



# Human Resources Policies and Procedures Manual

## Rogers State University

### 1 Introduction

#### 1.1 Preface

The Human Resources Policies and Procedures Manual has been prepared as a reference for all University employees and is a supplement to the Board of Regents Policy Manual. This Manual is intended for informational purposes only and does not constitute an employment contract. It contains information about employment conditions, opportunities, policies, and procedures. It is to be used as a working guide throughout your employment at Rogers State University (RSU). Additional procedures related to faculty are found in the Academic Policies and Procedures Manual. In the event of a conflict between this Manual and the Academic Policies and Procedures Manual, the Academic Policies and Procedures Manual controls, as to faculty issues. While policies and procedures have been established to provide guidance for University administrators and employees, the policies herein shall not be construed to limit or abrogate the rights of Rogers State University or its employees under the employment-at-will relationship.

The Human Resources Coordinator is designated by the Vice President for Business Affairs to act in a staff advisory capacity to the President and Vice President for Business Affairs in matters of human resources policy. In the event of disagreement or misunderstanding of any item presented in this manual, the official interpretation rests with the President of Rogers State University, or if the item is a Board of Regents' policy, with the Board of Regents.

It is the responsibility of each supervisor to enforce all provisions of these policies and procedures with respect to employees under his or her supervision. This Manual will assist supervisors in providing an equitable environment for employees. It will also help promote uniformity of human resources policy interpretation and application throughout the University.

The University retains the right to revise or update any of the provisions in this Manual at any time. When revisions are warranted, new pages will be printed and distributed to designated offices and/or departments, where updated copies of the Human Resources Policies and Procedures Manual will be available for reference by employees. The new pages will be dated and will include instructions to remove any pages that are suspended. Any portion of this Manual which is determined to be invalid is severable from the other policies and statements in the Manual and does not invalidate the entire Manual.

After reading this Manual, employees with questions should discuss them with their supervisor or the Human Resources Office. For purposes of this document, references to the Human Resources Policies and Procedures Manual and the Board of Regents' reference to Staff Handbook should be considered one and the same. For purposes of this document, references to Rogers State University, RSU, the University, and the Institution should be considered one and the same.

The State of Oklahoma is an at-will employer, and the University, as an agent of the State, also employs at-will.

The contents included in this manual in no way modify or amend the right of the University as an at-will employer in originating or terminating employment of human resources. At-will employment is for no specified term and is terminable at the will of either the employee or employer. Further, promises or representations made by anyone concerning the conditions of employment, express or implied, do not negate the right of the University to terminate employment at any time, with or without cause.

## 1.2 History

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Rogers State University has a long and proud history as a high-quality institution of higher learning serving the educational and professional needs of residents of the Claremore area, northeastern Oklahoma, and, via its distance learning programs, the nation and the world.

For almost 100 years, the institution on College Hill, which overlooks the city of Claremore, has symbolized quality education and service to area residents.

### Our Founding

RSU was founded in 1909 – just two years after Oklahoma was granted statehood. The university was officially established as Eastern University Preparatory School in Claremore by the Oklahoma Legislature in its second session. The mission of the Eastern University Preparatory School was to prepare the sons and daughters of Native Americans, farmers, and ranchers for entry into the colleges and universities of Oklahoma.

As a condition established by the Oklahoma Legislature, the citizens of Claremore -- led by A.L. Kates, editor of the Claremore Progress -- raised \$3,000 to purchase land for the new institution. A group of citizens known as the “Hilltoppers” located 40 acres of land on College Hill, one mile west of Claremore. With an appropriation of \$50,000 by the Oklahoma Legislature, construction began on a building for the new institution, Preparatory Hall. Today, Preparatory Hall, which features a stately gold dome and is listed on the National Register of Historic Places, remains the focal point of the university.

During the construction of Preparatory Hall from 1909 to 1911, classes of the Eastern University Preparatory School were held in the old Claremont Building in downtown Claremore. Five students graduated at the end of the institution’s first academic year. During its second academic year (1910-11), 375 students were enrolled. The institution continued to grow rapidly, adding a library in 1914 and receiving accreditation as a secondary school by the North Central Association of Colleges and Secondary Schools in 1916. Preparatory Hall housed the entire operation of Eastern University Preparatory School until the institution was closed in 1917 due to the changing educational needs of area residents.

### Oklahoma Military Academy

Two years later, the institution was resurrected as the Oklahoma Military Academy in response to the needs of area residents and the United States Armed Forces. By 1923, the Oklahoma Military Academy offered secondary education and two years of college to young men from Oklahoma and across the nation.

The Oklahoma Military Academy has an extensive register of graduates who became great leaders, both in military and civilian life. More than 2,500 Oklahoma Military Academy graduates served in the Armed Forces of the United States during World War II, the Korean War, and the Vietnam War. More than 100 graduates of the Oklahoma Military Academy gave their lives in service to their country. The Oklahoma Military Academy quickly gained recognition as one of the top military schools in the United States. Among the graduates of the academy is retired Lt. Gen. William E. Potts – the most decorated living soldier in the U.S. Army. A bust of Lt. Gen. Potts is located in the lobby of RSU’s Meyer Hall.

Several historic buildings were constructed on College Hill during the days of the Oklahoma Military Academy. Meyer Hall was constructed to serve as the first barracks for the cadets of the Oklahoma Military Academy. The building was named in honor of Maurice Meyer, who was killed in action during World War I. Meyer Hall also appears on the National Register of Historic Places.

### Becoming a College

In 1971, in response to the growing educational needs of a rapidly developing technological and industrial economy in the Claremore area, the Oklahoma Legislature replaced the Oklahoma Military Academy with the new Claremore Junior College. The mission of the institution was expanded to provide a variety of high-quality two-year associate’s degree programs for area residents.

Claremore Junior College quickly grew from 477 students in 1971 to more than 3,000 in 1982, when the institution was renamed Rogers State College to better represent the areas it served – Rogers County and the surrounding communities. As Rogers State College, the institution prospered, adding a variety of academic programs, including the state’s only full-power public television station to be located on a university campus, and the Thunderbird Library. The institution was a pioneer in establishing education outreach centers in Northeast Oklahoma. Rogers State College also became a pioneer in the nation in distance education, offering telecourses and independent study options for students.

In 1996, the Oklahoma Legislature approved the merger of Rogers State College and the University Center at Tulsa (UCAT), a consortium of four Oklahoma universities – the University of Oklahoma, Oklahoma State University, Northeastern State University, and Langston University. The new institution was named Rogers University and continued operation for two years.

### **A New University is Born**

In 1998, the Oklahoma Legislature separated the institutions, creating a branch of Oklahoma State University in Tulsa and Rogers State University, a new regional university with a main campus in Claremore. The Oklahoma Legislature granted permission for Rogers State University to create and seek accreditation for its own four-year bachelor's degrees, while continuing to offer high-quality two-year associate's degrees.

In April 2000, a team from the North Central Association of Colleges and Schools (NCA) announced it would unanimously recommend that the NCA Commission on Institutions on Higher Education grant RSU accreditation as a four-year baccalaureate degree-granting institution. In August 2000, the NCA Commission on Institutions of Higher Education formally granted RSU accreditation as a four-year university.

### **Today and into the Future**

Today, RSU is a dynamic, progressive university widely recognized for its high-quality academic programs, distance learning options and high-technology learning environment.

RSU is the fastest growing university in Oklahoma. In fall 2011, more than 4,600 students were enrolled at RSU's campuses in Claremore, Bartlesville and Pryor.

RSU is the only public four-year, residential university in the Tulsa metropolitan area, and is located near several major Tulsa high-technology employers and Tulsa International Airport.

### **An Esteemed Position in Oklahoma Education**

Rogers State University holds a historic position in the annals of Oklahoma higher education. Since RSU was accredited as a four-year university in 2000, enrollment (full-time equivalency) has increased by more than 70 percent, earning RSU the title of Oklahoma's fastest-growing university. The reasons for this phenomenal growth are varied but can be broadly attributed to two basic pillars: the market need for higher education in northeast Oklahoma and the development of high-quality academic programs to fill that need.

The university serves the northeast quadrant of Oklahoma and enjoys status as the only public four-year, residential university in the Tulsa metropolitan area. RSU offers both bachelor's degrees and associate degrees (and is one of only two universities in Oklahoma with the dual mission of offering both four and two-year degrees.) Innovative new bachelor's degrees include and the state's only four-year degrees in game development and military history. RSU enjoys a statewide reputation for academic excellence in its two-year nursing program. Ninety-five percent of RSU nursing students passed the Registered Nurse (R.N.) licensure exam on the first attempt, routinely beating the national average pass rate.

### **Academic Achievements**

In 2005, RSU was the only regional university in Oklahoma to be granted continued accreditation from the Higher Learning Commission of the North Central Association of Colleges and Schools without further required evaluation for 10 years - a rarity in higher education in Oklahoma and a major accomplishment achieved by few universities. This truly is a testament to the high academic quality that exists at RSU.

RSU participates in The Washington Center Internship Program, a nationally recognized program placing students with private, public and non-profit organizations in Washington, D.C. Students participating in the semester-long internship earn college credit while they gain real-world experience within their field of interest and interact with influential leaders and policymakers. RSU is one of only three universities in Oklahoma to participate in this prestigious program.

Five distinguished endowed faculty chairs have been established at RSU. The first endowed chair position was announced in 2006, the John W. Norman Endowed Chair in Business Information Technology.

Since RSU became a four-year university in 2000, the institution has increased the number of full-time faculty members by more than 50 percent. Most RSU faculty members hold doctoral degrees or the highest degrees available in their fields from esteemed institutions across the nation, including Princeton University, Duke University and the University of Oklahoma.

The university's Honors Program provides an atmosphere where scholars can challenge themselves academically to maximize their college experience through specialized courses, student/faculty joint research projects and a strong emphasis on service learning in the community. In addition, the President's Leadership Class (PLC), a four-year scholarship program which fosters personal and professional development was designed for RSU students who have demonstrated leadership abilities.

### **Growth in Learning Facilities**

Ground was recently broken for a new RSU Pryor campus on the grounds of the MidAmerica Industrial Park. Completion is expected in 2013.

A new student apartment complex was opened in 2011, doubling the university on-campus student housing capacity. The 87,118 - square-foot complex features one, two and four-bedroom apartments, all with interior entrances linked by corridors. Each floor of the \$11.5 million complex features commons areas, a recreation area and meeting rooms for residents. The single-story, 6,758 - square-foot clubhouse features conference rooms, a theater room with a large-screen television, a coffee bar, commons areas and staff offices.

In 2010, the university dedicated the expanded and renovated Baird Hall to meet the needs of a rapidly growing student body. Baird Hall doubled in size and includes classrooms equipped with Smart Boards, a performance studio and an amphitheater-style outdoor classroom for learning outdoors. The 57,000-square-foot building also boasts a new gallery for RSU students and faculty artists, as well as visiting artists, to exhibit their work.

In 2008, RSU open the Centennial Center - a \$14 million two-level, 50,000-square-foot facility that combines student development programs under one roof, serves as a central location for students to study and socialize, and provides a focal point for the RSU campus in Claremore. The facility offers expanded ballrooms, conference centers and meeting rooms for the community.

In fall 2005, RSU acquired a historic nine-story building to serve as its new campus in downtown Bartlesville. The university has since renovated two floors of the building, including construction of a new enrollment center. Presently, more than 700 students are enrolled at the Bartlesville campus, a major increase over previous years.

The state-of-the-art \$4 million Stratton Taylor Library opened in 2004. Wireless Internet capabilities (Wi-Fi) were added earlier this year. The library collection, housed on the second and third floors, provides large student seating and study areas, two reading rooms, computer stations, meeting rooms, classrooms, and a coffee bar. The first floor of the building contains classrooms and faculty offices.

RSU has renovated several historic buildings on the Claremore campus, including Preparatory Hall, Meyer Hall, Markham Hall, and Bushyhead Fieldhouse. Preparatory Hall and Meyer Hall are listed on the National Register of Historic Places.

### **Rise of Athletics**

RSU unveiled its first mascot, the Hillcat, a fictitious blue and crimson animal. The Hillcat, a cousin of the bobcat, serves as a source of school pride and spirit and identify the university's academic, alumni and athletic programs.

In the fall of 2005, RSU gained acceptance in the National Association of Intercollegiate Athletics (NAIA), which signaled the beginning of a new era of intercollegiate athletic participation at RSU. University teams initially included men's and women's basketball, baseball, softball, and rodeo.

In spring 2006, Wren Baker, a former member of the coaching staff of the Oklahoma State University Cowboys men's basketball team, was named the first athletic director and men's basketball coach at RSU. In seven years, the RSU Hillcats athletic program has grown to include 10 teams in six sports. The Hillcats have won four conference championships, appeared in nine national tournaments and claimed 11 all-americans.

Under the guidance of current director of athletics Ryan Erwin, RSU has been accepted to candidacy for NCAA Division II membership and provisional membership in the Heartland Conference.

For more information about the history of Rogers State University, call the RSU Office of Public Relations at (918) 343-7771.

## 1.3 Governance

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### Governing Boards

Rogers State University is part of the Oklahoma state system of higher education. The governance of the University rests in two boards, the [Oklahoma State Regents for Higher Education](#) and [OU Board of Regents](#). The public may [view agendas for each meeting](#) of the University of Oklahoma Board of Regents – RSU’s governing board.

The Oklahoma State Regents for Higher Education is the statewide coordinating board of control for the state's colleges and universities, nine constituent agencies and two higher education programs. The OSRHE board consists of nine members who are appointed by the governor and confirmed by the state senate for nine-year terms, one expiring each year.

The State Regents prescribe academic standards of higher education, determine functions and courses of study at state colleges and universities, grant degrees, recommend to the state Legislature budget allocations for each college and university, and recommend proposed fees within limits set by the Legislature.

## 1.4 Organizational Chart

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View the [University Organizational Chart](#) on the RSU website.

## 1.5 Mission Statement

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### Who We Are

Rogers State University is a regional university, located in northeastern Oklahoma, governed by the Board of Regents of the University of Oklahoma within a state system coordinated by the Oklahoma State Regents for Higher Education.

As a university, we are committed to the preservation, transmission, and advancement of knowledge.

### Our Mission

Our mission is to ensure students develop the skills and knowledge required to achieve professional and personal goals in dynamic local and global communities.

Our commitments, which support the RSU mission, are as follows:

1. To provide quality associate, baccalaureate, and graduate degree opportunities and educational experiences which foster student excellence in oral and written communications, scientific reasoning, and critical and creative thinking.
2. To promote an atmosphere of academic and intellectual freedom and respect for diverse expression in an environment of physical safety that is supportive of teaching and learning.
3. To provide a general liberal arts education that supports specialized academic programs and prepares students for lifelong learning and service in a diverse society.
4. To provide students with a diverse, innovative faculty dedicated to excellence in teaching, scholarly pursuits, and continuous improvement of programs.
5. To provide University-wide student services, activities, and resources that complement academic programs.
6. To support and strengthen student, faculty, and administrative structures that promote shared governance of the institution.
7. To promote and encourage student, faculty, staff, and community interaction in a positive academic climate that creates opportunities for cultural, intellectual, and personal enrichment for the University and the communities it serves.

## 1.6 Facilities

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Updated information on the [University’s facilities](#) can be found on the RSU website. View facilities through our [Online Campus Tour](#). Additionally, you can use our [Enhanced Campus Map](#) or [Download a Campus Map](#).

## 2 Recruitment, Selection & Employment

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### 2.1 Authorization

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The request to hire a new employee or replace one who has terminated or retired is made by completing the appropriate portion of an [Employee Request Form](#) and routing the request through administrative approval channels. The Employee Request Form must be accompanied by a detailed updated job description in standard University format. The search process may begin when the supervisor is notified by the Human Resources Office that the employee request has been approved.

### 2.2 Advertising

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The Human Resources Office will post employment opportunities in its office and on the RSU web site. If an external search is deemed necessary, the Human Resources Office will post the position as appropriate. If requested by the department, the advertisements will be placed in special publications or area specific (state or national) publications. The department will be responsible for the cost of these advertisements.

### 2.3 Selection

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#### 2.3.1 Direct Appointment

Direct appointments can be made with the approval of the President. This policy provides operational efficiency, equitable consideration, and opportunity for qualified employees to fill vacant positions at Rogers State University.

Direct appointments will be used when the field of eligible internal candidates is known, when a current employee has been effectively performing higher level duties for an extended period of time, or when the direct appointment is considered to be in the best interests of Rogers State University.

#### 2.3.2 Employment Testing

Federal regulations require that employee selection testing, if prescribed by a department or the Human Resources Office, be validated to show a direct relationship between test results and job performance. Employment tests are not to be used until they have been approved by the Human Resources Office.

#### 2.3.3 Selection Committee

In the ongoing effort to attract and employ quality individuals, the University may decide to form selection committees to facilitate the hiring process.

#### 2.3.4 Recruitment Record

All resumes should be mailed to the Human Resources Office which, in turn, will forward a copy of the resume and a [Recruitment Record Form](#) to the applicable department. The department should complete this form for all individuals interviewed and return it to the Human Resources Office as soon as the successful candidate is selected.

### 2.4 Employment

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After verifying that University policy has been followed in the selection process, the applicable department will complete the appropriate sections of the [Employee Transaction Form](#) and route through administrative approval channels to the President for final approval.

The candidate must then complete the official employment process in the Human Resources Office. It is the responsibility of the supervisor to ensure the Employee Transaction Form is fully executed and the employment process has been completed before an individual in his or her area begins employment.

## 2.5 Conditions of Employment

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The following forms must be completed and on file in the Human Resources Office before the individual is authorized to begin employment. Other forms may be required in addition to those listed below. It is the supervisor's responsibility to ensure that each new employee has completed the employment process in the Human Resources Office.

### 2.5.1 Forms

All [Human Resources forms](#) can be found on the RSU website.

**Employee Transaction Form:** No individual will be entered on the University payroll system until a fully executed and approved Employee Transaction Form has been received by the Human Resources Office.

**Loyalty Oath:** An act of the 1968 Oklahoma Legislature requires that each new University employee sign a Loyalty Oath. The requirement extends to all employees and must be satisfied before an individual can be paid on a state payroll.

**Employee's Withholding Allowance Certification (W-4):** All employees are required by federal law to complete and sign a W-4 form. Proof of a Social Security number is required for completion of the W-4 form.

**Employment Eligibility Verification (I-9):** All persons employed after November 6, 1986, are required by federal law to complete Form I-9 and must provide certain documents to prove eligibility for employment.

**Oklahoma New Hire Reporting Form (OES112) Form:** The Personal Responsibility and Work Opportunity Reconciliation Act requires that each new employee complete a New Hire Report Form.

**Demographic Data (Optional) Form:** Each employee will be given the opportunity to complete the Demographic Data Form to be used for reporting of affirmative action. (See "Affirmative Action," Section 9.2)

**Acknowledgement of Understanding and Compliance with the Prevention of Alcohol Abuse and Drug Use on Campus and In the Workplace Policy:** All employees are required to sign an Acknowledgement of Understanding and Compliance with the Prevention of Alcohol Abuse and Drug Use on Campus and In the Workplace Policy.

### 2.5.2 Health Statement

Depending on the requirements of a particular position, the University may request a physical, psychological, or psychiatric examination from an applicant for employment when a job offer is extended. The cost for the examination will be paid by the University. Compliance with a request and completion of the exam with results meeting or exceeding the requirement for the position will be a condition of employment.

If the examination shows that the individual is unable to perform the essential job duties, with or without reasonable accommodation, the job offer may be withdrawn.

### 2.5.3 Background Check

The University reserves the right to make offers for certain positions contingent upon the completion of a background check. The background check may include criminal, and/or sexual offender, and/or motor vehicle records using OSBI and FBI criminal history reporting information. The individual must provide authorization for the background check by completing a release form. The results of the background check will be revealed to the employer only as "approved" or "not approved." The information will be kept confidential and separately from the application and will not be used except in cases of a job offer. If the background check results show "not approved," the job offer may be withdrawn.

## 2.6 Follow-Up Letters

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The Human Resources Office is responsible for sending letters to unsuccessful applicants to notify them that the position has been filled.



## 3 Classification

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### 3.1 General

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The classification program of Rogers State University is administered by the Human Resources Office and is based on skill level, experience, education, job description, and the Fair Labor Standards Act. Each classification is placed in a salary range sufficient to allow incentives for improved performance, job proficiency, years of service, and individual efforts. The Human Resources Office may, upon need or request, conduct classification reviews or studies and may recommend salary range and/or classification revisions to the Vice President for Business Affairs.

### 3.2 Position Classifications

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Each position at the University has been classified in accordance with its function, duties, responsibilities, and relationship to other positions. A job description has been developed for each position specifying the duties, responsibilities, supervision received, supervision given, education, training, and experience necessary for a person to function effectively in that position.

### 3.3 Exempt and Non-Exempt Classifications

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The Human Resources Office shall determine and specify, subject to the provisions of the Fair Labor Standards Act, those classifications which shall be exempt. All classifications not specifically determined to be exempt classifications shall be considered non-exempt classifications. Classifications will be determined at the time a position and job description are approved for recruitment and are subject to revision as specified in Section 3.1 of this Manual.

#### 3.3.1 Exempt Classification

Exempt classifications generally apply to executive personnel, professional personnel, and employees who have supervisory responsibilities. Exempt employees shall not be entitled to the earning of, accrual of, or credit for overtime and/or compensatory time. Supervisors have the discretionary authority to arrange the work schedule of an exempt employee.

#### 3.3.2 Non-Exempt Classification

Non-exempt classifications apply to all employees not classified as exempt. Non-exempt employees are eligible to earn and receive credit for appropriately authorized overtime and/or compensatory time. The accumulation of overtime or compensatory time is subject to the provision of Section 5.8 of this Manual. These employees, whose work must be documented and maintained in accordance with federal regulations, must maintain detailed records reflecting the time of arrival and departure from work.

## 3.4 Types of Staff Appointments

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Staff appointments extend from July 1 to June 30 (fiscal year) unless otherwise stated on the [Employee Transaction Form](#). Employment is not guaranteed beyond the ending date of the appointment, and reappointment is solely at the discretion of the University. Positions at Rogers State University are categorized as one of the following:

#### 3.4.1 Regular Full-time Employees

Regular full-time employees are employees who are expected to continue for 6 months or more, require 40 hours or more per week, and maintain continuous regular employment status.

#### 3.4.2 Regular Part-time Employees

Regular part-time employees are employees who are expected to continue for 6 months or more, require less than 30 hours per week or less than 130 hours per month, and maintain continuous regular employment status. Any employee working an average of at least 30 hours per week or 130 hours per month during an applicable Measurement Period must be offered medical insurance.



### **3.4.3 Temporary Employees**

Temporary employees are expected to continue less than six months and may work variable hours per week. A temporary assignment should not be extended without the prior approval of Human Resources and the President. A temporary employee who works 30 hours or more per week on average during an applicable Measurement Period must be offered medical insurance.

### **3.4.4 Seasonal Employees**

Seasonal employees are employees who are hired into a position for which the customary annual employment is 6 months or less (e.g., an employee hired to work in the summer or winter but not both).

### **3.4.5 Student Employees**

Student employees are those employees currently enrolled full time and regularly attending Rogers State University courses for credit and whose primary purpose for being at the University is to obtain an education. Student employees must be enrolled at least half time to be considered eligible for exemption from paying FICA (social security and Medicare taxes). Additionally, to be eligible for the FICA exemption, student employment must be predominantly incident to and for the purpose of pursuing a course of study. Student employees are encouraged to limit their work hours to less than 24 hours per week in order to focus on their studies. Exceptions to working more than 24 hours but less than 30 hours per week must be approved in advance by Human Resources and the Executive Vice President for Administration and Finance. Student employees who work on average 30 hours or more per week or 130 hours per month must be offered employee medical insurance.

By law, international students are not subject to FICA taxes; however, due to F-1 visa requirements, cannot work more than 20 hours per week when classes are in session. The department head is responsible for determining the applicability of student status to the appointment and the work schedule to be met.

Additional Policies and Procedures related to Employment of Students can be found in Section 6.11.

## **3.5 Independent Contractors**

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An independent contractor is an individual or business that provides services to the University. An independent contractor is a separate business entity and is not considered an employee. The University does not provide a paycheck or withhold income taxes or Social Security/Medicare taxes for independent contractors. The IRS has established tests to determine whether an individual is an independent contractor or an employee. Refer to Purchasing Policies and Procedures for additional information.

## **4 Compensation**

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### **4.1 Salary Adjustments**

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The President may approve individual salary adjustments based on work performance, promotion, demotion, labor market conditions, legislative actions, and budget constraints, subject to and in accordance with Board of Regents' Policy.

### **4.2 Payroll Warrants**

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Payroll warrants for salaried employees are issued on the last working day of the month. The pay period for salaried employees is the first day through the last calendar day of the month. Payroll warrants for all hourly employees are issued on the fifteenth of the month for time worked in the preceding calendar month. If the fifteenth falls on a Saturday or Sunday, warrants are issued on the preceding work day.

Direct deposit is available upon request. Payroll warrants/direct deposit notices are available in the Bursar's Office during normal business hours. An employee may give written permission to the Bursar's Office to release his or her payroll warrant/direct deposit notice to another individual. Payroll checks must be cashed within ninety days or they become void.

## 4.3 Payroll Changes

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Changes in payroll deductions are made in the Human Resources Office. All change forms must be received by the first day of the month in order for the change to be effective on the next payroll warrant.

Employees may have their payroll warrant electronically transferred to a financial institution of their choice by submitting a completed Automatic Deposit Transmittal Form to the Human Resources Office. Direct Deposits may take up to sixty days to commence.

## 4.4 Supplemental Pay

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Supplemental pay to employees of the University must be requested and authorized through the normal chain of approval on an [Employee Transaction Form](#) regardless of the nature of the services.

## 4.5 Holiday Pay

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To be eligible for University-approved holiday pay, an employee must be a regular full-time employee and be in paid status the day before and the day after the holiday.

The employee will not be charged annual leave time for a University-approved holiday that falls within an annual leave period.

An employee who is on sick leave when a University-approved holiday occurs will receive holiday pay instead of sick leave pay.

## 4.6 Garnishments

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The University must accept court-ordered wage assignments, garnishments, and tax levies, and will process them in the legally prescribed manner.

# 5 Hours of Work

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## 5.1 Workweek

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The work week at Rogers State University begins at 12:01 a.m., Saturday, and ends at 12:00 midnight, Friday. An employee will be scheduled to work 40 hours per work week, and normal work hours are from 8 a.m. to 5 p.m., with one hour off for lunch.

Supervisors may designate the lunch hour and make adjustments in the beginning and ending times of an employee's workday or work week to meet the needs of the University.

## 5.2 Flexible Work Hours

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Flextime is an alternative work pattern that allows supervisors the flexibility to vary the arrival and departure times of employees, as long as they work 40 hours per week. This arrangement allows variations in the length of the workday/work week. All flextime decisions are subject to departmental approval. Control, supervision, and all exceptions will be handled by the supervisor on a case-by-case basis. Flextime should be of benefit to both the employee and the University. Written authorization and description of flextime arrangements must be reported to the Payroll Clerk by the supervisor.

## 5.3 Lunch Period

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The lunch period consists of one hour daily, unless otherwise scheduled by the supervisor to meet special needs. An employee may not forego the lunch period to shorten the workday or work week or rearrange or extend the lunch period without prior consent of the supervisor.

## **5.4 Work Breaks**

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At the discretion of the supervisor, work breaks are allowed for those employees performing physical labor and/or those employees working in harsh climate conditions. The work break should not interfere with the proper performance of the job responsibilities of the department or University. A work break cannot be longer than 15 minutes twice a day from the point of cessation of labor to resumption of labor. Breaks should be considered a privilege, rather than a right. Break time cannot be accumulated, added to lunch periods, or otherwise used to shorten the workday or work week.

## **5.5 Absenteeism**

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An employee who expects to be late or absent from work is responsible for notifying his or her supervisor as soon as possible. The employee should also indicate when he or she will report back to work. This is not only a courtesy, but it also allows the department to make other work arrangements as necessary. Any employee who fails to comply with this rule will be subject to disciplinary action, up to and including dismissal.

In chronic or unusual cases of absenteeism, the University reserves the right to require documentation or verification of the reasons for absence. Excessive absenteeism will be reflected in the employee performance evaluation and may lead to disciplinary action, up to and including dismissal.

## **5.6 Tardiness**

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An employee is expected to be at his or her workstation at the scheduled work time. Habitual tardiness is a matter for disciplinary action, up to and including dismissal.

## **5.7 Abandonment of Position**

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An employee who fails to report to work for three consecutive workdays without notifying his or her supervisor will be considered to have abandoned his or her position. The last day of work will be the effective resignation date.

## **5.8 Overtime For Non-Exempt Employees**

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Overtime work is to be performed only when approved by the employee's department supervisor in advance. When it is necessary for an employee to work more than eight hours in a workday, the work week should be rearranged so that it does not exceed forty hours. When the hours worked in a work week (excluding paid leave hours and holidays) exceed forty, the employee will be granted compensatory time at the rate of time-and-one-half for each hour of overtime worked. When the hours credited during a work week exceed forty hours but actual hours of work do not, the employee will be granted compensatory time at the rate of hour for hour.

Compensatory time off should be taken within the next pay period unless it places a hardship on a department. The supervisor will determine when this compensatory time is to be taken with the least amount of disruption to University operations. Compensatory time off should not be used to allow an employee to be absent from work for extended periods of time. Compensatory time may not be accumulated beyond a balance of sixty hours and may not be carried over to the next fiscal year. Any exceptions must be approved in writing by the Vice President for Business Affairs.

If a department cannot allow an employee to take compensatory time off as compensation for overtime, the University will pay the overtime. Payment of overtime is calculated as the number of hours granted as compensatory time times the hourly rate of pay. The hourly rate is calculated by dividing the monthly base salary by 173. Overtime wages are for non-exempt employees only.

Each department head/supervisor is responsible for maintaining adequate overtime records for his or her employees. A record should be maintained of each employee's compensatory time activity documented on an Employee Monthly Time and Leave Report and submitted to the Human Resources Office on the last day of each calendar month.

An employee transferring from one department to another is required to use accumulated compensatory time prior to the transfer.

## 5.9 On Call

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Some positions may require an employee to be placed "on call," subject to being available should his or her services be required. In some instances, this may require the assignment of a personal pager or cellular telephone to the employee at the University's expense.

## 6 Employment Policies

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### 6.1 Management Provisions

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The University has the right to exercise customary functions of management, subject to Board of Regent's policy, including, but not limited to, the following:

- a. hiring, promoting, transferring, disciplining, and terminating employees in accordance with University policies;
- b. reassigning an employee from one position to another position;
- c. directing the work force; determining its composition, organization and structure; and scheduling and assigning work;
- d. establishing reasonable job standards, expectations, work rules, policies, and regulations;
- e. determining the extent and schedule of its operations;
- f. maintaining the orderly conduct of the work force, requiring job performance which meets job requirements, and terminating employees in accordance with University policies; and
- g. amending, revising, revoking, or issuing policies and rules governing University employees.

### 6.2 Employee Provisions

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University employees may:

- a. be advised on job-related criteria;
- b. express employee concerns and complaints;
- c. expect to work in a safe environment;
- d. expect reasonable and nondiscriminatory application of the Board of Regents, University, and departmental policies and rules; and
- e. expect termination proceedings and other disciplinary actions to be made in accordance with the Board of Regents and University policies.

### 6.3 Personnel File Policy

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For the purpose of making employment decisions, the University maintains individual personnel files on current and former employees. This policy addresses access to those records in order to promote an informed public while maintaining the security of personnel records necessary to protect the privacy of employees and the interests of the University in fulfilling its mission.

#### 6.3.1 Contents

Those responsible for the custody of personnel files shall determine information to be placed in the files. Only such information as is germane to the person's employment with the University shall be retained in these files. Examples of this type of information are:

- a. information pertaining to bona fide occupational qualifications
- b. summaries of pre-employment recommendations and of merit, tenure and promotion recommendations
- c. performance, behavior, and discipline matters
- d. personnel actions, such as appointment, change of status, tenure and promotion
- e. evaluation of work performed

Individuals may ask that materials relevant to their employment be included in their personnel file by written request to the Human Resources Coordinator.

### **6.3.2 Confidentiality**

The following personnel records shall be deemed confidential and may be withheld from public access:

1. Those that relate to internal personnel investigations including, without limitation, examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation; or
2. Those where disclosure would constitute a clearly unwarranted invasion of personal privacy such as, but not limited to, employee evaluations, medical documentation, payroll deductions, and employment applications submitted by persons not hired by the University; or
3. Those that are specifically required by law to be kept confidential.

Personnel records not specifically falling within the exceptions provided above shall be available for public inspection in accordance with the Open Records Act.

### **6.3.3 Access**

Personnel files shall be made available to individuals to review in accordance with the Open Records Act. The files may be inspected by persons so entitled only under the supervision of the custodian or his or her designee in the administrative office where they are maintained. The President, as well as Executive Officers, shall have the authority to obtain and review personnel files within their offices. All access to personnel files will be governed by the Oklahoma Open Records Act.

Supervisors or administrators shall have access to the personnel files of persons employed or being considered for employment in their areas of responsibility on a need-to-know basis and shall have authority to share the information with others responsible for personnel recommendations and/or decisions. Further, other institutional officers or employees showing a legitimate need for the information shall be permitted such access.

Except as may otherwise be made confidential by statute, an employee (or his or her designee as authorized in writing and signed by the consenting employee) shall have a right of access to his or her own personnel file, provided:

1. An individual wishing to inspect his or her personnel file should submit a written request for inspection to the custodian of the file;
2. An individual may not remove or add any records to his or her file at the time of inspection.

### **6.3.4 Correction of Records**

An employee may dispute the accuracy of any material or correspondence included in his or her personnel file. Such dispute should be directed to the custodian of the file in writing. If the dispute is not resolved by mutual agreement, the employee may submit certain personal responses to any alleged invalid materials or correspondence to be included in his or her file.

## **6.4 Falsification**

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Any false, incomplete, or incorrect statement, answer or representation, given intentionally or unintentionally by any person, either orally or in writing, pertaining to availability, acceptability, or eligibility for employment in any department, division, classification, or position at the University or pertaining to personal information or background which is elicited for any authorized form, record, or file may result in refusal of employment by the University. If such information is found after employment, appropriate disciplinary action may be taken, up to and including dismissal.

## **6.5 Vacancies**

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An employee desiring to be considered for a vacancy should apply through the Human Resources Office. For assistance in filling a vacant position, supervisors should refer to Section 2 (Recruitment, Selection, and Employment) or contact the Human Resources Office for guidance.

## **6.6 Promotions and Transfers**

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The University encourages the upward mobility of employees to positions for which they are qualified and which meet their career interests and objectives.

To provide equitable consideration and opportunity for qualified employees to fill vacant positions at the University, transfers may be made. An employee desiring to transfer should discuss possibilities with his or her supervisor. Arrangements for interviews and transfers may be made upon agreement with the employee and the supervisor.

Promotions will be based on qualifications including experience, education, attendance, ability, and other job-related factors.

An employee interested in promotional opportunities must provide the Human Resources Office with updated employment application material.

Departments accepting an employee by transfer, promotion, or demotion will be responsible for the employee's accumulated annual, sick, and personal leave balances at the time of transfer.

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## **6.7 Nepotism**

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Except as prohibited by the laws of the State of Oklahoma, relationship by consanguinity (blood) or by affinity (marriage) shall not, in itself, be a bar to appointment, employment, or advancement by the University or, (in the case of faculty members,) to eligibility for tenure. The University recognizes, however, that there is an inherent conflict of interest when an employee makes hiring, promotion, or salary decisions about a family member, although there may be extremely rare circumstances when the potential benefit to the University in having an employee supervise a family member outweighs the potential harm.

Therefore, no two persons who are related by affinity or consanguinity within the third degree shall be given positions in which either one is directly responsible for making recommendations regarding employment, promotions, salary, or tenure for the other; nor shall either of two persons so related who hold positions in the same budgetary unit be appointed to an executive or administrative position in that unit or to a position involving administrative responsibility over it, as long as the other person remains in the unit, without first receiving a waiver that has been recommended by the Vice President for Academic Affairs, or the appropriate Vice President, and approved by the President and Board of Regents. In recommending the waiver, the Vice President for Academic Affairs or the appropriate Vice President must make a written statement of the facts that have led him/her to conclude that the benefit to the University in granting the waiver outweighs the potential harm. In addition, the Vice President for Academic Affairs or the appropriate Vice President must propose in writing a means by which a qualified, objective person, unrelated to the employee at issue, shall make performance evaluations and recommendations for compensation, promotion, and awards for that employee and state in writing how that means will avoid the conflict of interest. The statement and proposal for supervision shall be made part of the Board of Regents' agenda item. Further, a salary increase above the average increase granted to all University employees in similar positions will not be granted to an employee who has been granted a waiver under this policy unless it has been approved by the applicable Vice President for Academic Affairs or appropriate Vice President and the President.

It is the responsibility of the head of the budget unit to seek a waiver before offering employment to any person whose employment would violate this policy, and the willful failure to follow this policy may result in disciplinary action against the head of the budget unit. Notwithstanding any other provision of this policy, a conditional hire, prior to approval of the Board of Regents, may be made pursuant to this policy if deemed necessary for legitimate academic or business reasons if justified in writing by the appropriate Vice President and approved by the President. At the next regular meeting of the Board of Regents, the written justification and the conditional hire will be considered by the Board of Regents.

Relatives that are within the third degree of relationship to an employee by consanguinity or affinity include the following: spouse, parent, parent of spouse, grandparent, grandparent of spouse, great-grandparent, great-grandparent of spouse, uncle or aunt, uncle or aunt of spouse, brother or sister, brother or sister of spouse, son or daughter, son-in-law or daughter-in-law, grandson or granddaughter, grandson's or granddaughter's spouse, great grandson or great granddaughter, and great grandson's or great granddaughter's spouse. For the purposes of this policy, step-and half relatives are considered to be related by affinity.

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## **6.8 Employment of Retirees**

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Oklahoma Teachers' Retirement System regulations require a minimum of 60 calendar days between a retiree's last day of pre-retirement public education employment and any such post-retirement employment. Retirees may return to work as part-time employees, but only within the parameters established by the Oklahoma Teachers' Retirement System and state law. Copies of the regulations and related information are available in the Human Resources Office.

## **6.9 Reinstatement**

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An employee who has two or more years of continuous service and who is reinstated by the University within six months following termination under satisfactory conditions will have his or her previously accrued sick leave balance and annual leave accrual rate restored to his or her employment record. A reinstated employee participating in TIAA/CREF at the time of termination will be eligible for immediate participation in this benefit.

## **6.10 Probationary Period**

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A probationary period is used to evaluate an individual's ability to perform his or her assigned duties; communicate effectively with co-workers; follow directions, rules, and policies; work in harmony with co-workers; and present a positive image of the University. The end of probationary status does not indicate "permanent" employment. The University maintains its right to employ at will and may choose to terminate or not renew an appointment to a position, regardless of probationary status.

All regular full-time and regular part-time newly hired and rehired employees will serve a probationary period. For non-exempt employees, this probationary period is the first six months of employment. Exempt employees will have a probationary period of one year. Probationary employees are eligible for all benefits except long-term disability coverage, which begins six months after employment.

The probationary period is a time during which the employee demonstrates the skills and abilities necessary to perform the duties assigned. Every supervisor should routinely keep documentation on each employee's performance and satisfactorily document counseling sessions. As an employee's evaluation period approaches (during the six month or twelfth month), those notes should be reviewed to determine whether the probationary employee should be retained.

If there is an interruption of service during the probationary period, the time lapse during the interruption shall not be included as part of the probationary period.

### **6.10.1 Promotion**

Upon promotion to a new classification, an employee shall be placed in a three-month probationary period to allow the supervisor a sufficient amount of time to measure the efficiency and productivity of the probationary employee. Such probationary periods do not affect an employee's eligibility for accrual or use of University benefits.

### **6.10.2 Transfer**

A three-month probationary period is also served each time an employee receives a transfer. Such probationary periods do not affect an employee's eligibility for accrual or use of University benefits.

### **6.10.3 Dismissal During Probationary Period**

An employee may be dismissed at any time during the probationary period. Recommendations for dismissals shall be reported to the Human Resources Office.

It is the responsibility of each employee to obtain an understanding of the University's work standards, rules, and procedures of the workplace. If an employee fails to learn procedures, or if the employee persists in poor work habits, a supervisor may recommend termination through the normal chain of command.

## **6.11 Employment of Students**

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### **6.11.1 Definition**

If a student is a recipient of campus-based federal aid (Federal Work-Study, and/or Federal Supplemental Educational Opportunity Grants), that student cannot receive total aid in excess of his or her cost of attendance as determined by the Director of Financial Aid. Total aid is a combination of campus-based federal aid, Pell Grants, BIA Grants, grants and aid from outside sources, Guaranteed Student Loans, fee waiver scholarships, and other various types of financial aid. Therefore, if a student has a Federal Work-Study allocation, the student cannot be paid in excess of that allocation amount for a given academic year. However, a student who exhausts his or her federal work-study allocation or a student who does not receive any federal work-study money may receive non work-study money, subject to the University's budget and other guidelines.



### **6.11.2 Procedures**

Application for student employment is made with the Student Work Coordinator in the Office of Enrollment Management.

Departments requesting assistance in hiring student workers must submit a completed [Job Description Form – Student Employment](#) to the Office of Enrollment Management. Upon receiving this request, the Student Work Coordinator will refer students seeking employment to the department for interviews. Applicants will continue to be referred to the department until a student has been hired to fill the position.

Upon approving a student for employment, departments must submit a completed [Federal Work-Study Request Form](#) or [Non Work-Study Request Form](#) to the Office of Enrollment Management. The Student Work Coordinator will then issue a [Permit to Work Form](#) that specifies student approval and the amount of pay approved. A student should not be employed if sufficient budget does not exist to cover the student's non work-study payroll allocation. The Student Work Coordinator will forward the Permit to Work Form to the department.

A student should not work and will not be paid until all necessary employment paperwork has been completed and processed.

Student employees must not work more than twenty-four hours in any week without prior approval from the Student Work Coordinator, and he or she cannot exceed one thousand and forty hours per calendar year.

Each department must designate a student employee supervisor. The designated supervisor must be a full-time employee and should oversee the work assigned and performed by each student employee.

If a student is transferring from one department to another, the terminating department should complete a [Request For Change in Status Form](#) and forward it to the Student Work Coordinator in the Office of Enrollment Management.

If a student terminates employment and does not transfer directly to another job on campus, a [Federal Work-Study Separation from Employment Form](#) or [Non Work-Study Separation from Employment Form](#) is to be forwarded to the Office of Enrollment Management by the supervisor of the department where the student last worked. A Federal Work-Study/Non Work-Study Separation from Employment Form is not required if the student does not work during the summer term but is expected to return to work during the fall term.

### **6.11.3 Documentation and Compensation**

The supervisor is responsible for tracking the time worked to ensure the student does not work more time than the allocation provides. When the federal work-study allocation is met, the department may request to change the student's status from federal work-study to non work-study, provided the department has a sufficient student wages budget.

Each student is responsible for maintaining an accurate Student Monthly Time Sheet (Exhibit Q) documenting dates and hours worked each week. Students are expected to sign in and out on each day worked and may not work during scheduled class time. The Student Monthly Time Sheet must be approved by the supervisor and forwarded to the Student Work Coordinator for authorization by the last day of each month. Student payroll warrants for the previous pay period are available in the Bursar's Office during business hours on the fifteenth day of each month. Students must present their student identification card to receive their payroll warrant. When the fifteenth day of the month falls on a weekend day, the student may receive his or her payroll warrant on the preceding work day. Student work programs are not scholarships; therefore, hours indicated must reflect actual time worked in order for the student to be compensated.

### **6.11.4 Budget Allocation**

The Student Work Coordinator will maintain, monitor, and verify work-study and non work-study allocations and budgets to ensure allocations are not exceeded. Monthly reconciliations should be performed and made available for review by the Budget and Accounting Office, if requested.

## 6.12 Termination of Employment

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### 6.12.1 Resignation

To resign in good standing, a non-exempt employee must give notice at least ten working days prior to the effective date of the resignation. Exempt employees must give notice at least twenty working days prior to the effective date of resignation. Employees who fail to give the proper notice may forfeit all accumulated leave.

The letter of resignation should be submitted to the department supervisor. Supervisors are responsible for completing the [Employee Transaction Form](#) and submitting it with the letter of resignation through the appropriate chain of approval to the Human Resources Office. Resignations shall be effective on the last day of service of the employee, and an employee shall not be paid for a holiday if the last day of service was prior to the holiday period. The salary of the employee who resigns before the end of the month will be pro-rated on the basis of workdays during the month of resignation.

### 6.12.2 Termination Clearance Process

The employee must meet with the Human Resources Coordinator or designee for an Exit Interview and completion of an [Employment Termination Form](#) before the last day of work. This process includes return of keys, identification card, parking tag, pager, cell phone, credit card, uniforms, tools, library materials, or any other items issued during employment. The employee must make payment for all financial obligations to the University, including payments to the Bursar Office, Child Development Center, and Bookstore. The employee will be provided with contact information for all current benefit vendors and COBRA.

### 6.12.3 Dismissal

Staff employees may be dismissed immediately when deemed to be in the best interest of the University. Termination of employees with five or more years of service will be reviewed by the appropriate executive officer or his or her designee before termination is final. A copy of each written notice of termination or layoff must be submitted to the Human Resources Office. The employee must complete the termination clearance process as defined in Section 6.12.2.

The University recognizes the employee's right to appeal a decision of his or her termination. If an employee is terminated, he or she may appeal the decision to the next level of management by preparing a written notice explaining the reasons for the appeal. Further appeals are allowed through the chain of command.

## 6.13 Outside Employment and Extra Compensation Policy

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### 6.13.1 Faculty

The missions of the University are teaching; research and creative/scholarly activity; and professional and University service and public outreach. As professionals, University faculty are individually and primarily responsible for arranging their time among such academic functions as teaching assignments, research, service, continuing education, and consultation. Such arrangements will be subject to evaluation and approval by appropriate authorities as part of a faculty member's total professional activity during the year with reference to department, school, and University criteria for merit salary increases, tenure, and promotion.

The professional expertise of the faculty is normally available to the state and its citizens for incidental and minor services without remuneration. When, however, the services desired from outside the University exceed a reasonable and mutually agreed limit, direct extra remuneration may be accepted, provided the extent of the involvement does not infringe on the faculty member's regular University duties.

A person who accepts full-time faculty employment at the University assumes a primary professional obligation to the University. Any other employment or enterprise in which he or she engages for income shall be secondary to his or her University work. In addition, the academic department head should be informed and approve of arrangements which are made to dismiss classes or provide substitute teachers for them when the faculty members are to be absent from these duties. All professional activities, whether within the University or without, whether for extra remuneration or for no remuneration, of any kind, should contribute to the faculty member's professional growth or efficiency and to his or her teaching or scholarly competence.

After prior written arrangement, faculty members may engage in professional activities for extra remuneration (from within the University or from outside sources or in any combination of the two) to a maximum of 25% of their full-time professional effort.

Faculty on twelve-month appointments may not receive extra compensation for teaching in the summer term or for performing sponsored research.

During any portion of the summer in which faculty members are not under appointment with the University, they may engage in outside employment without restriction.

Within the University, the time required for all extra compensation assignments during the entire year and for all professional assignments during the summer will be determined by those responsible for the various programs as an appropriate fraction of the faculty member's full-time professional effort and the University will pay the faculty member the corresponding fraction of his or her base salary rate. The time required for all professional activities for extra remuneration outside the University will be determined by the faculty member as an appropriate fraction of his or her full-time professional effort when approval for such activity is requested.

Approval of outside employment shall be requested on a form [Application for Permission to Engage in Outside Employment](#) available in the Human Resources Office. Such applications and arrangements must be submitted at the beginning of each contract year and is the responsibility of the faculty member. All activities performed inside the University for extra compensation must be arranged, as all in-load assignments are, with the agreement of the department head, dean, and Vice President for Academic Affairs.

Faculty should avoid possible conflicts of interest with the University in all outside employment. Questions regarding potential conflicts of interest should be addressed to the Vice President for Academic Affairs who may wish to consult the University Legal Counsel.

No faculty member may hold a split (joint) appointment, which reflects more than a total of 1.0 full-time equivalent.

### **6.13.2 Staff**

The policy for faculty shall apply to staff who are on the monthly payroll. Each Vice President may stipulate a more restrictive policy pertaining to staff within his or her administrative area.

With prior written approval, such individuals may engage in professional activities for extra remuneration (within the University or from outside sources or in any combination of the two) to a maximum of 25% of their twelve-month full-time professional effort, but they may not receive extra compensation for teaching in the summer term or for performing sponsored research.

Staff who are on the fixed payroll shall request approval of outside employment on a form, [Request for Permission to Engage in Outside Employment](#) available from the Human Resources Office. All activities performed inside the University for extra compensation must be arranged, as regular assignments are, with the agreement of the appropriate department chair/head, dean where applicable, and Vice President.

### **6.13.3 Hardship Provision**

If this policy creates a demonstrable hardship for a University program, exceptions may be granted by the President in response to a written request.

## **6.14 Grievance Policy**

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### **1. INFORMAL COMPLAINT:**

The University recognizes the right of employees to express their grievances and seek a solution concerning disagreements arising from working relationships, working conditions, employment practices or differences of interpretation of policy that might arise between the University and its employees. Excluded from this policy are complaints concerning:

- a. Wages and salary;
- b. Performance-related dismissals during the initial probationary period of employment;
- c. University statements concerning policies and rules;
- d. Falsification of applications (or resume) for employment and other employment-related documents

With the exception of the exclusions outlined above, the grievance procedure is available to regular full-time and part-time staff. The grievance procedure is the process for resolving internal employment conflicts and problems for non-faculty personnel.

Complaints should be resolved by informal discussions by the parties involved when possible. If a complaint cannot be resolved informally, the grievance procedure is available. It provides for a prompt and impartial review of all factors involved in the grievance without fear of coercion, discrimination, or reprisal because of exercising rights under University Policy.

2. GRIEVANCE:

Should complainant feel after oral discussion that their rights under University policy have been violated, they may originate a grievance.

- a. The grievant shall, within three working days of the date of the incident causing the grievance, present the facts in writing to their supervisor, sending a copy to the Director of Human Resources. The supervisor and/or department director shall respond within five working days of receipt of the grievance.

A Written grievance must contain the following:

- i. A clear and detailed, signed statement of the grievance.
  - ii. The specific remedial action or relief sought.
  - iii. An explanation of informal attempts to resolve the problem.
  - iv. The reason(s) why remedial action or relief is sought.
- b. The levels of progression for grievance are:
    - i. Level 1 – Supervisor
    - ii. Level 2 – Department Director/Dean
  - c. If the grievant is still dissatisfied after Level 2, he/she should submit a formal written request for a Grievance Committee hearing within three working days to the Department of Human Resources.

3. GRIEVANCE COMMITTEE PROCEDURE:

The President shall appoint a three (3) to five (5) member Grievance Committee.

The Grievance Committee shall be convened by the Director of Human Resources normally within five working days of appointment, and each member shall be instructed on the procedures to assure that all aspects of the grievance procedure are clearly understood.

- a. The Committee shall elect a chairperson, who will be a voting member.
- b. The Committee shall establish its own procedure for addressing the grievance.
- c. Minutes of the meeting shall be made. A confidential tape recording of the proceedings may be used by administrative clerical staff and if a tape recording of the meeting is used, it shall be the official minutes of the hearing. This tape will be accessible to the parties involved, to the members of the Grievance Committee, and to all authorized representatives on a need-to-know basis. A copy of the tape may be requested by either party, provided that the requesting party supplies a blank tape.
- d. Either party shall have the right to call witnesses and may be assisted by a person of their own choosing in preparing and presenting a grievance, excluding legal representation, administrative staff, i.e., President, Vice Presidents, or Human Resources Director. Witnesses shall be heard individually and shall be excluded from the hearing room when not actually testifying.
- e. All testimony pertaining to the grievance hearing shall be held in confidence between the grievant and respondent, witnesses who appear before the committee, the Grievance Committee, and other necessary officers of the University.
- f. Only evidence pertinent to the grievance may be introduced into the hearing. Questions of pertinence shall be decided by the chairperson.
- g. Both parties involved in the grievance must furnish six (6) copies of all written documents pertaining to the grievance.
- h. The Grievance Committee's recommendation shall be submitted to the Director of Human Resources within three (3) working days after the hearing is completed. Both parties shall receive copies of the committee's recommendation.
- i. The Director of Human Resources shall review the committee's recommendation and submit it with suggestions to the President of the University within three (3) working days.

## **6.15 Positive Discipline**

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This University employment policy is designed to give each employee a full opportunity for work success. This objective is dependent upon good employee selection procedures, meaningful employee orientation, appropriate on-the-job training, and a positive approach toward employee discipline by University supervisors. Disciplinary action is a corrective process to help employees overcome work-related shortcomings, strengthen work performance, and achieve success. When problems occur, they should be handled in reasonable ways that jointly support the concept of positive discipline and minimize the interruption of University services. Employee discipline may be needed and, as a corrective procedure, is an integral part of University employment policy.

Underlying discipline, however, is an expectation that supervisors will direct their efforts toward employee development and success. When discipline is necessary, the positive guidelines below should be used as part of employee development. The guidelines are not expected to be rigidly applied but will be suitable for most University discipline situations. Depending upon the circumstances and the supervisor's judgment in individual cases, repeating a step, skipping a step, or moving to immediate dismissal may be appropriate.

Supervisors are expected to document disciplinary action taken. The documentation should contain a clear description of the behavior that prompted the discipline, the action taken by the supervisor, and how the employee's conduct must change and in what time frame. Even verbal warnings should be documented in the employee's departmental file to record that the warning was in fact given. All documentation must be factual and complete.

### **6.15.1 Oral Reprimand**

This first step in the procedure involves a discussion between a supervisor and an employee about a minor work performance problem. The objective is to correct the problem by indicating how actual performance falls short of desired performance. This step should ensure that no employee is disciplined for violation of a policy or procedure he or she might reasonably not know about.

### **6.15.2 Written Reprimand**

This is usually the second step in the procedure if an oral reprimand has not corrected the problem. If the offense is of a serious nature, a written reminder may be an appropriate first step. It formalizes a discussion between a supervisor and an employee about a performance deficiency.

### **6.15.3 Disciplinary Leave**

An employee may be placed on a disciplinary leave of absence with or without pay when it is in the best interest of the University to do so. Leave with pay will normally not exceed one day. Leave without pay may not exceed five working days. This step is usually taken after unsatisfactory performance has not been corrected following the application of an oral and/or written reminder. It may be taken as a first and final step before discharge in the event of a major offense. An employee returning to work following disciplinary leave must agree to work in a manner that includes following rules and regulations and correcting unsatisfactory performance.

### **6.15.4 Dismissal**

This is not a step in the positive discipline procedure. It is an action that may be taken when positive steps have been used but performance has not changed or when an employee has committed a major offense. A major offense is one that involves willful misconduct, dishonesty, seriously threatens University operations or the safety and well-being of the individual or other employees, or behavior that is unacceptable to the University.

When circumstances permit, prior to dismissal, an employee should be given an opportunity to explain his or her actions. It is recommended that, when possible, supervisors contact the Human Resources Coordinator before discharging an employee. See Section 6.12.3 for additional information.

## 7 Employee Benefits

These benefits are provided to all regular, full-time employees, as defined in Section 3.4.1, and are subject to change.

### 7.1 Employer-Paid Insurance

#### 7.1.1 Health Insurance

The University makes insurance available through HealthChoice. The University pays the employee's health coverage equal to the premium amount established for the HealthChoice High Plan. If the employee chooses a less expensive plan, the difference between the cost of the HealthChoice High Plan and the less expensive plan may be used toward dependent, dental, and/or vision coverage offered under the group plan or received as additional taxable compensation.

Health insurance coverage is effective the first day of the month after employment begins. If the first day of employment is on the first day of the month, coverage is effective on the first day of the following month. New employees and dependents MAY BE subject to a six-month, pre-existing condition exclusion. The University will pay the June and July health insurance premiums for regular faculty members employed on a ten month basis whose appointments have been renewed for the following academic year. Employees who provide evidence of other health insurance coverage and sign a Waiver of Participation may receive an amount equal to the University-paid premium (less employer FICA) as additional taxable compensation.

To inquire about specific insurance questions or provisions, please contact the Human Resources Office.

#### 7.1.2 Life Insurance

Life insurance coverage is effective the first day of the month following the date of employment. If the first day of employment is on the first day of the month, coverage is effective immediately. Life coverage is two times the annual base salary rounded to the next \$1000, with maximum coverage of \$400,000, subject to limits set within the policy. Coverage is reduced after the employee's 65th, 70th, and 75th birthdays.

If an employee becomes disabled, his or her life insurance coverage will continue by a waiver of premium with a physician's statement certifying the employee's disability, if such disability occurs before the employee reaches age 60.

#### 7.1.3 Long-Term Disability Insurance

Coverage is effective on the first day of the month following six months of employment. Benefits are integrated with workers' compensation insurance, Social Security, and Oklahoma Teachers' Retirement System disability benefits so as not to exceed sixty percent of the employee's monthly income. The maximum monthly benefit is \$10,000, and the minimum monthly benefit is \$100. There is a one hundred and eighty calendar day elimination period before benefits begin. Employees applying for long-term disability should begin the application process when they have been on disability approximately three and one-half months to ensure timely receipt of benefits.

#### 7.1.4 Accidental Death and Dismemberment

Coverage for accidental death and dismemberment is included as an additional benefit within the University-paid life insurance policy. Coverage is two times the annual base salary rounded to the next \$1000, with maximum coverage of \$400,000, subject to limits set within the policy. Coverage is reduced after the employee's 65th, 70th, and 75th birthdays.

Employer paid insurance premiums described in Section 7.1 will continue to be paid by the University until the employee's accrued leave has been exhausted if the employee is not on active service due to sickness or injury. However, the payment of insurance premiums by the University will cease after the employee exhausts his or her accrued leave.

## 7.2 Optional Insurance

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The University offers optional insurance benefits at the employee's expense. A 10-month contract employee may elect to maintain optional coverage during summer months by authorizing a withholding from his or her salary in order to "prepay" the summer month premiums.

### Available Optional Insurance:

1. Dental Insurance
2. Vision Insurance
3. Cancer Insurance
4. Long-Term Care Insurance
5. Short-Term Disability Insurance
6. Dependent Health Insurance
7. Dependent Life Insurance

It is the responsibility of the employee to notify the Human Resources Office when a dependent is no longer eligible for insurance coverage under the University's plan. Failure to do so may result in the member being held responsible for any inappropriate payment of claims. Contact the Human Resources Office for additional information.

## 7.3 Continued Insurance Coverage Under COBRA Guidelines

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Under certain conditions, health insurance coverage may be extended beyond the time eligibility normally ceases at the employee's or covered individual's expense. Qualifying Events for the insurance to continue are specified in the contract of insurance but include termination of employment (except for gross misconduct) or change from full-time to part-time employment. Qualifying Events for a dependent spouse to continue coverage include the death of the employee, termination of the employee, change from full-time to part-time employment, divorce, legal separation, or the employee becoming eligible for Medicare. If an otherwise eligible child becomes ineligible due to any of these reasons, or due to age requirements or student status, that child is also eligible to continue coverage. For further information, please contact the Human Resources Office.

## 7.4 Retirement

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### 7.4.1 Social Security (FICA)

Social Security is a federal program that provides for retirement, disability, survivor, and Medicare benefits. The University deducts contributions and matches these with the employer's contributions for each employee. Employees paid under the Federal Work-Study program who meet enrollment criteria as defined by the Internal Revenue Service (IRS) and certain non-resident aliens are exempt from paying FICA tax. Contribution rates are determined by the Social Security Administration and are subject to change.

### 7.4.2 Oklahoma Teachers' Retirement System (OTRS)

Membership in the Oklahoma Teachers' Retirement System is mandatory for regular, full-time employees. Employees who begin employment at age 55 or older may opt out of OTRS and direct equivalent contributions to the University's defined contribution plan. For more information, contact the Human Resources Office.

Contributions are based on a percentage of total compensation. The University pays all of the required employee contribution, which is currently seven percent of wages, as defined by OTRS.

Benefit amounts are determined in accordance with current OTRS guidelines. Employees may contact OTRS to inquire about contributions made and expected benefits upon retirement.

### 7.4.3 Defined Contribution Plan

The University provides a defined contribution retirement plan for all regular, full-time employees. This plan is administered by Fidelity Investments. The University's contribution is four percent of the employee's current annual base salary. Contributions are made to each employee's account on a monthly basis. Effective July 1, 2013, the University may suspend or eliminate paying all or



part of the employer's four percent contribution to the University of Oklahoma Defined-Contribution Retirement (as adopted by Rogers State University) Plan (the "Plan") for all full-time employees. Further, any employee hired by Rogers State University on or after September 1, 2013, shall not be eligible for participation in the Plan.

#### **7.4.4 Supplemental Retirement Annuity (SRA)**

All regular, full-time employees may elect to participate in either or both the University's 403(b) or 457(b) Voluntary Savings Plan. These plans are administered by Fidelity Investments. These plans allow for contributions through salary reduction on a tax-deferred basis. Contribution regulations and limits are established by the IRS. Information on enrolling in these plans can be obtained by contacting the Human Resources Office.

#### **7.4.5 Health Insurance Coverage After Retirement**

Employees who officially retire under the provisions of the Oklahoma Teachers' Retirement System (OTRS) with at least ten years of service may enroll or continue enrollment in the Oklahoma State and Education Employees Group Board (OSEEGIB) health insurance program or the University's designated group health plan until they are eligible for Medicare. The cost of the coverage will be paid by the University and OTRS.

The retiree may enroll in dental, vision, and/or eligible dependent coverage at his or her own expense. When an OTRS retiree becomes eligible for Medicare, the retiree may enroll in supplemental health insurance at his or her own expense. The premiums are deducted from his or her monthly retirement check. The policy does not apply to any employee hired on or after July 1, 2009.

#### **7.4.6 Life Insurance Coverage After Retirement**

Employees who officially retire under provisions of the Oklahoma Teacher's Retirement System (OTRS) may continue group life insurance coverage until the retiree attains age sixty-five. The cost of the coverage will be paid by the University. When an OTRS retiree reaches age sixty-five, the retiree will have thirty-one days to convert this coverage to an individual life insurance policy at his or her own expense. This policy does not apply to any employee hired on or after July 1, 2009.

### **7.5 Section 125 Flexible Benefit Plan**

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Employees may allocate specific amounts, according to contract and IRS limits, of monthly salary or wages, on a pre-tax basis, for the reimbursement of medical care expenses or dependent care expenses or both. Employees may subsequently file a claim voucher for reimbursement of the eligible medical and/or dependent care expenses that they have incurred. Employees may also elect to enroll in the Flexible Benefit Plan to allow employee-paid insurance premiums to be deducted on a pre-tax basis.

Employees must enroll in this plan within thirty days of employment or during open enrollment, which is effective January 1<sup>st</sup> of every year.

### **7.6 Workers' Compensation Insurance**

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All University employees are covered by Workers' Compensation insurance. Health expenses directly attributable to the performance of compensable work for the University are covered under this program.

#### **7.6.1 Procedures**

If an employee is injured on the job, the supervisor should immediately contact the Human Resources Office to ensure that proper procedures are followed (see Section 10.5, Health and Safety). These procedures will assure that the medical services are provided with the appropriate information to ensure the employee is not charged for services rendered.

In the case of life-threatening injuries, the employee should be transported by ambulance to the nearest available emergency health care treatment center. The incident should be reported immediately to the Human Resources Office by the injured employee's supervisor, and the medical service provider(s) should be notified that the injury was an on-the-job injury and that the proper authorization will be provided.

An injured employee must obtain authorization from CompSource Oklahoma before changing physicians or health care facilities after initial treatment. If this authorization is not obtained prior to the injured employee's being seen by the new physician, the employee is responsible by law for payment of the expenses incurred.

### **7.6.2 Compensation**

If an employee misses work because of an on-the-job injury, he or she has the option of being paid accrued sick leave for the time lost or receiving compensation from CompSource Oklahoma, but not both. An injured employee must be off work more than three calendar days before he or she is entitled to receive temporary compensation by CompSource Oklahoma. If the CompSource Oklahoma compensation is selected, it will be paid at a rate of sixty-six and two-thirds percent of the average weekly salary of the claimant with a minimum of sixty dollars per week and a maximum annual rate set by state statute.

Temporary compensation cannot be paid in excess of three hundred weeks. Temporary compensation checks are paid every two weeks, and payments are never made in advance. Employees may also be eligible for permanent benefits.

An employee may not receive payment for annual leave, personal leave and/or compensatory time while receiving workers' compensation benefits.

An employee may not receive sick leave benefits along with Workers' Compensation Benefits, but may opt for one or the other (sick leave benefits or Workers' Compensation Benefits).

### **7.7 Unemployment Compensation**

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The University has contracted to provide unemployment compensation benefits for eligible terminated employees or those who are laid off. Information concerning unemployment compensation can be found in a booklet entitled Information for Workers Who are Unemployed Concerning their Rights to Receive Unemployment Compensation. Copies of the booklet can be obtained from the Oklahoma State Employment Security Commission.

### **7.8 Comprehensive Automobile Liability Insurance**

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Currently, all University employees are covered under certain provisions of the State Risk Management program while they are operating a University-owned or personal vehicle while conducting official University business. This coverage does not extend to non-employee passengers or to any damage sustained to the employee's personal vehicle and/or property. Coverage under the program is subject to change without notice. If the employee is operating a University-owned or personal vehicle while conducting University business, the State of Oklahoma requires such persons to have personal automobile liability insurance in force at the time of use.

Third parties injured as a result of a University employee operating a University vehicle or a personal vehicle while conducting University business, are covered for liability risk up to amounts set by statute.

### **7.9 Other Professional Liability**

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Effective January 23, 1995, professional liability coverage provided insures actual or alleged "wrongful" acts, which are defined as any breach of duty, neglect, error, or misstatement, misleading statement, or act or omission by any employee in his or her capacity as such, committed solely in the course of his or her employment and of the activities of the University, including but not limited to, discrimination, whether based upon race, sex, age, national origin, religion, disability; sexual harassment; libel; slander; defamation; or publication or utterance in violation of an individual's right to privacy.

The State Risk Management Office, under the State of Oklahoma's Self-Insurance Program, provides the following insurance coverage:

- Professional Liability
- Directors & Officers/Errors & Omissions
- Fidelity Bond Coverage
- Tort Liability

In the event an employee is threatened with litigation based on his acts as an employee, that employee should notify the Vice President for Business Affairs Office immediately.

## **7.10 Employee Academic Tuition Assistance Program**

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An Academic Tuition Assistance Program is available to regular, full-time employees. Staff are eligible for the program after six months of employment. The President may grant variance to the six-month employment restriction when it is deemed to be in the best interest of the University. Faculty members are eligible for the program on the date of hire.

This program allows an employee to apply for a tuition waiver (fees are not included) for a maximum of seven Rogers State University undergraduate credit hours for the fall and spring semesters and three credit hours for the summer term. Tuition assistance is not available for courses audited or repeated. To remain eligible for the tuition assistance program, after the first semester, an employee must maintain a cumulative GPA of 2.5 in all course work attempted after entrance into the program. Reinstatement in the program after the cumulative GPA falls below 2.5 is allowed only after the employee raises his or her cumulative GPA to 2.5 or greater.

The employee must obtain approval from his or her supervisor before enrolling. Completed [Academic Tuition Assistance Program Forms](#) must be approved and submitted to the Human Resources Office before the last day of the drop/add period, as defined in the Class Schedule. Requests received after this date will not be considered.

Requests may be denied when budget limitations dictate and/or for employees with unsatisfactory job performance or disciplinary issues, or for employees who have previously withdrawn from or failed courses for which tuition assistance was provided.

If the class is scheduled during normal business hours, the employee must obtain approval from his or her supervisor to take the class before he or she enrolls in the class. The supervisor must make the decision based upon the best interests of the University. If enrollment is approved, the supervisor will approve a revised work schedule and submit a signed copy to the Human Resources Office for each semester that a revised work schedule is approved. All class-related activities (admission, enrollment, advising, homework, etc.) must be done outside work hours.

The following benefits are provided to regular, part-time employees:

- Social Security (FICA)
- Workers' Compensation Insurance
- Unemployment Compensation

## **7.11 Benefits for Part-Time Employees**

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The following benefits are provided to regular, part-time employees, as defined in Section 3.4.2:

- Social Security (FICA)
- Workers' Compensation Insurance
- Unemployment Compensation

## **7.12 Change of Employee Information**

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Changes of address, telephone number, marital status, number of dependents, beneficiaries, etc., are to be promptly reported to the Human Resources Office.

## 8 Leaves of Absence

The University allows regular, full-time employees to accumulate leave. Accrual begins monthly on the first day of the month following the month of employment. Leave shall accrue in proportion to the percentage of the full-time (40 hours per week) position. Leave does not accrue by an employee during leave of absence without pay, unpaid leave, suspension without pay, layoff, or removal from the payroll for any reason. Employees may use only leave which has been earned and accrued prior to the date of absence. It is the responsibility of the employee and the supervisor to ensure that sufficient leave has accrued to cover the absence prior to the request and approval of the request.

Requests for any type of leave should be submitted to the supervisor as soon as the employee knows that such leave will be necessary or desired. Advance notice allows the supervisor to consider such leave request when planning work schedules. When conditions do not permit a request in advance (illness, personal emergency, etc.), the employee is to notify the supervisor at the earliest possible time of the need to use accrued leave. If the supervisor is not available, the next level in the administrative channel may be notified.

### 8.1 Holidays

Each academic year, the University recognizes the following holidays:

- a. Traditional Holidays:
  - New Year's Day
  - Martin Luther King Day
  - Memorial Day
  - Independence Day (4th of July)
  - Labor Day
  - Thanksgiving Day (and the following day )
  - Christmas Day
- b. Other days as designated by the President

Regular, full-time employees will be excused from work with pay on those days recognized by the University as holidays.

When operations of the University require that a non-exempt employee work on days recognized as traditional holidays, the employee will be granted compensation at the rate of time-and-one-half for each hour worked. When operations of the University require that a non-exempt employee work on other days as designated by the President, the employee will be granted compensation at the regular rate of pay.

### 8.2 Annual Leave

The following is a schedule of annual leave accumulation according to years of service at the University.

- 0-5 years of service – 15 days per year (max accumulation of 30 days at fiscal year-end)
- 6-20 years of service – 18 days per year (max accumulation of 45 days at fiscal year-end)
- Over 20 years of service – 20 days per year (max accumulation of 60 days at fiscal year-end)

Annual leave is granted at the convenience of the University by the supervisor upon request of the employee. The desire of an employee as to the dates he or she will take leave will be granted insofar as this can be done without inconvenience to the department or the University. Annual leave is not automatically extended because of illness during the annual leave period. If the employee has more than the allowable maximum accumulation on June 30th (fiscal year-end), the overage will be lost. Compensatory Leave must be exhausted before annual leave is taken unless this action will result in a loss of annual leave relative to maximum accrual limits.

New employees, as a condition of employment and at the discretion of the President, may receive credit for past service and transfer accumulations from a prior state agency. Such approval must be documented on the Employee Transaction Form at the date of hire.

Upon termination from employment, voluntary or otherwise, unused accrued annual leave will be paid to the employee at the employee's regular rate of pay, but only if termination was in accordance with this provision. The University will determine the

method of payment (lump sum or scheduled payments). A lump sum payment for accrued annual leave will be made to the employee within thirty-one days following the final paycheck.

Any individual employed with restricted funds (federal grants, special projects, etc.) may accrue annual leave only during the duration of the grant period. All annual leave should be taken prior to such ending date. The University will not accept liability for accrued annual leave after a grant or contract is discontinued. Accrued annual leave is forfeited if not taken prior to the ending date of the grant or contract. Grant administrators should take appropriate steps to ensure that their budgets are sufficient to fund all accrued leave.

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### **8.3 Sick Leave**

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Employees accrue fifteen days of sick leave per year, with a maximum accumulation of one hundred and thirty days at fiscal year-end. If the employee has more than the allowable maximum accumulation on June 30th (fiscal year end), the overage will be lost. New employees, as a condition of employment and at the discretion of the President, may transfer accumulations from a prior state agency. Such approval must be documented on the Employee Transaction Form at the date of hire.

Sick leave may be taken only when the employee or his or her immediate family member is ill; injured; or has a medical, surgical, dental or optical examination/treatment or appointment; or if the employee has been exposed to a contagious disease which would jeopardize the health of co-workers. Immediate family members are defined as an employee's spouse, parents, or dependent children.

Requests for sick leave should be made in advance when possible. If advance notice is not possible, the employee should notify the supervisor as soon as possible each day the employee is unable to work. For an employee returning to work after an absence of three or more consecutive working days as a result of an illness or injury, the University may require a current, signed physician's statement addressing the employee's ability to return to work. If the examination shows that the employee is unable to perform his or her essential job functions, the employee may not be permitted to return to work.

Upon termination from employment or reduction to less than regular full-time status, accumulated sick leave is not payable to the employee.

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### **8.4 Paid Personal Leave**

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Three days of paid personal leave are granted at the beginning of each fiscal year. If employment begins after the start of the fiscal year, the days will be prorated accordingly. This leave can be used for bereavement, emergencies, personal business, and/or any other purpose at the discretion of the employee.

Requests for personal leave must be approved by the supervisor and should be made in advance, except in emergency cases.

A new employee will be granted personal leave after the first six months of employment. Personal leave does not accrue from one year to the next, and all personal leave is forfeited if not taken within the fiscal year. Upon termination from employment or reduction to less than regular full-time status, unused personal leave is not payable to the employee.

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### **8.5 Administrative Leave**

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An administrative leave with pay may be given when it is determined to be in the University's best interest that an employee not return to work for a specified period of time or for designated emergency closings of the University.

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### **8.6 Leave of Absence Without Pay**

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Leave of absence without pay may be recommended by a supervisor when it appears to be in the best interests of the University and the employee. Such leave may not exceed one year in length and may not be for absences of less than one day. Presidential approval is required for all leaves of absence and Board of Regents' approval is required for a leave of absence of more than three months.

Whether or not the University will continue to pay employer paid benefits during a leave of absence without pay will be determined at the discretion of the President and will be decided based upon what is in the best interests of the University. A period of leave of absence without pay does not count as service time for computation of retirement benefits and no leave time will be earned during leave without pay.

Leave without pay may not be used unless all accrued compensatory, personal, and annual leave have been exhausted, or, in the case of illness or absence for medical reasons, until all leave accruals have been exhausted.

### **8.6.1 Personal**

When employees are granted leave without pay for personal reasons, the University is obligated to reemploy the individual in either the same or a similar position within the recommending department. Prior to granting a leave without pay, departments should carefully consider whether they would be in a position to reemploy the individual at the conclusion of the leave. If the position cannot be held open or filled on a temporary basis, the department should make it clear to the employee and state on the Employee Transaction Form that the leave is being granted with the understanding that the University is not obligated to reemploy the individual at the conclusion of the leave. Leave without pay requests may be refused if the request is not in the best interests of the University.

## **8.7 Family and Medical Leave**

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The University's Family and Medical Leave (FML) Policy, which incorporates provisions of existing University policies and the federal Family and Medical Leave Act (FMLA) of 1993, is designed to enable employees to balance their work responsibilities with the demands of caring for family members or in the event of serious personal illness or injury. To be eligible for FML, an employee must have one year of employment at the University and have worked at least one thousand two hundred and fifty hours during the twelve months prior to the start of FML. An eligible employee will be granted up to a total of twelve work weeks of leave (combined paid and unpaid) in a twelve-month period in accordance with the provisions listed below. The twelve-month period is based upon the anniversary date of employment.

### **8.7.1 Family Leave**

Family leaves of absence may be taken for the following reasons:

- birth of son or daughter of the employee and in order to care for the son or daughter or
- placement of a son or daughter with the employee for adoption or foster care.

Accrued leave, as provided for in Section 8 of this manual, shall be used initially by the employee in the following order:

- compensatory time
- annual leave, and
- personal leave.

When leave with pay is no longer available, the leave may be extended to a total of twelve workweeks by using leave without pay. While on leave without pay, University benefits may continue at the employee's expense, but additional leave time will not accrue nor will this leave period be counted as service time towards the calculation of retirement benefits.

Family leaves for birth, adoption, or placement of a foster child must fall within the term of employment and are to be taken consecutively without interruption ending no later than twelve months after the day of birth or placement of child. When both spouses are employed by the University, they will be limited to a combined total of twelve workweeks of family leave.

Pregnancy is to be treated as any other sick leave, with the duration of the disability to be medically determined. An employee may continue normal duties through pregnancy or use available leave while unable to perform regular duties. Employees who utilize leave for pregnancy shall suffer no penalty, retaliation, or other discrimination. Leave for the birth of a child may be extended beyond that granted for the medical disability to a total of twelve weeks through the utilization of accrued compensatory, annual and personal leave, or leave without pay.

### **8.7.2 Medical Leave**

Medical leaves of absence may be taken for the following reasons:

- a serious personal illness or injury or
- for care of a spouse, son or daughter, or parent who has a serious health condition.

A serious health condition is one that requires in-patient care or continuing treatment by a health-care provider.

Medical leaves of absence may be taken intermittently or on a reduced-time basis (e.g., by working fewer days in a week or by fewer hours in a day) if such a schedule is needed for medical reasons. The University will require acceptable medical documentation of illness or disability for a personal illness or injury and acceptable documentation from the health-care provider for care of a spouse, son or daughter, or parent.

Accrued leave, as provided for in Section 8 of this manual, shall be used initially by the employee in the following order:

- compensatory time
- sick leave
- annual leave
- personal leave.

When leave with pay is no longer available, leave may be extended to a total of twelve workweeks in a twelve-month period by using leave without pay. While on leave without pay, University benefits may continue at the employee's expense, but additional leave time will not accrue nor will this leave period be counted as service time towards the calculation of retirement benefits.

### 8.7.3 Procedure

Requests for family or medical leaves of absence must be in writing and must include the reason for the request and the anticipated time period for the leave. All requests for family and medical leaves of absence shall be made at least thirty days in advance, to the extent practicable. If the leave is for planned medical treatment, the employee is expected to schedule the treatment so as to create minimum disruption for the employer. When leave is used for the employee's own serious health condition or to care for a spouse, son or daughter, or parent with a serious health condition, acceptable medical documentation from the health-care provider will be required. Leave will be denied if the employee fails to provide the required medical documentation.

### 8.7.4 Return to Work

Eligible employees who take a family or medical leave of absence from a position within the University will be able to return to the same or equivalent position and employment benefits. In the event of budgetary or organizational changes during the period of absence, the employee shall be treated as if he or she were occupying the same position at the time of the change. If an employee does not return to work as agreed upon, unless other arrangements are made, he or she shall be considered to have resigned from the University.

If the reason for leave is personal illness or injury of the employee, medical proof of fitness to return to work may be required indicating the employee is able to perform the essential functions of the job.

A complete copy of the FMLA, which contains further definitions that may apply, is available from the Human Resources Office.

## 8.8 Extended Medical Leave

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The University may require a physician's statement periodically from employees on extended medical leave. Failure to provide a statement from the physician could lead to termination. Failure to return to work at the beginning of the next scheduled work day after being released by the physician may result in termination. The actual position held by the employee may be held for a reasonable period of time after the exhaustion of paid leave, to be determined by the needs of the University. After that time, the employee may be terminated.

## 8.9 Shared Leave Policy

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The Shared Leave Program is a means for a University employee to donate paid leave (annual, sick, and personal) to a fellow University employee who is eligible for and requires leave while experiencing a serious health condition, as defined below, which has caused, or is likely to cause, the employee to take leave without pay.

### 8.9.1 Definitions

**Employee Recipient:** Regular full-time employees who hold benefits-eligible appointments that accrue leave and who have had continuous employment for at least twelve months preceding the serious health condition. The Employee Recipient must have used all of his or her leave (annual, sick, and personal) hours and compensatory time hours (if applicable) prior to being eligible to receive shared leave. Shared leave is not available for employees in off-work status due to Workers' Compensation.



**Employee Donor:** Regular full-time employees who hold benefits-eligible appointments that accrue leave and have a leave balance greater than fifty percent (50%) of maximum accrual. An Employee Donor can donate paid leave at any time during the fiscal year.

**Serious Health Condition:** A serious, extreme, catastrophic, or life-threatening medical condition is a period of incapacity requiring the employee to be medically unable to work for a period of seven days or more. The medical condition includes continuing treatment or supervision by a health care provider or continuing treatment of a chronic or long-term health condition. The employee must be suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused, or is likely to cause, the employee to take leave without pay.

**Shared Leave Committee:** The Shared Leave Committee will monitor the Shared Leave Program, make policy recommendations to administration, and approve the distribution of shared leave to the recipient. The Shared Leave Committee will consist of seven University employees, with a term of three years. The Committee will be comprised of three faculty members appointed by the Faculty Senate, three staff members appointed by the Vice President for Business Affairs and will be chaired by the Human Resources Coordinator. The Shared Leave Committee will report annually to the Vice President for Business Affairs the overall utilization and evaluation of the Shared Leave Program.

**Shared Leave Pool:** The Shared Leave Pool will include both: leave hours donated by eligible employees for distribution to a specific employee who has applied for and been approved for receipt of shared leave, and leave hours which have previously been donated but not distributed. Hours donated that were not distributed to a specific employee will be maintained in the Shared Leave Pool and will be available for distribution to other eligible employees.

### 8.9.2 General Guidelines

1. Shared leave is meant to cover only the duration of the serious health condition for which it was approved.
2. Donated leave is transferable between employees in different University departments and campus locations, with the approval of the Shared Leave Committee.
3. Any unused shared leave that was donated to a specific employee will be maintained in the Shared Leave Pool to be distributed to other qualified employees.
4. All donated leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating paid leave for purposes of the Shared Leave Program.
5. Persons involved in the administration of the Shared Leave Program are responsible for guarding the privacy of leave recipients and donors. Communications with either group must be kept confidential.
6. The employee recipient who receives shared leave will not accrue additional paid leave while he or she is utilizing said shared leave.
7. When the employee recipient returns to work and is eligible to earn leave, one-half of all earned leave (sick, annual, and personal) will be deposited into the Shared Leave Program until the employee has donated a minimum of one-half of the amount of hours that he or she received as a donation. The deposit into the Shared Leave Program will be made as the leave is earned.

### 8.9.3 Eligibility and Participation Requirements for Recipient

1. The employee or his or her personal representative will complete a Shared Leave Request Form and attach documentation from a licensed physician or health care practitioner verifying the need for the leave and expected duration of the condition. The request should be submitted to the employee's supervisor and the Shared Leave Committee.
2. The employee must have satisfactory performance and have had no disciplinary issues during the previous twelve-month period.
3. The supervisor will review the application and forward his or her recommendation to the Shared Leave Committee.
4. The Shared Leave Committee will determine eligibility of the employee based on:
  - a. The definitions listed above.
  - b. Whether all leave available to the employee has been used or is likely to be used. The employee must also use all available leave hours before being eligible to participate in the Shared Leave Program.
  - c. Whether the employee has abided by University policies regarding the use of leave.
5. If the employee meets the above criteria, the Shared Leave Committee will determine the amount of donated leave an employee may receive and may only authorize an employee to use up to a maximum of four hundred and eighty hours in a twelve-month period. An employee cannot exceed two hundred sixty days or two thousand eighty hours of donated leave during total University employment.
6. The receiving employee shall be paid his or her regular rate of pay, up to a maximum of two-thousand five hundred (\$2,500) dollars per month of approved shared leave. Each hour of approved shared leave will be provided to the recipient

on an hour for hour basis. The leave received will be designated as shared leave and be maintained separately from all other leave balances.

#### **8.9.4 Eligibility and Participation Requirements for Donor**

1. The receiving employee must be eligible under the above criteria.
2. The donating employee will complete a Shared Leave Donation Form. The Shared Leave Donation Form must be sent to the donor employee's supervisor and the Shared Leave Committee.
3. The donating employee may donate any amount of leave provided the donation does not cause the leave balance of the employee to fall below fifty percent of his or her maximum accrual.
4. Donations must be made in full-hour increments.

#### **8.10 Jury Duty/Subpoena**

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When responding to a request for jury duty, the employee shall be entitled to a leave of absence for such duty with full pay and benefits. A copy of the request to report for jury duty must be submitted to the supervisor and forwarded to the Human Resources Office prior to the start of the leave. If an employee is not selected for jury duty after reporting each of the required days, he or she must return to work for the remainder of the day. The employee must provide to the supervisor evidence of having served on a jury for the time claimed.

When an employee is subpoenaed to appear in court in a matter relating to University business, he or she must submit a copy of the subpoena to the Human Resources Office. The employee shall be entitled to a leave of absence for such duty with full pay and benefits.

If the subpoena is regarding a personal matter, the employee may take personal or annual leave.

#### **8.11 Voting**

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A sufficient amount of time off with pay will be given for the purpose of voting in national, state, and local elections.

#### **8.12 Military Leave**

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Per Oklahoma statute, all employees of the University who are members of any component of the armed forces of the United States shall, when ordered by proper authority to active duty or service, be entitled to a leave of absence for such active service without loss of status or negative performance evaluation. There will be no loss of pay during the first 30 working days of such leave per calendar year. Military leave does not affect the accumulation of any other type of leave. Prior approval must be obtained by submitting a copy of the duty orders to the supervisor.

#### **8.13 Inclement Weather**

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The President or designee will be responsible for contacting the local news media if the decision is made to close or delay opening of any part of the University due to inclement weather conditions. Unless the administrative offices are specifically mentioned in the local news media, they are presumed to be open.

If administrative offices are closed, the absence for that period should be reported on the Monthly Departmental Employee Absence Report for exempt employees and the Employee Monthly Time and Leave Report.

If the University is open, employees who determine they cannot travel safely to the University are expected to notify their supervisor by telephone. Unless the supervisor extends permission to make up the time within the current workweek, this absence must be taken as personal leave, annual leave, leave without pay, or accrued compensatory time

#### **8.14 Leave Records**

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Each employee must accurately maintain leave records and is responsible for reporting such time to his or her supervisor on the Monthly Departmental Employee Absence Report or the Employee Monthly Time and Leave Report . Supervisors must review, approve, and forward the reports to the Human Resources Office on the last day of each calendar month.

## 9 Federal Compliance

### 9.1 Equal Opportunity Policy

The University, in compliance with all applicable federal and state laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, political beliefs, disability, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, financial aid, and education services.

### 9.2 Affirmative Action

The Affirmative Action Plan serves to supplement the Board of Regents' policy on equal opportunity, as it pertains to employment and is an integral part of the employment policies of the University. The Plan is revised once each year to address the current requirements for affirmative action in employment. The principal objectives are:

1. To assure all persons equal opportunity for employment and advancement in employment regardless of race, color, national origin, sex, religion, age, disability, political beliefs, or status as a veteran.
2. To meet institutional responsibilities under the Civil Rights Act of 1964 and commitments as a federal contractor under Executive Order 11246 and Executive Order 11375.
3. To take positive actions in the recruitment, placement, development and advancement of women and racial minority members in University employment.

Each person having administrative or supervisory responsibilities is expected to provide leadership in applying the Affirmative Action Plan.

Coordination of the application of the Affirmative Action Plan is the responsibility of the Human Resources Office.

### 9.3 Sexual Harassment/Sexual Assault Policy

#### 9.3.1 Statement

The Board of Regents explicitly condemns sexual harassment of students, staff, and faculty. Sexual harassment is unlawful and will subject those who engage in it to University sanctions as well as civil and criminal penalties.

When criminal action is pursued in addition to an administrative grievance under this policy, the Office of Equal Opportunity will coordinate its investigative actions with the University or local law enforcement authorities to ensure that criminal prosecution is not jeopardized. The University Equal Opportunity Officer may defer administrative action at the request of University or local law enforcement authorities pending completion of the criminal investigation. Where review by the University Equal Opportunity Officer or other University executive officer determines that immediate administrative action is necessary for the safety, health, and well-being of the University community, such action may be taken in advance of resolution of criminal charges.

Since some members of the University community hold positions of authority that may involve the legitimate exercise of power over others, it is their responsibility to be sensitive to that power. Faculty, and supervisors in particular, in their relationships with students and subordinates, need to be aware of potential conflicts of interest and the possible compromise of their evaluative capacity. Because there is an inherent power difference in these relationships, the potential exists for the less powerful person to perceive a coercive element in suggestions regarding activities outside those appropriate to the professional relationship. It is the responsibility of faculty and staff to behave in such a manner that their words or actions cannot reasonably be perceived as sexually coercive, abusive, or exploitive. Sexual harassment also can involve relationships among equals as when repeated advances, demeaning verbal behavior, or offensive physical contact interfere with an individual's ability to work or study productively.

The University is committed to providing an environment of study and work free from sexual harassment and to ensuring the accessibility of appropriate grievance procedures for addressing all complaints regarding sexual harassment. The University reserves the right, however, to deal administratively with sexual harassment issues whenever becoming aware of their existence. Records of all complaints, except for hearings before the Faculty Appeals Committee, shall be transmitted to and maintained by the University Equal Opportunity Officer as confidential records.

The University encourages victims to report instances of sexual assault or other sex offenses, either forcible or non forcible. In addition to internal grievance procedures, victims are encouraged to file complaints or reports with Campus Police or local law enforcement agencies by telephoning 911 as soon as possible after the offense occurs in order to preserve evidence necessary to the proof of criminal offenses. The Campus Police Department is available to assist victims in filing reports with other area law enforcement agencies.

### **9.3.2 Definition of Sexual Harassment**

Sexual harassment shall be defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following context:

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

### **9.3.3 Examples of Prohibited Conduct**

Conduct prohibited by this policy may include, but is not limited to:

- Unwelcome sexual flirtation; advances or propositions for sexual activity.
- Continued or repeated verbal abuse of a sexual nature, such as suggestive comments and sexually explicit jokes.
- Sexually degrading language to describe an individual.
- Remarks of a sexual nature to describe a person's body or clothing.
- Display of sexually demeaning objects or pictures.
- Offensive physical contact, such as unwelcome touching, pinching, brushing against the body.
- Coerced sexual intercourse.
- Sexual assault.
- Rape, date or acquaintance rape, or other sex offenses, forcible or non forcible.
- Actions indicating that benefits will be gained or lost based in response to sexual advances.

### **9.3.4 Retaliation**

Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of sexual harassment will be treated as a separate and distinct violation of this policy.

### **9.3.5 Sanctions**

Appropriate disciplinary action may include a range of actions up to and including dismissal and/or expulsion.

### **9.3.6 Complaint Procedure**

Complaints alleging a violation of the Sexual Harassment/Sexual Assault Policy shall be handled in accordance with the Equal Opportunity Grievance Procedure.

## **9.4 Consensual Sexual Relationship Policy**

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### **9.4.1 Rationale**

The University's educational mission is promoted by professionalism in faculty, staff, and student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty, staff, and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's mission. Trust and respect are diminished when those in positions of authority abuse, or appear to abuse, their power. Those who abuse, or appear to abuse, their power in such a context violate their duty to the University.

University employees exercise power over subordinate employees and students, whether in giving them praise or criticism; evaluating them; making recommendations for promotion, further studies, or their future employment; or conferring any other benefits on them. Amorous relationships between employees and subordinate employees or subordinate students are wrong when the employee has professional responsibility for the subordinate employee or student. Such situations greatly increase the opportunities that a University employee may abuse his or her power and sexually exploit the subordinate employee or subordinate student. Voluntary consent in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other employees and students will likely be adversely affected by such unprofessional behavior because it places the employee in a position to favor or advance one individual's interests at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as unethical if staff or faculty members engage in amorous relations with subordinate employees or students enrolled in their classes or subject to their supervision, even when both parties appear to have consented to the relationship.

#### 9.4.2 Definitions

As used in this policy, the term "employee" includes all employees, including but not limited to, academic and non-academic administrators, supervisory personnel, staff, faculty, graduate students with or without teaching responsibilities, student employees, and other instructional personnel. The term "consensual sexual relationship" may include amorous or romantic relationships and is intended to indicate conduct which goes beyond what a person of ordinary sensibilities would believe to be a collegial or professional relationship.

The term, "subordinate" as used here means an employee or student in a position of lesser power or authority than the other party to the amorous relationship; e.g., any employee or student who is beneath another in the employment chain of command or who relies upon the other for day-to-day directions would be "subordinate," as would a project team member or housing resident with respect to the project director or resident advisor, respectively.

#### 9.4.3 Policy

- A. Employee Relationships with Subordinate Students or Subordinate Employees
  - 1. **Instructional Context** – It is considered a serious breach of professional ethics for an employee to initiate or acquiesce in a sexual relationship with a student who is enrolled in a course being taught by the employee or whose academic work (including work as a teaching assistant) is being supervised by the employee.
  - 2. **Other Contexts** – Sexual relationships between employees and subordinate employees or subordinate students occurring outside the instructional context may also lead to difficulties, particularly when the employee and subordinate employee or subordinate student are in the same academic unit or in units that are closely allied. Relationships that the parties view as consensual may appear to others to be exploitative. Further, in such situations the employee may face serious conflicts of interest and must be careful to distance himself or herself from any decisions that may reward or penalize the subordinate employee or subordinate student involved. An employee who fails to withdraw from participation in activities or decisions that may reward or penalize such subordinates with whom the employee has or has had an amorous relationship will be deemed to have violated his or her ethical and professional obligations to the University.
- B. Prohibitions

Consensual sexual relationships between employees and subordinate employees or subordinate students are prohibited. Violations of this policy may lead to disciplinary action up to and including termination and/or expulsion.

#### 9.4.4 Complaint Procedure

Complaints alleging a violation of the Consensual Sexual Relationships Policy shall be handled in accordance with the Office of Equal Opportunity Grievance Procedure.

To contact the University office of Equal Opportunity: Human Resources Office, Rogers State University.

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### 9.5 Racial and Ethnic Harassment Policy

#### 9.5.1 Introduction

Diversity is one of the strengths of our society as well as one of the hallmarks of a great university. The University supports diversity and therefore is committed to maintaining employment and educational settings which are multicultural, multiethnic, and

multiracial. Respecting cultural differences and promoting dignity among all members of the University community are responsibilities each of us must share.

Racial and ethnic harassment is a growing concern across American college campuses. It has taken various forms, from criminal acts (assault and battery, vandalism, destruction of property) to anonymous, malicious intimidation, most often directed toward persons whose race and ethnicity is readily identifiable. In employment, racial/ethnic harassment is race discrimination which interferes with an employee's ability to perform his or her duties or creates a hostile or intimidating work environment, prohibited by law under Title VII of the Civil Rights Act of 1964. In the educational context, racial/ethnic harassment is race discrimination which interferes with the students' opportunities to enjoy the educational program offered by the University, prohibited by law under Title VI of the Civil Rights Act of 1964.

### **9.5.2 Policy Statement**

Principles of academic freedom and freedom of expression require tolerance of the expression of ideas and opinions, which may be offensive to some, and the University respects and upholds these principles. The University also adheres to the laws prohibiting discrimination in employment and education. The University recognizes that conduct which constitutes racial/ethnic harassment in employment or educational programs and activities shall be prohibited and is subject to remedial or corrective action as set forth in this policy. This policy is premised on the University's obligation to provide an environment free from unlawful discrimination. The University will vigorously exercise its authority to protect employees and students from harassment by agents or employees of the University, students, visitors, or guests.

Agents or employees of the University, acting within the scope of their official duties, shall not treat an individual differently on the basis of race, color, or national origin in the context of an employment or educational program or activity without a legitimate, nondiscriminatory reason.

The University shall not subject an individual to different treatment on the basis of race or ethnicity by effectively causing, encouraging, accepting, tolerating, or failing to correct a racially or ethnically hostile environment of which it has notice.

### **9.5.3 Corrective Actions**

Violations of this policy shall result in corrective action(s) designed to reestablish an employment or educational environment which is conducive to work or learning. Corrective actions will include disciplinary action directed by the executive officer having responsibility for the offender, where appropriate. Corrective actions will be tailored to redress the specific problem and may range from apologies, mandatory attendance at specific training programs, reprimands, suspension, or demotion to expulsion or termination. Corrective actions shall be based upon the facts and circumstances of each case and shall be in accordance with the terms and guidelines of the applicable campus grievance procedures.

Violations of this policy by students will be considered as violations of the Student Code and will subject student offenders to the corrective action(s) provided by the Code.

### **9.5.4 Administrative Action**

The University recognizes its obligation to address incidents of racial/ethnic harassment on campus when it becomes aware of their existence, even if no complaints are filed; therefore, in such circumstances, the University reserves the right to take appropriate action unilaterally under this policy.

With respect to students, the University chief student affairs officer or other appropriate persons in authority may take immediate administrative or disciplinary action which is deemed necessary for the welfare or safety of the University community. Any student so affected must be granted due process including a proper hearing. Any hearing involving disciplinary suspension or expulsion shall be conducted in accordance with the University's Student Code. Lesser administrative or disciplinary action may be appealed to the University chief student affairs officer. Such requests must be in writing and filed within seven calendar days following summary action. The University chief student affairs officer will issue a written determination to the student within three working days following the date the request is received.

With respect to employees, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence, with or without pay, as may be approved by the President, pending the completion of the investigation or grievance procedure.

### **9.5.5 Retaliation**

Threats or other forms of intimidation or retaliation against complaining witnesses, other witnesses, any reviewing officer, or any review panel shall constitute a separate violation of this policy which may be subject to direct administrative action.

### **9.5.6 Complaint Process**

The complaint procedures delineated herein apply to all students, faculty, staff, guests, or visitors. Complaints alleging violation of the racial and ethnic harassment policy will be reviewed and investigated by the appropriate University office. Complaints may be resolved informally or may proceed through the applicable formal complaint proceedings. Complaints may be filed in the following manner:

1. Complaints against students or student organizations, faculty or staff, or contractors working on University premises shall be filed with the Equal Opportunity Officer for review and investigation. The Equal Opportunity Officer, or his or her designee, may assist in the informal resolution of the complaint or in processing a complaint through the applicable University procedures.
2. Complaints against visitors or guests should be directed to the University Campus Police Department. The Campus Police will forward informational copies of all reports and inquiries dealing with discrimination, harassment, or hate crimes to the Equal Opportunity Officer.

### **9.5.7 Responsible Official**

The Equal Opportunity Officer is charged with the responsibility for administering this policy. The Office of Equal Opportunity will serve as a repository for all records of complaints, investigative reports, and remedies/corrective actions in connection with this policy. The Equal Opportunity Officer is the overall coordinator of all University activities dealing with discrimination in employment or education.

To contact the Equal Opportunity Officer: Human Resources Office, Rogers State University.

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## **9.6 Discrimination Policy**

(for Other than Sexual or Racial/Ethnic Harassment)

The University has a policy of internal adjudication in matters relating to alleged discrimination. Any faculty member, staff member, or student, including without restriction, those on temporary or part-time status, who believes that he or she has been discriminated or retaliated against should file a complaint under the Equal Opportunity Grievance Procedure.

Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of discrimination and/or harassment will be treated as a separate and distinct violation of this policy.

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## **9.7 Equal Opportunity Grievance Procedure**

### **9.7.1 Who May Use Procedure**

The grievance procedure embodied herein shall be available to any person who, at the time of the acts complained of, was employed by, was an applicant for employment with, or was enrolled as a student at the University.

### **9.7.2 Filing of Complaint**

This procedure applies to persons who have complaints alleging discrimination based upon race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran or complaints alleging sexual harassment, consensual sexual relationships, retaliation, or racial and ethnic discrimination, harassment, or retaliation. Such persons may file their complaints in writing with the University Equal Opportunity Officer.

Complainants who exercise their right to use this procedure agree to accept its conditions as outlined. Where multiple issues exist (e.g., sexual harassment and violation of due process or grade appeal), the complainant must specify all of the grounds of the



grievance of which the complainant knows or should have reasonably known at the time of filing. A grievance filed under this procedure may normally not be filed under any other University grievance procedure. Depending on the nature of the issues involved, the complainant will be advised by the University Equal Opportunity Officer or his or her designee about the appropriate procedure(s) to utilize.

### 9.7.3 Timing of Complaint

Any complaint must be filed with the University Equal Opportunity Officer within 180 calendar days of the act of alleged discrimination, harassment, or retaliation. The University Equal Opportunity Officer may reasonably extend all other time periods.

### 9.7.4 Administrative Action

1. The University recognizes its obligation to address incidents of discrimination, harassment, or retaliation on campus when it becomes aware of their existence. Even if no complaints are filed, the University reserves the right to take appropriate action unilaterally under this procedure.
2. With respect to students, the University chief student affairs officer or other appropriate persons in authority may take immediate administrative or disciplinary action, which is deemed necessary for the welfare or safety of the University community. Any student so affected must be granted appropriate due process.
3. With respect to employees, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence pending the completion of the investigation or grievance procedure.

### 9.7.5 Withdrawal of Complaint

The complainant may withdraw the complaint at any point prior to the adjournment of a formal hearing.

### 9.7.6 Confidentiality of Proceedings and Records

Investigators and members of the Hearing Panel reviewing the grievance are individually charged to preserve confidentiality with respect to any matter investigated or heard. A breach of the duty to preserve confidentiality is considered a serious offense and will subject the offender to appropriate disciplinary action. Parties and witnesses also are admonished to maintain confidentiality with regard to these proceedings.

All records, involving discrimination, harassment, or retaliation upon disposition of a complaint, shall be transmitted to and maintained by the University Equal Opportunity Officer as confidential records except to the extent disclosure is required by law.

### 9.7.7 Proceedings and Investigation

Upon receipt of a complaint, the University Equal Opportunity Officer is empowered to investigate the charge, to interview the parties and others, and to gather pertinent evidence. The investigation should be completed within 60 calendar days of receipt of the complaint, or as soon as practical. If a time period is extended for more than 10 calendar days, the University Equal Opportunity Officer will provide written or oral notice of reason for extension to all parties involved. The investigator shall prepare a record of the investigation.

In arriving at a determination of a policy violation at any stage of the proceedings, the evidence as a whole and the totality of the circumstances and the context in which the alleged incident(s) occurred shall be considered. The determination will be made from the facts on a case-by-case basis.

Upon completion of the investigation, the University Equal Opportunity Officer is authorized to take the following actions:

- A. **Satisfactory Resolution** - Resolve the matter to the satisfaction of the University and both the complainant and the respondent. If a resolution satisfactory to the University and both parties is reached through the efforts of the University Equal Opportunity Officer, he or she shall prepare a written statement indicating the resolution. At that time, the investigation and the record thereof shall be closed.
- B. **Dismissal** - Find that no policy violation occurred and dismiss the complaint, giving written notice of said dismissal to each party involved. Within 15 calendar days of the date of the notice of dismissal, the complainant may appeal said dismissal in



writing to the University Equal Opportunity Officer by requesting a hearing. If no appeal is filed within the 15 calendar day period, the case shall be considered closed.

### **C. Determination of Impropriety**

1. Make a finding of impropriety and notify the parties of the action to be taken. Either party has the right to appeal said determination in writing within 15 calendar days of the date of the notice of determination to the University Equal Opportunity Officer by requesting a hearing. If no appeal is filed within the 15 calendar day period, the case shall be considered closed.
2. In the case of a complaint against a faculty member, the administrative investigator may determine that the evidence is sufficiently clear and serious so as to warrant the immediate commencement of formal proceedings as provided in the Severe Sanctions sections of the Faculty Handbook. If the President concurs with the administrator's finding, the case may be removed at the option of the accused from the grievance proceedings contained herein, and further action in the case shall be governed by the Board of Regents' severe sanctions policies. Otherwise, this policy and procedure shall apply.

## **9.8 Individuals With Disabilities**

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The University is committed to the goal of achieving equal educational opportunities and full participation for individuals with disabilities. Consistent with the applicable provisions of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, the University ensures that no "qualified individual with a disability" will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination solely on the basis of disability under any program or activity offered by the University.

The University will reasonably accommodate otherwise qualified individuals with a disability unless such accommodation would pose an undue hardship, would result in a fundamental alteration in the nature of the service, program, or activity or in undue financial or administrative burdens. The term "reasonable accommodation" is used in its general sense in this policy to apply to employees, students, and visitors.

Reasonable accommodation may include, but is not limited to: (1) making existing facilities readily accessible and usable by individuals with disabilities; (2) job restructuring; (3) offering part-time or modified work schedules; (4) providing reassignment to a vacant position if qualified; (5) acquiring or modifying equipment or devices; (6) adjusting or modifying examinations, training materials, or policies; (7) providing qualified readers or interpreters; or (8) modifying policies, practices, and procedures.

Reasonable accommodation with respect to employment matters should be coordinated with the Human Resources Office and the disabled individual. Reasonable accommodation with respect to faculty employment should be referred to the Office of the Academic Vice President. Reasonable accommodation with respect to students should be referred to the Office of the Dean of Students.

Individuals who have complaints alleging discrimination based upon a disability may file the complaint under the Equal Opportunity Grievance Procedure.

Contact the Human Resources Office or the Office of Student Affairs to obtain a complete copy of the University's Reasonable Accommodation policy.

## **9.9 Prevention of Alcohol Abuse and Drug Use on Campus and in the Workplace**

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The federal Drug-Free Workplace Act enacted into law in 1988 requires that any entity seeking to be considered to receive a grant from any federal agency, and any entity seeking to be awarded a contract for the procurement of any property or services of a value of \$25,000 or more from any federal agency, certify to the Federal granting or contracting agency that it will provide a drug-free workplace.

The University recognizes its responsibility as an educational and public service institution to promote a healthy and productive work environment. This responsibility demands implementation of programs and services which facilitate that effort. The University is committed to a program to prevent the abuse of alcohol and the illegal use of drugs and alcohol by its students and employees. The University's program includes this policy, which prohibits illegal use of drugs and alcohol in the workplace or as part of any University-sponsored activities. It shall be Board of Regents' policy that:

1. All students and employees shall abide by the terms of this policy as a condition of initial and continued enrollment/employment.
2. The illegal use of drugs and alcohol is in direct violation of local, state, and federal law, as well as University policies governing faculty, staff, and student conduct. This policy strictly prohibits the illegal use, possession, manufacture, dispensing, or distribution of alcohol, drugs, or controlled substances in the workplace, on its premises, or as a part of any University-sponsored activities.
3. Violating this policy shall be a major offense, which can result in a requirement for satisfactory participation in a drug or alcohol rehabilitation program, at the employee's expense, referral for criminal prosecution, and/or immediate disciplinary action up to and including termination from employment and suspension or expulsion from the University. A criminal conviction is not required for sanctions to be imposed upon an employee or student for violations of this policy.
4. Violations of applicable local, state, and federal laws may subject a student or employee to a variety of legal sanctions including, but not limited to, fines, incarceration, imprisonment, and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit a certain career and professional opportunities. A current listing of applicable local, state, and federal sanctions can be obtained through the Office of Student Affairs and Human Resources Office.
5. An employee shall notify his or her supervisor in writing of a criminal conviction for drug or alcohol-related offenses occurring in the workplace no later than five calendar days following the conviction.
6. The University provides access to information about the dangers of drug and alcohol abuse. Voluntary participation in or referral to these services is strictly confidential.
7. An employee shall not perform safety sensitive functions while a prohibited drug is in his or her system.
8. The University may require drug testing of safety sensitive employees (as defined by federal law) prior to employment, when there is reasonable cause, after an accident, on a random basis, and before allowing the employee or student to return to duty after refusing to take a drug test or after not passing a drug test.
9. The University shall distribute this policy to all staff, faculty, and students.
  - [Annual Letter to Students](#)
  - [Annual Letter to Employees](#)

Health risks generally associated with alcohol and drug abuse can result in, but are not limited to: a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes, and thought disorders.

The chief fiscal officer is responsible for notifying Federal funding agencies within ten calendar days whenever an employee is convicted of a drug-related crime which occurred in the workplace. Decisions under this policy are subject to the grievance procedures stated elsewhere in the Board of Regents' policy.

## **9.10 Intellectual Properties Policy**

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The people of the State of Oklahoma may reasonably expect that their investments in the University will create new industry and enhance existing industry within the State and Nation. Such new industry creates greater employment opportunities for citizens of the State and the Nation and an improvement in their standard of living.

The creation and development of intellectual property at the University encourages new business and is key to creating strong University and industry partnerships. It is the responsibility of University employees to disclose intellectual property and to foster an entrepreneurial attitude within the work force by involving students in the creation of intellectual property. Intellectual property development shall be pursued in concert with, but subject to, the University's principal responsibilities of education and knowledge creation.

Therefore, it is in the best interest of the University to adopt a policy that encourages disclosure of discoveries and inventions and rewards such creative activity. To do so, the University's policy must insure that creators of copyrightable works or trademarks and inventors share in any financial success enjoyed by the University through the creation and commercialization of intellectual property. The basic objectives of the University's policy concerning creative works, trademarks, discoveries, and inventions (i.e. intellectual property) include the following:

1. To maintain the University's academic policy of encouraging research, publication, and scholarship independent of potential gain from royalties or other income.
2. To make patented materials created pursuant to University objectives available in the public interest under conditions that will promote their effective utilization and commercialization.

3. To provide adequate incentive and recognition to faculty and staff through proceeds derived from their creative works, trademarks, discoveries, and inventions.

Specific provisions prescribing matters related to the intellectual properties policy are set forth in the University's Academic Policies and Procedures Manual.

## 10 State Compliance

### 10.1 Candidates for Political Office

Any employee of the University who becomes a candidate in any primary or general election for any county, state, or federal office, shall, prior to announcing his or her candidacy for any said office, first offer his or her resignation to the Board of Regents, without reservation.

In making the announcement of the adoption of the resolution, the Board of Regents stated that it did not want to be understood as offering discouragement to employees from becoming candidates for public office. Employees may regard it as their duty to become candidates.

### 10.2 Confidentiality of Library Records

The University adheres to Oklahoma and federal law with respect to confidentiality of library records. The records of library materials borrowed or used cannot be disclosed to anyone except:

1. Persons acting within the scope of their duties in the administration of the library;
2. Persons authorized to inspect such records, in writing, by the individual or group whose records are sought; or
3. As otherwise required by law.

### 10.3 Conflicts of Interest

#### 10.3.1 Purpose of Policy

This policy addresses situations where there might be a potential financial conflict between a particular outside interest of a faculty or staff employee and the obligation that the employee owes to the University such that an employee's profit or advantage may come, or reasonably appear to come, at the expense of the well-being of the University.

The purpose of this policy is to aid in identifying apparent, actual, and potential conflicts of interest and assuring that such conflicts do not improperly affect the activities or professional conduct of the University or its employees. It is not the intent of this policy to restrict legitimate work appropriate to the employee's profession or discipline, but only to provide the University with authority to take action that is appropriate, proportionate, and focused on substantial conflicts of interest that compromise an employee's professional judgment.

#### 10.3.2 Statement of General Policy

The University is a public institution committed to the mission of teaching; research and creative/scholarly activity, and professional and University service and public outreach. To these ends, the University balances an assortment of principles: maintaining an atmosphere that promotes free and open scholarly inquiry; facilitating the transfer of information and technology for the benefit of the public; and serving as a prudent steward of public and private resources entrusted to it. Faculty and staff have a primary commitment to their basic University duties of teaching; research and creative/scholarly activity, and professional and University service and public outreach. These basic duties often limit outside activities. As a result, professional and personal activities may present conflict of interest situations, which should be evaluated under the auspices of this and other applicable policies.

Employee participation in outside professional, commercial, and *pro bono publico* activities can make important direct and indirect contributions to the strength and vitality of the University. Through participation in such activities, employees may add to

knowledge and understanding that is relevant and useful to teaching and research within the University, develop sources of funding and support for activities carried out in the University, and establish relationships valuable to the University. Because of its value to the University, its rewards for an individual employee, and its contributions to the larger society of which the University is a part, the University recognizes that employee participation in outside professional, commercial, or *pro bono publico* activities is often appropriate.

Sound professional discretion is an integral part of the University's conflict of interest system. Any review of a potential conflict of interest will be undertaken in light of four general propositions.

First, conflicts of interest *per se* are inevitable and do not necessarily represent any impropriety by employees if disclosed in advance. Second, the failure to disclose a conflict of interest for administrative review and response would be a serious mistake for any employee and may be a breach of this policy. Third, there is a presumption in favor of allowing employees to act in dual roles once the conflict of interest has been disclosed (prior written approval is required in cases of potential conflicts involving federal grants or contracts). Fourth, conflicts of interest may be so profound or substantial that it would be best for all concerned if the employee did not participate in a particular transaction.

It is not possible to completely eliminate the potential for conflicts of interest because there are certain rewards and incentives that are inherent or appropriate in the structure of a University enterprise. Such conflicts become detrimental when the potential temptations, financial or otherwise, undermine reasonable objectivity in the design, interpretation, and publication of research; in setting University policies; in managing contracts; in selecting equipment and supplies; in involving students in sponsored projects; or in performing other roles in University governance in which objectivity and integrity are paramount. Furthermore, since allegations of conflicts of interest based on appearances can undermine public trust in ways that may not be adequately restored even when mitigating facts are brought to light, apparent conflicts should be avoided, when feasible and appropriate.

Other sections of this policy notwithstanding, it is the ongoing responsibility of the employee to abide by the provisions of all other applicable federal and state laws, and the University's policies relating to conflicts of interest; to identify potential conflicts of interest; and to disclose and seek guidance on such matters from the appropriate vice president.

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## 10.4 Ethics Policy

The State Ethics Commission was established under Article XXIX of the Oklahoma Constitution. The Commission is charged with promulgating rules of ethical conduct of state officials and employees, including civil penalties for violations of such rules. State officers and employees are to comply with the Ethics Commission "Act" [Section 4200 et seq. of Title 74] and the Ethics Commission "Rules" [Chapter 20 of Title 257 of the Ethics Commission rules]. The Rules and the Act deal with prohibitions against political activities, financial disclosure, conflicts of interest, and penalties and enforcement. For further detailed information, please contact the Vice President for Business Affairs.

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## 10.5 Firearms Policy

Firearms and munitions of all types are prohibited on all property owned, leased, or occupied by the Board of Regents at all times except as specifically authorized below.

- A. For purposes of this policy, firearms include, but are not limited to, the following: conventional weapons, from which a projectile is discharged by an explosive propellant charge; antique, replica, and inert firearms; compressed gas weapons; and spring-propelled weapons. For purposes of this policy, munitions include, but are not limited to, any projectile which incorporates a propellant charge and/or explosive contents.
- B. Firearms are permitted on campus only under the following circumstances:
  1. In the possession or control of sworn law enforcement officers or properly licensed armed security guards employed by the University who are performing their assigned duties. The Director of Campus Police must approve in advance the use or employment of armed private security providers.
  2. In the possession of personnel of active or reserve armed forces of the United States or the Oklahoma National Guard when in the performance of duties assigned by an authorized commander.
  3. In the possession of ROTC participants when under the supervision of authorized members of the regular armed services.
  4. As "starter pistols," incapable of chambering or firing live projectile ammunition, for athletic events. Starter pistols and blank ammunition shall be secured at all times when not in use, and shall be under the supervision and control of appropriate staff or athletic officials when in use.

5. As construction equipment employing blank ammunition as a propellant for setting fasteners when used by and under the supervision of authorized and trained personnel.
6. For use as a teaching aid, subject to the following conditions:
  - a. Permission for such use must be granted by the academic dean and prior written notice of the presence of the firearm on campus must be given to the Director of Campus Police.
  - b. Such firearms must be approved and secured by means acceptable to the Director of Campus Police.
  - c. Except for recognized University shooting ranges and while under authorized supervision, munitions shall not be present with firearms when used in class.
7. Any group desiring to use a firearm and/or munitions for ceremonial purposes on the campus will tender a request to the Director of Campus Police. The Director will review the request and forward it to the chief fiscal officer, who will in turn forward to the Office of Legal Counsel with a recommendation for approval or disapproval based upon safety considerations. The Office of Legal Counsel will notify the chief fiscal officer and any other appropriate officials of any approvals that are granted for the use of ceremonial firearms.
8. For use during a public performance, subject to the following conditions:
  - a. Firearms for use in public performances shall be rendered inoperable whenever discharge is not required as an integral part of the production.
  - b. When discharge is necessary as part of a performance, blank ammunition shall be used. Blank ammunition is not permitted in weapons pointed at performers at any time during the production.
  - c. Weapons present for a performance shall be kept secure or in the possession of a designated staff member at all times when not actively in use.
9. For display in support of the educational mission of the University. Such firearms must be inoperable and approved and secured by means acceptable by the Director of Campus Police.
10. The Rogers State University President has the authority to make exceptions to the above provisions when appropriate to further the University's mission.

For purposes of this policy, "inoperable" means physically rendered incapable of firing either by removal of critical parts or installation of a device to prevent operation, or both. Where firearms are required to be inoperable, the Director of Campus Police shall inspect and certify that the firearm is inoperable.

## **10.6 Health and Safety**

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The University is committed to providing a safe and healthy environment for the entire University community and to complying with all applicable federal and state laws and regulations pertaining to occupational and environmental safety. Academic and administrative personnel with supervisory and teaching roles must ensure that procedures are developed and followed which are designed to prevent injury, protect the assets of the University, and protect their environment. It is the responsibility of all University faculty, staff, and students to follow safe working practices, obey health and safety rules and regulations, and work in a manner that protects their health and that of others and does no harm to the environment.

However, in the event of an employee injury, the following practices will help guide the employee relative to his or her rights. Employees should follow the [Procedures For Reporting An On-The-Job Injury](#). For vehicular incidents, the employee should refer to the guide Accident Information Form. This guide is in the glove compartment of each University-owned vehicle and is available upon request in the Human Resources Office.

The Human Resources Office will assist the injured employee in filing an injury report with either Risk Management or workers' compensation authorities, as appropriate.

### **10.6.1 Risk Management**

If an individual sustains an injury on University property and is not involved in compensable work for the University, a Standard Liability Incident Report should be filed with the Human Resources Office. The Oklahoma Governmental Tort Claims Act governs coverage provided for those individuals who are on state property but not performing compensable work and are injured while on state property. Claims to the State Risk Management Office will be evaluated to determine if the University is liable for damages. Additional information is available in the Human Resources Office.

## 10.6.2 Workers' Compensation

If an employee sustains an injury during the course of the performance of compensable work for the University, appropriate Workers' Compensation claim forms must be filed through the Human Resources Office. See further information about [Workers' Compensation](#).

## 10.7 Open Record Request

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It is the policy of the University to abide by the Oklahoma Open Records Act and the Family Educational Rights and Privacy Act (FERPA) as they relate to records requests. Requests made under the Oklahoma Open Records Act should be sent to the Vice President for Business Affairs. Requests made under FERPA should be sent to the Office of Enrollment Management. Requests made to these two offices will be sent to the University's Legal Counsel. The University's Legal Counsel will facilitate and coordinate responses to the requests.

## 10.8 Political Activities of Employees

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An employee of the Board or University who participates in political activities must do so in a manner that:

1. Does not imply, directly or indirectly, that the Board of Regents or the University endorses such activities;
2. In no way interferes with the rights and privileges of other employees of the Board of Regents or the University;
3. In no way interferes with the rights and privileges of students attending the University;
4. In no way interrupts the normal routine operation of the University;
5. In no way interferes with the assigned duties of the employee; and
6. Does not utilize University funds, equipment, supplies, paid staff time, or other University resources for partisan political activities or a ballot measure.

Violation of these principles may be considered cause for disciplinary action, up to and including dismissal.

## 10.9 Tobacco-Free Policy

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The Board of Regents has established a Tobacco Free Policy consistent with Governor Fallin's Executive Orders 2012-01 and 2013-43. All properties and facilities of Rogers State University are tobacco, electronic cigarette and vaping device-free.

### Purpose

The purpose of this policy is to foster a healthier environment for students, faculty, staff and visitors on the Rogers State University campuses by minimizing tobacco use, which is the leading cause of death in Oklahoma and the United States. The policy is designed to prevent or reduce exposure of individuals to secondhand smoke, and to help reduce tobacco use among RSU students and employees. The policy is not intended to be judgmental of individual lifestyle choice or to be punitive towards any individual or group.

This policy is subject to all applicable laws and regulations and other recognized exceptions, including, without restriction, an exception allowing tobacco use for religious or ceremonial purposes.

### Policy

The use of all tobacco products including but not limited to cigarettes, cigars, pipes, smokeless tobacco, electronic cigarettes and vaping device is strictly prohibited anywhere on University grounds or campus.

1. The use of tobacco products, electronic cigarette and vaping device shall be prohibited in any buildings or portion thereof owned, leased, or operated by the University, including, without restriction, University housing/apartments, athletic facilities, within/on any University parking facility, in any vehicle owned or leased by the University, or on the University grounds or campus, including but not limited to public and non-public areas, offices, restrooms, stairwells, driveways, sidewalks, etc.
2. This policy applies to all persons on University grounds or campus, including but not limited to students, faculty, staff, contracted personnel, vendors, and all visitors to the University campus. The policy applies to all University events.
3. The sale of tobacco products, electronic cigarette and vaping device on University property is prohibited.

## Communication of Policy

1. APPROPRIATE SIGNAGE shall be posted strategically throughout the campus and in University facilities and vehicles as a reminder of the policy.
2. The Office of the Vice President for Academic Affairs will ensure that University faculty employment announcements and information provided to new faculty recruits and employees contain information about the tobacco, electronic cigarette and vaping device-free environment.
3. The Office of Human Resources will ensure that University staff employment applications, both hard copy and online versions, contain information about the tobacco, electronic cigarette and vaping device-free environment, and that new employees receive information about the tobacco, electronic cigarette and vaping device-free policy during the new employee orientation.
4. The Office of the Vice President for Student Affairs will ensure that University communications and information provided to prospective students and to new students includes information about the tobacco, electronic cigarette and vaping device-free environment.
5. The full text of the policy shall be available to faculty and staff handbooks, and on the RSU website.

## Compliance and Enforcement

Compliance with this policy by all students, employees, and visitors to the campus is expected based upon our commitment to a healthy environment on campus, and our responsibility to protect individuals from the adverse health effects of exposure to secondhand smoke. This depends on the consideration and cooperation of both users and non-users of tobacco, electronic cigarette and vaping device. All members of the University community share the responsibility of adhering to and enforcing the policy and have the responsibility for communicating the policy to visitors in a courteous and considerate manner. Any complaints should be brought to the attention of the appropriate University administrative personnel.

Non-compliance with this policy will be handled in the same manner as any other policy violation and is subject to the disciplinary process. After receiving an initial warning and reminder of the policy, repeated violations of the policy will be subject to fines of \$10 for the second violation of the policy, and \$50 for the third violation. An appeals process will be used similar to that used for appeals of parking fines.

### 10.10 Travel

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The following travel reimbursement guidelines are based upon the State Travel Reimbursement Act, Title 74 O.S., Section 500.1 et seq., and procedures established by the Office of State Finance, unless otherwise noted.

Employees may be reimbursed for travel expenses incurred while conducting official University business or attending professional development events. Requests to attend professional meetings must be accompanied by a program or letter of invitation.

All out-of-state travel, except for routine business during the day, requires prior approval of the President. An [Out-of-State Travel Request Form](#) should be submitted at least thirty days prior to the date of travel. Presidential approval must be obtained before any funds are encumbered or travel begins.

If available and requested, a University-owned vehicle may be reserved. If it becomes necessary to cancel a vehicle reservation, notification of the cancellation should be made to the Motor Pool so that the vehicle can be reassigned for another purpose.

Reimbursement for authorized expenses may be requested by completing a State of Oklahoma Travel Voucher, OSF Form 19, as soon as travel is completed. The form can be obtained from the Budget and Accounting Office in paper or electronic format. The amount claimed for reimbursement should not exceed the amount approved on the Out-of-State Travel Request Form if applicable. All required receipts must be attached to the form.

For additional guidance on travel procedures, please contact the Budget and Accounting Office.

#### 10.10.1 In-State Reimbursement/General Provisions

Official travel status for the purpose of meals and lodging shall be defined as absence from the employee's home area or official station area while performing assigned official duties; such trip must be of sufficient duration and distance to qualify as overnight absence from the person's home or official duty station area.



### **10.10.2 Out-of-State Reimbursement/General Provisions**

Reimbursement for meals and lodging on out-of-state trips shall not begin more than twenty-four hours before or continue more than twenty-four hours after the trip objective, such as a meeting, workshop, or conference.

### **10.10.3 Lodging**

Reimbursement for overnight lodging for official travel status may be made at a rate not to exceed the specified limit per night for in-state or out-of-state travel, except for designated meeting sites. Receipts issued by the hotel, motel, or other public lodging place must accompany the claim for reimbursement. If the place of lodging is the designated meeting site, a brochure from the event sponsor reflecting such designation must be submitted with the claim.

### **10.10.4 Per Diem**

Reimbursement for meals during official travel is authorized at rates set by Oklahoma Statute, provided the trip meets the overnight criteria. In computing the reimbursement for per diem, a day shall be a period of twenty-four hours. Reimbursement is not allowed for meals that have been provided as part of the registration fee or by any party other than the employee.

### **10.10.5 In-State Transportation**

Travel by privately owned vehicle may be reimbursed based on the distance set forth by the official state map produced by the Oklahoma Department of Transportation. Any vicinity travel must be entered on travel claims as a separate item.

### **10.10.6 Out-of-State Transportation**

Regardless of the mode of travel (including privately owned vehicle), reimbursement for out-of-state transportation costs shall not exceed that of coach airfare. However, travel by commercial airline on a first-class basis may be reimbursed if coach class space is not available within a reasonable time and is justified by attachment to the claim for reimbursements. Airline tickets for employee travel must be purchased from travel agents listed on the State contract. However, if a lower cost arrangement can be found with a non-listed travel agent, internet travel provider, or direct from the airlines, this lower cost arrangement will be allowed as a reimbursable cost, provided a written contemporaneous cost comparison is provided reflecting a lower cost.

Mileage for out-of-state travel by privately owned vehicle will be based upon the appropriate state map or a mapping internet site, such as MapQuest. Documentation provided with the claim must include the method of calculation.

### **10.10.7 Local Transportation**

Taxi fares will be reimbursed only upon justification as to the necessity of their use.

Local transportation costs incurred during out-of-state travel may be reimbursed on the basis of an itemization of such costs. Reimbursement for leased or rented automobiles will be made in the same manner.

### **10.10.8 Transportation of Passengers**

It is the policy of the University that non-employee passengers shall not be transported in state vehicles or private vehicles used for state business purposes where the employee expects to be reimbursed.

### **10.10.9 Miscellaneous Expenses**

Reimbursement claims for miscellaneous travel expenses such as communication charges and registration fees for attending workshops, conferences, etc., must be itemized.

Reimbursement for communication charges incurred during travel must be necessary and justified.

### **10.10.10 Receipts Required**

Lodging receipts from a motel, hotel, or other public lodging place must accompany the claim for reimbursement. The lodging receipt must show a zero balance; otherwise, proof of payment is required.



Reimbursement requests for leased or rented vehicles used in official University business must be supported by a receipt indicating the miles traveled.

The original receipt for registration fees must accompany the claim for reimbursement. Copies of the registration fee receipt are not acceptable for reimbursement purposes.

## **10.11 University-Owned Equipment/Facilities**

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### **10.11.1 Equipment**

In accordance with state statutes, the use of any University asset by individuals or organizations for activities not directly related to the execution of University business is strictly prohibited. University-owned or controlled assets shall not be removed from the University premises except in cases where such equipment is to be used for University business.

### **10.11.2 Facilities**

For information about scheduling University facilities for use during hours which do not conflict with regularly scheduled classes and events, contact the following individuals:

Facilities	Contact
<b>Academic classrooms and facilities</b>	Vice President for Academic Affairs
<b>Auditorium</b>	Administrative Services Manager
<b>Gym, Soldier Field, Ropes Course, Fieldhouse</b>	Dean of Students
<b>Centennial Center, Chapman Dining Hall</b>	Director of Food Services

Each representative is responsible for procedures and forms necessary to schedule their respective facilities.

### **10.11.3 Pets**

Pets are prohibited on campus at all times unless as an aid for the disabled. Pets in University Housing units are controlled by the Housing Unit Contract.

## **10.12 University Records**

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In accordance with state statutes and the Oklahoma Archives and Records Commission, the University has designated the Vice President for Business Affairs as the liaison to the Oklahoma Archives and Records Commission. The University follows the Commission's rules and procedures for retention and destruction of University records. All executive staff, deans, department heads, and departmental supervisors are provided General Records and Retention Schedules and updates to the schedules. The Administrative Services Manager assists in coordinating this effort and administers the University's record storage facilities. The Chief Technology Officer coordinates the retention and destruction of all University electronic and computer-related records and files.

## **10.13 Use of State or University Owned Vehicles**

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Oklahoma statutes prohibit the use of state-owned vehicles for private purposes. The University prohibits the use of University-owned vehicles for private purposes. It is the policy of the University that passengers shall not be transported in State or University vehicles unless they are on State or University business.

A State-owned or University-owned vehicle should not be driven to the residence of an employee unless it is required in performing his or her official duties.

### **10.13.1 Driver's License**

Employees who are required to operate a University motor vehicle on any public roadway while in the performance of their regular duties must have a valid driver's license issued by the State of Oklahoma. Below are the procedures to ensure adherence to this policy.

1. The University will conduct a driver's license verification and status review on new employees selected for positions that involve operation of a University motor vehicle. In addition, the University may conduct periodic driver's license verification and status reviews on all employees in positions involving operation of a University motor vehicle.
2. Any new employee who has applied and been accepted for University employment in a position where possession of a valid driver's license is a requirement and who is subsequently determined not to have (or have had at time of application) a valid Oklahoma driver's license will be considered to have submitted false information and will be subject to disciplinary action, up to and including dismissal.
3. An individual who is employed by the University and who holds a valid out-of-state driver's license will be considered to be a properly licensed driver for employment purposes. However, any such employee must obtain a valid Oklahoma driver's license within thirty calendar days of the first day of employment. Failure to obtain an Oklahoma driver's license within this period may result in disciplinary action, up to and including dismissal. Student employees may operate a University motor vehicle in the course of their employment if they hold a valid driver's license issued by their state/country of residence/origin. The only driver's licenses recognized by the State of Oklahoma and Oklahoma law enforcement agencies are those issued in the United States and those issued by the country of origin of international students.
4. Current employees who must possess a valid driver's license to perform their job duties are required as a condition of employment to notify their supervisor immediately upon receipt of any notification from the Oklahoma Department of Public Safety or any court of competent jurisdiction that their driver's license has been suspended or revoked or has in any way been modified or subjected to restrictions not previously known to the supervisor. Failure to make such notification may result in disciplinary action, up to and including dismissal.
5. Oklahoma law requires that holders of a driver's license who have taken legal action to change their name (through marriage, divorce, or court action) and/or have changed their mailing address must notify the Oklahoma Department of Public Safety of such change(s) within 10 days. University employees are expected to be in compliance with this provision of the law.
6. If a current employee's license is suspended or revoked, expires, or is subject to modification or restriction, that employee will not be permitted to operate a University motor vehicle on any public roadway until the license is fully reinstated, renewed, or additionally modified. Until the employee's driving privileges are restored, the employee's department may reassign the employee to a job not requiring the operation of a University motor vehicle or place the employee on appropriate leave status, including but not limited to compensatory time, paid leave, or leave without pay. Before the employee may resume operating a University motor vehicle on public roadways, written confirmation from the Oklahoma Department of Public Safety verifying license reinstatement or conferring privileges to drive while at work or a properly issued renewal license must be presented to the supervisor.
7. Employees are required to read the University's Vehicle Regulations Policy and sign an agreement to follow the University's policies and regulations.

### **10.14 Whistle Blower**

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Employees shall not be disciplined or terminated for reporting actions taken by the employer that might violate the law as cited under the Whistle Blower Statute, 74 O.S. §840-2.5. For further information, contact the Human Resources Office.

## 11 General Information

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### 11.1 Dress/Grooming

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The University community is proud of its appearance and its tradition of excellence in education. That pride is reflected in attention to the physical facilities, the landscape, and the professionalism of University personnel. Each member of the University community shares a responsibility in maintaining a professional image by dressing and grooming appropriately for his or her respective position.

Uniforms may be required for specific positions, as deemed necessary by the University.

### 11.2 Emergency Procedures

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In the event of an emergency, deans, department heads, and supervisors have the responsibility to give instructions to students, faculty, and staff and provide safety measures until otherwise directed by the Campus Police or other properly identified emergency personnel.

#### 11.2.1 Fire Alarm

When a fire alarm is sounded, everyone should clear the building by the nearest exit and proceed to an open area on campus. Employees should stay clear of the danger area unless called upon to help; employees should keep all roadways and walkways clear for emergency vehicles. NO PERSON SHALL RE-ENTER the building until instructed to do so by Campus Police or other properly identified emergency personnel.

#### 11.2.2 Tornado Warning

A civil defense siren is sounded when a tornado has been spotted or when a very strong storm cell is over the area.

When the warning is sounded, employees should immediately proceed to the nearest protective area. Protective areas are basement areas or ground floor interior spaces or hallways away from exterior walls and windows

Additional emergency information is contained in the [Campus Emergency Plan](#).

### 11.3 Employee Financial Obligations

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Faculty, staff, and student employees of the University are required to pay all outstanding financial obligations due to the University in accordance with the due dates established for such obligations. For faculty, staff, and student employees who do not pay such financial obligations, the University will seek such remedies as are allowed by law.

### 11.4 Identification Cards

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A University identification card will be issued to regular full-time and regular part-time employees at no cost to the employee. The employee should obtain an identification card on the first day of employment or at the time the employee completes the required paperwork. An identification card may be obtained at the Student Activities Office, Monday through Friday, between 8:00 a.m. and 5 p.m. If this time is not convenient, the employee should contact the Student Activities Office to arrange for a convenient time.

The employee's identification card is required for access to certain events and/or facilities. The identification card will admit the employee and immediate family members residing at the employee's home to designated official University-sponsored events. In addition, the identification card may be used for Library privileges and use of the Student Activity Center.

The identification card does not authorize the holder to obligate the University in any manner. The identification card is the property of the University and must be returned to the Human Resources Office at the time employment is terminated.

### 11.5 Incident Policy

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The University is committed to maintaining a workplace environment that is safe and secure for all employees of the University. Threats, threatening behavior, acts of violence, and unwanted attention directed against other employees, visitors, or guests by an employee of the University will not be tolerated.

All personnel are responsible for notifying their supervisor and/or Campus Police of any threats which they have witnessed or received or heard about. Even without an actual threat, employees should also alert their supervisor to any behavior which can be regarded as threatening or violent when that behavior is job-related or might be carried out in the workplace. Employees are responsible for making this report regardless of the nature of the relationship between them and the person initiating the threat or threatening behavior.

The provision of a safe workplace and the protection of employees from threats to their safety cannot be effectively accomplished unless supervisors and Campus Police are informed of these circumstances.

## **11.6 Infectious Disease Policy Statement**

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The purpose of this policy is to establish procedures to be followed when a University student and/or employee is infected with a communicable disease. Such diseases include, but are not limited to, hepatitis, meningitis, mumps, AIDS, whooping cough, measles, diphtheria, chicken pox, and tuberculosis.

The University is committed to providing a working and learning environment free of health hazards for its students and employees. So long as medical evidence supports, with reasonable medical certainty, that a particular disease is not communicable by the casual contact normally found in the workplace or classroom, or through airborne transmittal, those areas will not be considered to be hazardous as a result of the presence of an infected student and/or employee.

The University will comply with all federal and state laws applicable to students and employees with communicable diseases.

The confidentiality of information regarding individuals infected with a communicable disease shall be respected. As long as a student and/or employee with a communicable disease is able to pursue his or her education within the established academic standards and/or continue performance of job duties and medical evidence indicates that his or her condition is not a threat to themselves or others, the student or employee is to be treated consistently with other students and/or employees.

Discrimination against or harassment of the student and/or employee infected with a communicable disease is prohibited. The University will make educational materials on communicable diseases available for students and employees through the Office of Student Affairs and the Human Resources Office.

Individuals with a communicable disease shall be required to inform the proper University personnel that they have a communicable disease. Failure to do so may cause a student to be administratively withdrawn from classes and may lead to disciplinary action for the employee, up to and including dismissal.

A student must inform the Dean of Students if he or she has been diagnosed as having a communicable disease. It will be the responsibility of the Dean of Students to notify the appropriate administrator(s) within the normal channel of communication of this situation. In the event the student is a minor and the minor's parents or legal guardians are aware of the disease, the student's parents or legal guardians shall have a concomitant duty to so inform the Dean of Students. An employee must inform the Coordinator of Human Resources if he or she has been diagnosed as having a communicable disease.

The University shall request from the student and/or employee (or if the student is a minor, from the parents or legal guardian of the minor), a medical report from a licensed physician, which may be reviewed by a physician designated by the University. The University reserves the right to request that the student and/or employee be examined a second time by a physician designated by the University. The medical report or medical evidence will be used to assess each reported illness on a case-by-case basis.

Those evaluating the case will include the Dean of Students or Vice President for Business Affairs and other appropriate administrative personnel, in conjunction with the student and/or employee (the student's parents or legal guardians if the student is a minor) and, if requested by the student and/or employee, the student's and/or employee's physician. A determination shall be made, based on medical evidence concerning the nature of the risk posed by the illness, the likely duration of the risk, the severity of the risk, and the probability that the disease will be transmitted and will cause varying degrees of harm. If, upon the request of the Dean of Students or Vice President for Business Affairs, the student and/or employee refuses or otherwise fails to provide the medical report, the student and/or employee will not be allowed to return to the University until such time as the medical report is

provided. Should the illness persist, an updated medical report from a licensed physician shall be provided not less than every six (6) months as required by the University.

The student may be administratively withdrawn from classes if it is determined on the basis of medical evidence that his/her continued attendance poses an unacceptable risk to himself/herself or to others.

The employee may be placed on administrative leave if it is determined on the basis of medical evidence that his/her continued attendance poses an unacceptable risk to himself/herself or to others.

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## **11.7 Keys**

Keys shall be authorized for issue only to persons with a substantial need for access to specific facilities, and they shall be issued only after verification of administrative approval on a properly executed [Key Request Form](#). Keys must be picked up in person at the Human Resources Office.

Keys remain University property, entrusted to the individual keyholder for his or her exclusive use and should never be exchanged or loaned. No one has authority to produce, duplicate, or alter a University key, except the Physical Plant Office. Unauthorized use or duplication of a key is cause for disciplinary action, up to and including dismissal.

An employee is responsible for reporting any lost or stolen keys immediately to his or her supervisor, the Campus Police Office, and the Human Resources Office. When a key is lost or stolen, the employee must pay a replacement charge of \$25. If the key is found after the \$25 has been paid, the money will be refunded if the building and/or office was not re-keyed as a result of the key loss.

All keys must be returned to the Human Resources Office during the termination clearance process or at the time of a job change, office relocation, or lock change.

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## **11.8 Litter/Political Material Policy**

### **11.8.1 Display of Political Literature and Campaign Placards**

Display of political literature, campaign placards, signs and posters on campus will be regulated and supervised by the Dean of Student Affairs. Such material may not be displayed on educational buildings, trees, sidewalks, handrails, or grounds, and must be limited to display on designated bulletin boards in Student Union buildings or student housing complexes.

### **11.8.2 Control of Litter**

The Dean of Student Affairs will be responsible for promulgating and enforcing appropriate and reasonable regulations to control display of political and other materials and prevent litter on the campus. The spirit of this policy is not to suppress political activity by students, but to preserve the aesthetic value and appearance of the campus and prevent unnecessary public expenditures because of litter.

### **11.8.3 Proper Disposal of Litter**

Trash and cigarette receptacles are provided on University property for the proper disposal of trash. Individuals who litter are subject to citations and/or disciplinary action.

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## **11.9 Lost/Misplaced/Stolen or Discarded Items**

Lost, misplaced or stolen personal items such as jewelry, keys, clothing, etc., regardless of where found, should be turned in immediately to the Campus Police Office. Do not turn in lost items to individual departments on campus.

Student identification cards should be turned into the Office of Student Affairs.

If an employee finds discarded equipment and/or equipment no longer in use, he or she should call the Purchasing Department. The Purchasing Department will make arrangements for the reallocation and/or disposal of such property. For additional instructions, see Inventory Procedures issued by the Budgeting and Accounting office.

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## **11.10 Media Relations/Official Communications**

Any statement made on behalf of the University to the public through the press or through any other agency shall be made by the Board of Regents and/or the President of the University or the President's designee. This policy is not intended to and should not be construed to abridge the rights and privileges of any employee of the University to publicly express his or her personal opinions on any matter or to abridge constitutional rights of employees to comment on matters of public concern or to prohibit any other rights of communication established by law.

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## **11.11 Parking Permits and Traffic Regulations**

### **11.11.1 Parking Permits**

All vehicles parked on University property must display the appropriate parking permit, which is available free of charge at the Campus Police Office, Monday through Friday, between 8 a.m. and 5 p.m. If this time is not convenient, the employee should contact the Campus Police Office to schedule an appointment. Vehicles parked on University property without a parking permit will be ticketed.

The permit holder is responsible for all charges resulting from citations issued against his or her permit number, regardless of the identity of the driver; therefore, employees are encouraged to remove parking permits from vehicles which will no longer be operated by the employee.

### **11.11.2 Traffic Regulations**

Campus Police enforce the traffic regulations of the University and Oklahoma vehicle laws applicable to street traffic, make arrests, issue citations for traffic violations, and investigate accidents. No person, owner or operator shall park/drive or permit to be parked/driven any vehicle which has four or more citations against it per academic semester. Copies of the Rogers State University Traffic Code can be obtained in the Campus Police Office.

Payment for a citation is made in the Bursar's Office in Markham Hall. The citation must be presented with the payment.

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## **11.12 Posting of Notices in University Buildings**

It is the policy of the University to provide up-to-date information on University activities using various communication methods including the posting of notices (flyers). Approval and coordination must be obtained from the Dean of Student Affairs prior to any posting. Flyers are not to be posted on walls or doors, but should be placed on designated bulletin boards.

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## **11.13 Private Sales Solicitations**

Outside sales solicitations or presentations in University facilities are prohibited unless authorized by the Vice President for Business Affairs whether or not employees are on duty. This restriction does not apply to private entities under contract with the State who are acting in an official capacity as agents of the State.

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## **11.14 Publications/Advertising**

The Director of Public Relations must approve all layouts or copy for all publications.

The University does not endorse any commercial product, program, enterprise, or idea. Under certain circumstances, the University's name or symbols may be used in connection with advertising or promotional material. Permission and approval of all copy must be obtained from the Director of Public Relations. The University from time to time may wish to reach a certain public by purchasing advertising in the media. The material contained in this advertising may include matters related to increasing enrollments, promotional advertising, or informational material related to specific policies, projects, departments, and curricula. With the exception of staff employment advertising, which is coordinated through the Human Resources Office, no contracts for advertising should be entered into and no oral or written commitments should be made by any University employee for advertising without the approval of the Director of Public Relations.

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## **11.15 Services**

### **11.15.1 Food Services**

Catering services for functions held on or off campus are available through the Food Services Department. Contact the Director of Food Services for pricing and additional information.

### **11.15.2 Telephone**

The campus telephone system is designated for business use. Employees are to limit personal calls and use third party billing or personal credit cards for personal long-distance calls that must be made from work. The University's incoming 800 line may not be used for personal calls.

The University provides a long-distance authorization code for University business communication. Inappropriate use of the authorization code may result in loss of privileges and/or disciplinary action, up to and including dismissal.

### **11.15.3 Emergencies**

In the event of an emergency, dial 9, then 911 or contact Campus Police at 343-7624 for information regarding the best source of help.

## **11.16 Technology**

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University Computing Services offers technology assistance to all employees. All purchase decisions relating to computers, telecommunication equipment, software, and peripherals are made by Academic Computing Services. Academic Computing Services will also repair, maintain, transfer, relocate, and dispose of all computer and technology equipment. Requests to reassign computer equipment from its present use should be directed to the Coordinator of Academic Computing Services by department heads or directors. Academic Computing Services will maintain an inventory of all computer equipment. Department heads and directors are also responsible for an annual physical inventory of all computer equipment for which they are accountable. Theft of computer equipment must be reported to Academic Computing Services as soon as possible.

### **11.16.1 Software/Data**

The Oklahoma Computer Crimes Act lists software copying as a felony, punishable by "...a fine of not less than five thousand dollars (\$5,000) and not more than one hundred thousand (\$100,000), or by confinement in a state penitentiary for a term of not less than one (1) year or more than ten (10) years, or by both fine and imprisonment." Employees have access to certain software through license agreements; however, the conditions for use may differ for each software package. Employees should contact Academic Computing Services for approval and assistance in obtaining copies of software and for information regarding its appropriate use. Any data or files generated by the user with such software may be copied and distributed, within guidelines of confidentiality of University records and any related contract provisions, and is the property of the University.

Data originated or stored on State computer equipment is State property. Employees are authorized to access only data which is essential to their job function. Employees shall not make or permit unauthorized use of any University data or seek personal or financial benefit or allow others to benefit personally or financially by knowledge of any data which has come to the employees by virtue of their work assignment.

Employees may enter, change, and delete data only as authorized within their job functions. Employees may not knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry, nor may they knowingly alter or expunge from any record or report, or cause to be altered or expunged, a true and proper entry.

Employees will not release University data except as required in the performance of their job, as directed in writing by his or her supervisor, or as may be required by law.

### **11.16.2 Access**

Employees are responsible for protecting their access authorization and must take steps to prevent others from using their User ID. Employees must construct good passwords and manage them securely, keeping their passwords confidential. Sharing passwords with others is prohibited. If an employee has reason to believe that others have obtained his or her password, the employee should immediately change the password and notify his or her supervisor and Academic Computing Services of the situation. Employees are prohibited from attempting to use the User ID and/or password(s) of others.



If an employee obtains access to data that he or she is not authorized to view, the employee should exit from that data and report the problem to his or her supervisor and the appropriate Computing Services unit.

Employees who suspect or know of any violation of access or usage must report it immediately to the appropriate Computing Services unit.

Employees must become familiar with and adhere to the University's Computer Use Policy. Violations of this policy may be cause for disciplinary action, up to and including dismissal.

### **11.16.3 Computer Use Policy**

Freedom of expression and an open environment to pursue scholarly inquiry and share information are encouraged, supported, and protected at the University. These values lie at the core of our academic community. Censorship is not compatible with the tradition and goals of the University. While some computing resources may be dedicated to specific research, teaching, or administrative tasks that would limit their use, freedom of expression must, in general, be protected. The University's policy of freedom of expression applies to computing resources.

Concomitant with free expression are personal obligations of each member of the University community to use computing resources responsibly, ethically, and in a manner consistent with the law and the rights of others. The University depends upon a spirit of mutual respect and cooperation to create and maintain an open community of responsible users.

- A. This policy sets forth standards for responsible and acceptable use of University computing resources. They supplement existing University policies, OneNet Acceptable Use Policy (located at [www.onenet.net](http://www.onenet.net)), and state and federal laws and regulations. Computing resources include, but are not limited to, host computer systems, University-sponsored computers and workstations, communications networks, software, and files.

Computing resources are provided to support the academic research, instructional, and administrative objectives of the University. These resources are extended for the sole use of University faculty, staff, students, and other authorized users ("users") to accomplish tasks related to the user's status at the University, and consistent with the University's mission. Users are responsible for safeguarding their identification (ID) codes and passwords and for using them for their intended purposes only. Each user is responsible for all transactions made under the authorization of his or her ID. Users are solely responsible for their personal use of computing resources and are prohibited from representing or implying that the content constitutes the views or policies of the University.

Violation of this policy constitutes unacceptable use of computing resources and may violate other University policies, and/or state and federal law. Suspected or known violations must be reported to the appropriate University computing unit. Violations will be processed by the appropriate University authorities and/or law enforcement agencies. Violations may result in revocation of computing resource privileges; academic integrity proceedings; faculty, staff or student disciplinary action; or legal action.

- B. The following provisions describe conduct prohibited under these guidelines:
  - a. Altering system software or hardware configurations without authorization, or disrupting or interfering with the delivery or administration of computer resources.
  - b. Attempting to access or accessing another's computer, computer account, private files, or email; or misrepresenting oneself as another individual or agent of the University in electronic communication.
  - c. Engaging in practices that threaten the network (e.g., loading files that may introduce a virus, using procedures and/or tools to gather information about the University's computing resources, etc.)
  - d. Installing, copying, distributing or using software in violation of copyright law and/or software agreements or applicable state and federal laws.
  - e. Using computing resources to engage in conduct which interferes with others' use of shared computer resources and/or the activities of other users, including studying, teaching, research, and University administration.
  - f. Using computing resources for commercial or profit-making purposes without written authorization from the University.
  - g. Failing to adhere to individual departmental or unit lab and system policies, procedures, and protocols.
  - h. Allowing access to computer resources by unauthorized users.
  - i. Using computer resources for illegal activities. Criminal and illegal use may include, but is not limited to obscenity, child pornography, threats, harassment, copyright infringement, defamation, theft, and unauthorized access.
  - j. Failure to adhere to Onenet Acceptable Use Policy.



- C. The maintenance, operation, and security of computing resources require designated University personnel to monitor and access the system. To the extent possible in the electronic environment and in a public setting, a user's privacy will be preserved. However, privacy is subject to applicable state and federal laws, and the needs of the University to meet its administrative, business, and legal obligations.

## **11.17 University Logo and Seal**

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Last updated 06/2016