complaint not addressed elsewhere in this *Handbook* should be filed with the office of the Executive Vice President.

In the event a grievance is against the Executive Vice President, the complaint should be lodged with the President of the Seminary or the Chair of the Board of Trustees.

In the event a grievance is against the President, the grievance shall be lodged with the Chair of the Board of Trustees. The Chair shall consult with the Vice-Chair and with the Secretary of the Board. If these three Board Officers believe there is merit in the grievance, they may consult with the Executive Committee of the Board. Either the three Board officers or the Executive Committee shall deliberate regarding the grievance, and when necessary, discipline the President.

Grievances or complaints, as described in this provision, which may be brought to the Executive Vice President, shall include: issues relating to salaries, benefits, or working conditions; and/or matters of personal concern relating to employment or the Seminary. An initial conversation with the Executive Vice President may prevent the filing of a formal grievance.

Formal grievances are to be submitted in writing and shall contain details of the situation such as the event or occurrence(s), time frames, and other employee(s) involved if any. The Executive Vice President shall act within three (3) working days of receiving the written statement and may meet with the complainant to obtain more information. Other than the written grievance and a statement of resolution, no other transcripts will be kept.

The grievance may be of such a nature as to be resolved between the concerned employee and the Executive Vice President. If a satisfactory solution is not forthcoming, the Executive Vice President shall confer with the appropriate department or seminary officer. Consultation with the Seminary's general counsel may also be required.

Matters relating to working conditions or interpersonal relations with other employee(s) shall be directed to the complainant's supervisor. If there is a conflict with employees in other departments, the Executive Vice President shall convene a meeting of all personnel involved in order to effect a resolution. If deemed necessary, the Seminary chaplain shall be invited to participate or an outside mediator maybe appointed.

The President's Cabinet shall serve as the arbitrator of grievances determined to be improperly handled or unsatisfactorily resolved. Except when a grievance is against the President, the officers of the corporation shall serve as the arbitrators of grievances determined to be improperly handled or unsatisfactorily resolved.

## WHISTLEBLOWER PROTECTION

In accordance with the mission entrusted to the Seminary, Phillips Theological Seminary seeks to conduct its business in an ethical, transparent, and lawful manner.

Any employee who believes another employee has engaged in conduct that violates the law or the policies of the Seminary is encouraged to report the alleged misconduct through the Seminary's established channels (see the PTS employee policies regarding substance abuse, grievances, affirmative action, sexual harassment, and financial ethics).

No member of the Seminary's employed community may interfere with the good faith reporting of suspected wrongful conduct.

No individual who makes such a good faith report shall be subject to any form of retaliation, including dismissal, demotion, suspension, reprimand, warning of possible dismissal, reduction in pay, or withholding of work or pay.

Any employee or any former employee who believes that he or she has been retaliated against may file a Grievance according to the procedures in this *Handbook*.

## SEXUAL HARRASSMENT

Pertinent sections from the *Faculty Handbook* are to be inserted here.

It is the policy of Phillips Theological Seminary that no member of the Seminary community may sexually harass another. Sexual harassment is any attempt to coerce an unwilling person into a sexual relationship or to punish a refusal to comply, or to subject a person to unwanted sexual attention as a condition of employment, compensation, promotion, or grades. Sexual harassment is also creating a hostile environment through the use of offensive or demeaning language; sexual remarks, jokes, behavior; pranks; unwelcome sexual advances, including unwanted touching; the use of professional authority to inappropriately draw attention to the gender, sexuality, or sexual orientation of an employee, colleague, or student; insults, including lewd remarks or conduct; visual displays of degrading sexual imagery or pornography; indecent exposure; and pressure to accept unwelcome social invitations.

Sexual harassment by a vendor, contractor, or other third-party individual or entity having an agreement or contract with PTS may be grounds for the cancellation of such agreement or contract.

A grievance committee of the Seminary for sexual harassment will accept complaints, mediate between parties, and make recommendations to the President when necessary. All proceedings and communications of this committee are kept confidential. The committee is composed of the Associate Dean for Admissions and Student Services, who shall act as chairperson; the President of the Student Senate, when appropriate; one staff person selected by the Executive Vice President; and one faculty member selected by the Vice President for Academic Affairs. This selection must ensure that at least one male and one female be included on the committee. If one of the parties directly involved in the complaint is a member of the grievance committee or if a committee member asks to be excused from consideration of a complaint, a replacement committee member will be chosen by the grievance committee.

Any member of the Seminary community who believes she or he has been a victim of sexual harassment may bring the matter to the attention of the President, the Executive Vice President, or the Chair of the Board of Trustees. The complainant should present the complaint as promptly as possible after the alleged harassment occurs. The initial discussion between the complainant and this officer of the Seminary Corporation will be kept confidential, with no written record.

If the complainant, after the initial discussion with the officer of the corporation decides to proceed, she or he must submit a written complaint to this officer. Within three working days, the officer will impanel the grievance committee and inform the alleged offender in writing of the allegation and of the identity of the complainant. This complainant will also receive a copy of this written statement. Dissemination of the information relating to the case will be limited to the members of the grievance committee and to the two parties involved. Every effort will be made to protect the complainant from retaliatory action by the alleged offender.

All parties involved in a sexual harassment charge shall receive copies of this policy and the names of the members of the appointed grievance committee.

Normally within five (5) working days after the written statement is filed, the grievance committee will initiate whatever steps it deems appropriate to affect an informal resolution of the complaint acceptable to both parties.

The grievance committee will file a written report to the President explaining the allegation and the attempt, successful or unsuccessful, to resolve the matter. In the event the President is the alleged offender, the report shall be submitted to the Executive Vice President or the Chair of the Board of Trustees, who will act in the stead of the President. The complainant and the alleged offender will receive copies of the report.

If the resolution is unsatisfactory, the complainant, the alleged offender, or a member of the grievance committee may request a hearing by the grievance committee by making a written request to the chairperson of the grievance committee within fifteen (15) working days from the date the report was mailed.

Following a request for a hearing, the chairperson of the grievance committee will call the committee together to discuss the complaint. The committee may conduct an informal inquiry, call witnesses, and gather whatever information it deems necessary to assist in reaching a determination to the merits of the allegation. The parties to the dispute will be invited to appear before the committee to confront any adverse witnesses.

The committee's determination will be communicated in writing to both parties. The committee may recommend to the President of the Seminary corrective action and/or disciplinary measures regarding the allegation. The committee should attempt to complete its work within thirty (30) working days of receiving a request for a hearing. If within fifteen (15) working days of the committee's recommendation, the President takes no action or takes an action materially different from that recommended by the grievance committee; any party to the dispute may make a written appeal to the Chair of the Board of Trustees. Such appeal must be made within fifteen (15) working days of the President's action (or failure to take action). Within thirty (30) working days the Chair of the Board will make a report to the President and the parties of what, if any, corrective and/or disciplinary action is to be taken.

All records relating to the complaint will be stored in a secure file by the President or Executive Vice President and will be destroyed after five years or the cessation of employment by the alleged offender.

## FINANCIAL ETHICS

As an integral part of carrying out its mission, the Seminary has adopted a financial ethics policy to guide its board members, employees, volunteers, and contractors in their conduct when acting on behalf of the Seminary. This policy is not intended as a stand-alone policy. It does not embody the totality of the Seminary's ethical standards, nor does it answer every ethical question or issue that might arise. Rather, it is one element of a broader effort to create and maintain a high quality organization that makes ethical conduct the highest priority. As such, this policy should be used in conjunction with policies set forth in this *Handbook*, including the Faculty Section, and policies set forth by the Board of Trustees. Seminary officers and employees involved in financial matters play a key role in assuring that high standards of ethical practice occur related to use of Seminary resources.

It is therefore the policy of Phillips Theological Seminary that all trustees, employees, vendors, contractors, consultants, volunteers, students, and any other parties who are involved in the Seminary's financial transactions ("Seminary Persons") shall act with integrity, care and diligence in carrying out duties involving the Seminary's fiscal resources.

### ***Financial Code of Ethics***

Seminary Persons shall:

- Act with honesty and integrity, including handling actual or apparent conflicts of interest between personal and professional relationships in an ethical manner;
- File complete, accurate, timely, and understandable disclosure statements as required by applicable laws, rules, or policies;
- Comply with applicable federal or state laws and local ordinances and with applicable rules and policies of the Seminary;
- Act in good faith, responsibly, and with due care, competence, and diligence, without misrepresenting material facts or allowing one's independence of judgment to be subordinated or compromised;
- Impart knowledge and maintain skills important and relevant to job requirements;
- Respect the confidentiality of information acquired in the course of work and made confidential by law or Seminary policy or practice; and
- Proactively promote ethical behavior in the work environment.

### ***Fraud Prevention***

The Seminary prohibits fraud and financial impropriety, as defined below, in the actions of Seminary Persons and others seeking or maintaining a business relationship with the Seminary.

Fraud and financial impropriety shall include but not be limited to:

- Forgery or unauthorized alteration of any document or account belonging or relating to the Seminary.

- Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
- Misappropriation of funds, securities, supplies, or other Seminary assets, including employee time.
- Impropriety in the handling of money or reporting of Seminary financial transactions.
- Profiteering as a result of insider knowledge of Seminary information or activities. (See confidentiality certificate)
- Unauthorized disclosure of confidential or proprietary information to outside parties. (See confidentiality certificate)
- Unauthorized disclosure of investment activities engaged in or contemplated by the Seminary. (See confidentiality certificate)
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the Seminary, except as otherwise permitted by law or Seminary policy.
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment.
- Failing to provide financial records required by federal, state, or local entities.
- Failure to disclose conflicts of interest as required by law or Seminary policy.
- Any other dishonest act regarding the finances or property of the Seminary.

***Reporting of Fraud or Financial Impropriety (“Whistleblower Policy”)***

Any person who suspects fraud or financial impropriety in the Seminary shall report the suspicions immediately to any supervisor, the President, or the Board Chairperson. If deemed necessary, the President or the Board Chairperson shall report any suspected fraud or financial impropriety to local law enforcement. See also the Whistleblower Policy in this *Handbook*.

Reports of suspected fraud or financial impropriety shall be treated as confidential to the extent permitted by law. Every effort will be made to investigate a report of alleged misconduct as quickly and discretely as possible. Because of the need to investigate the report, correct a problem, or prevent future problems, the Seminary cannot promise complete confidentiality. The President has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations. All employees involved in an investigation shall be advised to keep information about the investigation confidential. No employee, board member, or other volunteer will be retaliated against, discriminated against, threatened or discharged, or otherwise disciplined for reporting in good faith what he/she believes to be perceived fraud or financial impropriety. Reports may, if necessary, be made anonymously by leaving a message on the President’s voicemail or, if the President is suspected of fraud or financial impropriety, on the voicemail of the Executive Vice President or by calling the Board Chair.

If an investigation substantiates a report of fraud or financial impropriety, the President or the President’s designee shall meet with the individual to ascertain guilt. In any event, the President or designee shall promptly inform the Board of the report, the investigation, and any responsive

action taken or recommended by the administration. If a board member or member of administration has a conflict of interest related to the reported act of fraud or financial impropriety, they will conduct themselves and events be handled in accordance with the Conflict of Interest Policy established by the Board.

If an employee is found to have committed fraud or financial impropriety, the President shall take or recommend disciplinary action, which may include termination of employment. If a contractor or vendor is found to have committed fraud or financial impropriety, the Seminary shall take appropriate action, which may include cancellation of the Seminary's relationship with the contractor or vendor.

After any investigation substantiates a report of fraud or financial impropriety, the President shall analyze conditions or factors that may have contributed to the fraudulent or improper activity. The President shall ensure that appropriate administrative procedures are developed and implemented to prevent future misconduct. These measures shall be presented to the Board for review.

## DOCUMENT RETENTION

This policy is established to ensure that the records of the Phillips Theological Seminary (the Seminary) are retained as required by law and/or for a period of time deemed to be sufficient given the content and purpose of the record. "Records" includes all forms of communications or information relating to the Seminary and its business which have been reduced to "hardcopy" such as paper, disk, or film or which can be retrieved from electronic media. Records shall include all incoming and outgoing records as well as drafts, notes, calendars and personal communication relating to Seminary business.

Failure to retain records as required by law could subject employees and the Seminary to penalties and fines, cause the loss of rights, obstruct justice, spoil potential evidence in a lawsuit, place the Seminary in contempt of court, or seriously disadvantage the Seminary in litigation.

The Seminary expects all employees and other persons who generate and access Seminary records to comply fully with this policy. In addition, if an employee or other person believes or is informed by the Seminary that Seminary records are relevant to litigation or potential litigation (i.e., a dispute that could result in litigation), then those records must be preserved until the Seminary officers or Board of Trustees, in consultation with outside legal counsel, determine the records are no longer needed. [This exception supersedes any previously or subsequently established destruction schedule for those records.]

Retention time periods are noted below unless needed for a longer period of time due to audit requirements or litigation:

### **Institutional and Legal Records:**

- Articles of Incorporation; By-Laws; Annual Reports – Permanently
- Minutes of Trustee and Trustee Committee Meetings – Permanently
- Internal committee minutes – Permanently
- Copyright and Trademark registration – Permanently
- Contracts (including agreements with investment managers) and Leases – While active plus 7 years
- Deeds and Titles – Permanently
- Licenses – While active plus 7 years
- Policy Statements – Indefinite (review every 5 years)
- Ethics-related documents, such as communication and reports – Indefinite (review every 5 years)
- Appraisals – While active plus 7 years
- Press Releases/Public Filings (final public version) – Permanently
- Stock and Bond Certificates – Permanently
- Other important or legal communication – Permanently

### **Publications and Institutional Reports**

- Catalogs – Permanently
- Commencement Program – Permanently

- Degree, Enrollment, Race/Ethnicity Statistics – Permanently
- Schedule of Classes (institutional) – Permanently
- Course Syllabi – Permanently

### **Federal and State Tax Records**

- Form 990, Form 990T and State returns with attachments – Permanently
- Form 990, Form 990T and State Support – 7 years
- IRS Exemption Application and Determination Letter – Permanently
- Private Letter Rulings, and Revenue Agent’s Reports – Permanently
- IRS Audit Files – 7 years

### **Litigation Records**

- Claims, court documents & litigation files – While active plus 2 years
- Records relevant to pending or threatened litigation should be retained until litigation is resolved or threat of litigation gone.

### **Capital Property Records**

- Property Records including motor vehicle records – While active plus 7 years
- Depreciation Schedules – While active plus 7 years
- Property Improvement Records – While active plus 7 years
- Sales – 7 years
- Mortgage, Bonds, and Other Long Term Debt Records – While Active plus 7 years
- Memoranda of Understanding with Donors – Permanently

### **Bank Records**

- Bank Reconciliations and support, bank statements, deposit records, wire transfer records and cancelled checks – 7 years
- Payments such as for purchase of significant property or lawsuit settlements – Permanently

### **Insurance**

- Property Insurance Policies – Life of Policy plus 2 years
- Liability, Umbrella, & Auto Insurance Policies – Life of Policy plus 2 years
- D & O Insurance Policy – Life of Policy plus 2 years
- Insurance Claim Documents – Settlement plus 7 years

### **Payroll- Records**

- Salary or Current Rate of Pay and Salary History – Following termination of employment
- Payroll Deductions – 7 years
- Time Sheets – 7 years
- W-2, W-4 & 1099 Forms – 7 years
- Garnishments – While Active plus 7 years
- Semi-monthly payroll registers – 7 years
- Payroll reports to Federal, State and Municipal Agencies – 7 years
- Payroll Journal Entries – 7 years after final payment

- Unclaimed Salaries and Wages – until required to be reported to State
- Notice of Unemployment Claims – 7 years
- Workers Comp Reports and Records of Claims – 7 years

### **Employment**

- Job announcements and advertisements – 1 year
- Applications or resumes (Not Hired) – 1 year
- Annual letters of call, benefit selections, direct deposit information, emergency contact information, beneficiary designations, etc. – While active plus 3 years
- Background investigations results – While active plus 3 years
- Employment history – application and/or resume, performance evaluations, disciplinary warnings, commendations, and termination or layoff notices – Permanently
- Beneficiary designations – While Active plus 3 years
- Pension plans, Retirement plans (after expiration) – 7 years
- All other employee benefit plans (after expiration) – 7 years
- Form 5500 – Permanently

### **Financial Records**

- Description of Accounting System – While active
- General ledgers, subsidiary ledgers and year end trial balance – Permanently
- Journal vouchers and backup – 7 years
- Account reconciliations – 7 years
- Annual financial statements – Permanently
- Annual audit reports – Permanently
- Audit work papers and other documentation – 7 years
- Monthly financial statements – 4 Years
- Accounts payable ledgers and schedules, check requests, purchase orders, expense reimbursements and copies of the checks – 7 years
- Accounts receivable ledger and schedules – 7 years
- Budget & budget support – 4 years
- Financial aid disbursements – 7 years
- Check register – 7 years

### **Investment Records**

- All reports received from investment managers relating to investment performance, firm operations and market valuations – 7 years
- Account statements – 7 years

### **Stewardship Records**

- Contributions, Grant and Non Gift Records – all documents supporting the transaction such as donor correspondence – 7 years
- Donor Information- Permanently
- Endowment & Trust Documents – Permanently
- Grant documents- Permanently

- Monthly Endowment Reports – 3 years
- Monthly Stewardship Reports – 3 years
- Annual Stewardship & Endowment Reports- Permanently
- Annual tax letters – 7 years
- Pledge receivables, uncollectable pledges & write-offs – 7 years
- Bank statement audits – 7 years

### **Admissions Records**

- Applicant transcripts received – 5 years
- Application materials where application process is not completed – 1 year from date received
- Application materials for those who were admitted, but did not enroll – 1 year from date received
- Application materials for those who are denied – 6 months from denial letter
- Acceptance letters – 5 years from graduation or last attendance

### **Registrar**

- Student applications – 5 years from graduation or last attendance
- Student files (name change, withdrawal authorizations, academic actions, graduation authorizations, military documents, international student forms, relevant correspondence, etc.) – 5 years from graduation or last attendance
- Disciplinary action (maintained in a file separate from academic record) – While in force
- Transcripts – Permanently
- Graduation & class lists – Permanently
- Change of grade forms – Permanently
- Tuition and fee charges – 5 years

### **Financial Aid Records**

- Documentation of student's eligibility, program of study and courses enrolled in, and data used to establish enrollment status – 3 years from award year
- Student Aid Report (SAR) or Institutional Student Information Record (ISIR) – 3 years from award year
- Audit and review reports, self-evaluation reports, program participation agreement – 3 years from award year
- Student application data for aid and documentation related to receipt of such aid – 3 years from award year
- Date and amount of disbursements – 3 years from award year
- Documentation of initial or exit loan counseling – 3 years from award year
- Documentation supporting school's calculation of its completion/graduation or transfer-out rate – 3 years from award year

### **Paper or Electronic Correspondence**

- General/Routine – Screen annually and destroy that material for which no further reference is required. Employees should periodically review e-mail folder for deletion. See Seminary Email Policy.

- Legal – see litigation
- Investment – see investment
- Voice mails should be deleted as soon as receiver responds to caller or matter resolved whichever is later.

## **Retention**

The Seminary retains five (5) years worth of accounting and payroll documents in the Seminary's business office. Documents older than five (5) years are stored in a secured building on-site. All other documents are retained on site in the appropriate departments.

Back-ups are performed nightly by the Seminary System Administrator. The nightly tapes are kept in a safe on site. These tapes include all activity through Raiser's Edge, Financial Edge & the Student Information System as well as word and excel documents that are on all drives but the C drive.

Employees should consult with the Chief Financial Officer or the Executive Vice President prior to destroying any record not identified above.

Disposal: The Chief Financial Officer is responsible for oversight and approval of the retention and final disposition of records.

- a) A record shall be made of all disposed documents and filed in the Seminary business office. The record shall identify the type of record destroyed, the subject matter (if applicable), and the date and method of disposal and the initials of the persons who disposed.
- b) Any document containing the personal information of Seminary employees, vendors, or donors is secured and maintained in locked cabinets and shall be shredded when disposition occurs to prevent the document from causing harm to the person (i.e. identity theft and employee privacy).
- c) The Seminary will have an annual "clean-up" day during which employees shall dedicate their efforts to document storage and disposal in compliance with this policy.

## WEATHER CONDITIONS

In the event local weather conditions prevent any employee from traveling to work safely, the employee should notify her/his immediate supervisor. If the Seminary offices are open, the employee may elect that day not worked as a vacation, sick, or wellness day.

There may be occasions under local weather conditions that, for the safety of employees, the Seminary offices will be closed. When a decision to close is made by the President or Executive Vice President, supervisors will be notified and in turn will notify their staffs. Authorized seminary closings will not be assessed against employees' vacation, sick, or wellness days.

There may be occasions under local weather conditions that, for the safety of students, classes may be cancelled yet seminary offices may remain open. Class cancellations are determined by the Vice President of Academic Affairs and Dean in consultation with the faculty.

Weather conditions and closings are posted on the Seminary's website or can be obtained by calling 918-270-6467.

## HOLIDAYS

### Academic Holidays

All teaching faculty observe the academic break schedules for classroom purposes. All non-faculty personnel are normally expected to work during academic breaks. If a member of the administrative staff does not work during the academic breaks, the time must be reported as vacation or as leave without pay.

### Seminary Holidays

Full-time staff are entitled to fifteen (15) paid holidays.

Labor Day	(1)
Thanksgiving	(3)
Christmas Week	(5)
New Year's Day	(1)
Martin Luther King Day	(1)
Easter (Good Friday & Monday)	(2)
Memorial Day	(1)
Independence Day	(1)

Full-time employees are eligible for pay on these days. If a person worked only during regular academic semesters (9-10 months), he/she would not receive pay for Independence Day.

## POLITICAL ACTIVITIES

Under IRS Code 501(c)(3), Phillips Theological Seminary is a tax exempt organization. As such, the Seminary is prohibited from overt political activity. As private citizens, individuals within PTS may campaign for and support any candidates they so chose, but the Seminary may not engage in any partisan politics, and its name cannot be associated in promoting, campaigning, or publically supporting a candidate or party without providing equal time and access for other candidates or parties. This prohibition includes emailing or posting signs and distributing literature either inside the buildings or on the grounds, using PTS identified materials for specific candidates or parties, and holding rallies on campus, inside the buildings, on the grounds, or at any Seminary-sponsored event regardless of location.

## EMPLOYMENT AGREEMENTS

It is understood that employees have entered a non-contractual relationship with the Seminary. At time of employment, new employees shall receive letters of call and employment identifying the position and title for which she or he was hired. Letters of call and employment shall be amended only under such conditions as change in position, title, or adjustments in salary.

Upon initial employment, all salaried employees shall receive a letter outlining benefits and conditions of employment. For non-faculty employees that letter is provided by the Executive Vice President; for faculty it comes from Vice President of Academic Affairs.

## CRIMINAL BACKGROUND CHECK

Consistent with peer institutions and following the lead of denominational bodies, the Seminary has instituted a policy of criminal background checks on all employees (and students). Through selection.com, any convictions from misdemeanors to felonies are tracked by names and residences for the past seven (7) years.

In the event an unfavorable report is received, a consultation will be held with the Executive Vice President. If the Executive Vice President determines the report is of a serious enough nature, the President's Cabinet will review the records and render a decision on employment.

Reports produced are maintained in each employee's personnel file in the locked cabinet in the Executive Vice President's Office.

## CERTIFICATION OF CONFIDENTIALITY

At some time all employees may have access to sensitive materials such as, but not limited to, donor financial records, contracts and agreements, and student or employee files. To protect the integrity of such materials all employees shall sign a certificate of confidentiality. This certificate states that seminary information will not be used for personal or professional advantage, will not be divulged to persons outside the Seminary, and/or will not be distributed to institutions or agencies without proper authorization.

## CONFLICT OF INTEREST

The Board of Trustees recognizes that potential or perceived conflicts of interest may exist on the part of officers, trustees, or employees (referred to in the following as “PTS Persons”) in carrying out their respective roles with Phillips Theological Seminary (“PTS”).

It is the policy of the Board of Trustees that PTS Persons shall be considered to have a conflict of interest if such Person has existing or potential financial, personal, or other interests which impair or might reasonably appear to impair such Person’s independent, unbiased judgment in the discharge of his or her responsibilities to PTS; or such Person is aware that a member of his or her immediate family (which for purposes of this paragraph shall be a spouse, partner, parents, siblings, children and any other relative if the latter resides in the same householder as the PTS Person), or any organization in which such PTS Person or family member is an officer, director, employee, member, partner, trustee or controlling stockholder, has such existing or potential financial, personal, or other interests. Each PTS Person shall have the continuing, affirmative duty to report any such conflict of interest.

This policy shall be further subject to the following principles:

1. PTS Persons and members of their immediate families shall not seek nor accept, directly or indirectly, any payments, fees, services, loans or other personal benefits from any person that does or seeks to do business with PTS. This does not, however, prohibit a PTS Person from receiving compensation for services that such person may render, where services will not adversely affect the impartial discharge of such person’s duties or obligations to PTS, provided the compensation received and services rendered have been previously disclosed using the conflict of interest disclosure form.
2. PTS Persons shall not seek or accept (for themselves or any members of their immediate families) from any person that does or seeks to do business with PTS any gifts, entertainment or other favors that go beyond common courtesies consistent with ethical and accepted business practices.
3. Any PTS Person who has a conflict of interest shall refrain from voting on any issues pertaining to the matter or relationship with respect to which such conflict of interest exists and shall leave the room while the matter is discussed.
4. Each PTS Person shall annually provide disclosure regarding (a) his or her participation as a director, officer, or employee of any other not-for-profit corporation; and (b) any actual or potential conflict of interest. The Executive Committee shall be responsible for oversight of all disclosures and/or failures to disclose by members of the Board, officers, or employees and recommendation of appropriate actions to the Board of Trustees.
5. Any PTS Persons who participate knowingly in activities that constitute a conflict of interest as described above, without proper reporting of the existence of such a conflict, may be subject to termination of such relationships that may be deemed appropriate.

## PAYROLL SCHEDULES

Full-time and part-time employees shall be paid twice a month, on the 15<sup>th</sup> and the last working day of the month for work performed immediately prior to the pay date. When the pay date falls on a Saturday or Sunday, payroll normally will be distributed on the preceding Friday.

Pay for hourly workers shall be made on the 15<sup>th</sup> and the last working day of the month. A time sheet filled out by the employee and signed by his or her supervisor is required for payment. The schedule for submission of time sheets shall be set by the Business Office.

Pay for adjunct faculty and overload pay for regular faculty shall be issued on the last working day of the month according to an established schedule or by institutional policy and shall be authorized by the Vice President for Academic Affairs.

## PENSION PROGRAMS

Phillips Theological Seminary provides a contribution for all full-time employees towards pension plans. The default plan is through the Pension Fund of the Christian Church (Disciples of Christ). Other approved pension programs may be requested by the employee if that employee is vested in a church or higher education sponsored plan upon employment. (If other programs are selected, it is the employee's responsibility to seek definition of the vesting period and of Phillips Theological Seminary's contribution on the employee's behalf.) Details, about the Pension Fund can be found in the plan document. In the event of any conflict between this *Handbook* and the plan document, the plan document shall prevail.

1. Phillips Theological Seminary will pay into the employee's selected retirement fund an approved percentage of an employee's gross pay as defined by action of the Board of Trustees.
2. Enrollments may be accomplished in the Business Office.
3. Full-time faculty and all staff are eligible to enroll immediately upon employment.
4. For additional retirement accounts, the employee's premium payment may be deducted as a regular insurance premium, or the employee may elect to have the premium treated as a tax deferred or sheltered annuity payment. The latter option means that income tax will not be calculated or deducted until the employee actually receives the money through benefit or cancellation (if cancellation is allowed in the employee's contract with the retirement fund).
5. Tax sheltered contribution status is determined at the employee's option when applying for the benefit or may be changed by the employee at a time consistent with the regulations of the selected plan. Tax sheltering is a legal process of deferring the employee's share of the pension contribution until benefits are received or the pension withdrawn. The assumption is that the amount will be taxed at a lower rate in the future.
6. Withdrawal policy – Every pension plan differs as to the requirements and dollar units for withdrawals. Contact with the carriers of individual plans will provide specific policies and restrictions.

## INSURANCE

### Health

Phillips Theological Seminary offers group health and hospitalization insurance for each eligible employee and her/his dependents. Since such a plan is in place, the Seminary accepts no responsibility for underwriting the cost of personal or supplemental health care insurance for any employee or employee's dependents, except as defined in the Seminary's umbrella health plan. The Seminary does not provide offsetting compensation or other plans for those persons who elect not to enroll in the Seminary's group plan.

The employee must enroll in this group plan personally in order to have coverage, and coverage begins thirty (30) days after his/her date of hire. All or part of the cost of full-time employee coverage is paid by Phillips Theological Seminary on behalf of the employee. Through payroll deduction, the employee shall bear the cost of any elected family coverage, regardless of the number of dependents.

**Exact hospitalization insurance coverage is stated in the group insurance policy, a complete copy of which is on file in the Business Office. See the Benefits Book from the insurance carrier which is provided to each employee upon enrollment for complete explanation of the coverage.**

### Life and Accidental Death and Dismemberment Insurance

Phillips Theological Seminary offers a life and accidental death and dismemberment insurance policy for each full-time employee. The employee must enroll personally in order to have coverage. Enrollment may be accomplished in the Business Office.

Upon the death of an insured, the Business Office should be notified to initiate the claims process. Instead of a lump sum payment, a beneficiary may elect to receive the benefit in installments. Coverage may be established for spouse/dependents with premiums paid by the employee through payroll deductions.

Pension plans may also provide life, accidental death and dismemberment, and/or disability benefits. Restrictions and requirements on such benefits need to be obtained from the pension provider.

### Workers Compensation Insurance

All non-exempt employees are covered automatically under worker's compensation laws. Basically, this covers injuries sustained in the performance of duties and provides some benefits for loss of income due to those work injuries. Coverage is extended at the time of employment.

### Unemployment Insurance

PTS employees, with the exception of exempt personnel—those who claim a clergy housing allowance and have faculty status—are covered by Oklahoma Unemployment Insurance. This coverage does not extend to nor is related to Federal Unemployment.

### Disability Insurance

All employees who are members of the Pension Fund of the Christian Church (Disciples of Christ) or an approved pension plan of another denominational group are covered by long-term disability insurance. In the event there is need to file for long-term disability, the employee should check with the pension provider on restrictions and qualifications.

For those enrolled in pension or retirement programs that do not offer disability coverage, the Seminary will make provisions for employees to purchase such coverage from an independent carrier at the employee's cost.

To help fill the gap between when an employee cannot work and when disability coverage begins, the Seminary will provide the employee a monthly amount equal to that which will be paid under long-term conditions for a period up to sixty (60) days. Accumulated sick leave, for eligible employees, will be used first at employee's normal pay scale yet time will be accounted within the sixty (60) day maximum.

From the first day of when disability is established, health insurance will be paid by the Seminary for the employee until the long-term disability coverage begins. No other benefits or coverages will be paid or accrue.

## TAX SAVER 125

Phillips Theological Seminary provides a pre-tax withholding option, TAX SAVER 125, for the benefit of eligible employees. Such plan allows employees to designate a portion of their salaries to be withheld as pre-tax credit for the purpose of medical expenses and dependent-care costs.

Specific information on the TAX SAVER 125 plan and enrollment procedures may be obtained from the Business Office.

## PTS EDUCATIONAL DISCOUNTS

Discounts apply to tuition at Phillips Theological Seminary as follows:

Full-time faculty, administrative staff, and support staff receive 80% tuition discount, on tuition only, up to six (6) credit hours per semester and six (6) credit hours per summer courses offered by Phillips Theological Seminary. Any conflicts between an employee's work and class schedule must be resolved with the approval of the employee's supervisor. Any employee wishing to enroll in more than six (6) hours per semester must have the prior approval of his/her supervisor and will be expected to pay the full tuition amount for any credit hours in excess of six (6) per academic term.

Immediate relatives, such as spouse, partner, parent, or child, of full-time faculty and staff are eligible for an 80% tuition discount, after one year of continuous service at PTS.

Full and part-time faculty, administrative staff, and support staff may audit courses but shall pay the full audit fee plus technology fee as stated in the current seminary catalog.

Immediate relatives of deceased full-time faculty and staff, who at the time of death were actively employed by the Seminary for two (2) or more years, are eligible to receive the 80% tuition discount.

Tuition discounts are also available to active trustees, as well as retired trustees and staff, and their immediate relatives as defined above. In accordance with policies developed by the Rank and Tenure Committee, retired faculty may take courses at no cost.

After three months of continuous service, part-time faculty and staff may receive 80% tuition discounts on courses taken at Phillips Theological Seminary under the same provisions as full-time time employees. After one year of continuous service, immediate relatives of part-time employees shall be eligible for the same discounts.

No person on academic probation may receive this discount.

In the event a particular course is closed or there is a waiting list of degree-seeking students, discounted students or employee auditors would not be eligible for enrollment in that course.

Seminary fees are for services and charges beyond the scope of coursework; therefore, employees and eligible employee relatives will be subject to the standard fee scale for hours enrolled per semester.

Problems may occur when a person takes a course in which a relative is the instructor. To alleviate the appearance of favoritism or conflict in grading, written examinations and papers shall be read and graded by another faculty member in a compatible discipline.

## NON-PTS EDUCATIONAL REIMBURSEMENTS

Phillips Theological Seminary is committed to educational and professional development for all employees. Specific courses or degree programs can benefit not only the individual but also the school. Any employee who takes courses or enrolls in an approved degree program may be eligible for a tuition reimbursement at a rate not to exceed 80% of standard PTS tuition.

The school from which the courses or degree program are pursued must be a regionally accredited post-secondary institution and approved by the Seminary's administration. The courses or degree program must relate directly to the employee's position or job description at the Seminary. The enrollment in such education must be approved by the employee's supervisor and shall not interfere with normal work responsibilities.

Reimbursement shall be paid at the end of the course or program's term through a check request and a copy of transcript or other verifiable means of successful completion. No reimbursement shall be paid for a grade less than C.

## FISCAL YEAR

Phillips Theological Seminary operates on a fiscal year which begins July 1<sup>st</sup> and ends June 30<sup>th</sup>. Annual budgets, financial close-outs and audits, academic terms, and vacation entitlements for employees are based on the fiscal year cycle.

## IDENTIFICATION CARDS

Identification cards are available for all seminary students and employees. The cards are required for admission to and checking books out of the library. Employees shall display their identification cards whenever they are on campus and should not lend the card to anyone for any reason. Identification cards also provide 24/7 access to the building and to the South gate in the East parking lot.

## PARKING

All staff and faculty members must register motor vehicles that are to be parked on campus parking lots. Parking stickers shall be obtained from the Receptionist Desk and mounted on the lower left side of the windshield. Each vehicle owned by an employee must have its own sticker. These are permanent and need to be updated only when there is a change of vehicles.

## RECYCLING

It is the Seminary's position that all people have a responsibility to conserve, recycle, and re-use as many resources as possible.

Located throughout the building are containers for recycling. We accept various types of paper, plastic, glass, steel, cardboard, and aluminum. The large containers are in the commons and the library. Containers are also located in workrooms, classrooms, and offices around the building. Please make note of the closest container to you, and please use it often.

## TRAVEL REIMBURSEMENT

Phillips Theological Seminary reimburses employees for travel associated with Seminary business within defined limits. Meals, lodging, and other travel-related expenses shall be reimbursed at cost with the expectation that the staff and faculty will act prudently when incurring expenses. Each year the Seminary will publish updated guidelines for travel, and such information on reimbursements may be obtained from the Business Office.

Travel reimbursements for the use of personal vehicles shall be at the prevailing rate per mile allowed by the Internal Revenue Service.

Carpooling is the Seminary's policy for faculty and staff travel. Individuals who choose to drive alone to off-campus faculty meetings, staff meetings, or other seminary-related events and programs when a carpool is available will not be reimbursed without prior approval of the President, Executive Vice President, or Vice President for Academic Affairs.

Staff or faculty who travel on seminary business by public carriers shall be reimbursed at the face cost of tickets. In the event an individual chooses to drive, vehicular reimbursement shall not exceed the cost of a coach fare ticket.

Faculty who travel away from campus to teach will be reimbursed for mileage, tolls and lodging, where applicable, as well as a per meal cost.

Requests for travel reimbursements must be submitted on forms provided by the Business Office, signed by the employee, and approved by the supervisor. Where possible, receipts should accompany the reimbursement forms. In order to receive reimbursements in a timely manner, forms should be submitted to Accounts Payable according to scheduled disbursements each week, and the schedule of disbursements may be obtained from the Business Office.

No employee of the Seminary shall be eligible for travel reimbursement from her or his home to campus or office.

## ACCESS TO PERSONNEL RECORDS

Personnel records are the property of the Seminary, and access to information contained therein shall be controlled by the Seminary and retained in a locked file cabinet in the Business Office and in the office of the Executive Vice President.

Each employee, upon request to the Business Office, has the right to review her or his salary, benefits, evaluation reports, and other employment records. Written references for employment identified as confidential, and for which no written release has been signed, shall not be subject to review by the employee. No employee shall review such records of any other employee without express written permission of said employee. The Seminary's payroll and benefits clerk, the Chief Financial Officer, and the Executive Vice President shall have access to employee records.

The public at large shall not have access to employee records without written permission of the employee. Normal employment verification will be limited to beginning date of employment, position title, and business phone number, unless otherwise authorized. Requests for personnel information that extends beyond these limits such as by government or law enforcement agencies shall be referred to the President or Executive Vice President of the Seminary.

The Business Office and the Executive Vice President shall keep personnel records on all current and former employees of the Seminary according to seminary retention policies.

# PRESIDENTIAL SUCCESSION

## RETIREMENT

To be developed

## STAFF JOB OPENINGS

Staff job openings will be posted in-house before any public notice is advertised. Current seminary staff may apply and will be given full consideration based upon qualifications and abilities commensurate with the job openings.

A current employee will be considered in candidacy when a formal application is submitted for the open position. As a condition of candidacy, the employee shall notify her or his immediate supervisor, in person, at the time of making a formal application.

## FULL-TIME/PART-TIME EMPLOYEE STATUS

Full-time employees, other than faculty, as defined by Phillips Theological Seminary are those who work the equivalent of at least thirty hours per week for twelve months. Full-time employees shall be eligible for pension plan participation, group health insurance, life and accidental death and dismemberment insurance, vacation, sick days and leave schedules, and IRS Code Section 125 options.

Full-time faculty are those who are employed on a twelve month basis, teach a minimum of fifteen credit hours per year, and have no permanent administrative assignments. Those faculty members who have temporary administrative assignments may negotiate with the President or Vice President of Academic Affairs and Dean a reduction in teaching load for the duration of that assignment.

Part-time employees, other than faculty, as defined by Phillips Theological Seminary are those who do not meet the above definition of full-time employees.

Part-time employees are not eligible for vacation, sick days, or other leaves and benefits not specifically stated herein. Part-time employees working at least twenty-four hours per week on a twelve month schedule and not considered temporary are eligible for group health insurance coverage but must pay 100% of the cost of coverage. Such employees are eligible for seminary paid life and accidental death and dismemberment insurance coverage. Part-time employees working at least twenty hours per week on a twelve month schedule and not considered temporary are eligible for participation in the Tax Saver 125 plan.

All employees regardless of status are covered by worker's compensation insurance.

## CONTRACTED WORKERS

Contracted workers may be used from time to time by the Seminary for specific tasks or projects. Unlike full-time or part-time personnel, contracted workers are not considered employees of the Seminary, are not on the payroll, and are not eligible for benefits as defined in this *Handbook*.

The contract is to be pre-approved by the President or Executive Vice President before commitments are made to individuals or companies.

Arrangements for adjunct faculty are apart and separate from contracted workers and are to be handled through the office of the Vice President for Academic Affairs.

## WORKDAY SCHEDULES

Normal working hours for all offices at Phillips Theological Seminary are 8:00 a.m. to 5:00 p.m., Monday through Friday. One hour is allowed for lunch. The Seminary does not designate specific breaks, although employees are encouraged to take brief breaks during the workday for refreshment and relaxation subject to supervisory approval and workload.

All full-time employees, other than faculty, are expected to adhere to the workday schedule. Deviations from the workday schedule must be approved by an employee's immediate supervisor.

## VACATION ENTITLEMENT

Vacation benefits are provided to give employees, other than full-time faculty, rest and renewal. Both the Seminary's needs and those of the employee are to be considered in the scheduling of vacation. Therefore, a vacation should not be scheduled without prior request to and approval from the employee's supervisor.

Seminary officers, those persons identified and approved by the Board of Trustees at its annual meeting, are entitled to 20 working days as vacation. Administrative staff, as listed in the Seminary catalog, are entitled to 15 working days during each of the first 10 working years of service and 20 working days thereafter. All other full-time staff shall receive 10 working days vacation during each of the first 5 years of service, 15 working days vacation from six to fifteen years of service, and 20 working days vacation thereafter.

While vacation leave is allocated as defined above, an employee must have been employed on a continuous basis for six months before he or she is eligible to take vacation. An employee must be employed one (1) year before payment in lieu of vacation upon leaving the employment of the Seminary will be authorized. **Only upon prior approval of the President may vacation time be given in advance of the time in which it is earned.**

Vacation time is to be taken preferably in the fiscal year (as defined on page 46 of this *Handbook*) in which it is earned but may be carried over for no longer than twelve months following the fiscal year in which it is earned. In respect of any vacation days carried over to the year immediately following the fiscal year in which it is earned, the Business Office will issue a statement to the employee in December of the current fiscal year reminding employees of the exact number of unused vacation days remaining. These must be used prior to June 30<sup>th</sup> of that fiscal year or lost. No further carry over will be allowed.

Cash payment in lieu of vacation will not be permitted with the exception **only** for terminating employees. Such terminating vacation pay shall be approved by the Business Office in consultation with the Executive Vice President based on an analyses of days earned and days taken. Payment for unused vacation will be allowed only for that earned in the fiscal year in which employment ceases. No carry-over vacation from previous year will be considered for payment upon termination.

Vacation time and sick leave must be reported by all salaried employees, other than faculty, to the Business Office by the 10<sup>th</sup> of the calendar day of the following payroll month. Leave documentation forms are available through the Business Office.

## SICK LEAVE

Phillips Theological Seminary allocates one day per month for sick leave for full-time employees, other than faculty. Such days may be used as needed. Staff working 40 hours per week for nine (9) months or 30 hours per week for twelve (12) months are entitled to nine (9) days sick leave per year instead of twelve (12). Staff working 31 to 39 hours per week for 12 months will have their days prorated accordingly.

Sick leave may be used for personal injury or illness, or injury or illness in the employee's immediate family which are identified as: grandparent, parent, legal guardian, sibling, parent-in-law, spouse, child, child-in-law, stepchild, grandchild, or legal ward.

The maximum sick benefit allowable for full payment of salary or wage is 90 working days. In the event an individual has accumulated 90 working days and as extended illness requires time away from work in excess of 90 days, such additional time and payment shall be negotiated with the Executive Vice President.

Payment of salary and terms of leave for the extended illness of a faculty member during the academic sessions in which classes are missed and substitute teachers need to be employed shall be determined by the Vice President for Academic Affairs.

Sick leave accumulation is **not** payable at the conclusion of employment.

The Seminary reserves the right to require acceptable evidence of illness before allowing any sick leave benefits.

## PARENTAL LEAVE

Phillips Theological Seminary allows a leave of absence with pay for either mother or father who is a full-time, salaried employee for a period not to exceed 60 working days. Such leaves of absence require prior approval from the employee's immediate supervisor, or in the case of faculty, the Academic Vice President and Dean. All benefits, with the exception of the accrual of vacation and sick leave, will be maintained. The criteria for receiving parental leave are defined below:

1. Persons must have been employed by the Seminary for at least one year.
2. The provisions of such leave are:
  - The birth or care of a newborn child;
  - The process and placement of a son or daughter for adoption or foster care;
  - In the event both mother and father work for the Seminary, the maximum combined leave is 60 working days;
  - Multiple child births, adoptions, or fostering do not extend the time of the leave;
3. Periodic reports will be submitted to the supervisor or Vice President and Dean concerning plans to return to full-time work.
4. In extraordinary circumstances, additional leave time may be considered, especially when there has been substantial longevity of service to the Seminary.
5. In all cases, employees who are unable to work out satisfactory agreements with their supervisors or the Vice President and Dean may petition the President for a formal review. (As yet undetermined)

Non-faculty employees, or those with faculty status but no teaching responsibilities for the period of the leave, may be granted the leave under the following guidelines:

1. Notification the employee's supervisor should be made as early as possible so that arrangements to cover work as necessary can be made;
2. Full or part-time employees may be able to work from home for all or part of the leave period. In such a case, credit will be given for hours/days worked in the forms of vacation and/or sick leave accrual;
3. Extensions of time over the 60 working days will be charged to the employees accumulated vacation or sick leave;
4. Part-time employees will receive 30 working days leave.

Faculty employees with teaching responsibilities will negotiate with the Vice President and Academic Dean so as to minimize disruption to course schedules:

1. Notification should be made as early as possible so that course(s) already committed to schedule can be covered;
2. One option is that a faculty member can arrange to teach online or in a concentrated course format and still provide the necessary care for child/ren.
3. Another option is that a faculty member can adjust her or his teaching obligations to a different portion of the academic year, such as a J-term, semester, and summer module(s) or fortnight.
4. Those in the tenure process need to confer with the Rank and Tenure Committee regarding whether or not the process will be suspended for the year in which the leave occurs.

## OTHER LEAVES OF ABSENCE

### Jury Duty

Phillips Theological Seminary guarantees no loss of vacation entitlement or sick leave accrual for any full-time employee serving on jury duty. Payment beyond reimbursement for normal expenses such as meals and parking received for jury duty should be surrendered to the Seminary or an equivalent reduction in gross pay may be made. Documentation of such duty may be requested such as the presentation of a jury summons.

### Military Leave

Phillips Theological Seminary guarantees no reclassification of salary, pay, position, or loss of vacation entitlement or sick leave accrual for any full-time employee during training or active duty under orders with any branch of the armed forces of the United States for a period not to exceed 15 working days in any one calendar year. Payment received for military leave should be surrendered to the Seminary or an equivalent reduction in gross pay shall be made. Documentation of such services may be requested such as orders.

### Family Leave

PTS is sensitive to the needs of employees who must provide extended care to family members, those as typically defined by the Seminary. In the event extended care as family leave is required, each employee is to visit with her/his supervisor to explain the conditions and projected extent of such leave. Each request will be negotiated on a case by case basis with provisions made for the continuation of work or teaching where possible.

### Wellness Leave

Phillips Theological Seminary recognizes the necessity for employees to have the opportunity to attend to personal business or provide mental health days or just have the opportunity to get away. Each full-time salaried employee is eligible for two paid Wellness days during the course of the year, and these may be taken at the request of the employee with the concurrence of the immediate supervisor.

### Bereavement Leave

Phillips Theological Seminary grants bereavement leave to full-time salaried employees and is not charged against vacation day or sick leave. Three days are allowed for a member of an employee's immediate family identified as: grandparent, parent, legal guardian, sibling, parent-in-law, spouse, child, child-in-law, stepchild, grandchild, or legal ward. One day is allowed for any other family member. In the event more time is needed than provided, those extra days may be taken and charged as sick leave or vacation leave.

### Personal Leave for Cause

In the event an employee experiences personal issues that affect the quality and efficiency of work, through consultation with his or her supervisor and/or the Executive Vice President, a personal leave for cause may be recommended. Such leave without pay is not to exceed 90 working days. Employee health insurance coverage during the personal leave for cause shall be paid by the Seminary. Vacation and sick leave will not accrue during this period. Documentation of leave for cause shall be filed in the employee's folder in the Business Office,

although to ensure confidentiality, details need not be specified. After the designated period of separation, a review with the employee by his or her supervisor and/or Executive Vice President shall be held. If the issues have been resolved, employment can be resumed. If no apparent resolution has been reached, the employee may be reassigned, terminated, or may request termination.

## HOUSING ALLOWANCES

According to IRS regulations, clergy with recognized standing in their denominations are entitled to designate a portion of their salary for housing.

All full-time seminary employees who are eligible shall specify part of their salaries by filling out the proper form authorizing such deductions. This form with the following year's details must be filed with the Business Office by the last working day of October of each year to be approved by the Board of Trustees at its November meeting.

In the event of an audit IRS or question on the validity of a housing allowance claim by the IRS, the burden of proof is on the employee.

## EVALUATIONS AND JOB PERFORMANCE REVIEWS

Each regular non-faculty employee will have a written job description either prepared as a position announcement or developed or amended in consultation with his or her supervisor. One copy of the job description will be kept in the employee's file in the Executive Vice President's Office.

All non-faculty employees of Phillips Theological Seminary shall receive formal evaluations each year based upon criteria and at such times as established by the Seminary.

Staff normally shall be evaluated by her or his immediate supervisor, and the completed evaluation forms shall be submitted to the Executive Vice President. Upon receipt and review of the evaluation forms, the Executive Vice President shall distribute the forms in the following manner: the original to the employee's permanent personnel file, one copy to the employee, and one copy to the supervisor.

Periodic job performance reviews may be held informally by the employee's immediate supervisor.

Faculty members shall be evaluated in accordance with rank and tenure policies as well as by procedures established through the Faculty Senate and under the direction of the Vice President for Academic Affairs. Such policies and procedures are detailed in the Faculty Section of this *Handbook*.

## CORRECTIVE ACTION PROCEDURES

In the event an employee: 1) fails to perform his or her duties in an efficient, competent, and/or professional manner or 2) displays disruptive behavior, adversely affecting the institution, or otherwise violates seminary policies or its Code of Ethics, the following steps may be taken:

1. The employee's immediate supervisor shall talk with the employee pointing out the problem areas and suggesting corrective actions within an acceptable period of time.
2. The supervisor will inform the Executive Vice President in writing, including details of the steps taken and actions pending, a copy of which will be presented to the employee then placed in the employee's personal file.
3. If satisfactory progress or corrective action has been observed, the situation shall be considered resolved, and a written statement to that effect shall be submitted to the Executive Vice President by the supervisor.
4. If no progress or corrective action has been observed by the end of the designated period, the supervisor shall recommend in writing to the Executive Vice President that the employee be terminated at the convenience of the Seminary.
5. In either case of number 3 or 4, the written report shall remain in the employees' personal file.
6. If based on the opinion of the Seminary administration, the action(s) or violation(s) is deemed egregious, immediate termination may result.

If a staff member has reason to believe her/his supervisor has unfairly challenged work performance (refer to grievance procedures on page 20 of this *Handbook*), she or he may appeal to the Executive Vice President, and faculty may appeal to the Vice President for Academic Affairs of the Seminary. (Tenured and tenure-track faculty are employed under conditions defined in the Faculty Section of this *Handbook*.)

## TERMINATION PROCEDURES

The hiring and retention of faculty and staff shall not be based on race, color, national or ethnic origin, age, gender, gender identity, sexual orientation, disability, or theological perspective. (See Non-Discriminatory Statement page 6).

Phillips Theological Seminary is an at-will employer. It is understood that employees have entered a non-contractual relationship with the Seminary and can leave or be terminated at any time. (Tenured and tenure-track faculty are employed under conditions defined in the Faculty Section of this *Handbook*.)

At the time of termination, the employee will be asked to sign a Separation and Release Agreement, which will also be signed by an officer of the Seminary. A copy of the Termination and Release Agreement may be obtained from the Executive Vice President.

## PROFESSIONAL ETHICS STATEMENT

1. Faculty members, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibility that is placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end faculty members devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although faculty members enjoy freedom of inquiry, subsidiary interests must never seriously hamper or compromise their responsibilities as faculty members.
2. As teachers, faculty members encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Faculty members demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Faculty members make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students and observe appropriate boundaries, given the always inherent power differential within the relationship. They acknowledge significant academic or scholarly assistance from their students. They protect the academic freedom of their students.
3. As colleagues, faculty members have obligations that derive from common membership in the community of scholars. Faculty members do not discriminate against, harass, or exploit colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas faculty members show their respect for the opinions of others. Faculty members acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Faculty members accept their share of faculty responsibilities for the governance of their institution.
4. As members of a seminary faculty, faculty members seek above all to be effective teachers and scholars. Although faculty members observe the stated regulations of the Seminary, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Faculty members give due regard to their paramount responsibilities within the Seminary in determining the amount and character of work done outside it. When considering the interruption or termination of their service, faculty members recognize the effect of their decisions upon the program of the Seminary and give due notice of their intentions.
5. As members of their community, faculty members have the rights and obligations of other citizens. Faculty members measure the urgency of these obligations in light of their responsibilities to their subject, to their students, to their profession, and to the Seminary. When they speak or act as private persons, they avoid creating the impression of speaking or acting for the Seminary. As citizens engaged in a profession that depends upon freedom for its health and integrity, faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

6. As ordained ministers, some faculty members are subject to the ethical standards for ministers in their denominations. The proceedings of those denominations are separate from those of the Seminary.
7. Faculty members encourage in students the development of appropriate professional standards.

## FAMILY AND MEDICAL LEAVE

Faculty members who have been employed for at least one year are eligible for paid family and medical leaves for the following reasons: (a) the birth or care of a newborn child; (b) the placement with the faculty member of a son or daughter for adoption; (c) the care for an immediate family member (spouse, child, or parent) with a serious health condition as defined in the Family and Medical Leave Act (FMLA); or (d) caring for a serious health condition. This eligibility is in accord with federal regulations set forth in the U.S. Department of Labor's FMLA.

- Faculty members who anticipate the need of this type of leave should notify the dean in writing as soon as s/he foresees such a possibility.
- A family or medical leave may consist of up to twelve weeks in a twelve-month period. This limit also applies, when warranted, during study and research sabbatical periods, although special scheduling arrangements may be necessary.
- Any faculty member may apply to take this type of leave on an intermittent basis or in the form of a reduced workload.
- In extraordinary circumstances, additional leave time may be considered, especially when there has been a substantial longevity of service to the seminary.
- During the leave, faculty members may be required to provide periodic reports on their status and their plans concerning their return to full-time work.
- If a faculty member and spouse both work for the seminary and are eligible for family leave for birth or adoption of a child, the maximum combined leave is twelve weeks.
- If the leave is for the faculty member's own illness, s/he is required to provide acceptable evidence of the ability to return to full-time work. Further, faculty members are expected to consult with the dean regarding the scheduling of medical treatments in order to minimize disruptions of the seminary's academic programs.
- In all cases concerning family or medical leaves, faculty members who are unable to work out satisfactory arrangements in agreement with the dean may petition the president for a formal review.

## DISCIPLINE OR DISMISSAL OF A TENURED FACULTY MEMBER FOR ADEQUATE CAUSE

The President, as chief executive officer of the Board of Trustees, has authority to terminate tenured faculty for adequate cause as defined in this section.

Procedures for discipline or dismissal of tenured faculty for adequate cause are initiated by the President through the Dean. The Dean will inform the faculty member of the charges in writing and will indicate that the procedures for discipline or dismissal have been initiated.

If the President is deemed disqualified from the case for reason of bias or interest, the role of the President in all of these procedures shall be filled by the Chair of the Board of Trustees, in consultation with the Vice Chair and the Secretary of the Board. If the Dean is deemed disqualified from the case for reason of bias or interest, the President (or the Officers of the Board) shall appoint another administrator of suitable rank to take the role of the Dean in these procedures.

Adequate cause for discipline or dismissal will be related, directly and substantially, to the fitness of faculty members in their professional capacities as teachers or researchers. Neither discipline nor dismissal will be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens. Adequate cause includes the violation of the PTS Statement on Professional Ethics for Faculty. Adequate cause may also include, but is not limited to, such specific issues as harassment of students, faculty, and staff; plagiarism or other forms of academic misconduct; serious non-collegial behavior; or failure to meet service or other obligations.

### **Procedures for Dismissal**

Dismissal of a faculty member with tenure, or with a special or probationary appointment before the end of the specified contract, will be preceded by: (1) discussions between the faculty member and appropriate administrative officers looking toward a mutual settlement; (2) informal inquiry by the Rank and Tenure Committee which may, if it fails to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the president; (3) a statement of charges, framed with reasonable particularity by the president or the president's delegate.

A dismissal will be preceded by a statement of charges, and the individual concerned will have the right to be heard initially by the Rank and Tenure Committee. Members deeming themselves disqualified for bias or interest will remove themselves from the case, either at the request of a party or on their own initiative. Each party will have a maximum of two challenges without stated cause. Quorum for the Rank and Tenure Committee for the purposes of this hearing shall be three members. Should the number of available or qualified committee members be less than three, the faculty shall elect sufficient representatives to fill out the quorum.

Pending a final decision by the Rank and Tenure Committee, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the faculty member or others is threatened by continuance. Before suspending a faculty member,

pending an ultimate determination of the faculty member's status through the institution's hearing procedures, the administration will consult with the Rank and Tenure Committee concerning the propriety, the length, and the other conditions of the suspension. A suspension that is intended to be final is a dismissal, and will be treated as such. Salary will continue during the period of the suspension.

The Rank and Tenure Committee may, with the consent of the parties concerned, hold joint prehearing meetings with the parties in order to: (1) simplify the issues; (2) effect stipulations of facts; (3) provide for the exchange of documentary or other information; and (4) achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.

Service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence and rest its recommendation upon the evidence in the record.

- The committee hearings will be closed.
- During the proceedings the faculty member will be permitted to have an academic advisor and counsel of the faculty member's choice.
- At the request of either party or the Rank and Tenure Committee, a representative of a responsible educational association will be permitted to attend the proceedings as an observer.
- A verbatim record of the hearing or hearings will be taken and a typewritten copy will be made available to the faculty member without cost, at the faculty member's request.
- The burden of proof that adequate cause exists rests with the institution and will be satisfied only by clear and convincing evidence in the record considered as a whole.
- The Rank and Tenure Committee will grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.
- The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the Rank and Tenure Committee in securing witnesses and making available documentary and other evidence.
- The faculty member and the representative of the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements, and, if possible, provide for interrogatories.
- In the hearing of charges of incompetence, the testimony will include that of qualified faculty members from this or other institutions of higher education.
- The Rank and Tenure Committee will not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues

involved. Every possible effort will be made to obtain the most reliable evidence available.

- The findings of fact and the decision will be based solely on the hearing record.
- Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board of Trustees of the institution. The president and the faculty member will be notified of the decision in writing and will be given a copy of the record of the hearing.
- If the Rank and Tenure Committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the president. If the president rejects the report, the president will state the reasons for doing so, in writing, to the Rank and Tenure Committee and to the faculty member, and provide an opportunity for response before transmitting the case to the Board of Trustees. If the Rank and Tenure Committee concludes that adequate cause for a dismissal has been established, but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons.

### **Action of the Board of Trustees**

If dismissal or other severe sanction is recommended, the president will, on request of the faculty member, transmit to the Board of Trustees the record of the case. The review by the Board of Trustees will be based on the record of the committee hearing, and it will provide opportunity for argument, oral or written or both, by the principals at the hearings or by their representatives. The decision of the Rank and Tenure Committee will either be sustained or the proceeding returned to the committee with specific objections. The committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The Board of Trustees will make a final decision only after study of the committee's reconsideration.

### **Procedures for Imposition of Sanctions Other Than Dismissal**

If the administration believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, is sufficiently grave to justify imposition of a severe sanction, such as suspension from service for a stated period, the administration may institute a proceeding to impose such a severe sanction; the procedures outlined above in will govern such a proceeding.

If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction, such as a reprimand, it will notify the faculty member of the basis of the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed sanction should not be imposed.

A faculty member who believes that a sanction has been incorrectly imposed may petition the Rank and Tenure Committee for such action as may be appropriate.

### **Types of Faculty Discipline (Short of Dismissal)**

Examples of faculty discipline, short of dismissal, include, but are not limited to, the following:

(1) oral reprimand, (2) written reprimand, (3) a recorded reprimand, (4) restitution (for instance, payment for damage due to individuals or to the institution), (5) loss of prospective benefits for a stated period (for instance, suspension of "regular" or "merit" increase in salary or suspension of promotion eligibility), (6) a fine, (7) reduction in salary for a stated period, (8) suspension from service for a stated period, without other prejudice.

### **Termination Because of Physical or Mental Disability**

Termination of an appointment with tenure, or of a probationary or special appointment before the end of the period of appointment, because of physical or mental disability, will be based upon clear and convincing medical evidence that the faculty member, even with reasonable accommodation, is no longer able to perform the essential duties of the position. The decision to terminate will be reached only after there has been appropriate consultation and after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. If the faculty member so requests, the evidence will be reviewed by the Rank and Tenure Committee before a final decision is made by the governing board on the recommendation of the administration. The faculty member will be given severance salary not less than as prescribed [elsewhere?]. In cases of termination of appointment, the Board of Trustees will be available for ultimate review.