



Arkansas School for Mathematics, Sciences and the Arts

Employee Handbook
2011- 2012

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THE INFORMATION CONTAINED IN THIS HANDBOOK IS NOT INTENDED TO ESTABLISH AN EMPLOYMENT CONTRACT OF ANY KIND OR DURATION, AND IS NOT A LEGAL DOCUMENT. THIS HANDBOOK SUPERSEDES PREVIOUS EDITIONS.

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I. ASMSA MISSION AND PHILOSOPHY

A. ASMSA MISSION

The mission of ASMSA is to create, encourage and sustain, throughout the State of Arkansas, an educational community of academically talented students, faculty and staff who pursues knowledge of mathematics, sciences and the arts. To accomplish this mission, ASMSA strives to:

1. Serve as a model for Arkansas schools;
2. Enhance the future of Arkansas by educating eleventh and twelfth grade students academically talented in mathematics, sciences and the arts;
3. Prepare students for post secondary education by providing innovative learning experiences;
4. Provide courses and learning opportunities through distance education to improve instruction in mathematics, sciences and the arts for students and teachers throughout the State;
5. Serve as a center for teacher education;
6. Increase the public's awareness of the importance of advanced education in mathematics, sciences and the arts.

B. ASMSA PHILOSOPHY

The philosophy of ASMSA is to provide a premier educational delivery system that incorporates instructional and assessment practices into a challenging and broad-based curriculum, and that serves as a center for curricular development and teacher training throughout the State. The curriculum is performance-based which allows students to demonstrate a mastery of skills and problem-solving abilities. There is additionally an interdisciplinary component to the curriculum that allows students to understand that learning strategies are consistent among all disciplines. The curricular focus is on creative, non-traditional, student-driven learning and critical thinking in a technologically enhanced environment.

ASMSA's philosophy additionally includes a residential and social development program that is integral to its success. Programs and activities in the residence hall provide purposeful experiences that enable students to develop independence and self-discipline in an environment that promotes educational and behavioral excellence, personal growth, awareness and ethical decision making.

ASMSA's ultimate goal is to graduate students who possess both the academic skills to pursue advanced training in the post-secondary arena and social skills for independent

living. Through the academic and residential components of the school, ASMSA seeks to become a leader in preparing lifelong learners. The ultimate test of education is to evaluate the progress of the past, responsibly manage the consequences of such progress, and contribute to the intellectual and technological advancements of the future.

II. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION

A. POLICY STATEMENT

ASMSA is an equal opportunity/affirmative action school that adheres to the basic principles of non-discrimination. ASMSA is committed to a policy of equal opportunity for all persons without regard to race, color, national origin, sex, age or disability. ASMSA will make every effort to comply with local, state and federal laws related to fair employment practices and equal employment opportunity. In carrying out this commitment, ASMSA will follow the principles of affirmative action and operate within the regulations of State and Federal laws and executive orders prohibiting discrimination. Additionally, ASMSA will not discriminate in its admissions policies, educational programs and treatment of students.

Hiring procedures, applicable forms, recruitment materials and other information concerning matters of affirmative action may be obtained from the Human Resources Office.

B. DISABILITY DISCRIMINATION

An individual is considered to have a disability if he/she has a physical/mental impairment which substantially limits one or more major life activities, has a record of an impairment, or is regarded as having an impairment. An individual with a disability is “substantially limited” if he/she is likely to experience difficulty in securing, retaining or advancing in employment due to a disability. A “qualified individual with a disability” means an individual with a disability who meets the skill, experience, education and other job-related requirements of a position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of the job.

C. VETERANS WITH DISABILITIES/VIETNAM ERA VETERANS

A “Veteran with a Disability” means an individual entitled to disability compensation under laws administered by the Veterans Administration for a disability rated at 30% or more, or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty. A “Qualified Veteran with a Disability” means a veteran with a disability who is capable of performing a particular job, with or without reasonable accommodation to his or her disability. A “Veteran of the Vietnam Era” means an individual who served on active duty for more than one hundred and eighty days between February 28, 1961 and May 7, 1975, and who was discharged or released with other than a

dishonorable discharge, or was discharged or released from active duty for a service-connected disability.

D. VETERANS PREFERENCE

The Arkansas Veterans Preference Law and Executive Order 89-1 direct that a veteran, disabled veteran or the surviving spouse of a deceased veteran who remains unmarried at the time the preference is sought, and who is a citizen and resident of Arkansas, shall be entitled to employment preference over other applicants after meeting substantially equal qualifications for positions subject to the Uniform Classification and Compensation Act.

1. If there is an examination, evaluation or similar instrument used to establish an interview or employment list and a veteran receives a passing grade, five points shall be added to the final score if the examination, evaluation or similar instrument is subject to numerical scoring. Ten points shall be added to the final score of a disabled veteran, a veteran over the age of fifty-five who is disabled and entitled to a pension or other compensation under existing laws, or the spouse of such a veteran, whose disability disqualifies him/her for appointment. If an examination, evaluation or similar instrument is not subject to numerical scoring, the hiring official shall demonstrate how veteran's preference was determined in the selection process.
2. If a disabled veteran appearing on an interview or employment list is passed over, the hiring official must submit, in writing, the reason and attach it to the employment application.

E. RACE AND NATIONAL ORIGIN DISCRIMINATION

ASMSA's affirmative action and equal opportunity policies apply to discrimination on the basis of race and national origin in any term or condition of employment.

F. AGE DISCRMINATION

ASMSA's affirmative action and equal opportunity policies apply to discrimination on the basis of age in any term or condition of employment.

G. SEX DISCRIMINATION

ASMSA will not discriminate on the basis of sex in any term or condition of employment. Recruitment efforts will be made to attract female applicants to all job levels, particularly in areas which have an affirmative action goal or which have shown historical patterns of female underutilization. Attention will be paid to ensuring that female employees are not in any way penalized due to marital status or time spent away from employment due to childbearing.

H. SEXUAL HARASSMENT

ASMSA is committed to its mission of providing an academic and employment environment that fosters excellence. Sexual harassment violates the trust and respect essential to the preservation of such an environment, and threatens the education, employment, and well being of its community members. ASMSA employees and students have the right to work and study in an environment free of any form of sexual harassment. This right is protected by Title VII of the 1964 Civil Rights Act for employees and Title IX of the Educational Amendments of 1972 for students. Sexual harassment is destructive to students, faculty, staff and the ASMSA community as a whole, and it will not be tolerated. ASMSA opposes all forms of sexual harassment, whether subtle or direct, and is committed to the thorough, timely and confidential investigation, in a fair and impartial manner, of all complaints.

The Equity Coordinator is responsible for investigating sexual harassment complaints. Incidents of sexual harassment involving visitors should also be reported directly to the Equity Coordinator. During non-business hours, sexual harassment complaints may be reported to the ASMSA Security office which will then refer the complaint to the Equity Coordinator. If a visitor to ASMSA or an ASMSA-sponsored event experiences an incident of sexual harassment, the Equity Coordinator should be contacted.

This policy may not be used to infringe upon academic freedom. Students, faculty, staff and guests must be aware of the need for freedom of inquiry and openness of discussion in its educational and research programs, and must strive to create and maintain an atmosphere of intellectual seriousness and mutual tolerance in which these essential features of academic life can thrive. No campus can or should guarantee that every idea expressed in its classrooms or laboratories will be inoffensive to all; pursued seriously, education and scholarship necessarily entail raising questions about perceived opinions and conventional interpretations. If, however, ASMSA determines that credible accusations of inappropriate sexual remarks or actions have been made, ASMSA shall investigate such accusations promptly, thoroughly and fairly.

Sexual harassment is particularly serious when it threatens relationships between teacher and student, or supervisor and subordinate, because of the potential to exploit the power inherent in these relationships and to undermine the ability of ASMSA to carry out its mission. ASMSA strongly encourages all community members to report incidents of sexual harassment. To the extent possible, reporting and investigating procedures are supportive of and sensitive to the alleged victim, while safeguarding the rights of the alleged offender.

ASMSA will take appropriate actions within the scope of its legal authority to prevent, correct, and discipline behavior that violates this policy.

1. Definition

Sexual harassment generally includes any unwanted or unsolicited sexual gesture, physical contact, or statement which, when viewed from the perspective of a reasonable person similarly situated, is offensive, threatening, humiliating, or interferes with a person's ability to perform his or her job, educational pursuit, or participation in campus life.

2. Prohibited Acts

For the purpose of this policy, sexual harassment may take many forms - subtle or indirect, or blatant and overt. It may consist of repeated actions or may even arise from a single incident if sufficiently extreme. In assessing whether a particular act or acts constitute sexual harassment under this policy, the standard shall be the perspective of a reasonable person similarly situated.

Sexual harassment includes any behavior of a sexual nature where:

- a. Submission to or rejection of the conduct is made either explicitly or implicitly a term or condition of employment or status in an ASMSA-sponsored course, program, or activity;
- b. Submission to or rejection of the conduct is used as a basis for employment or academic decisions affecting that individual; or
- c. Such conduct unreasonably interferes with an individual's work or academic performance, or creates an intimidating, hostile, or offensive environment for work or learning.

Sexual harassment may occur within a variety of relationships. It may occur between individuals of the opposite sex - male against female, or female against male – or between individuals of the same sex. Incidents may occur between supervisor and subordinate, faculty member and student, or between fellow employees and fellow students; they may also take place between employees and campus visitors, and between employees and those who do business with ASMSA. Especially injurious, however, is harassment in relationships characterized by an imbalance of power and authority. Typically, such relationships are found between:

- a. Employer and employee (usually supervisor and subordinate);
- b. Faculty and student;
- c. Administrator and student;
- d. Employee and student;
- e. Senior and junior faculty;
- f. Administrator and faculty.

3. Examples

The perception of conduct which constitutes sexual harassment may vary from individual to individual; what is offensive to one person may be less so to another. The following examples are intended as illustrations only; they do **not** cover all possible situations:

- a. Physical assault;
- b. Suggestions that submission to or rejection of sexual advances will influence decisions regarding an individual's employment or educational status;
- c. Repetitive remarks or actions of a sexual nature (including, but not limited to, statements, questions, jokes, and anecdotes) which constitute a pattern where actions unreasonably cause discomfort or humiliate an individual;
- d. Unwelcome visual contact or body language that communicates a sexual message;
- e. Whistling, cat calls, leering, or other improper gestures;
- f. Persistent, unwelcome flirtations, and outright advances or propositions of a sexual nature;
- g. Unwelcome remarks or actions about an individual's appearance;
- h. Unwelcome repetitive touching, such as patting, pinching, hugging, or brushing against an individual's body;
- i. Unwarranted displays of sexually suggestive objects or pictures;
- j. Unwelcome exposure to sexually explicit music, letters, or written notes; and
- k. Unwelcome descriptions of sexual activity or speculation about previous sexual experiences.

4. Disciplinary Action

Disciplinary action for violations of the policy may include, but are not limited to, the following: oral or written reprimand, reassignment, probation, suspension, expulsion, counseling, demotion, termination, or any combination thereof. Sanctions for sexual harassment depend upon the circumstances in each case. In addition to disciplinary action, those who engage in sexual harassment may be subject to legal consequences, including civil and criminal penalties and monetary damages.

All individuals accused of sexual harassment shall be given the opportunity to respond to the complaints prior to any final decision.

5. Confidentiality

ASMSA understands that some individuals may be reluctant to tell anyone about harassment or to have their names disclosed. Every reasonable effort will be made to maintain confidentiality of all parties, all conversations and all documents concerning a sexual harassment complaint. However, ASMSA's obligation to stop sexual harassment means that it cannot fail to take appropriate action and, as such, confidentiality cannot always be guaranteed. The appropriate administrative officials will be kept informed on a "need to know" basis. All persons involved should maintain confidentiality to the greatest extent possible, except to the extent needed for processing complaints under this policy.

6. Retaliation

Reprisals or retaliatory action against an individual who, in good faith, reports or provides information in an investigation about behavior that may violate this policy will not be tolerated. Such action should be regarded as a separate and distinct cause for disciplinary action.

7. Malicious Allegations/Complaints/False Information

ASMSA is committed to protecting the due process rights it provides to the accused as well as the accuser. Allegations of sexual harassment that are malicious, intentionally false, or without foundation are very serious with potential for great harm to all persons involved and are prohibited by this policy. Such actions constitute grounds for disciplinary action that may include, but is not limited to, written warning, demotion, transfer, suspension, expulsion or dismissal. Further, repeated filing of frivolous complaints is considered a malicious action and may be grounds for disciplinary action.

The failure to substantiate a sexual harassment complaint does not automatically constitute a malicious or frivolous complaint. In the event that allegations are not substantiated, every reasonable effort will be made and all reasonable steps taken to restore the reputation of the accused if it was damaged by the proceedings.

8. Record Keeping

Each complaint should be documented and kept in a confidential file separate from the personnel or student files normally maintained by the offices of Human Resources or Academic Affairs. Sexual harassment files will be maintained by the Equity Coordinator. Documentation should include the name of the complainant and accused, nature of the complaint, date(s), witnesses, name(s) of the person(s) who received the complaint, name(s) of the person(s) who prepared the written documentation, date of the written documentation and any other information relevant to the case. If some of this information is not available, the reason(s) for unavailability, if known, should be documented.

PROCEDURE

Complaints of sexual harassment, submitted in writing or accepted orally, are taken seriously and will be dealt with promptly. Allegations of sexual harassment shall be judged on the facts of the particular case and the context in which the alleged incident(s) occurred. The complainant has the responsibility of proving the alleged sexual harassment. The specific action taken in any particular case depends on the nature and gravity of the conduct reported and may include intervention, mediation, investigation and the initiation of disciplinary action as described above. Where a violation of the policy is found to have occurred, ASMSA will act to stop the harassment, prevent its recurrence, and discipline those responsible.

REPORTING

Employees with complaints of sexual harassment are encouraged to notify their immediate supervisor. However, if the accused harasser is the employee's immediate supervisor, the complaint should be submitted to the next person in the line of responsibility. Alternatively, the employee may notify the Equity Coordinator.

Students should report incidents of sexual harassment to the Equity Coordinator. Individuals who need to report an incident of sexual harassment after regular business hours should report the incident to the ASMSA Security Department if the employee's supervisor is unavailable or other administrative offices are closed. The ASMSA Security Department will notify the Equity Coordinator at the beginning of the next business day, i.e., Monday through Friday, excluding holidays.

Individuals who witness possible sexual harassment should report their concerns to the Equity Coordinator.

When an ASMSA employee receives a report of sexual harassment, he or she must immediately notify the Equity Coordinator prior to taking any action to investigate or resolve the matter informally and must act only on direction from such office.

ASMSA recommends that all reports of suspected sexual harassment be made within one hundred eighty days of the alleged incident to assist in the investigation process.

INFORMAL COMPLAINT PROCESS

1. In the event that an individual believes that sexual harassment has been or is occurring, he or she is encouraged, but not required, to communicate clearly, preferably in writing, to the alleged harasser and state the conduct is not acceptable. The individual is also encouraged to maintain careful written records of the harassment and to continue to maintain current records throughout the process.

2. The individual should consider meeting with the Equity Coordinator to discuss the sexual harassment allegation. If an individual cannot decide whether to initiate a formal complaint or is reluctant to discuss the matter with the alleged harasser, he or she may seek the advice of the Equity Coordinator who, with the individual's permission, may seek to resolve the issue informally through discussions with the individual, the accused, and the accused's supervisor.

A signed, written complaint shall not be required to initiate the Informal Complaint Process. However, if the individual does not wish to prepare a signed, written complaint, written documentation shall be prepared by the Equity Coordinator. Such written documentation shall include the nature of the complaint, the date(s) on which the alleged incident(s) occurred, and any witness(es) to the incident(s). The complaining individual shall be asked to read the written documentation prepared by the appropriate representative to acknowledge its accuracy; a written acknowledgment will be preferred and may be made in a separate document. Written documentation shall be prepared before any informal discussions are held with the accused and the accused's supervisor. The accused shall be given an opportunity to read the written documentation that may, if deemed necessary, be edited by the Equity Coordinator to protect the anonymity of the complaining individual.

3. If the parties are unable to reach a mutually satisfactory agreement after meeting, the option of filing a formal complaint is available. If a mutually satisfactory agreement is reached, it should be documented in writing and signed by the complainant, the accused, and any third party participating in the process.
4. For employees, the Informal Complaint Process may also include referral of either or both parties to confidential counseling through the Employee Assistance Program.
5. The complainant or the Equity Coordinator may elect to refer the complaint to the Formal Complaint Process at any time as deemed necessary to resolve the complaint in an appropriate and timely manner.

FORMAL COMPLAINT PROCESS

1. When the Informal Complaint Process fails to resolve the complaint, or in instances where the Equity Coordinator determines the nature of the allegations requires formal investigation, the Formal Complaint Process will be used. The Equity Coordinator may assist employees and students in preparing the complaint, in writing, as necessary.
2. If an individual wishes to file a formal complaint, he or she must submit a signed, written statement alleging harassment to the Equity Coordinator.

Documentation should include the name of the complainant, the name of the accused, the nature of the complaint, date(s), witness(es), the name(s) of the person(s) who received the complaint, and any other information relevant to the complaint. If some of this information is not available, the reason(s) of unavailability, if known, should be documented.

3. The Equity Coordinator will meet with the accused and present a copy of the complaint and a copy of the sexual harassment policy. The accused will be given an opportunity to respond to the complaint orally and in writing, and may provide evidence and witnesses. The Equity Coordinator will also explain that there is to be no contact with or retaliation against the complainant.

The Equity Coordinator will gather relevant evidence by interviewing the complainant, the victim (if different from the complainant), the accused, and any witnesses or other individuals deemed appropriate to conduct a thorough investigation. Every effort will be made to ensure a thorough and timely investigation of the complaint.

4. Following completion of the investigation, the Equity Coordinator will present his or her written findings to the appropriate supervisor. The supervisor will consult with the employee's division head regarding the written findings for purposes of resolving the complaint. It is the responsibility of the division head to take action consistent with the written findings. Once a final determination is made by the appropriate supervisor, both the complainant and the accused will be notified of the action to be taken.
5. Employees may appeal any employment decision made subsequent to a finding of sexual harassment through the campus grievance procedure provided in this handbook.
6. Complainants may not appeal administrative decisions regarding sexual harassment complaints through the grievance process.

I. CONSENSUAL RELATIONSHIPS

The basic function of a campus is the discovery and the transmission of knowledge, which is founded upon the free and open exchange of ideas. In order for productive learning and the work that supports it to occur, members of the campus community (faculty, staff and students) should pursue their responsibilities guided by a strong commitment to principles of mutual trust, confidence and professional codes of conduct.

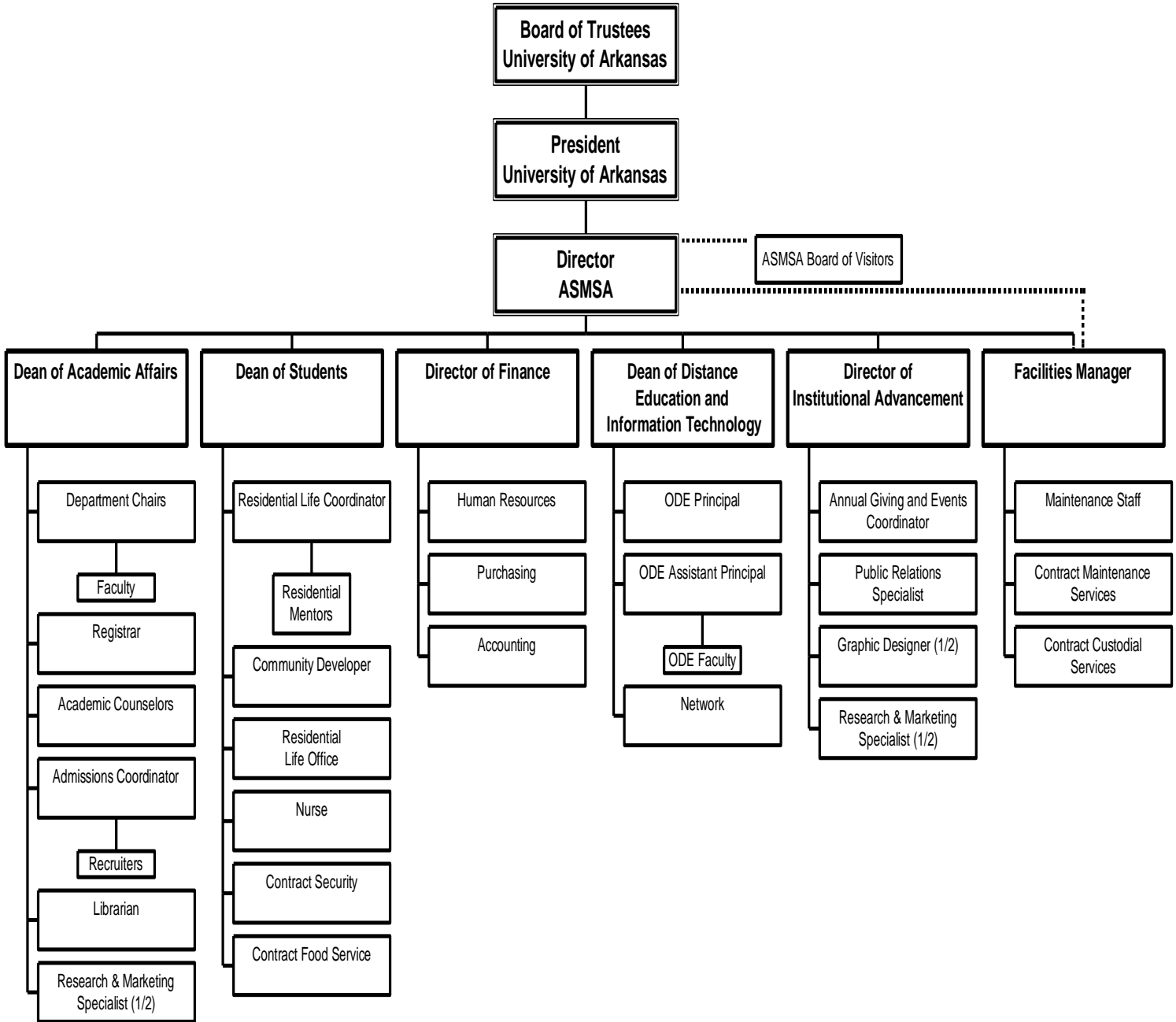
For purposes of this policy, a faculty member or a teacher is any member of the faculty, academic advisor or any other person making academic judgments about a student.

It is a serious breach of professional ethics, and a faculty member is specifically prohibited from initiating or acquiescing in a sexual relationship with a student. This applies even if both parties appear to have consented to the relationship.

Consenting romantic relationships between supervisors and subordinates are strongly discouraged. Supervisors exercise power over subordinates, whether in promotions, raises, evaluations, recommendations, job duties, assignments or other benefits. This difference in power increases the opportunity for abuse of power, thus endangering the professional environment. The element of power implicit in sexual relationships occurring in the supervisory context has the potential to diminish a subordinate's freedom of choice. It is incumbent upon those with authority not to abuse, or appear to abuse, the power with which they have been entrusted. Employees involved in a consenting relationship in the actual or equivalent context of employment supervision and evaluation should be and are deemed to be aware of the possible costs of even an apparently consenting relationship, including the possible difficulty in defending a future sexual harassment charge on the grounds of mutual consent.

III. EMPLOYMENT

A. ORGANIZATIONAL CHART



B. PROBATIONARY PERIOD

The probationary period for new employees is ninety (90) days. At the end of the probationary period, a supervisor may place an employee on regular status, extend the probationary period (not to exceed an additional ninety (90) days for staff members, or in the case of a faculty member, not to exceed a semester) or terminate the employee.

C. EXTRA HELP

Employees may be hired on an extra-help basis either full-time or part-time. Extra-help employees are hired on a temporary, as-needed basis, for hours worked, and are not eligible to participate in the fringe benefits program. Non-student extra-help employees are eligible to be paid for University holidays equivalent to the number of hours per day worked provided they work the day before and the day after a University holiday, and they work twenty hours (half-time) or more per week. Hourly employees may also participate in the retirement plan although ASMSA will not match their contributions.

EXTRA-HELP EMPLOYEES ARE PROHIBITED FROM WORKING MORE THAN 1,500 HOURS IN A FISCAL YEAR. IT IS THE RESPONSIBILITY OF BOTH THE EMPLOYEE AND THE HIRING DEPARTMENT TO MONITOR THE NUMBER OF HOURS AN EXTRA-HELP EMPLOYEE WORKS. THE HUMAN RESOURCES OFFICE WILL ALSO MONITOR THE NUMBER OF HOURS AN EXTRA-HELP EMPLOYEE WORKS, AND WILL MAKE EVERY EFFORT TO NOTIFY THE DEPARTMENT PRIOR TO THE TIME THE 1,500 HOUR LIMIT WILL BE MET.

D. EXEMPT AND NON-EXEMPT

The Office of Personnel Management (OPM) of the Arkansas Department of Finance and Administration (DFA) designates state job titles as exempt or non-exempt under the Fair Labor Standards Act (FLSA). Certain positions may, because of the nature of their responsibilities, be exceptions to OPM's general designations. The FLSA requires the payment of overtime for non-exempt work in excess of forty hours in a work week, or the granting of compensatory time. For additional information concerning the classification of employment positions or eligibility for overtime compensation, contact the Human Resources Office.

E. EMPLOYMENT PERIODS (Board of Trustees Policy 405.4)

Arkansas is an employment-at-will State, however, it is the desire of ASMSA to retain employees who are performing to expectations. The following employment periods apply to all employees:

1. The Director serves at the pleasure of the President, and may be terminated by written notice of at least thirty days in advance of the date employment is to cease;

2. Department heads serve at the pleasure of the Director (Administrative Team e.g. Dean of Academic Affairs, Director of Finance, Department Chair), and may be terminated by written notice of at least thirty days in advance of the date employment is to cease;
3. Faculty members may be terminated at any time by written notice of at least sixty days in advance of the date employment is to cease or immediately for cause;
4. Staff members, whether full-time, part-time, extra help or otherwise, may be terminated at any time by written notice of at least thirty days in advance of the date of employment is to cease or immediately for cause.

F. PERFORMANCE EVALUATIONS

1. Administrators will be evaluated by appropriate supervisors.
2. Faculty Supervision and Evaluations

The Dean of Academic Affairs, through departmental chairs, has the overall responsibility to evaluate faculty performance. Copies of evaluations will be maintained in the faculty member's personnel file. Annual evaluations shall include, but are not limited to, consideration of the following:

- a. Faculty members shall submit a narrative to the Dean of Academic Affairs no later than February 1 of each academic year containing a self-evaluation of classroom activities, special recognitions and additional contributions to program and professional goals;
- b. Faculty members shall submit student evaluations of instruction from two classes, one from a class of their choice and the other from a class selected by the department chair. Evaluations will be submitted to the department chair no later than February 1; and
- c. Faculty members shall submit documentation concerning papers, presentations, grants or other professional development activities.

As a part of the evaluation of faculty performance, **Department Chairs** are responsible for the following:

- a. Observation and submission of written evaluations of each faculty member to the Dean of Academic Affairs by February 1; and
- b. Ongoing evaluation of faculty members to address problem areas which may include a written plan for improvement, a copy of which will be maintained in the office of the Dean of Academic Affairs.

As a part of the evaluation of faculty members, the **Dean of Academic Affairs** is responsible for the following:

- a. Informal observation of faculty performance;
- b. Evaluation conferences;
- c. Informal conferences as needed; and
- d. Recommendations concerning continued employment.

3. Office of Distance Education Faculty Supervision and Evaluations

The Dean of Distance Education and Information Technology has the overall responsibility to evaluate faculty performance. Copies of evaluations will be maintained in the faculty member's personnel file. Annual evaluations shall include, but are not limited to, consideration of the following:

- a. Faculty members shall submit a narrative to the Dean of Distance Education and Information Technology no later than February 1 of each academic year containing a self-evaluation of class activities, special recognitions and additional contributions to program and professional goals; and
- b. Faculty members shall submit student evaluations of instruction from two classes, one from a class of their choice and the other from a class selected by the ODE department chair. Evaluations will be submitted to the department chair no later than February 1.

As a part of the evaluation of ODE faculty performance, **Department Chairs** are responsible for the following:

- a. Observation and submission of written evaluations of each faculty member to the Dean of Distance Education and Information Technology by February 1; and
- b. Ongoing evaluation of faculty members to address problem areas which may include a written plan for improvement, a copy of which will be maintained in the office of the Dean of Distance Education and Information Technology.

As a part of the evaluation of ODE faculty performance, the **Dean of Distance Education and Information Technology** is responsible for the following:

- a. Informal observation of faculty performance;
- b. Evaluation conferences;
- c. Informal conferences as needed; and
- d. Recommendations concerning continued employment.

4. Residential Life Staff Supervision and Evaluations

The Dean of Students, through appropriate supervisors, has the overall responsibility to evaluate members of the Residential Life staff, and to make recommendations concerning continued employment. Copies of evaluations will be maintained in the employee's personnel file. Annual evaluations shall include, but are not limited to, consideration of the following:

- a. Residential Life Staff members shall submit a narrative summary, not to exceed two typewritten pages, to the Dean of Students no later than five class days prior to the end of the evaluation period; and
- b. The Dean of Students, through appropriate supervisors, may also conduct informal job performance reviews and/or counseling for members of the Residential Life staff.

5. Staff Supervision and Evaluations

Annual evaluations of all support staff will be conducted by the immediate supervisor. Copies of evaluations will be maintained in the employee's personnel file.

In the event an employee is notified of the dismissal or termination of his/her employment, the supervisor will meet with the employee to discuss the matter at which time the employee will have the opportunity to present information for consideration by the supervisor.

Upon termination, the employee's identification tag and keys must be turned in to the Security office. There is a \$10.00 replacement fee for each lost identification tag. In the case of a Residential Staff member, the employee's apartment will be checked for damage by the Residential Life Coordinator, and the condition will be immediately reported to the Director of Finance.

IV. EMPLOYMENT POLICIES AND PROCEDURES

A. ETHICS

Employees are expected to:

1. Perform work in a timely and efficient manner;
2. Be courteous and prompt in dealing with and serving the public, as well as other faculty and staff;
3. Conduct themselves in a manner that will not discredit or embarrass ASMSA;
4. Maintain high standards of honesty and integrity in performing job duties;

5. Treat every individual fairly without regard to race, color, national origin, sex, age, disability or any other improper reason;
6. Act responsibly using State property;
7. Refrain from using their official position for personal gain for themselves, family and/or friends;
8. Observe all conflict of interest laws and regulations including, but not limited to, participating in or voting for any contract, purchase or service where the employee has a direct or indirect interest; and
9. Refrain from representing that any private work is on behalf of or for the benefit of ASMSA.

B. DRUG-FREE WORKPLACE

It is the policy of ASMSA to maintain an educational and working environment free from the influence of unlawful drugs. Therefore, the unlawful manufacture, possession, use, dispensing or distribution of drugs and/or alcohol by any employee on any property owned or maintained by ASMSA, or as a part of any ASMSA activity, is strictly prohibited. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

All employees, including those residing at the campus, agree to abide by the terms of this policy as an express condition of employment, and further acknowledge their responsibility to notify their immediate supervisor and the Director of any drug or alcohol arrest and subsequent conviction, if any, no later than five days after arrest and/or conviction.

C. ALCOHOL (Board of Trustees Policy 705.2)

ASMSA is committed to providing a safe, comfortable and productive work environment. Employees who consume alcohol at work or who appear at work under the influence of alcohol, harm both themselves and the work environment. Dispensing, possessing and/or consuming alcoholic beverages on State property is strictly prohibited. Such actions may result in disciplinary action up to and including termination.

D. SMOKING (Board of Trustees Policy 235.1)

ASMSA is a smoke-free campus. Use of tobacco products by employees is strictly prohibited on campus. The smoking of tobacco or products containing tobacco in any form is prohibited within twenty-five feet of an entrance to any building owned or leased by the State of Arkansas. Employees are further prohibited from possessing or using tobacco products when acting in an off-campus supervisory role and/or while transporting students.

E. WEAPONS

An employee may not possess, use or store a weapon on campus, or in areas controlled by ASMSA, including vehicles, owned or leased buildings and residence halls. An employee found in violation of this policy will be subject to disciplinary action up to and including termination.

F. BACKGROUND CHECKS

ASMSA will require background checks on new employees consistent with Arkansas law, relevant University policies and in consultation with the Office of General Counsel.

G. PERSONNEL RECORDS

Employees may review their personnel files in the Human Resources Office. All files and documents maintained in an employee's personnel file are confidential, except as required by law.

H. CONFIDENTIAL INFORMATION

Employment at ASMSA may result in an employee having access to academic, personnel, budgetary or other such confidential information. An employee is expected to respect the confidentiality of such information and not disclose it to anyone who does not have an official need for the information, except as required by law.

I. FRAUD POLICY (Board of Trustees Policy 350.1)

This fraud policy is established to facilitate the development of controls which will aid in the detection and prevention of fraud against the University of Arkansas System (the "System"). It is the intent of the System to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

1. Scope

This policy applies to any fraud, or suspected fraud, involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and any other parties with a business relationship with the System.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position or title, or relationship to the System.

2. Policy

Management is responsible for the detection or prevention of fraud, misappropriations, and other inappropriate conduct. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to

his or her injury. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity.

Any fraud that is detected or suspected must be reported to the Internal Audit Department, which coordinates investigations with the University's General Counsel and other affected areas, both internal and external.

3. Actions Constituting Fraud

The terms defalcation, misappropriation, and other fiscal wrongdoings refer to, but are not limited to:

- An entry into the accounting records of the financial system that is intentionally made to represent what is not true or does not exist, with intent to deceive the officers and Trustees of the University of Arkansas System
- Forgery of a check, bank draft, wire transfer or any other system financial document
- Unauthorized alteration of any financial document or account belonging to the system
- Misappropriation of funds, securities, supplies, or other system assets
- Impropriety in the handling or reporting of money or financial transactions
- Disclosing confidential and proprietary information to outside parties for personal gain, except as allowed under the Arkansas Freedom of Information Act or other law
- Accepting or seeking anything of material value from contractors, vendors or persons providing services or materials to the system, except as provided in gift policies
- Unauthorized destruction, removal, or use of records, furniture, fixtures, and equipment for personal gain
- Any similar or related inappropriate conduct

4. Other Inappropriate Conduct

Suspected improprieties concerning an employee's moral, ethical, or behavioral conduct, should be resolved by departmental management and human resources personnel rather than Internal Audit.

If there is any question as to whether an action constitutes fraud, contact the Internal Audit Director for guidance.

5. Investigation Responsibilities

The Internal Audit Department has the primary responsibility for the investigation of all suspected fraudulent financial acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Internal Audit Department will issue reports to appropriate designated System officers and personnel and to the Board of Trustees through the Audit Committee.

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for further independent investigation will be made in accordance with Arkansas and Federal laws by the Officers and Trustees of the System in consultation with the General Counsel, as will final decisions on disposition of the case.

6. Confidentiality

The Internal Audit Department treats all information received confidentially. Any employee who suspects dishonest or fraudulent activity will notify the Internal Audit Department, and should not attempt to personally conduct investigations or interviews related to any suspected fraudulent act.

Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know subject to Arkansas Freedom of Information Act. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct.

7. Reporting Procedures and Fraud Hotline

Great care must be taken in the investigation of suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way.

An employee who discovers or suspects fraudulent activity will contact the Internal Audit Department either directly or through the System's established Fraud Hotline. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Internal Audit Department or General Counsel. No information concerning the status of an investigation will be given out.

The reporting individual should be informed that they should not contact the suspected individual in an effort to determine facts or demand restitution or discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the General Counsel or the Internal Audit Department.

8. Termination

The Internal Audit Department does not have the authority to terminate an employee for committing fraudulent acts. Decisions to terminate an employee reside with the school's senior management in consultation with Human Resources and the General Counsel.

9. Administration

The Internal Audit Department is responsible for the administration, revision, interpretation, and application of this policy.

J. **WHISTLEBLOWER POLICY** (Board of Trustees Policy 355.1)

I. Introduction

The University of Arkansas System has a responsibility for the stewardship of University resources and the public and private support that enables it to pursue its mission. The University is committed to compliance with the laws and regulations to which it is subject and to promulgating University policies and procedures to interpret and apply these laws and regulations in the University setting.

The University's internal control system is intended to detect, prevent and deter noncompliance with applicable laws, regulations and University policies. However, even the best internal control systems cannot provide absolute safeguards against wrongful conduct. The University has a responsibility within its established control system to investigate and report to appropriate parties disclosures of suspected wrongful conduct and the actions taken by the University to address those disclosures.

This policy is intended to encourage all University employees to report suspected or actual occurrences of alleged wrongful conduct without fear of retribution and to bring forward serious concerns to the University's management for review, prior to seeking resolution outside the University. The University will provide fraud and compliance hotlines for the purpose of soliciting information from whistleblowers about alleged wrongful conduct.

II. Definitions

A. Whistleblower

A person or entity making in good faith a protected disclosure on a matter of public concern is commonly referred to as a whistleblower. Whistleblowers may be University employees (academic or staff), applicants for employment, students, patients, vendors, contractors or the general public.

B. Wrongful Conduct

Wrongful conduct is an activity undertaken by a University employee in the performance of the employee's official duties or by an individual, corporation or other entity doing business with the University that are in violation of law as defined in Arkansas and federal whistleblower laws.

III. Whistleblower Rights, Role and Responsibilities

In accordance with the Arkansas Whistleblower Act, whistleblowers have the right to be protected from retaliation. A University employee who retaliates against a whistleblower who reports alleged wrongful conduct in good faith is subject to discipline up to and including termination of employment from the University. A whistleblower's right to protection from retaliation however does not extend to immunity for any complicity in the matters that are the subject of the disclosure or an ensuing investigation. The University also has the right to act upon the intentional filing of a false report, whether orally or in writing.

Whistleblowers frequently make their reports in confidence and often wish to remain anonymous. Protection of a whistleblower's identity will be maintained to the extent possible under applicable state and federal laws. Whistleblowers should be cautioned that their identity may become known for reasons outside of the control of University administrators and investigators. Should the whistleblower choose to self-disclose their identity to the University, the University may not be able to maintain confidence over the identity.

The whistleblower's role is as a reporting party. Whistleblowers provide information related to a reasonable belief that alleged wrongful conduct has occurred within the University's operations. Whistleblowers have a responsibility to be candid with the University's Board, management or investigators to whom they make a report of alleged wrongful conduct and shall set forth all known information regarding any reported allegations. Persons making a report of alleged wrongful conduct should be prepared to be interviewed by University employees who have the authority to conduct investigations. A whistleblower has the right to be informed of the subsequent disposition of their disclosure unless the information is legally protected from release.

K. **NEPOTISM** (Board of Trustees Policy 410.1)

Employment of relatives in the same department or division is allowed only when one will not supervise or have control over personnel decisions affecting the other. To avoid a possible conflict of interest, a relative must not participate, formally or informally, in any aspect of a relative's employment, including but not limited to, decisions to hire, retain, promote or compensate.

L. CONCURRENT EMPLOYMENT

Provided approval has been received from the DF&A, employees may work for state agencies, other institutions or other ASMSA departments outside of their normal work day. The work performed for the second agency, institution or other ASMSA department must not interfere with the proper and required performance of the employee's duties in the primary position. The combined salary payments from both positions must not exceed the maximum allowable salary for the higher paid position. The work for the second agency, institution or ASMSA department must be performed outside of the employee's normal ASMSA work day. A classified employee is not allowed to take vacation or compensatory time to perform the work for the second agency, institution or other ASMSA department.

M. OUTSIDE EMPLOYMENT (Board of Trustees Policy 450.1)

While emphasizing the fact that full-time faculty and staff members are obligated to devote their working time and efforts primarily to the campus, ASMSA recognizes that a limited amount of outside work for compensation may be advantageous to all concerned. Faculty and staff members are, therefore, encouraged to engage in outside employment that will affirmatively contribute to their professional advancement, or correlate with their position. Such employment should neither interfere in any substantial way with the employee's duties nor conflict with his/her scheduled campus assignments. Written approval from department head and dean shall be obtained in advance of outside employment. Each supervisor shall keep records on outside employment of personnel in his/her own area of responsibility, and determine that the employee does not act as an agent or representative of ASMSA. ASMSA property or facilities shall not be used for monetary gain except with special permission of the head of the campus.

N. CONFLICTS OF INTEREST AND COMMITMENT (Board of Trustees Policy 330.1)

In today's complex environment, employees may be faced with situations that may conflict or appear to conflict with their obligations, responsibilities and decisions in school-related matters. Employees need to be more sensitive to the possibility that outside obligations, financial interests or employment may affect their responsibilities and decisions as members of the ASMSA community. Complete disclosure and expeditious review of such conflicts or potential conflicts are in the best interest of the employee and ASMSA.

Conflicts can generally be categorized as conflicts of interest and commitment. Conflicts of interest are situations where employees have the opportunity to influence administrative, business, and/or academic decisions in ways that could lead to personal gain, give improper advantage to self or others, or interfere with the mission, goals and objectives of ASMSA. Conflicts of commitment are situations where employees' time and effort given to outside activities and interests interfere with their obligations and responsibilities.

There may be rare occasions when conflicts of interest and commitment are unavoidable; however, the failure to disclose situations that have the potential for or involve actual conflicts of interest or commitment is a violation of policy.

Situations that have the appearance of, potential for or involve actual conflicts of interest or commitment must be reported, in writing, to the employee's immediate supervisor. Written disclosure should be made by the employee before any arrangements, whether verbal or written, are made concerning the conflict. Modification to existing arrangements should be reported as they occur. In addition, continuing arrangements should be reported on an annual basis. In disclosing these situations, the employee shall indicate all steps that will be taken to avoid or minimize any conflict of interest or commitment.

After consulting with the employee concerning whether an actual or potential conflict of interest or commitment exists, the supervisor shall provide the employee with a written decision and any remedial action that must be taken within five working days after such consultation. Employees may appeal the decision to the next level supervisor. Conflicts that are determined to be of such a serious nature due to their potential or adverse impact on ASMSA shall be reported through the supervisory line to the Director.

The following are examples of situations that may involve conflicts of interest or commitment, and consequently should be disclosed. There may be activities or situations that have the appearance, potential for or involve actual conflicts that should be disclosed.

1. Use of ASMSA resources (employee time or space, equipment or supplies) to benefit oneself and/or an external entity.
2. Employee or immediate family member having a financial interest in business decisions.
3. Disclosing information obtained through employment for personal profit or gain or for profit or gain of a family member.
4. Appointment, promotion, supervision or management of an immediate family member.
5. Accepting benefits, gratuities or special favors from external entities either currently doing business or seeking to do business with ASMSA.
6. Having a financial interest with a vendor doing business or seeking to do business with ASMSA.

O. USE OF SCHOOL NAME

ASMSA's name is used in many contexts and for a wide range of purposes. Use of the name shall be limited to ASMSA activities.

P. USE OF SCHOOL PROPERTY AND FACILITIES (Board of Trustees Policy 705.1)

Campus facilities exist primarily for serving a planned and scheduled program of educational activities. When not required for the regularly planned educational programs, these facilities may be made available for extracurricular use to ASMSA departments and other organizational units; organizations composed exclusively of faculty and staff; organizations that exist solely for the benefit of ASMSA; and to recognized student organizations with the approval of the advisor. The Director is authorized to approve the use of a facility that is not in use for a regularly scheduled educational activity or for an extracurricular use by an ASMSA organization when such use serves the educational objectives of ASMSA, and the use is not for the conduct of private business.

Q. COMPUTERS AND THE INTERNET

Employees are expected to use equipment to perform their job responsibilities according to the guidelines established by the Technology Committee, as approved by the Director. The guidelines are distributed at the beginning of each school year in conjunction with the *Employee Handbook* and at other times when additions, deletions or changes are made.

R. PATENT AND COPYRIGHT OWNERSHIP (Board of Trustees Policy 210.1 and 210.2)

S. PARKING

Faculty and staff must register their vehicles with the Security office and obtain a parking permit. The permit shall be affixed to the left rear window of the vehicle. Faculty and staff may park in any parking space not otherwise reserved for visitors or the disabled. Parking may also be assigned at the discretion of the Director. Parking in areas designated for the disabled or any undesignated area may result in the vehicle being towed.

T. DRIVING ASMSA AND PRIVATE VEHICLES

1. Only ASMSA employees are allowed to drive school vehicles. Any exceptions must be approved by the Director in advance.
2. Assigned vehicles should be used for official business only. Personal use or allowing passengers other than persons directly involved with University of Arkansas business in school vehicles is not allowed unless explicit approval from the employee's supervisor has been granted for each trip.
3. All drivers must maintain a valid driver's license appropriate for the vehicle to be driven in accordance with the requirements of Arkansas law.
4. State Vehicle: Employees shall use a State vehicle if one is available; however, State vehicles are not to be used for out-of-state travel unless approved by the Director.

5. Personal Vehicle: Employees using their own automobiles for campus business must maintain adequate insurance coverage.
6. Reporting Accidents and Traffic Violations: Drivers must report accident and traffic violations to the campus Security Office within twenty-four hours of the occurrence or the following business day.

ASMSA complies with the University of Arkansas System Vehicle Safety Program. This policy has been posted publicly for all employees to review or a copy of this policy can be obtained from Human Resources.

U. GRADUATION

The Dean of Academic Affairs will designate those employees expected to participate in graduation ceremonies. Extenuating circumstances may preclude an employee's attendance at graduation ceremonies provided the employee receives prior approval from the Dean of Academic Affairs.

V. POLITICAL ACTIVITIES (Board of Trustees Policy 465.1)

Employees, as citizens, have the right to engage in political activity. However, no employee may involve the school's name, symbols, property or supplies in political activities.

An employee who intends to seek public office, or to assume a major role in a political campaign, is obligated to discuss his/her plans with the supervisor. If the supervisor determines that the activity will impinge to any extent upon the full discharge of the employee's responsibilities to ASMSA, the plans must be reviewed through regular administrative channels to the Director's office for a determination of work load and salary adjustment.

W. PUBLICITY RELEASES

The Public Relations Specialist, or a representative designated by the Director, shall be responsible for the issuance of press releases upon approval by the Director. The Director, or a representative designated by the Director, shall serve as the official spokesperson for the campus.

X. FREEDOM OF INFORMATION ACT

In accordance with the Arkansas Freedom of Information Act (FOIA), documents maintained by ASMSA, with some exceptions, are considered public records, and must be made available to the public for inspection and review during regular business hours. FOIA requests must be responded to within twenty-four hours of the request during the regular business hours of ASMSA unless the records are in active use or storage. If a determination is made that the records are in "active use or storage" as defined by the

FOIA, the requester of the records must be notified, and the request must be responded to within three business days. If copies are requested and made, ASMSA may charge a fee for copying which shall not exceed the actual cost for the copies. If an employee receives a FOIA request, it shall be reported to a department head who must consult the administrator designated as custodian of the records and with the General Counsel for guidance and advice.

V. COMPENSATION POLICIES AND PROCEDURES

A. PAY PERIODS

Paychecks are disbursed twice per month with twenty-four (24) pay periods per year for twelve-month employees, and twenty (20) pay periods per year for ten-month employees. Paydays are adjusted forward if a holiday falls on a regular payday.

B. CAREER SERVICE RECOGNITION

Employees, except employees designated as faculty, are eligible for Career Service Recognition payments. There is no requirement that State service be continuous and uninterrupted. Employees are eligible for annual payments upon completion of ten or more years of service in a full-time position with an agency or institution of higher education in the State. Non-faculty employees in a ten-month position are eligible for pro-rated payments. Payments are currently made according to the following schedule:

Career Service	Annual Payment
10 through 14 years of state service	\$600
15 through 19 years of state service	\$700
20 through 24 years of state service	\$800
25 or more years of state service	\$900

Payments are made at the end of the month in which the increase eligibility date or career service credit date falls. Checks are subject to federal income tax required withholding rates, and regular social security and state income tax withholdings. Withholdings such as retirement contributions or any miscellaneous deductions do not apply. Payments do not affect or become a part of an employee’s base salary.

C. FAIR LABOR STANDARDS ACT

A regular work week of forty hours has been legally established. If the workload in a department necessitates working beyond regular hours, overtime payment may be made with the prior approval of the supervisor and appropriate senior administrator for non-exempt employees defined by the Fair Labor Standards Act, or for the performance of non-

exempt work by an exempt employee. The granting of compensatory time may be used in lieu of the payment of overtime compensation in accordance with Arkansas law.

Overtime pay is calculated and will be paid at a rate of one and one-half times an employee's regularly hourly pay for each hour worked in excess of forty in a work week. Paid holidays, vacation, sick leave or other leave shall not be counted as hours worked. Equivalent time-off should be granted to employees working on a holiday or other regularly scheduled days off. An employee's entitlement to earn overtime pay depends upon whether he or she is classified as an exempt or a non-exempt employee, and the type of work performed by the employee exceeding the forty hour work week.

D. GARNISHMENTS

An employee is subject to having wages and/or other amounts due from ASMSA seized by a court order of garnishment or by a governmental lien. ASMSA is required to comply with an order of garnishment only when it is issued after a legal judgment has been entered. Governmental liens such as those arising from claims for unpaid taxes and from bankruptcy claims must also be honored.

For garnishments against compensation due an employee, federal law restricts the amount which may be seized for any work week to twenty-five percent of disposable earnings, or the amount by which disposable earnings exceed thirty (30) times the federal minimum hourly wage, whichever is less, and subject to certain restrictions.

Upon receipt of two orders of garnishments, two salary liens, or a combination of one of each type of seizure against the salary of a school employee, during any period of twelve months starting from receipt of the first order, grounds shall be deemed to exist for termination of an employee. Multiple garnishment orders arising from the same debtor and same judgment shall be treated as a single garnishment, and multiple salary liens arising out of the same bankruptcy order or same debt for taxes due the same governmental unit shall be treated as a single salary lien. The Human Resources Office shall notify the immediate supervisor and Director when two orders are received concerning the same employee within a twelve-month period.

E. WORKERS COMPENSATION

When an employee is injured while working, the accident should be immediately reported to the supervisor. If medical attention is necessary, the employee will be sent to a physician. If an injury is sustained at night or on a weekend when the physician's office is closed, the employee will be taken to the nearest hospital emergency facility. Supervisors will instruct the injured employee on procedures for securing treatment. Supervisors or co-workers should not hesitate to call an ambulance where there is evidence of serious injury to a fellow employee.

As soon as the employee's physical condition permits, a notarized statement should be filed with the Human Resources Office describing the circumstances of the injury. The

statement should answer the questions of WHO, WHAT, WHEN, WHERE, WHY and HOW the injury occurred, and should include the names of all witnesses.

Depending on the nature and extent of the injury, ASMSA will file a report of the injury with the Arkansas State Worker's Compensation Commission. In such cases, ASMSA will work closely with the employee and supervisor in filing the claim. The department head should make a thorough investigation of the injury and contact the Human Resources Office for the necessary forms within twenty-four (24) hours of the injury. These forms should be completed and returned to the Human Resources Office as soon as possible so they may be mailed to the Public Employee Claims Division of the Arkansas Insurance Department.

F. EMPLOYEE DEBTS

ASMSA will have the right to set off any amount due an employee for debts owed to the school subject to the requirements of University of Arkansas Board of Trustees Policy 405.2. The Director, through the Fiscal Office, may develop a repayment plan for successive offsets so that the entire amount owed is not offset on a single occasion; however, no such plan shall be developed in the instance of any final settlement of accounts such as where a final check for wages for a terminating employee may be involved.

VI. LEAVE POLICIES AND PROCEDURES
(Board of Trustees Policy 420.1)

A. ABSENCES FROM WORK

If an employee is ill or absent from work, it is his/her responsibility to notify the supervisor immediately. Failure to provide the notification represents an unauthorized absence and may be grounds for not allowing the absence to be charged to either sick or annual leave.

B. INCLEMENT WEATHER

Because ASMSA is a residential school, it will not officially be closed for inclement weather during the school year. However, classroom schedules may be modified in the event of inclement weather. When there is a change from routine schedules due to inclement weather, the Director will make the determination as to whether or not classes will be held, and will communicate the decision to employees via email by 6:00 a.m. Employees should check their email for information. When employees are unable to report to work due to inclement weather, faculty is to promptly notify ASMSA through their department chair **and** the Academic Affairs office. Staff employees are to notify their supervisor. If an employee cannot reach anyone in the aforementioned offices, they are to contact the Security Office at 501-622-5153.

When ASMSA is open, employees who are unable to report to work because of hazardous conditions may choose to take vacation leave, personal leave, or leave without pay. Days on which ASMSA is closed will be considered unofficial holidays, and there will be no loss of pay for employees.

C. **ANNUAL LEAVE**

Twelve month non-classified, non-faculty employees will accrue 7.5 hours of annual leave per pay period from the onset of employment. While administrative duties cannot be limited to a five-day, forty-hour week, for purposes of annual leave, the normal work week shall be considered Monday through Friday. Vacation shall not be taken before it is earned.

Annual leave benefits are granted to all non-classified, non-faculty, and part-time benefits eligible employees in proportion to the time worked, provided the employee works half-time or more.

AN EMPLOYEE WHOSE PERIOD OF EMPLOYMENT IS SCHEDULED TO BE CHANGED FROM TWELVE MONTHS TO TEN MONTHS MUST TAKE ALL ACCRUED LEAVE BEFORE THE END OF THE TWELVE-MONTH PERIOD. AN EMPLOYMENT PERIOD SHALL NOT BE EXTENDED FOR THE PURPOSE OF PAYING AN EMPLOYEE FOR ACCRUED LEAVE, AND NEITHER SHALL LUMP-SUM TERMINAL PAYMENT BE MADE UNLESS AN EMPLOYEE TERMINATES EMPLOYMENT FROM ASMSA.

Annual leave is cumulative; however, no employee may have in excess of thirty days (240 hours) on December 31 of each year. During the calendar year accrued annual leave may exceed 30 days, but those days in excess of thirty will be lost if they are not used before December 31 of each year. Accrued annual leave may be requested by an employee at any time. The appropriate supervisor will grant the request when it will least interfere with the efficient operation of the department.

Annual leave may not be accumulated during a period of leave without pay when it exceeds ten or more days within a calendar month. Annual leave is granted on the basis of work days, not calendar days. Non-work days are not charged as annual leave. Annual leave must be earned before it can be taken, and is deducted from the employee's accrued leave in increments of ¼ hour.

Upon termination, resignation, retirement or other action by which a person ceases to be an active employee, the amount due an employee from accrued annual leave or holiday leave, not to exceed thirty working days, or sixty working days due to the death of an employee, inclusive of holidays, shall be included in final pay to the employee or the employee's estate. **NO EMPLOYEE RECEIVING SUCH ADDITIONAL COMPENSATION SHALL RETURN TO ASMSA EMPLOYMENT PRIOR TO THE EXPIRATION OF THE PERIOD FOR WHICH THIS ADDITIONAL COMPENSATION WAS RECEIVED.**

Ten-month employees do not earn annual leave.

D. PERSONAL DAYS

Ten-month employees are eligible for two (2) personal days per school year. One personal day can be carried over to the second semester. However, personal days cannot be carried over to the following school year. Personal days can be taken in increments of one quarter hour.

E. SICK LEAVE

Sick leave is a benefit available to ASMSA employees who work 1,000 hours or more per year. Paid sick leave is not granted as vacation leave and can only be used when an employee is unable to work because of sickness or injury or for medical, dental or optical treatment. Sick leave may also be granted to employees due to the death or serious illness of a member of the employee's immediate family member and for purposes of the Family and Medical Leave Act (FMLA). For purposes of sick leave, an "immediate family member" means an employee's father, mother, sister, brother, husband, wife, child, grandparent, in-law or any individual acting as a parent or guardian of an employee. An employee shall be required to furnish to his/her supervisor a certificate from an attending physician for five or more consecutive days of sick leave. Applications to use sick leave must be filed within two days after the employee returns to work.

An eligible employee accrues sick leave at the rate of eight hours for each completed month of service up to a maximum of 960 hours. Sick leave may not be accumulated during a leave without pay when such leave totals ten or more days within a calendar month. Sick leave is granted on the basis of work days and not calendar days. Such leave is deducted from the employee's accrual in increments of ¼ hour. Non-workdays such as weekends and holidays falling within a period of sick leave are not charged as sick leave.

Absences due to illness or disability, except in the case of maternity leave, is charged in the following order: sick leave, annual leave, and leave without pay. Employees who are absent from work due to a temporary occupational injury or illness, and who are entitled to worker's compensation benefits may, upon proper application, utilize their accrued sick leave as a supplement to worker's compensation so as to receive weekly benefits from both sources equal to but not in excess of their normal weekly pay at the time of the injury or onset of illness.

Maternity leave will be treated as any other leave for sickness or disability, except that an employee who is unable to work because of pregnancy may elect to take a leave of absence without pay to avoid exhausting accumulated annual and sick leave. Upon return from maternity leave, an employee will return to the same or comparable position to the one occupied prior to the leave. An employee is expected to give the supervisor as much notice as possible prior to beginning maternity leave, and at least two week's notice prior to returning to work. Both notices must be in writing.

F. HOLIDAYS

Faculty members, and staff members, except those required to operate ASMSA facilities on an “as needed” basis, are entitled to leave during holidays mandated by the State in consideration of the calendar as scheduled by the Director.

1. Holidays currently granted by the State are the following:

New Year's Day	January 1
Martin Luther King, Jr. Birthday	Third Monday in January
* George Washington Birthday	
* Employee Birthday	
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
* Veterans Day	
Thanksgiving Day	Fourth Thursday in November
Christmas Eve	December 24
Christmas	December 25
* Employees are given three (3) additional days during Christmas vacation.	

2. If the Governor proclaims any other holiday for State employees, ASMSA will grant that day or another day off.
3. Due to the nature of some positions, if an employee is assigned a work schedule that requires work on a regularly scheduled holiday, the employee will be granted time off on another day following the holiday.
4. An employee who works one-half time or greater will receive holiday pay proportionate to the time worked.
5. In order to receive holiday pay, an employee must be in paid status (not on leave without pay) the workday prior to the holiday and the workday after the holiday.

G. FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act (FMLA) requires employers with fifty (50) or more workers to provide qualified employees up to twelve weeks unpaid leave per year for the birth or adoption of a child, to care for a spouse or an immediate family member with a serious health condition, or when unable to work because of a serious health condition. An

employee's pre-existing health coverage during the leave period will continue with the employee paying the appropriate premium. While on FMLA leave, an employee's sick and annual leave will be run concurrently. Once the leave period is concluded, an employee may return to the same or a substantially equivalent job. For additional information concerning the FMLA, contact the Human Resources Office.

H. MILITARY LEAVE

An employee who is a member of the National Guard, or any of the reserve branches of the armed forces of the United States, shall be granted two weeks leave annually plus necessary travel time for annual training requirements. Such leave shall be granted without loss of pay and in addition to regular vacation time. An employee who requests military leave shall furnish a copy of his/her orders to the Human Resources Office. An employee who is drafted or called to active duty in the armed forces of the United States, or who volunteers for military service, shall be placed on extended military leave without pay after exhaustion of accrued annual leave. Upon application within ninety days after the effective date of release from active duty, an employee shall be reinstated to the position vacated or to an equivalent position at no loss of seniority or any of the other benefits and privileges of employment.

Military personnel called to duty in emergencies by the Governor or the President of the United States shall be granted leave with pay not to exceed thirty working days after leave without pay will be granted. This leave shall be granted in addition to regular vacation time.

I. COURT AND JURY LEAVE

An employee who serves as a witness, juror or party litigant shall be entitled to regular compensation in addition to any fees paid by the Court for such services or necessary appearances in any court. Such absences from work shall not be counted as annual leave. An employee should give reasonable notice of the summons to the supervisor. An employee who is summoned to serve on jury duty shall not be subject to discharge from employment, loss of sick leave, vacation time or any other form of penalty as a result of the absence from employment due to this duty. Employees who are accepted by the court as expert witnesses who are paid a fee in excess of the normal witness fee shall be required to take annual leave for the time required for such testimony.

In cases where service as a witness can be handled by having the involved attorney take a deposition or statement, this action is preferred. Depositions or statements which involve the school may be taken during duty hours. All others should be handled during off-duty time.

J. LEAVE OF ABSENCE WITHOUT PAY

Leave of absence without pay may be granted to employees for the following purposes:

1. Necessary absence due to illness, disability or personal reasons when such absences extend beyond available earned vacation and sick leave;
2. Extended absences in the interest of ASMSA.

Requests for leave without pay must be in writing, and if granted, such leave will not be granted for more than six months unless granted in accordance with the provision for military leave. An additional period of leave without pay shall be considered as a reasonable accommodation in cases of disability, as appropriate.

Failure to report promptly at the expiration of the leave of absence by any employee is cause for dismissal unless a satisfactory reason has been submitted and approved in advance.

Employees may continue to participate in the group insurances programs during the period of leave without pay. Employees who choose this option must pay the total cost (employee premium deduction and employer matching) of the coverage. Employees will be fully reinstated in the insurance program when they return to duty.

Leave of absence without pay will be granted with the assurance of reinstatement to the same or comparable position unless the position is no longer available due to budgeting reduction in staff, in accordance with board policy.

Failure to report promptly at the expiration of the leave of absence by any employee is cause for dismissal unless a satisfactory reason has been submitted and approved in advance.

A request for leave without pay must be recommended by an employee's supervisor, department head or appropriate senior administrator. The request must have the Director's approval before a change of status form is prepared and forwarded to the President for consideration and decision. The approval for leave without pay will not be final until the change in status is received with the Director's signature.

K. FUNERAL LEAVE

An employee may use sick leave when absent due to the death of an immediate family member. For purposes of this policy, an "immediate family member" means an employee's mother, father, sister, brother, husband, wife, child, grandchild, grandparents, in-laws or any individual who has acted as your parent or guardian to the employee.

L. CHILDREN'S EDUCATIONAL ACTIVITIES LEAVE - Section 105.18.0 Children's Educational Activities Leave; Arkansas Code Annotated §§ 21-4-216, added by Act 1028 of 2007 effective 7/1/2007

Section 105.18.1

A. Definitions as used in this section:

1. "Child" means a person enrolled in pre-kindergarten through grade 12 who is of the following relation to a state employee:
 - a. Natural Child
 - b. Adopted Child
 - c. Stepchild
 - d. Foster Child
 - e. Grandchild
 - f. Ward of the state employee
 - g. Any other legal capacity where the state employee is acting as a parent for the child.
 2. "Educational Activity" means any school-sponsored activity including without limitations:
 - a. A Parent-Teacher Conference
 - b. Participation in school sponsored tutoring
 - c. Participation in school sponsored volunteer program
 - d. A field trip
 - e. A classroom program
 - f. A school committee meeting
 - g. An academic competition
 - h. Assisting with athletic, music or theater programs
 3. "State Agency" means an agency, bureau, board or commission of any branch of state government and all state-supported institutions of higher education,
 4. "State Employee" means a full-time employee of the State of Arkansas or any branch, department, board, bureau, commission, or state-supported institution of higher education.
- B. All state employees shall be entitled to eight (8) total hours of leave, regardless of the number of children, during any one (1) calendar year for the purpose of attending or assisting with the educational activities of a child.
- C. Children's Educational Activities Leave that is unused may not be carried over to the next year.
- D. Children's Educational Activities Leave is not compensable to the state employee at the time of retirement.

M. EDUCATIONAL LEAVE

A full-time employee may be granted educational leave by the Director when an employee will continue in the service of ASMSA, or when there is a written contract. The amount of salary paid during this period will be agreed upon by an employee and the Director, but may not in any case exceed an employee's regular salary.

N. CATASTROPHIC LEAVE

It is the policy of the ASMSA to permit eligible employees to voluntarily donate approved accrued annual and/or sick leave to the Catastrophic Leave Bank Program from which these employees may request to receive catastrophic leave. The program assists eligible employees for certain illnesses upon the exhaustion of sick, annual, holiday and/or compensatory leave. The program shall be administered by a Catastrophic Leave Committee established at the campus. The administration of the program shall be in accordance with Arkansas law and DF&A Rules and Regulations.

No employee shall be approved for catastrophic leave unless the employee has provided an acceptable medical certificate from a physician supporting the continued absence and setting forth that the employee is, and will continue to be, unable to perform the employee's duties due to a catastrophic illness. In no case shall an employee be granted catastrophic leave beyond the date certified by a physician as the date when the employee is able to return to work because the health of either the employee or the qualifying family member has sufficiently improved. Information concerning an employee's assigned duties should be made available to the physician and the Catastrophic Leave Committee.

VII. EMPLOYEE BENEFITS

A. HEALTH INSURANCE (Board of Trustees Policy 430.1)

ASMSA provides a self-insured medical plan that is administered by a third-party administrator. A regular appointed employee working twenty or more hours a week, eligible retiree, or eligible disabled employee, an employee and his/her eligible dependents may enroll in the health insurance plan provided application is made within thirty-one days of initial employment. Different options or plans of health coverage are offered to employees, and for a retiree who lives out of state, or an active employee whose work assignment is out of state, an indemnity plan is available. For a full-time employee, ASMSA pays a portion of the monthly premium costs with the remainder of the premium being paid by the employee.

Visit or call the benefits section of Human Resources or go to the Human Resources web site for specific details of the health plan, including eligibility criteria, enrollment forms, plan benefits and exclusions, premiums, and lists of participating physicians, hospitals, and other health care providers.

B. DENTAL INSURANCE (Board of Trustees Policy 430.1)

Dental coverage is available for an employee and eligible dependents even if an employee is not enrolled in the medical plan. For a full-time employee, ASMSA pays a portion of the monthly premium with the remainder of the premium being paid by the employee.

C. LIFE INSURANCE/ACCIDENTAL DEATH AND DISMEMBERMENT (Board of Trustees Policy 430.2)

A regular appointed employee is provided basic life insurance coverage at no cost. An employee must complete an enrollment form and designate beneficiaries. The plan pays a beneficiary a benefit equal to annual salary, up to a maximum of \$50,000. When an employee's pay increases, coverage is automatically adjusted. When an employee reaches the age sixty-five or older, benefits will be reduced.

An employee may purchase additional life insurance at the employee's cost. Enrollment must be accomplished within thirty-one days after an employee's first day of work, unless proof of insurability is provided. Additional or optional life insurance increases an employee's coverage, and pays the designated beneficiaries in an amount equal to one, two, three, or four times an employee's annual salary, up to a maximum amount. An employee may purchase dependent life insurance for a spouse or other eligible dependents.

Accidental death and dismemberment insurance is available to an employee and eligible dependents. If an employee or a covered dependent dies as the result of an accident, on or off the job, the beneficiary will receive a benefit based on the amount of coverage selected. The plan may also pay partial benefits if a covered person is seriously injured or loses a limb or eyesight.

D. LONG TERM DISABILITY INSURANCE (Board of Trustees Policy 430.3)

A regular appointed employee working twenty hours a week or more is entitled to long-term disability insurance. Coverage begins on an employee's first day of work. If an employee's annual salary exceeds a certain amount, an employee may purchase additional optional long-term disability coverage. An employee who selects an additional amount of insurance is responsible for payment of the total cost of the additional or optional coverage. Both the basic and the optional long-term disability insurance policies are designed to coordinate with other forms of disability insurance, such as social security and workers' compensation to provide an employee with total monthly payments until retirement or age sixty-five equal to sixty percent of an employee's salary prior to the disabling condition. Payments begin in the seventh month of long-term disability.

E. TUITION DISCOUNT (Board of Trustees Policy 440.1)

University of Arkansas Board of Trustees Policy 440.1 extends educational benefits at reduced rates to full-time employees and their dependents. For further information concerning tuition discount, contact the Human Resources Office.

F. EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) is available for all employees who are fifty percent appointed or greater, and who are not students. An employee and members of an employee's immediate family who live in the same household may use EAP's services.

EAP is designed to help identify and resolve personal and job-related problems that may affect an employee's job performance.

EAP also offers training sessions and workshops that address personal and organizational issues that may affect work performance and provides consultation for supervisors dealing with a variety of work-related issues. EAP will provide stress debriefing in the event of a critical incident that affects a campus.

Use of EAP is voluntary. Choosing to participate in EAP, or not to participate, will not affect an employee's job status or opportunities for promotion, but will also not excuse an employee from following policies and procedures concerning job performance and conduct. An employee may decide to make an appointment to visit EAP, or a supervisor may refer an employee to EAP if there are problems with work performance or conduct at work. It is an employee's decision whether to accept or reject a supervisor's referral to EAP. If EAP refers an employee to another source for assistance, the decision to accept the referral rests with the employee.

All aspects of an employee's contact with EAP are confidential and will not be disclosed without written authorization. An exception is that state and federal laws require, for example, that EAP report to the appropriate authorities if an employee threatens himself/herself, or another. Records are maintained in EAP offices and will not become a part of, or be referred to in an employee's personnel file, benefits file, medical file, or any other file that may be accessed by any individual, department, or organization. An employee may visit EAP during work hours if he/she coordinates appointments with the supervisor. An employee will not be charged annual or sick leave if arrangements are made with the supervisor. EAP may confirm to a supervisor that an employee kept an appointment and how long the appointment lasted, but not what was discussed or the reason for the appointment. EAP may schedule appointments outside of work hours, or an employee may use accrued sick or annual leave if he/she wants to keep appointments with EAP confidential.

For a regular appointed employee, the services provided by EAP are free to an employee and members of the employee's household. If EAP makes a referral to an outside provider, the employee is responsible for any costs associated with those services not covered by health insurance coverage.

G. RETIREMENT (Board of Trustees Policy 425.3)

A regular employee, or an employee with a half-time or greater appointment, is eligible for retirement benefits under the University's 403(b) and 457(b) defined contribution plans or the Arkansas Public Employee Retirement System's defined benefit plan. Instructors and staff of ASMSA hired **prior** to January 1, 2004, shall elect whether to continue participation in the Arkansas Teacher Retirement System (ATRS) as of January 1, 2004, or to participate in the University's retirement plan; provided, that an employee who does not have at least five years of participation in ATRS may continue participating in ATRS and shall have an additional election within thirty-one days of completion of five years of

participation, whether to continue to participate in ATRS or to participate in the University's retirement plan. Instructors and staff hired **after** January 1, 2004, shall elect under procedures established by the University of Arkansas System, whether to participate in ATRS or the University's retirement plan. All elections (except the election of employees as of January 1, 2004, with less than five years of participation as provided above), shall be irrevocable once made.

ASMSA will contribute a certain percentage of an employee's regular salary to a retirement account. ASMSA will match an employee's contribution up to a maximum percentage. An employee may elect to make retirement contributions in pre-tax dollars by completing a salary reduction agreement that designates the percentage of regular salary to contribute to a retirement account. Contributions are subject to limitations under the Internal Revenue Service Code.

Contributions to the University's retirement plan are immediately vested for a faculty member and non-classified staff member.

An employee who has worked for ASMSA in a position not normally eligible for benefits may participate in the University's retirement plan, but there will not be any matching contributions.

H. CONTINUATION OF BENEFITS

When an employee is terminated for any reason other than as a result of gross misconduct while covered by the health insurance plan, or if an employee reduces his/her workload to a part-time position and is no longer eligible for coverage under the health insurance plan, the employee may continue coverage, at his/her own expense, for up to eighteen months or until the employee is covered by another plan, whichever comes first, under the provisions of the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Covered dependents may also be eligible for COBRA coverage under certain circumstances.

For additional information concerning the above-referenced benefits and others, please contact the Human Resources Office.

VIII. DISCIPLINARY ACTION AND COMPLAINT RESOLUTION

A. DISCIPLINARY ACTION

Discipline is a serious matter, and the level of discipline should take into consideration the conduct or behavior of the employee, and its impact upon the working environment. Discipline may vary depending upon the nature and severity of the offense. There are various forms of discipline, including, but not limited to, an oral or written warning, probation, suspension and termination.

In the event an employee is placed on probation, the supervisor will notify the employee of the decision, in writing, and during the probationary period:

1. Employee's performance will be reviewed at least once each month; and
2. Supervisor will document each meeting with the employee, and place a copy of the document in the employee's personnel file.

In the event an employee is suspended, the supervisor will notify the employee of the decision, in writing, and the employee shall immediately relinquish all keys, and if appropriate, be escorted from the campus by Security. Depending upon the circumstances of the suspension, the employee may be allowed to return to the campus to retrieve personal effects and speak with administrators. While on campus, if deemed appropriate, the employee will be escorted by Security.

B. ADMINISTRATIVE REVIEW/DISPUTE RESOLUTION

The purpose of dispute resolution is to provide employees with a prompt review, impartial consideration and equitable disposition of grievances having a potential adverse, unjust or inequitable effect on employment conditions. Complaints concerning discrimination are addressed through the Consolidated Grievance Procedure set forth below. There is **no** grievance right for an employee who has received notice of termination upon written notice of at least thirty days in accordance with Board of Trustees Policy 405.4, excepting allegations of discrimination. An employee who presents a complaint shall be free from restraint, interference, discrimination or reprisal.

Step 1: The employee shall notify the immediate supervisor of the complaint describing the nature of concern and an appropriate remedy. The immediate supervisor will review the complaint, and attempt to reach a satisfactory resolution. If the employee is not satisfied with the supervisor's resolution, he/she should proceed to Step 2. If the employee's complaint concerns the immediate supervisor, the employee may proceed directly to Step 2;

Step 2: The employee shall present the complaint, in writing, to the next supervisor in the line of authority who will review the complaint, and attempt to reach a satisfactory resolution. If the employee is not satisfied with the supervisor's resolution, he/she should proceed to Step 3;

Step 3: The employee shall present the complaint, in writing, to the Director who will review the complaint and render a decision, or refer the complaint to an ad hoc committee for recommendation. The decision of the Director is final.

C. **CONSOLIDATED GRIEVANCE PROCEDURE**

All complaints of discrimination are taken seriously and will be dealt with promptly. Complaints shall be judged on the facts of the particular case and the context in which the alleged incident(s) occurred. The complainant has the responsibility of proving the alleged discrimination. The specific action taken in any particular case depends on the nature and gravity of the conduct reported and may include intervention, mediation, investigation and the initiation of disciplinary action as described above. Where discrimination is found to have occurred, ASMSA will act to stop the conduct, make every effort to prevent its recurrence and discipline those responsible.

Step 1: The employee shall provide a written grievance to the Equity Coordinator listing the actions complained of, and any witnesses or evidence concerning the grievance. The Equity Coordinator will investigate the grievance and prepare a written report of the findings to the immediate supervisor, or the next level supervisor if the employee's grievance concerns the immediate supervisor. The appropriate supervisor will review the complaint, and attempt to reach a satisfactory resolution. If the employee is not satisfied with the supervisor's resolution, he/she should proceed to Step 2;

Step 2: The employee shall present the grievance, in writing, to the next supervisor in the line of authority who will review the grievance, and attempt to reach a satisfactory resolution. If the employee is not satisfied with the supervisor's resolution, he/she should proceed to Step 3.

Step 3: The employee shall present the grievance, in writing, to the Director who will review the complaint and render a decision, or refer the grievance to an ad hoc committee for recommendation. The decision of the Director is final.

IX. RESIGNATION AND TERMINATION OF EMPLOYMENT

A. **RESIGNATION** (Board of Trustees Policy 405.3)

Employees have a duty to provide early notice of resignation including the effective date to the administrative head of the department where the employee is assigned. A recommendation from the administrative head, together with the resignation letter, shall be forwarded to the next level of supervision for acceptance or rejection. The next level of supervision shall give written notice of acceptance or rejection to the employee within five working days of receipt of the letter of resignation. A copy of the letter of resignation and the acceptance shall be forwarded to the Human Resources office and the Director.

B. **TERMINATION** (Board of Trustees Policy 405.4)

Termination of employment is governed by University of Arkansas Board of Trustees Policy 405.4 for staff, administrators, and faculty members and other academic employees.

Board policy provides that staff members and administrators may be terminated at any time upon the giving of notice, in writing, at least thirty days in advance of the date employment is to cease, or immediately for cause. Faculty members and other academic employees may be terminated at any time upon the giving of notice, in writing, at least sixty days in advance of the date employment is to cease, or immediately for cause.

C. LUMP SUM TERMINATION PAY

The amount due the employee from accrued annual leave shall be paid in a lump sum not to exceed thirty days. No employee receiving such additional compensation shall be eligible to return to employment until the number of days for which he/she received payment for accrued leave has expired.

X. OFFICE OF DISTANCE EDUCATION

The primary mission of the Office of Distance Education (ODE) is to provide courses and learning opportunities through technology to schools throughout Arkansas, in particular those located in school districts limited by geographical location and/or fiscal restraints. Students participating in ODE's courses are afforded an opportunity to fulfill graduation and college admissions requirements.

XI. ETHICAL BEHAVIOR IN SCIENCE AND RESEARCH

Scientific and Scholarly Misconduct means:

1. Fabrication, falsification, plagiarism or other serious deviations from accepted practices in proposing, carrying out or reporting results from activities funded by state or federal agencies; or
2. Retaliation of any kind against a person who has reported or provided information about suspected or alleged misconduct and who has not acted in bad faith.

In the event scientific or scholarly misconduct is suspected or alleged, ASMSA will do the following:

- a. Initiate an inquiry into the suspected or alleged misconduct and conduct a subsequent investigation, if warranted;
- b. Take action necessary to ensure the integrity of research, the right and interests of research subjects and the public and the observance of legal requirements or responsibilities; and
- c. Notify the funding agency of the suspected or alleged misconduct as required by federal law.

Suspected or alleged scientific or scholarly misconduct should be immediately reported to the Director. A finding of scientific or scholarly misconduct shall constitute grounds for disciplinary action, up to and including dismissal.

XII. CRISIS PLAN

Emergencies may be classified in a variety of ways, and depending upon the time of day, dictate specific responses by the ASMSA community:

1. Emergencies involving students, faculty and staff that may result in bodily harm will be addressed as follows:
 - a. Emergencies occurring in the residence hall will be addressed by the Residential Life staff. For medical emergencies occurring during the school day, the school nurse will direct the appropriate response. Staff will assist with crowd control, and may be required to provide transportation to professional medical resources. Medical emergencies occurring after business hours will be addressed by the Residential Life staff to determine whether transport to a medical clinic or emergency room is warranted. Staff members will notify the student's parent/guardian of the situation and follow up with notification to the school nurse.
 - b. Emergencies involving law enforcement matters and students (e.g. police department notification and arrest), will be addressed by the Residential Life staff who will assist law enforcement and immediately thereafter notify the Dean of Students.
 - c. Emergencies involving a suicide attempt, student emotional crisis, group concerns or disturbances, the Residential Life staff will contact the Residential Life Coordinator who will consult counseling personnel. If the Dean is unavailable, staff is to contact counselors directly: Counselor (A-L) at 622-5176 and Counselor (M-Z) at 622-5175. The following personnel shall also be contacted: Dean of Students at 622-5174, Director at 622-5117 and Dean of Academic Affairs at 622-5111.
2. Emergencies that involve issues of potential or actual damage to facilities (e.g. fire, utility and elevator interruptions, flooding, security, physical damage) will be addressed as follows:
 - a. The first responding employee shall handle the emergency to the best of his/her ability and should contact the Security office at 622-5152. Security personnel will contact the appropriate staff who will, in turn, contact appropriate contracted resources. Security personnel will also initiate the notification of administrative personnel in the following manner:

Residence Hall: Residential Life - 622-5213
Residential Life Coordinator - 622-5310

Academic Building: Dean of Academic Affairs - 622-5111

- b. During the evenings, Residential Life staff shall first contact the Dean of Students. If unavailable, staff shall notify one (1) school administrator in the following order until an administrator is notified:

Dean of Students
Director
Dean of Academic Affairs
Director of Finance
Dean of Distance Education and Information Technology

3. During the school day in the academic building, the first response will come from faculty and staff. For example, if an accident occurs in a lab and involves personal injury, faculty should contact the school nurse. The 911 emergency number should be immediately called in cases where the injury is life threatening. The nurse and Dean of Academic Affairs should thereafter be contacted.