



OHIO VALLEY
UNIVERSITY

FOR LEARNING. FOR FAITH. FOR LIFE.

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1 Welcome

Welcome! This handbook was written to answer some of the questions employees may have about Ohio Valley University, its policies, and certain procedures. The handbook is applicable to all university employees. Please read the handbook thoroughly.

The policies stated in this handbook, along with all other policies, procedures, benefits, and other programs, are subject to change. From time to time, updated information concerning changes in policy will be made available. Questions regarding policies should be addressed to a supervisor or an administrator.

This handbook is not a contract, expressed or implied, of any kind including, but not limited to, a contract guaranteeing employment for any specific duration. Please understand that no supervisor, manager, or other representative of the university, other than the president, has the authority to enter into any agreement with you for employment for any specified period of time. Further, any employment agreement entered into by the president shall not be enforceable unless it is in a formal written agreement, signed by you and the president.

2 Handbook Acknowledgement Form

The university requires an acknowledgement of your access to this handbook to be placed in your employee file. Please sign this statement and return it to the Office of Human Resources.

Ohio Valley University Employee Handbook

Because the information, policies, and benefits described in this handbook are subject to change, I acknowledge that revisions to the handbook may occur. I understand that revised information may supersede, modify, or eliminate existing policies. Furthermore, I acknowledge that this handbook is not an express or implied contract of any kind or other type of legal document.

I have access to the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it. I specifically understand and acknowledge that this handbook contains a prohibition against harassment and is an Equal Employment Opportunity policy, prohibiting discrimination, with which I am obligated to comply. This means that I must refrain from engaging in harassing or discriminatory behavior, and if I feel that I am being subjected to harassing or discriminatory behavior, it is my responsibility to report such behavior to management, as specified in the policies. I also understand that these policies prohibit retaliation for reporting harassment or discrimination or participating in an investigation.

I further understand when the handbook uses the term “university” in reference to physical locations and/or activities, that term means all buildings or grounds owned, leased, or operated by the university, as well as all university-sponsored events.

Employee’s Name (printed): _____

Employee’s Signature: _____

Department: _____ Date: _____

3 Mission Statement

All employees of the university are integral to its success. No matter what role they play, each contributes something important to the fulfillment of our mission:

At Ohio Valley University, we seek to transform lives in a Christ-centered academic community that integrates higher learning, biblical faith and service to God and humanity.

This is accomplished by:

- *Equipping students for life through quality academic programs*
- *Encouraging life-shaping relationships among faculty, staff, and students*
- *Fostering holistic growth through varied co-curricular activities*
- *Promoting knowledge, values, and skills inherent in healthy families and quality relationships*
- *Connecting students to the global community*
- *Instilling a desire for life-long learning*
- *Creating opportunities for growth in faith and service*

3.1 Cornerstones

Fulfilling the mission is possible because of important values held by all members of the Ohio Valley University community:

CHRIST (Colossians 1:15-20): God has placed Christ at the center of everything. All creation began with Christ and its true purpose in Him. Our belief in Christ is central to who we are; it directs our academic pursuits, our community, and our service. Christ is our chief cornerstone.

EDUCATION THAT TRANSFORMS (Romans 12:1-2): Christ-centered education transforms the whole person-mind, body, and soul. It demands recognition of God's purposes and a swift response to them in every facet of our daily lives, including our vocation, our career, our relationships, and our service. Christ-centered education changes us from the inside and brings out the best in each of us.

COMMUNITY (Acts 2:42, 44-47): Christ-centered community calls for respect, love, and service. It values the worth of each individual. Christ-centered community unites, bringing harmony and fellowship.

COMMITMENT TO EXCELLENCE (Philippians 4:8, Colossians 3:23): A commitment to excellence asks us to devote our attention to worthy endeavors. It requires us to utilize our talents without reservation. A commitment to excellence calls us to care more, risk more, dream more, and expect more.

FAITH MANIFESTED IN SERVICE (James 2:18, 22): Faith is manifested in service, and service is motivated by faith. Faith without service is unexpressed. Service without

faith is incomplete. There is a perfect unity between believing and doing that demands both words and actions.

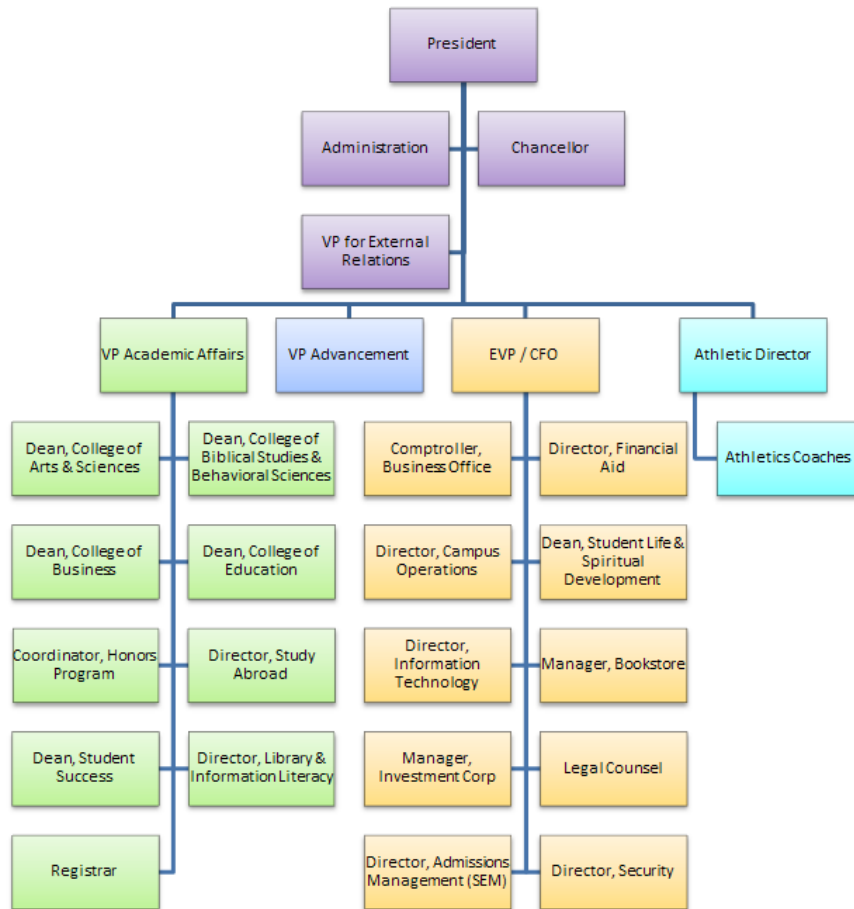
4 Board of Trustees, Administration, and Committees

4.1 Board of Trustees

The affairs and business of the university is conducted and managed by a Board of Trustees, which may have up to thirty-nine members. A quorum consists of a majority of the total number of trustees. The Board of Trustees has power to make bylaws and rules to regulate the business of the university and may establish policies affecting persons associated with the university, whether employees or students. Further, the Board of Trustees may annul any act or rule or regulation adopted by the faculty, the administration, the staff, a class, a committee, an association, or any other person or group officially identified with the university.

4.2 Senior Administration

The organizational structure of OVU provides leadership for the identification and recruitment, the development and retention, and the transformation and graduation of the targeted student population. Each part of the organizational structure provides leadership for a particular aspect of the university’s efforts. An overview of the organizational structure is illustrated below:



The **president** assumes the most comprehensive leadership role in working with the trustees, other administrators, faculty, students and the broader university constituency. The president serves as the face and the voice for the institution to all constituencies. The president seeks to understand, support, and communicate regularly with the faculty and both works with and reports to the trustees. All senior administrators report directly to the president.

The **executive vice president/chief financial officer** (EVP/CFO) serves as the chief operating officer of the university and in that role leads and maintains relationships with all the functions of the university that support learning. The EVP/CFO oversees all campus operations, serves as the human resources officer, and administers all the financial and legal functions of the institution. The EVP/CFO directs the university Investment Corporation. Currently, the EVP/CFO acts as the interim **vice president for advancement**.

Additionally, the EVP/CFO works closely with the president, represents the president in university affairs during the president's absence, and reports directly to the president. The following positions report directly to the EVP/CFO: director of financial aid, dean of student life, comptroller, director of campus operations, bookstore manager, director of information technology, and director of admissions management.

The **vice president for academic affairs** (VPAA) serves as the chief academic officer of the university and in that role leads and maintains relationships with the faculty and academic support staff. The VPAA ensures that academic standards are maintained, leads in the ongoing reevaluation of all academic offerings, and serves as the chief spokesperson for the university's effort to link the classroom with the community. The VPAA coordinates efforts with and reports directly to the president. The following positions report directly to the VPAA: dean of the College of Arts and Sciences, dean of the College of Biblical Studies and Behavioral Sciences, dean of the College of Business, dean of the College of Education, dean of student success, director of libraries and information literacy, coordinator of the honors program, director of study abroad, and the registrar.

The **athletic director** (AD) maintains relationships with all coaches and athletic staff. The AD reports directly to the president. The following positions report directly to the AD: coaches of 13 NCAA Division II teams and athletic staff.

The **chancellor** represents the university and communicates with long-term friends and donors. As the former president, Chancellor Stotts provides continuity in the institution's relationships with key members of the constituency. The chancellor reports directly to the president.

4.3 Standing Committees

The following committees are recognized as standing committees that contribute to the governance of the university:

4.3.1 Academic Council

The Academic Council is chaired by the vice president for academic affairs and includes the dean of the College of Education, the dean of the College of Biblical Studies and Behavioral Sciences, the dean of the College of Arts and Sciences, the dean of the College of Business, the registrar, the director of library services, the dean of student life, the dean of student services, the director of admissions, the accreditation liaison, the athletic director, a student, and one at-large faculty representative. The Academic Council meets regularly to consider the academic affairs of the university, including academic policies, budgets, promotions, and curriculum. The Academic Council also hears academic appeals.

4.3.2 Admissions Committee

The Admissions Committee is chaired by the dean of student success and includes the registrar, two at-large faculty representatives, and admissions personnel on an as-needed basis. The Admissions Committee considers the credentials of applicants to Ohio Valley University who have less than an 18 on the ACT or an equivalent SAT score, and less than a 2.5 high school GPA.

4.3.3 Enrollment Administrative Council

The Enrollment Administrative Council is chaired by the dean of student life and spiritual development and includes representatives from admissions, athletics, financial aid, and student life. The committee addresses concerns regarding enrollment growth and stability. Recommendations are made to the president's cabinet for ultimate approval, when deemed necessary.

4.3.4 Hearing Committee

Designed to hear cases involving alleged harassment and items that warrant immediate dismissal, the Hearing Committee includes two at-large staff representatives and two at-large faculty representatives.

4.3.5 Institutional Review Board (IRB)

The role of the Institutional Review Board (IRB) provides guidance to help the university ensure that its constituents acquire, discover, and apply knowledge responsibly. This guidance is primarily achieved through a review of all proposed research involving human participants to ensure that these participants are treated ethically and that their rights and welfare are adequately protected. The IRB is composed of faculty members in scientific disciplines whose research frequently involve human participants, faculty members whose primary interests are non-scientific, as well as a member from the community.

4.3.6 NCAA Compliance Committee

The NCAA Compliance Committee is designed to assist the university in ensuring compliance with NCAA rules and regulations and in demonstrating institutional control.

The NCAA Compliance Committee includes representatives from each area of the university that deals with athletics rules, regulations, and policies.

4.3.7 Office of Institutional Effectiveness (OIE)

The mission of the Office for Institutional Effectiveness is to assist all Ohio Valley University stakeholders in achieving the University's mission by serving as a resource for data collection, education and training for faculty and staff, management of the strategic plan, continuous improvement plans, and compliance activities. The mission of the OIE is three-fold:

1. to extract and format data from the institutional database to answer management questions and satisfy external survey and reporting requirements,
2. to interact with administrators, deans, and department heads to develop instruments and demonstrate continuous improvement through the use of data, and
3. to assist university personnel in the maintenance of the assessment plan and strategic plan.

4.3.8 Naming Advisory Committee

The Naming Advisory Committee is chaired by the director of advancement and includes the president, chancellor, vice president for academic affairs, and the chair of the Development Board Committee. The Naming Advisory Committee considers requests to name facilities and/or programs and makes recommendations to the president regarding the proposed naming.

4.3.9 Student Discipline Appeal Board

The Student Discipline Appeal Board, which includes representatives from faculty, staff, and the student body, hears student appeals of university discipline.

4.3.10 Ad Hoc Committees

Ad hoc committees are commonly assembled to deal with specific issues over a limited duration of time.

4.4 Conflict of Interest in Committee Work

A committee member occasionally may face a conflict of interest in the work assigned to a committee. Examples of a conflict of interest include, but are not limited to, issues that involve and/or affect immediate family members; issues that affect the rank, promotion, or salary of one's self; and issues that involve and/or affect close, personal friends.

Committee members who have a conflict of interest in committee work should notify the committee chair and recuse themselves from voting on the issue that raises the conflict of interest. A committee member who is recused will be removed from service on that

committee while it addresses the issue or situation. The committee may call the recused member as a witness for questions of fact for the committee.

If a committee member, or a person who is subject to a committee hearing, believes a committee member has a conflict of interest regarding an issue or a situation that has not been addressed by the self-recusal system described above, that individual should go to the person with the believed conflict and express his or her concern. If the situation is not resolved, the issue should be reviewed first by the committee chair and then, if there is no resolution, by the senior administrator who has oversight of the committee involved. The reviewer will examine all pertinent information to determine if a conflict exists. While this review is underway, all committee meetings involving the specific issue or situation will be suspended until a determination is made. If the reviewer determines that a conflict exists, he or she will require that the affected committee member be removed from service on that committee while it addresses the issue or situation. If the issue is referred to a senior administrator, his or her determination will be final. If the person with the potential conflict is the senior administrator, the president will conduct the review and make the determination.

4.5 Meeting Minutes

All standing and ad hoc committees are required to maintain meeting minutes that should identify committee members present, basic agenda, and any decisions made during the meeting. These minutes should be maintained by the committee chair, submitted to the vice president who oversees the work group in which the committee is housed, and should be readily available to any accrediting agency.

5 Drug-Free, Alcohol-Free, and Smoke-Free Workplace

The university complies with the federal Drug-Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendments of 1989 that prohibit the unlawful manufacture, possession, use, or distribution of illicit drugs in the workplace, or while conducting university business off the premises, or as part of any university sponsored activities. As part of the terms of employment, each employee is required to abide by this prohibition. Employees who report to work under the influence of illegal drugs are subject to disciplinary action for violation of the policy. Disciplinary action may include: enrolling in and successfully completing an approved treatment program as a condition of continued employment and/or possible termination of employment if, in the view of the university, it is warranted.

The university is also an alcohol-free workplace. Employees who report to work, conduct university business, or take part in any university sponsored activities while under the influence of alcohol are subject to disciplinary action for the violation of this policy. Additionally, employees will be subject to disciplinary action for possessing alcoholic beverages on university property or while attending any university sponsored activities. Disciplinary action may include: enrolling in and successfully completing an approved treatment program as a condition of continued employment and/or possible termination of employment if, in the view of the university, it is warranted.

The university also prohibits smoking on university property. Employees who violate this policy are subject to disciplinary action.

Finally, the university reserves the right to take disciplinary action against employees who commit criminal offenses related to drugs or alcohol, regardless of whether those offenses were committed during non-working hours. Drug or alcohol criminal offenses include but are not limited to: purchasing alcohol for minors, driving under the influence of alcohol, public intoxication, and possession of drugs.

6 Conflict of Interest

The university encourages activity that contributes to a high quality of life as long as such activity is not in conflict with the duties that employees have to the university.

Simply put, the university expects that employees will not engage in activities that compromise the university's position or integrity through actions such as self-promotion, appropriation of the assets of the university, influence peddling, or abuses of confidence.

Employees may not engage in activities that interfere with fully performing their position duties and responsibilities at the university. Employees are expected to avoid situations in which their judgment in making decisions or taking actions on behalf of the university may be adversely affected by personal consideration or situations where their position performance, loyalty, or stewardship to the university is compromised.

For example, using university facilities or supplies for non-university purposes or holding a financial interest in a business that supplies goods or services to the university may both constitute conflicts of interest.

The following guidelines are intended to help ensure that the university receives from its employees the amount and quality of effort, judgment, and loyalty that are necessary for the university to accomplish its objectives in ways that are consistent with its standards of excellence.

Each employee must inform his or her supervisor and receive written approval before engaging in any outside activities that pose the potential for conflict of interest, for example:

- Employment outside of the university (for full-time employees);
- Contract with the university as an outside vendor;
- Employment within the university in addition to his or her primary employment;
- Outside business, philanthropic, community, political, or other interests or activities that may impact his or her work commitment or the use of university facilities or supplies;
- Outside interests, his or her own or those of members of his or her family, related to suppliers of good and services to the university;
- The acceptance of gifts, gratuities, or favors from individuals or organizations with which the university conducts business or that are seeking association with the university or the extension of such gratuities or favors, which might reasonably be interpreted as an attempt to influence the recipients in the conduct of their duties;
- The use of information that the university considers privileged or confidential, for non-university purposes;

- Using the name of the university for monetary profit or acting as a private person in a way that could create the impression he or she is speaking for the university.

Failing to report such activity immediately, or continuing an activity that his or her supervisor has disapproved, is grounds for disciplinary action, including termination of employment.

7 Federal Student Aid Code of Conduct

Ohio Valley University participates fully in each of the federally-supported student financial aid programs available through the United States Department of Education (DE). The university upholds the standards required of participating institutions. Specifically, and with regard to student loan programs, neither the university nor its employees will establish any sort of revenue sharing arrangement with a lender. Furthermore, there will be no requirement for students or their parents to use any particular lending institution nor will there be any strategies or practices employed that would otherwise direct potential borrowers to a specific lender.

University employees may assist student borrowers in locating a lender in one of the signature or private alternative loan programs offered by various lenders. Such guidance will be motivated solely by the need of the student and must not be in response to a lender's offer to provide any incentives to the university or the student. The university may at its discretion choose to maintain a preferred lender list on its website solely as a convenience to potential student/parent borrowers. Lenders will be selected for the list based on their record of customer service to OVU students. Potential borrowers will in every case be given the option of selecting a lender not listed on the website.

University employees may not accept gifts of any kind from a lender for any reason or purpose. Employees responsible for the processing of students loans may not accept compensation for consulting with or providing services to or on behalf of education loan companies, nor can an employee serve on an advisory board, commission or similar group established by a lender.

8 Internet and Electronic Mail Use

The university's perspective is that all computers and other electronic equipment are provided for the educational and business functions of the university. Any other use of these resources whether during or outside of business hours is unauthorized, except as noted below. Occasional utilization of computing equipment for personal reasons in non-work time is understandable; however, the university will consider excessive use or other abuse of this leniency as inappropriate and unacceptable. Behaviors that are a violation of the university's policy and intent would include playing computer games instead of working; spending an hour or more on a personal computer search; using the computer for private business; searching and downloading pornography; and participating in spamming jokes, chain letters, or other communications to large groups of people.

The university respects the privacy of employee Internet and electronic mail use and will only access and disclose the contents of such communications as part of an internal discipline matter or if required by law.

E-mail is an essential tool for communication, and the university encourages its use by faculty and staff within the boundaries of the following guidelines:

University e-mail is not a private means of communication. By law, the university, not the individual, owns all e-mail generated, sent, or received through the university's systems. It is the intent of the university that the e-mail system be used primarily for professional purposes associated with the business and academic pursuits related to the university.

Identify oneself clearly and accurately in all e-mail communication. Using a pseudonym or writing an anonymous message that appears to disassociate one from the responsibility of his or her actions is always inappropriate. Concealing one's name or affiliation to mask irresponsibility or offensive behavior is a serious abuse. Using identifiers of other individuals or organizations is fraud.

Chain letters, non-business related forwards, and mass mailings waste university resources. Chain letters or e-mail forwards should not be forwarded. If an employee receives one, he or she should delete it. It should not be sent on to other users. Large bulk mailings can overload the university's server; therefore, those should be avoided if possible.

Security of accounts is primarily the employee's responsibility. Faculty and staff are provided their own e-mail accounts. Passwords should not be given to anyone. Employees should not allow anyone to use their e-mail account at any time. This protects one from accidental or intentional illegal or unethical acts by any person using his or her account.

Offensive, harassing, and defamatory messages on the university's e-mail system are prohibited. Use of the university's e-mail system is subject to all legal and university

prohibitions regarding discrimination or harassment based on race, color, religion, sex, disability, age, ethnic background or other prohibited basis.

Follow general etiquette guidelines for effective use of e-mail. Because e-mail is such a unique form of communication, certain general guidelines for effective use of e-mail are universally recognized. Those guidelines follow.

Sending and/or Receiving Messages:

1. Make sure a correct subject line has been chosen for the message—if someone wants to save the messages for future reference, an accurate subject line is helpful. Here are some common problems:
 - a. No subject line
 - b. A vague subject line, e.g., “important,” “today,” “read this”
 - c. Several topics are covered in one message, but the subject line only deals with one topic, not all those covered in the message. Create single-subject messages whenever possible.
2. If one forgets to attach an attachment with a message and then send out the attachment, resend the original message along with the attachment so that the attachment stays with the message content associated with it. A common problem is that the person realizes the mistake, but the new message (with the attachment) ends up with a subject line such as “whoops” or “attached this time”—words that are helpful at the moment, but not that helpful for retrieving the same message later.
3. Make sure message content matches its subject line. Here are some scenarios that create problems when trying to organize, file, or retrieve messages:
 - a. Person A gets a message from Person B dealing with topic X. Person A is reminded of something else he or she needs to discuss with Person B, and so hits “reply” and begins discussing the new topic. The topic being discussed (“Topic Y”) has nothing to do with the topic of the subject line (“Topic X”).
 - b. Persons A & B have been discussing Topic X, but then one starts adding a new topic; eventually, the new topic takes over, but no one has changed the subject line—now the series of messages have no relevance to the subject line.
4. Don’t forward someone’s message without getting that person’s permission.
5. Only hit “reply all” if everyone needs to get a reply.
6. Don’t bury requests and important information in big paragraphs.
7. Faculty should consider whether their message needs to go to the faculty list or the faculty/staff list. If it doesn’t pertain to staff, it should only go to the faculty list, not the faculty/staff list. (Faculty@ovu.edu or faculty.staff@ovu.edu).

8. Don't use "tomorrow" or "today" as time references, but instead use the specific days or dates. If one announces something for "tomorrow," and it's already "tomorrow" when the recipient reads it, the recipient may assume the event might be occurring "tomorrow" when in reality it is happening "today." Those who send e-mail outside of the normal 8-5 workday especially need to be careful about this.
9. Exercise caution, the confidentiality of one's message cannot be guaranteed. Messages can be misdirected and/or be forwarded by recipients to other electronic mail addresses. If one would not be comfortable having his or her e-mail printed in the next issue of the university's magazine, one should strongly consider whether to send it.
10. Assume each message is permanent.
11. Separate opinion from non-opinion.
12. Never send an e-mail when angry.
13. Identify affiliations clearly.
14. Do not insult or criticize others.
15. Consider alternative means of communicating with intended recipients (i.e., talk with the intended recipients in person).
16. If one receives a message intended for another person, notify the sender.
17. If one receives an offensive e-mail, delete it rather than dwelling on it.
18. Assume the honesty and competence of the sender.
19. Avoid irrelevancies.
20. Do not assume recipients think or believe as the sender does.

University listserves (e.g. faculty.staff@ovu.edu; faculty@ovu.edu; adjuncts@ovu.edu; adminis@ovu.edu, students@ovu.edu) are tools to enable broad communication among the campus family. Listserves are designed for official university business and should not be used for the following purposes:

1. Personal and private enterprise.
2. Personal advertisements.
3. Partisan political statements/political lobbying.
4. Hate mail, harassment, and discriminatory remarks.
5. E-mail that is inflammatory, accusatory, and/or derogatory.

Official university business may include daily campus announcements, announcements regarding events sponsored by the university, announcements regarding events to be held on the university's campus, announcements about the sale of fundraising items that support Ohio Valley University, announcements of campus family news (i.e., weddings, births, deaths, awards, honors, etc), and prayer requests.

9 Intellectual Property

The university encourages employees to contribute to society, the Church, and higher education through the production of popular, scholarly, and artistic works. It is the general policy of the university that all materials produced by employees of the university are the property of the employee producing the material.

The following exceptions apply to the general policy:

1. If the Appalachian College Association (ACA), or a similar organization, specifically provided funds for the employee to produce the materials, the materials belong to that organization unless that organization specifically grants ownership rights to the employee.
2. If the university specifically provided funds for the employee to produce the materials and/or the production of the materials was an essential element in the terms of employment, the materials belong to the university.
3. If an employee developed materials prior to the beginning date of his or her employment at the university, and if the university uses those materials as part of its curriculum or any other function of the university, the employee shall grant specific permission for the university to continue using the materials after his or her employment with the university ceases.
4. If an employee recommends ideas and/or materials to the university through a formal university program, those ideas and/or materials belong to the university. However, the employee is free to use those ideas and/or materials without written permission of the university unless such future use results in remuneration for the employee. In such case, the university shall receive an appropriate payment for use.

10 General Expectations of Employees

- Employees should treat all students in a fair, impartial, and equitable manner.
- Employees should not aid students in circumventing university policies or regulations. Employees are encouraged to use discretion about reporting violations except in cases where there is risk of harm to the student or others when counseling students who have committed Code of Conduct violations (i.e., of university policies or regulations). Of particular concern should be those instances in which the employee becomes aware that others have knowledge of the violation. When others have knowledge of the violation, it should be reported to the dean of students.
- Employees should uphold all university regulations and perform their duties in an exemplary manner.
- Employees should handle all funds at their disposal in accordance with established and responsible accounting procedures.
- Employees should not become romantically involved with students.
- Employees should not use professional relationships with a student for private advantage.
- Employees should not intentionally expose a student to embarrassment or ridicule.
- Employees should treat their colleagues and the university with respect, avoiding criticism of fellow employees or the university in the presence of students.
- Employees should attend chapel if possible.
- Employees should attend employee workshop.
- Employees should help conduct co-curricular and extra-curricular activities according to their interest, talents, time, and opportunity.

10.1 No Harassment Policy

The university respects and encourages the dignity and professionalism of its employees and students and is firmly committed to maintaining a learning and working environment that is free from any form of discrimination. Harassment in any form based on gender, race, color, age, national origin, disability, religion, or any other characteristic protected by state or federal laws is prohibited, as are all forms of sexual intimidation and exploitation. In keeping with this commitment, the university will not tolerate any unlawful harassment of its employees or students at the university by anyone, including any faculty member, staff member, student, visitor, vendor, contractor, or any other individuals providing services at the university. Harassment that interferes with an individual's work, or academic performance, or that creates an intimidating, hostile, or offensive working environment, will not be tolerated. All members of the university community are expected to follow and enforce the university's policy against harassment. All supervisory personnel are considered representatives of the university, and as such,

are responsible for addressing all forms of harassment, and shall notify immediately, the appropriate university leadership and/or the Office of Human Resources of any alleged infractions. Complaints of harassment will be promptly and thoroughly investigated and appropriate action, including disciplinary measures, will be taken when warranted. Faculty, students, and staff have the right at any time to raise the issue of harassment without fear of retaliation.

10.1.1 Harassment Definitions

Harassment consists of unwelcome conduct, whether verbal, physical, or visual which is based on a person's race, color, religion, gender, age, or disability. Types of behavior which may be deemed inappropriate or offensive include but are not limited to: derogatory remarks, epithets, off color jokes, comments or actions that reinforce male/female stereotypes, devaluation of males or females, significantly different treatment of one gender from another in the workplace or classroom setting, advising males and females differently regarding major, career goals, course selection, or job expectations, the display or circulation of offensive printed or visual material, or offensive physical or verbal actions, conduct, or contact.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other physical and verbal conduct of a sexual nature, where (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting the individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or demeaning employment or educational environment.

Quid-pro-quo sexual harassment involves (1) making submission to sexual demands an implicit or explicit term or condition of academic performance or condition of employment; or (2) making decisions affecting someone's academic performance, employment, or compensation on the basis of whether the person submits to or rejects sexual demands.

10.1.2 Harassment Complaint Procedures

If an employee believes they have been subjected to harassment (including sexual harassment), the employee may discuss his or her concern with the perceived offender, or his or her immediate supervisor, or other member of the university leadership should he or she feel comfortable doing so. If the employee talks personally with the offending party, the employee should inform him or her of the concerns by saying for example, "I find your action to be offensive and I want it stopped."

If at any time during this process, the employee wishes to elevate the matter to the Office of Human Resources, the employee, the employee's supervisor, or other university leadership may file a written complaint on the employee's behalf. The employee is

required to consult with the Office of Human Resources to determine an appropriate course of action.

If an employee is not comfortable speaking to the perceived offender, the employee's supervisor, other members of the university leadership, or if the employee has done so and has received an unfavorable result, the employee may lodge a complaint with the Office of Human Resources. The complaint must be filed in writing within two weeks after the alleged event. The complaint shall identify the accused individual and shall explain in as much detail as possible the nature of the incident(s). A list of witnesses, if any, should accompany the written complaint.

Within ten working days of receipt of the complaint, the Office of Human Resources will consult with the appropriate administrator on the nature of the complaint. Depending on the issues and severity of the employee's concern, the Office of Human Resources will conduct a prompt and thorough investigation that may require collecting and analyzing data and/or speaking with others. After discussing the issues with all appropriate parties, the Office of Human Resources will submit findings of the investigation and any recommendations to the complainant and the Supervisor, with copies to appropriate administrative leadership.

The Office of Human Resources may suggest a variety of resolution methods which may involve, but are not limited to any one or more of the following: a meeting with the parties, mediation, counseling, training, or disciplinary action. The privacy rights of all involved shall be protected to the extent required by law in both the investigation and the outcome of the complaint.

This procedure is intended to resolve the complaint by arriving at a solution amenable to all parties. Although there is a need for confidentiality throughout the process, there is also a need to judiciously investigate and resolve conflict. This means that disclosure will, in most cases, be made at some level in the resolution process. The term "disclosure" as used here means contacting the concerned parties, conducting an investigation, and taking appropriate action. At any time, either the accused or the accuser may wish to seek the advice of counsel, and both have the right to do so. However, legal counsel may not accompany any parties or individuals during interviews or at the university hearing. To encourage the free flow of information, interview sessions during an investigation may not be recorded by audio or visual equipment.

If the issue is not resolved in a satisfactory manner and the complainant prefers to carry the complaint further, the Office of Human Resources will forward to the appropriate university Hearing Committee the initial complaint and all related documentation, including recommended solutions for resolving the complaint.

The university shall designate a committee with the charge of managing the process of investigating and conducting hearings on all harassment allegations brought forth by the complainant. The hearing committee will include two representatives from faculty and two representatives from staff. Membership on the hearing committee will rotate annually. The hearing committee will follow the process outlined below:

1. Written complaint filed with Chairperson.
2. Chairperson shall schedule meeting.
3. Meeting shall be closed with only the accuser, accused, witnesses and hearing committee members present.
4. All deliberations and recommendations of the hearing committee shall be confidential.
5. Meeting procedures:
 - a. Accuser presents evidence and witnesses on his or her behalf.
 - b. Accused presents evidence and witnesses on his or her behalf.
 - c. Accuser, accused, and witnesses available for questions from accuser, accused and Committee.
 - d. Committee shall deliberate in “executive session” as to whether university policy has been violated, and if so, shall recommend appropriate action(s).
 - e. Chairperson shall inform the president, in writing, of the committee’s findings and recommendations within seven calendar days of the meeting. The president, at his sole discretion, shall take the action necessary and appropriate to protect the university. If the policy has been violated and actions taken, a copy of the letter to the accused shall be placed in his or her personnel file.

At any stage during the process, the accused has the right to submit his or her position in writing; and if the accused requests, this document will be placed in the accused person’s personnel file. The document can be removed from the file at any time at the request of the accused.

10.1.3 Miscellaneous Items Related to Harassment

Retaliation: The university will not tolerate any adverse retaliatory treatment of anyone who, in good faith, reports harassment or provides information related to complaint(s) of harassment or other discriminatory treatment, even if the investigation produces insufficient evidence to support the complaint or if the charges are not proven, or participates in an investigation, proceeding or hearing conducted by the university.

False Allegations: Individuals who make false reports, allegations, or accusations of harassment knowingly, recklessly, in bad faith or with malicious intent, will be subject to disciplinary action.

Peer Harassment: Peer or co-worker harassment occurs when objectionable conduct creates a hostile educational or work environment.

Same Sex Harassment: Sexual harassment is prohibited regardless of the sex of the harassed, i.e., even when the harassed and the person being harassed are members of the same sex.

Further Complaints: The complainant should notify the Office of Human Resources or university leadership if the corrective action does not end the harassment or if retaliatory action has occurred. In such cases, the complainant has the right to file another complaint.

Personal Relationships: Friendships and personal relationships often develop in the workplace. When coworkers or individuals in different departments of the university socialize or have personal relationships, they should not interfere with the work performance of either individual or with the effective functioning of the workplace. However, employees who engage in such relationships must accept full responsibility for assuring that it does not raise issues of ethics or professionalism and must bear the burden for establishing the appropriateness of the relationship if called into question.

In a workplace or educational setting, there may be a fine line between asking someone for a date and inappropriate behavior or harassment. If someone declines a polite offer to socialize outside of work the employee should drop the matter and not approach the individual again. Romantic or intimate relationships in which one individual has direct influence or control over the other's conditions of employment such as pay, performance evaluation, hiring, or discharge are prohibited.

Title IX & Violence Against Women Act (VAWA): <http://ovu.edu/student-life/student-services/university-regulations/harassment-discrimination-sexual-misconduct-title-ix.html>

10.2 Appropriate Attire for Employees

The minimum dress expectation for OVU employees is **business casual**, unless job function requires otherwise (for example, maintenance). Men generally should wear collared shirts and dress pants (khaki or dressier) and be well groomed; women should wear pantsuits, tailored coordinates, or professional-looking dresses with professional-looking jewelry, accessories, and hair. Clean sneakers or jogging/athletic shoes may be worn, especially if medically necessary. **Full business dress** would be appropriate for the following circumstances:

- **Formal meetings**, especially with guests from off campus (even on Fridays)
- **Special occasions or events**, when guests are likely to be in attendance (even on Fridays)

Business casual at OVU sometimes is easier to define by what is not appropriate than by what is. Here are some general guidelines:

What Not to Wear

- Shorts, except when appropriate for activity courses or coaching
- Jogging or sweat suits (fleece or nylon), except when appropriate for activity courses or coaching

- Anything torn, ragged, or stained
- Garments with inappropriate messages printed on them
- Strong perfume/cologne
- Anything low-cut, see-through, or short
- Anything that shows a bare midriff
- Flip flops, Crocs, or similar footwear

Casual Friday Guidelines

Casual Friday does not mean abandonment of business casual—just a slight relaxing of the standards. The following items would be appropriate for casual Friday:

- Dress jeans
- Dress capris, for women
- Apparel promoting OVU or one's discipline

Some supervisors may have higher standards on some points or in some circumstances, in which case employees should follow these expectations.

11 Qualifications and Work of the Faculty

Each general policy in the employee handbook applies to faculty members. However, certain policies apply only to faculty members because of their unique work at the university. Those policies are discussed in this section.

11.1 Faculty Qualifications

11.1.1 Regular Faculty Qualifications

Those hired as regular faculty members must have at least a master's degree in an area relevant to what they are teaching, and a doctorate is preferred.

11.1.2 Adjunct Faculty Qualifications

Ordinarily, an adjunct faculty hired to teach a college-level course should possess at least a master's degree in an area relevant to the subject matter to be taught. In rare circumstances, however, it may be possible to hire an adjunct faculty member who does not have a master's degree but who is qualified based on equivalent experience. To hire such a person, each of the following three conditions must be met:

1. Courses for which equivalent experience may qualify an adjunct: An adjunct hired on the basis of experience may only be hired to teach the following types of courses:
 - a. Except in extremely rare circumstances for which further written justification must be supplied, the course must be a lower-level course, preferably at the introductory level.
 - b. The course structure must have been developed by a faculty member with at least a master's degree, and the instructor hired must follow the structure provided.
 - c. Hiring someone without a master's degree is more acceptable in courses that teach a specific skill or that are hands-on, such as an activity-based physical education course, a computer skills course, or a music lesson or ensemble.
2. Minimum qualifications of an adjunct: An adjunct without a master's degree must have experience that compensates for the lack of a master's degree. An applicant must meet at least one of the following requirements:
 - a. 30 or more graduate hours in a relevant discipline
 - b. Specific training (and if one is available, a certification or other credential) in the content being taught (for example, someone teaching Microsoft Office should have certification from Microsoft in Office, or someone teaching a swimming physical education course must be a certified swimming instructor)
 - c. At least four years of experience in the discipline

3. Evaluation of adjunct faculty members hired based on equivalent experience:
Before an applicant is hired based on experience, the following must occur:
 - a. The school chair or dean recommending that an applicant be hired must have conducted a face-to-face interview with the applicant and provided the applicant with the master syllabus of the course.
 - b. A school chair or dean who believes that such an applicant should be hired must explain in writing to the vice president for academic affairs (VPAA) the specific reasons that the course, the applicant, and the hiring process meet the standards described in this policy. In addition, the chair or dean must explain to the VPAA how the faculty member will be monitored and evaluated, both during the first semester and in subsequent semesters.
 - c. The final decision about whether to offer a position to a potential adjunct will be made by the VPAA.

If in the event that a qualified adjunct cannot be found, the university will occasionally hire an adjunct who does not meet the required qualifications, but who possesses adequate expertise in the area of instruction. When this occurs, the university will also assign an instructor of record, a full-time faculty member or a part-time faculty member approved by the VPAA, who can provide mentoring and guidance to the adjunct. The Instructor of Record must be listed on the course syllabi as Instructor of Record, including contact information and office hours. The Instructor of Record, in addition to being a mentor for the adjunct, is responsible for at least two of the following three requirements: (1) designing the course syllabus in accordance with OVU syllabi standards and providing it to the Office of Academic Affairs; (2) meeting regularly with the class to provide instruction; (3) confirming students' final grade and submitting the grades to the Office of the Registrar.

11.2 Teaching Hours

Full-time faculty members who are expected to work nine (9) or ten (10) months during a single fiscal year normally teach twenty-seven (27) semester hours per academic year or engage in some combination of teaching and other equivalent duties. Three-quarter time faculty members normally teach twenty (20) semester hours per academic year. Half-time faculty members normally teach twelve (12) semester hours per academic year.

Credit for laboratory classes is determined as follows: dividing the clock hours of laboratory per week by two gives the equivalent number of semester hours.

Credit for teaching classes with an enrollment with fewer than six students will be prorated as a fraction of six to compute number of hours taught; in special circumstances such as the course being offered on its established rotation, this provision will not be in effect. See applicable academic dean for other exceptions.

A non-faculty OVU employee may teach a maximum of six credit hours per semester with supervisory approval. All such employees will be treated as adjunct faculty and will

be paid accordingly. However, the standard number of hours for the primary job of the employee must be maintained.

For those teaching independent studies, remuneration will be paid upon approval by the VPAA.

All faculty members are expected to meet all classes. When ill, the faculty member is required to notify the designated person within the college.

11.3 Office Hours

Full-time faculty members should post and maintain a minimum of ten (10) regular office hours per week. Three-quarter time faculty members should post and maintain a minimum of 7 regular office hours per week. Half-time faculty members should post and maintain a minimum of 5 regular office hours per week.

11.4 Committee Work

Full-time faculty members are required to serve on at least two committees each year; these include university governance committees (which are listed elsewhere in this handbook), faculty committees, and/or ad hoc committees. Three-quarter time and half-time faculty members are required to serve on at least one committee. Adjunct faculty members may serve on standing faculty committees and ad hoc committees as they have time and desire. The VPAA must approve any exceptions to this policy.

11.5 Advising

Full-time, three-quarter time, and half-time faculty members are expected to advise students each year, ideally consulting with them at registration, after mid-term grades are published, and other times during the semester as warranted. Advising is an important role for faculty members and should be taken very seriously. Training regarding advising is available during employee workshops and is mandatory for all advisors.

11.6 Syllabus Requirements

During the first week of each course, all faculty members are expected to provide students with a syllabus for the course. The syllabus should include the following information: course number, course title, credit hours, meeting times, course instructor contact information, course text, course description, course prerequisites, course rationale, course objectives and/or student learning outcomes, course requirements, assessment methods, grading policy, attendance policy, tentative course calendar, ADA policy, credit-hour definition, and academic integrity policy.

A faith and learning component is required in the syllabi of all courses taught by full-time, three-quarter time, and half-time faculty; adjunct faculty members are also encouraged to include this element in syllabi, but are not required to do so. Academic deans or accreditation agencies may require additional components. An electronic copy of each syllabus must be provided to the online repository or to the dean.

11.7 Enforcing Classroom Behavior and Dress

Each faculty member is responsible for ensuring that students behave and dress appropriately in his or her classrooms. (For a description of appropriate student attire, see [“Student Life”](#) > [“Student Services”](#) > [“University Regulations”](#) > [“Personal Appearance”](#) on the OVU website.) Faculty members are encouraged to discuss inappropriate behavior or dress as soon as situations warrant.

11.8 Additional Professional Responsibilities

Faculty members are also expected to fulfill these responsibilities.

1. Faculty members are expected to abide by and enforce all academic policies in the current catalog.
2. Faculty members should assure that course content and catalog descriptions of courses are consistent.
3. Faculty members should return student work in a timely manner.
4. Faculty members are also expected to attend commencement exercises unless excused by the VPAA.
5. Faculty members are expected to respond to requests from colleagues, supervisors, and administration.

11.9 Faculty Evaluation

In addition to the evaluation materials and methods required for all employees, faculty members are required to complete the faculty evaluation process. In the first two years of teaching, full-time, three-quarter time, and half-time faculty members will be evaluated annually. After the initial period of employment, faculty members will complete this process every three years. Each year, they will submit to their deans the Faculty Member Evaluation form, the Faculty Member Data Update form, and an updated vita.

Academic deans will be evaluated by the VPAA using the same process.

11.9.1 Evaluation Elements

1. Self-evaluation using the Faculty Member Evaluation form and the Faculty Member Data Update forms (annually)
2. Updated professional portfolio and/or curriculum vita (annually)
3. Course evaluations by students (annually)
4. Advisor evaluations by advisees (annually)
5. Classroom observation by school chair, dean, or a peer (annually, then every three years)
6. Evaluation by supervisor (annually, then every three years)

7. Evaluation conference with school chair or dean (annually, then every three years)

11.9.2 Evaluation Responsibilities of Individual Faculty Members

1. Each year, faculty should complete the Faculty Member Evaluation form as a self-evaluation, and the Faculty Member Data Update form, as well as provide an updated vita; these documents should be submitted to the applicable dean.
2. Faculty should schedule a classroom observation by school chair, dean, or a peer (annually, then every three years).
3. Faculty should schedule a time to share the resulting documents with school chair or dean (annually, and then every three years).

11.9.3 Evaluation by Supervisor (annually, then every three years)

1. The supervisor should review the faculty member's self-evaluation, course evaluations, advisor evaluations, class observation form, and updated portfolio and/or curriculum vita.
2. The supervisor should complete the Faculty Member Evaluation form.
3. The supervisor should conduct a conference with the faculty member.
 - a. Observations and concerns should be discussed.
 - b. The supervisor should specifically compare the supervisor evaluation and his or her self-evaluation forms and identify areas of strength and weakness for the faculty member.
 - c. Following the review, the dean and the faculty members have an opportunity to write comments on the supervisor evaluation form.
 - d. Each person signs the form; copies are given to the dean and the faculty member.
4. This information will be kept in the Office of Academic Affairs and in the supervising dean's office.

11.10 Faculty Academic Rank

Each member of the faculty is assigned an academic rank, which is primarily determined by the degree earned.

- All academic ranks apply to regular, full-time members of the university teaching faculty. Regular, full-time members of the university faculty are those who regularly teach a full load both fall and spring semester. Faculty holding half-time or three-quarter time positions will be granted the rank of instructor and are not eligible for promotion of rank. Other employees with other primary responsibilities who teach are termed adjunct instructors.

- All library professionals who hold graduate degrees in library science or in related fields such as learning resources or information technology shall be regarded as full members of the university faculty with all rights and privileges. For the purposes of rank, academic years of academic library work experience are equivalent to years of teaching experience.
- All degrees must be earned degrees from regionally or internationally-accredited institutions.
- To determine the number of semester hours beyond the master's degree, the normal number of hours for a master's degree will be deemed to be thirty.
- A year of teaching will be defined as the accumulation of the equivalent full-time teaching load of faculty member based on the faculty full-time teaching load defined earlier in this section of the handbook.
- In special cases, related experience can be deemed sufficient to rank requirements.

11.10.1 Instructor

- Faculty members who hold a master's degree with no teaching experience at the post-secondary level or those who are hired based on equivalent experience will be given the rank of instructor.
- All faculty members who are employed in half-time and three-quarter time positions will be given the rank of instructor regardless of degree level.

11.10.2 Assistant Professor

- Faculty members who hold a doctorate or terminal professional degree will be given the rank of assistant professor.
- Faculty members who hold a master's degree plus thirty graduate semester hours and three years of teaching experience at the post-secondary level can be given the rank of assistant professor.
- Faculty members who hold a master's degree and have five years of teaching experience at the post-secondary level can be given the rank of assistant professor.

11.10.3 Associate Professor

- Faculty members who hold a doctorate or terminal professional degree and have five years of teaching experience at the post-secondary level can be awarded the rank of associate professor.
- Faculty members who hold a master's degree plus thirty graduate semester hours and have a minimum of ten years teaching experience at the post-secondary level can be awarded the rank of associate professor.

11.10.4 Professor

- Faculty members who hold a doctorate and have a minimum of ten years teaching experience at the post-secondary level can be awarded the rank of professor.
- An individual who holds a master's degree plus thirty graduate semester hours can be awarded the rank of professor if he or she has a minimum of twenty years of teaching experience and twenty years of continuous service at Ohio Valley University.

11.10.5 Professor Emeritus

- Upon retirement from the institution a faculty member may be appointed to emeritus standing.
- The title of emeritus will be added to the rank held at the time of retirement.
- The candidate should have held the rank of associate professor or professor for a minimum of five years.
- The candidate should have served a minimum of ten years with distinction as a full-time member of the Ohio Valley University faculty.
- This honor is not automatic but is reserved for those who have excelled throughout their careers as teachers and servants of the university.

11.11 Other Academic Ranks

11.11.1 Adjunct instructors

- Adjunct instructors are contracted on course-by-course basis.
- Their rank is adjunct instructor.

11.12 Faculty Promotion

- Those interested in promotion should consult their academic dean to review qualifications for the promotion sought.
- Those who apply for promotion should submit the following to the VPAA by first Friday of September:
 - A formal letter requesting promotion
 - A professional portfolio which includes a *curriculum vitae* and recent supervisor evaluation(s) as well as such things as evidence of professional activities; a list of memberships, publications, and presentations; sample syllabi; and course evaluations
 - A statement outlining university participation (committee involvement, advising, chapel participation, church relations, student group participation, student organization sponsorship, etc.)

- Other suitable supporting documentation which demonstrate teaching and promoting learning, ongoing professional growth and development, or service to the university
- The VPAA will call an ad hoc rank and promotion committee to evaluate all requests.
- The rank and promotion committee will make a recommendation to the VPAA and the academic deans by first Friday of November.
- All promotions or changes in academic rank must be approved by the academic deans before going to the president and the Board of Trustees for approval.
- If the request for promotion is granted, it will be effective at the beginning of the next academic year.
- The dean of the candidate's college will keep the candidate apprised as to the progress of the application.
- If the request is denied, the dean of the college will promptly work with the candidate to address any concerns for the purpose of reapplication.

Each of the following descriptions is to be seen as general guidelines and not an absolute checklist. Each applicant is to be considered on his or her own merits without comparison to other candidates.

11.12.1 From Instructor to Assistant Professor

This candidate needs to meet the basic qualifications of the rank of assistant professor listed above. The candidate needs to meet the following criteria: (1) demonstrate evidence of good teaching; (2) demonstrate active participation in the work of the candidate's department; (3) demonstrate a potential for further advancement; and (4) demonstrate service to students.

11.12.2 From Assistant Professor to Associate Professor

This candidate needs to meet the basic qualifications of the rank of associate professor listed above. This advancement is based on continued improvement in quality in these areas: teaching, scholarship, and service roles (e.g., advisor, committee member). The candidate will be further evaluated by the following criteria: (1) evidence of professional development; (2) skill as an academic advisor; (3) service to students beyond what is required to fulfill teaching responsibilities; and (4) service to the university beyond teaching responsibilities.

11.12.3 From Associate Professor to Professor

This candidate needs to meet the basic qualifications of the rank of professor. This promotion is based upon achievement beyond the level required for the associate professorship. The candidate must be a stellar teacher, an excellent advisor, and current in his or her discipline. The professor must be recognized within the university community

as a leader/mentor. In addition to service to students and to the university, the candidate must demonstrate professional growth and maturity within his or her discipline.

11.12.4 Rank and Promotion Committee

Upon receiving a request for elevation of rank, the VPAA will appoint a rank and promotion committee, which should be composed of five members with the following characteristics:

- Four committee members must hold the rank of associate professor or professor; the fifth member may hold any rank above instructor.
- The committee should have no more than one academic dean. The dean cannot be from the candidate's college.
- A committee member must have completed three full years of service at the university.

The committee will review the applicant's material and make a written recommendation to the VPAA. The deans and the VPAA will then review materials and the recommendation. The candidate's dean will report the result to the candidate.

11.13 Faculty Workshops and Meetings

Faculty workshops occur at the start of each semester and are mandatory for all full-time, three-quarter time, and half-time faculty members. Faculty meetings are called periodically by the VPAA and are designed for informational purposes and professional development. If faculty members are unable to be present, they must notify their dean.

11.14 Chapel and Assembly Attendance

The chapel and assembly program is a part of the holistic experience and spiritual development at the university and is integral in fulfilling the university's mission. Because students' attendance and attitude toward chapel will be influenced by their perception of faculty attitude, participation is expected of all full-time faculty members. While legitimate excuses may exist for missing an occasional chapel, faculty members should consider chapel as part of their responsibilities. Expectations are that all would attend at least three times each week.

11.15 Accessibility

The accessibility of faculty members is one of the strengths of Ohio Valley University. Each faculty member should seek to be available for informal interaction with students. While accessibility is accomplished through instructional and office hours, other activities such as eating in the dining room, hosting meals in one's home, spending time with students in common areas, attending sporting events, or participating in social events are great avenues to increase accessibility to students. However, preceding list are simply suggested, not required, activities. Informal interaction with advisees is especially encouraged.

11.16 Tenure

At present, the university has no official policy regarding tenure. Any faculty members who have previously been granted tenure retain the status.

11.16.1 Benefits of Tenure

1. This policy applies only to faculty members who have previously been granted tenure by Ohio Valley University.
2. Purpose and Definition
 - a. Faculty members at Ohio Valley University should be able to practice their chosen profession without fear that some injudicious decision will bring about their dismissal.
 - b. Tenure is meant to provide that sense of security. It is the assurance of continued employment, subject to specific limitations and periodic review.
 - c. Tenure assumes reciprocal obligations of loyalty and responsibility between the university and the faculty member.
3. Limitations To Tenure
 - a. Dismissal of a tenured faculty member will be for one of five reasons:
 - (1) Improper conduct, including illegal activities, adultery, fornication, homosexuality, dishonesty, the use of alcohol or illegal drugs, obscene or threatening language, and physical violence.
 - (2) Professional incompetence, including neglect of responsibilities and performance significant below the level of professional service that was the basis of appointment to tenure.
 - (3) Serious, prolonged incapacity, including mental illness.
 - (4) Lack of sympathy with the aims and ideals of the university including failure to adhere to the prevailing norms of belief and practices within churches of Christ, persistent insubordination, or teaching out of harmony with the college's stated purposes and policies.
 - (5) Financial exigency of the college leading to elimination of the position held by the individual.
 - b. It will be the board of trustees' final discretion as to whether or not there is legitimate cause to dismiss a tenured faculty member.
 - c. Tenured faculty members may undergo a post-tenure review at the discretion of the academic deans or vice president for academic affairs.
4. Dismissal Procedure For Tenured Faculty Members
 - a. The VPAA will consult with the faculty member concerned.

- b. If there appears to be cause for dismissal, charges will be presented to the president by the VPAA, including the reason or reasons for termination. The faculty member will receive a written copy of these charges.
- c. The administration will then review the case for recommendation to the board of trustees.
- d. To ensure due process, the faculty member has full right to be heard by the administration, including the right of a hearing before the executive committee of the board.
- e. The duty of the administration and the executive committee of the board will be to ascertain the facts of the case, determine guilt or innocence, and make appropriate recommendations to the board of trustees whose decision will be final.
- f. Where he deems it necessary, the president has the authority to suspend the faculty member with or without pay pending investigation and final action by the board of trustees.
- g. A complete record of all hearings will be taken. The faculty member has a right to counsel. The purpose of this procedure is to ensure fair, honest, and judicious treatment.

11.17 Academic Freedom

As a post-secondary liberal arts institution, Ohio Valley University encourages its faculty and students to develop their individual intellects to the fullest extent possible. In the furtherance of this goal, the university encourages the exercise of academic freedom. In this respect, faculty members are free to explore relevant issues in their classrooms as they, as professional educators, see fit. Faculty members at Ohio Valley University are encouraged to permit students access to and expression of all significant points of view regarding any issue within the faculty member's academic discipline. No person, however, is an expert in all fields, and faculty members should be careful not to speak as authorities outside their area of expertise or to introduce controversial material that has no relation to their academic discipline.

Faculty members at Ohio Valley University are at once individual citizens, members of a learned profession, part of an academic faculty, and representatives of a Christian university. When they write or speak, they should remember that the public may judge not only them, but their profession, their university, and their church. Therefore, they should strive at all times for accuracy, restraint, and respect for the opinions of others and should make every effort, when appropriate, to indicate they are not writing or speaking officially on behalf of Ohio Valley University.

12 Staffing and Hiring Policies

12.1 Equal Employment Opportunity

Ohio Valley University does not discriminate on the basis of age, race, color, national or ethnic origin, disability, or any other legally protected category in its hiring, policies, or programs. Nor does the university discriminate on the basis of sex, except for, and as necessitated by, the specific religious tenets held by the university and its controlling body.

The university supports equal opportunity, not just because it is the law but because she recognizes that the university's present and future strength is based primarily on people, their skills, experience, and potential to develop.

All personnel actions such as compensation, benefits, transfers, layoff, return from layoff, university-sponsored training, education, tuition assistance, and social and recreational programs, are administered without regard to gender, race, color, age, religion, national origin, disability, or any other legally-protected category.

Employment decisions will be based on job requirements within the context of equal employment opportunity, consistent with the university's goal of sustaining diverse and exceptional employees. The university is committed to actively recruiting and retaining such a workforce.

OVU's associate executive vice president is designated as university coordinator for Title IX compliance.

12.2 Job Openings and Recruitment

The university strives to recruit the best possible candidates for vacant positions and is committed to ensuring that all qualified candidates receive equitable consideration of their applications. The university does not discriminate on the basis of non-position related factors.

Interested parties should contact the Office of Human Resources for further information. All job inquiries will be treated confidentially, and any information that is obtained will be distributed only to appropriate university personnel.

12.2.1 Approval of Employment Opportunities

In order to request that an open position be approved for hire, supervisors must complete the following paperwork:

1. [Request to Hire Personnel](#) (HR-1)
2. [Job Description](#) (HR-2)

Supervisors may obtain the necessary paperwork from the Office of Human Resources.

After approval by the Office of Human Resources and other appropriate university personnel, supervisors may continue to the posting process.

12.2.2 Posting of Employment Opportunities

Except in situations for which an immediate hire must be made, employment opportunities are posted internally to all employees for a minimum of seven working days before a hiring offer is made so that qualified employees may be considered. Exceptions must be approved by the Office of Human Resources in coordination with the president.

Interim and volunteer positions do not need to be posted.

Open positions may be posted via external means.

12.2.3 Interviewing and Hiring Process

In order to ensure that the best possible candidate for a vacant position is hired, the university stipulates the following procedures be used in interviewing and hiring.

12.2.3.1 Establishment of a Search Committee

Search committees are an integral part of the university's interviewing and hiring process and must be utilized unless the Office of Human Resources approves otherwise due to exigency of time, level of position (e.g., bookstore clerk, maintenance, security, secretary), or other special circumstance that would make the use of a search committee unreasonable.

The chair of each search committee will be the immediate supervisor for the position to be hired or the immediate supervisor's designee. The chair shall select search committee members within the following parameters:

1. Search committees may include five or seven participants.
 - a. For a five-person search committee, two participants must be from within the department hiring (if available): for positions with significant student involvement, one participant must be a student (appointed by the chair in consultation with the Student Government Association executive team or appropriate university personnel); one participant must be unrelated to the hiring department; and the final participant is the chair.
 - b. For a seven-person search committee, two participants must be from within the department hiring (if available): for positions with significant student involvement, two participants must be students (appointed by the chair in consultation with the Student Government Association executive team or appropriate university personnel); two participants must be unrelated to the hiring department; and the final participant is the chair.

2. Individuals with a conflict of interest or obvious bias should not participate on the search committee. Conflict of interest or obvious bias will be identified based on various university policies and procedures (e.g., Conflict of Interest in Committee Work, Employment of Relatives).
3. Participants should have a general knowledge of the requirements for success in the position to be filled.

12.2.3.2 Screening and Interviewing Candidates

Each member of the search committee will be responsible for screening resumes (and other information submitted as part of the application process) and recommending a maximum of five (5) qualified candidates to be interviewed. The chair will gather each search committee member's recommendations and approve a maximum of five (5) qualified candidates for interview.

Interviews will be conducted by the search committee at a time and place decided upon by the chair.

Tools for screening and interviewing candidates are available in the Office of Human Resources.

12.2.3.3 Recommendations for Hire

After all interviews have been conducted, the chair will seek input from each search committee member regarding the candidates for hire. However, the final recommendation for hire will be made by the chair to the appropriate administrator.

Before the Office of Human Resources makes the hiring offer, the recommended candidate must interview with the president (or executive vice-president) and receive his or her approval. This interview will focus on fit between the candidate and the university's mission.

12.2.4 Individuals with Disabilities

The university is committed to equal opportunity and access for people with disabilities. In compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, the university does not exclude otherwise qualified persons with disabilities from participating in employment opportunities and university programs and activities.

Congress passed the ADA in 1990 in an effort to remove barriers that prevent people with disabilities from having access to goods, services, and employment opportunities. Complying with the ADA helps the university to achieve its goal of offering employment opportunities to all qualified individuals and helps tap an under-utilized employee population.

The ADA protects people with disabilities, and defines a person as disabled if he or she

- has a mental or physical impairment that substantially limits one of life's major activities, such as walking, hearing, etc.; or
- has a record of history of such an impairment; or
- is regarded as having such impairment.

In addition, a person who is associated with someone with a disability is protected from employment discrimination based on unwarranted assumptions (e.g., that the person will have to miss work to care for a disabled individual).

Applicants are not required to identify themselves as having a disability; self-identification is strictly voluntary. The job-related skills and experience of all applicants should be evaluated without regard to disability or any accommodations that may be necessary.

The ADA defines a person with a disability as “qualified” for a position if he or she is able to perform the essential job functions with or without reasonable accommodations.

Essential job functions are the fundamental tasks of a job, reasonably defined by the employer. Accommodations are changes in facilities or policies that enable an otherwise qualified person to perform the essential job functions. An accommodation is considered reasonable and is required if it effectively allows the person to perform the essential job tasks while not placing an undue hardship on the employer. It is the applicant's or employee's responsibility to request a reasonable accommodation.

Decisions about accommodations or undue hardship must be made on a case-by-case basis. Supervisors should contact the Office of Human Resources for assistance if questions arise about an employee or applicant with a disability.

12.2.5 Volunteers

Volunteers are not hired. A volunteer is someone who performs a service for civic, charitable, or humanitarian reasons without the promise, expectation, or receipt of compensation in the form of wages for services rendered. The Federal Fair Labor Standards Act (FLSA) covers the definition and use of volunteers. The FLSA protects individuals from manipulation or abuse of minimum wage or overtime requirements that might pressure them to volunteer time that otherwise would have to be compensated. Employees should never feel pressured to volunteer or work for free. Therefore, to be considered a volunteer, an individual must

- offer his or her services freely and
- not be employed by the university.

Departments that recruit and use volunteers should have a signed statement of understanding that documents the volunteer nature of the relationship and ascertains that

the volunteer is providing the services freely and will receive no compensation in the form of wages for services rendered.

Volunteers, by definition, are not compensated. Departments that coordinate the use of volunteers should not enter into any agreements about reimbursement of volunteers' incidental expenses or other exchanges of resources that might be construed as compensation.

12.2.6 Employment of Relatives

While Ohio Valley University will accept and consider applications for employment from relatives, close family members, or in-laws, they generally will not be hired or transferred into positions where they are the immediate supervisor of another family member or are immediately supervised by another family member.

Specifically, Ohio Valley University will employ no person who will immediately supervise or be supervised by any of the following relatives:

- spouse;
- parents (including in-laws);
- siblings (including in-laws);
- children (including in-laws);
- grandparents (including in-laws);
- aunts or uncles (including in-laws);
- nieces or nephews (including in-laws); and
- first cousins (including in-laws).

Relatives shall not be prohibited from working in the same department if no immediate supervisory relationship is involved. If relatives are employed in the same department and one is promoted to an immediate supervisory role, the other must be transferred to another department or resign from the university.

12.3 Graduate Assistant Program

The university provides a special program for OVU graduate students who are working for the university.

Those interested in being hired should present a resume and a cover letter that outlines the applicant's qualifications for the position. Because the applicant is submitting transcripts as part of the application process, no additional transcripts are required.

All graduate assistants are expected to follow the rules and regulations for faculty (graduate teaching assistants) or staff (graduate coaching assistants or graduate assistants for athletic administration) as outlined in the employee handbook. Graduate assistants residing in campus housing are also required to follow university and residence life policies.

All graduate assistants will sign a letter of agreement developed by their direct supervisor documenting specific duties of the graduate assistant.

12.3.1 Graduate Teaching Assistant

Courses taught by graduate assistants must meet the following requirements:

- Courses must be lower-level courses (numbered 299 or lower).
- The course structure must have been developed by a faculty supervisor, and the graduate assistant must follow the structure provided.

Someone teaching a course as a graduate teaching assistant must have a supervisor for the course who is a part of the regular faculty. If possible, the supervisor should be someone who has taught the course previously. Graduate teaching assistants must have their supervisor approve the syllabus content before disseminating it. When developing a syllabus for the course, the graduate teaching assistant must include the name, contact information, and office hours for the faculty supervisor.

Generally speaking, graduate teaching assistants should follow expectations of adjunct faculty; however, they should attend faculty workshops, faculty meetings, and school and/or college meetings. It is expected that graduate teaching assistants work the equivalent of twenty (20) hours per week, preparing, teaching, grading, or performing any other duty as assigned.

The faculty member supervising a graduate teaching assistant will receive compensation or credit to teaching load based on the following formula: one-ninth ($1/9$) of an hour for each credit hour supervised. For example, a faculty member supervising a graduate teaching assistant who teaches six (6) credit hours (for example, two three-credit-hour courses) in a semester would get two-thirds ($2/3$) of an hour credit for that semester.

12.3.2 Graduate Coaching Assistant

Graduate coaching assistants will be selected by coaching staff for a particular sport. The coach will act as the supervisor for graduate coaching assistant, determining hours and responsibilities, with the approval of the athletic director.

12.3.3 Graduate Assistant in Athletic Administration

Graduate assistants in athletic administration will be selected by the athletic director. The athletic director, or other athletic administrator as determined by the athletic director, will act as the supervisor for the graduate assistant in athletic administration, determining hours and responsibilities.

12.3.4 Graduate Assistant Benefits

Graduate assistants receive the following benefits under the program:

- Free tuition for 36 hours of course work to be completed over no greater than a two-year period
 - A minimum 2.5 cumulative graduate GPA must be maintained at all time in order to continue receiving GA benefits
- 100% of general fee waived by the university – Graduate Assistants are required to pay special fees associated with classes taken (i.e., lab fees, online learning fees, etc.)
- Because graduate coaching assistants and graduate assistants in athletic administration may be required to work more than the equivalent of twenty (20) hours per week, a graduate coaching assistant or graduate assistant in athletic administration may receive an additional benefit of up to a 10-meal plan per semester, with the approval of the athletic director.
- Campus housing, if available, and shared with one other GA or upperclassmen with the permission of the dean of student life. If campus housing is unavailable, compensation up to the lowest double-occupancy published rate for campus housing may be provided, with athletic director (if an athletic graduate assistant) and director of the graduate school approval.

13 Employment Policies

13.1 Employee Hire Date

Employee hire date is the date the employee begins regular employment with the university and is important for several reasons. It is used to determine when the employee become eligible for various benefits and the rate at which he or she earns vacation time.

If the employee has worked at the university before but has had a break in service of more than six months, the hire date is the beginning date of the most recent continuous employment with the university.

13.2 Identification Cards

All employees at the university will receive an ID card. The ID card provides identification and grants access to various facilities of the university. The employee should carry the ID card when on university premises and any time on university business away from campus. ID cards and badges remain the property of the university and must be turned in to the employee's supervisor when employment ends. The ID card should be updated periodically as determined by the security office.

13.3 Orientation and Evaluation Period

The first 90 days in the employee's current position are a period of orientation and evaluation. This is the time that the employee should work most closely with his or her supervisor to learn about the position and what is expected. It is a chance for the supervisor to provide support, guidance, and feedback. Employee training is at the discretion of each department.

If employees are ever unsure about how to perform a certain duty, or if they need more help or feedback from their supervisor, they should ask. Good communication is one of the most important parts of a successful work relationship.

13.4 Job Descriptions

Employees will receive job descriptions as part of their Letter of Agreement. If a job description for the position is not provided with the Letter of Agreement, the employee should request one from his or her supervisor or the Office of Human Resources. Job descriptions contain valuable information regarding job requirements and expectations, which provide a foundation for employee evaluation.

13.5 Transfer Process

Any individual may investigate vacant positions within the university for which he or she is qualified. Employees are encouraged to remain in a position a minimum of six months before requesting transfer to another department within the university. However, in certain situations, only if no other qualified employee demonstrates an interest in a

particular vacancy, an employee with fewer than six months at a current position may be considered.

13.6 Personnel Files

Personnel files are the property of the university. Information related to hiring, transfers, promotions, salary adjustments, disciplinary actions, complaint proceedings, and termination of employment, as well as other formal correspondence regarding employment at the university, are kept in personnel files.

Current employees may review their personnel files upon request with advance notice. If employees wish to review their personnel file, they should contact the Office of Payroll/Benefits to schedule a convenient time. It is important to note that the employee may not alter the files in any way, including adding or removing documents. If information requires updating or correction, an authorized university representative will make the alteration.

13.7 Releasing Information from Personnel Files

The university releases some data in aggregate form for statistical reporting purposes, such as compliance with federal reporting requirements or participation in relevant surveys. Such information is not released for commercial purposes, and individual identities are not released in resulting reports.

Financial information is not released to third parties such as credit bureaus or other agencies without the employee's written release or by court order.

13.8 Immigration Law Compliance

The Immigration Reform and Control Act of 1986 requires the university to employ only United States citizens and non-citizens who are currently authorized to work in the United States. The university recognizes international students with F-1 Visas that allow the student to enroll at the university and perform work only on campus.

As a condition of employment, the employee must properly complete, sign, and date the Immigration and Naturalization Service Form I-9 and provide the specified documentation to prove both the employee's identity and employment eligibility. Should any of these documents expire, it is the employee's responsibility to provide copies of these updated documents to the university. This practice applies both to first-time employees and to re-hired employees in all positions.

13.9 End of Employment

13.9.1 Resignation

For staff the university requests at least a two-week written notice prior to the intended date of resignation. For faculty, the university requests that written notice be given a minimum of four (4) weeks prior to the end of the term to allow sufficient time to secure

a replacement. Faculty members are encouraged to complete their current term prior to departure to minimize disruption of course delivery. Employees will be paid upon completion of employment for any accrued, unused vacation as part of their final paycheck. There is no payout for unused sick time upon the cessation of employment, regardless of the reason for cessation.

13.9.2 Exit Interviews

Employees are requested to schedule an exit interview with their immediate supervisor or the Office of Human Resources before their last day. The purpose of the exit interview is twofold. The first purpose is to discuss the status and disposition of employee benefits and the employee's rights under university policy and state and federal law. The second purpose is to share with the employee's immediate supervisor or the Office of Human Resources any information about working conditions or experiences in the employee's position that the employee believes would be helpful for the university to be aware of as it considers selecting a successor. If the employee does not wish to participate in the exit interview, the employee will be provided an exit interview form and encouraged to complete and return it to the address located on the form. If the employee is not given an exit interview, the employee is encouraged to request one.

Significant perceived problems in the workplace can and should be brought forward at any time to the immediate supervisor and should not wait until an employee has made a decision to leave.

13.9.3 Dismissal

Supervisors should work with their department head and with the Office of Human Resources before dismissing a staff member. Documentation of reasons for dismissal should be retained by the Office of Human Resources.

Dismissal due to performance issues or misconduct may affect consideration for future employment with the university and COBRA rights. COBRA requires most group health plans to provide a temporary continuation of group health coverage that otherwise might be terminated.

Once dismissal has been established as the appropriate action according to university guidelines, the dismissal is effective immediately and there is no provision for severance pay. However, any accrued vacation will be paid as part of the final paycheck. There is no payout for sick time.

Dismissal can occur due to misconduct or changes in the university's structure.

13.9.4 Resignation in Lieu of Dismissal

At departmental discretion, an employee may be given the option to resign in lieu of dismissal. This may be appropriate in situations where the employee has not been able to meet performance expectations and where no misconduct was involved. In cases of

serious misconduct warranting immediate dismissal, a resignation option is generally not appropriate.

An employee who accepts an opportunity to resign in lieu of dismissal should do so with the understanding that the grievance review process is not available since that process is intended to review actions taken by a department and a decision to resign is the employee's own action. It should be noted, that resigning may impact an employee's ability to collect unemployment benefits.

13.9.5 Retirement

There is no mandatory retirement age. As an employee considers the decision to retire, the employee should contact the Office of Human Resources to discuss benefits-related issues. The employee should not wait until his or her last few weeks of active work, since some retirement programs take time to set in motion. As part of the final paycheck upon retirement, the employee will be paid for any accrued vacation.

13.9.6 Death of an Employee

Supervisors who have been notified of the death of an employee, the supervisor should contact the Office of Human Resources to report the death for purposes of benefits administration. It will be helpful if the supervisor can provide the name, phone number, exact date of death, and address of a close relative or other contact since employees sometimes have not kept beneficiary and emergency-contact information updated in their central records. In general, the estate of the individual should receive the final paycheck, which should reflect any accrued vacation.

13.9.7 Final Paychecks

Final paychecks for employees who are voluntarily resigning their employment will be available at their next regular payday. If the terminating employee has items that belong to the university or has an outstanding financial obligation to the university that was incurred in their role as an employee of the university, the actual cash value of such items or financial obligation may be withheld from final pay, pending return of the items or payment of the obligation.

At the end of employment the employee will be paid for any accrued, unused vacation, but no more than the employee's annual allotment, as part of his or her final paycheck. The last day worked is considered the employee's termination date. Payout of vacation does not extend the employment date for purposes of benefits eligibility. There is no payment for unused sick time.

13.9.8 Giving of References

Employees who are leaving the university sometimes ask supervisors or others for work references. Those designated individuals can provide a work reference on the employee's behalf; however, the Office of Human Resources, if contacted, will verify only job title

and dates of employment and will not release or verify any performance information, reasons for discharge, or rehire consideration.

14 Employee Benefits

DEFINITION: For purposes of employee benefits, *eligible employee* means employees who work an average of at least 30 hours per week. *Part-time employee* means employees who work less than an average of 30 hours per week.

The university offers a comprehensive package of compensation, health benefits and tuition benefits, and other programs and services to eligible employees. Specific eligibility for benefit coverage and plan descriptions is given to employees when they are hired or as they becomes eligible for coverage or participation. Defined benefits and eligibility requirements are governed solely by the terms of the applicable plan documents. Similarly, there can be no entitlement to any benefit created by verbal communication. Any questions regarding benefits, including eligibility, should be directed to the Payroll/Benefits Office. The university reserves the right to review, modify, enhance, reduce, and/or discontinue benefits at its discretion.

14.1 Medical Insurance

The university will pay a portion of an eligible employee's share of medical-surgical group coverage and will withhold remaining cost of the coverage selected by the employee. Employees must select the university's carrier as primary insurer.

For information regarding the current cost of employee and family coverage, please consult with the Payroll/Benefits Office.

14.2 Life Insurance

The university will provide \$20,000 of life insurance to each eligible employee; this benefit is doubled upon accidental death.

14.3 Disability Insurance

The university provides short-term disability insurance for eligible employees. During the first part of a disability, the university pays full salary for authorized sick leave until the employee's sick leave and vacation leave are exhausted. At that point, the university will pay sixty percent of the employee's salary for up to six months from the date of disability. A physician's statement will be required to document the beginning and ending date of the period of disability.

Eligible employees may purchase long-term disability insurance at their own expense.

14.4 Other Insurance

Eligible employees may participate in dental, vision, flexible benefits, and term life insurance at their own expense.

14.5 Tax-Deferred Annuities

Eligible employees may purchase annuities at their own expense, subject to federal guidelines.

14.6 Individual Retirement

The university provides a retirement plan for eligible employees under a contract with Teacher's Insurance and Annuity Association-College Retirement Equities Fund (TIAA-CREF).

14.7 Vacation

Employees who are expected to work 40 hours per week for the entire 12-month period of a fiscal year accrue paid vacation at the following rates:

- Five (5) days during the 1st year of service;
- Ten (10) days after completing the 1st, 2nd, 3rd, and 4th year of service;
- Fifteen (15) days after completing the 5th – 14th years of service;
- Twenty (20) days after completing the 15th year of service.

Employees who are expected to work fewer than forty (40) hours per week for the entire twelve-month period of a fiscal year earn paid vacation in the same ratio as their weekly hours are to forty (40) hours.

Vacation time accrued during a single fiscal year must be used by June 30 of the next fiscal year.

Paid vacation time is not cumulative. When employment ends, an employee will receive paid vacation time for the accrued and unused days from only the current and immediate past fiscal year.

Employees who are expected to work nine (9) months or ten (10) months during a single fiscal year are not entitled to paid vacation days.

14.8 Holidays

Faculty members, and all other employees who are expected to work 9 months or 10 months during a single fiscal year, are entitled to the following paid holidays:

- Thanksgiving break (full week);
- Christmas break (begins at end of fall semester; must return for first day of employee workshop);
- Spring break (full week); and
- Good Friday

All other full-time employees are entitled to the following paid holidays:

- Thanksgiving (Wednesday noon through Friday after Thanksgiving);
- Christmas break (December 24 – January 1; please note some offices may need to open and some employees may need to work);
- Two days during spring break (to be mutually agreed upon between employees and their supervisors);
- Good Friday;
- Memorial Day; and
- Independence Day (if Independence Day should fall on a Saturday, the preceding Friday, or if on a Sunday, the following Monday will be designated as a holiday).

Supervisors, in consultation with the Office of Human Resources, will consider the work schedules of each part-time employee in establishing eligibility for paid holidays.

14.9 Sick Leave

The university provides paid sick leave for eligible employees at the rate of one-half day per work month up to a maximum of 36 days. Sick leave is accrued at a rate of 2 hours per pay period. Sick leave may be used for personal illness or injury. Additionally, employees may use sick leave for illness in the immediate family (i.e., grandparents, parents, brothers, sisters, spouses, in-laws, and children). In order for sick leave to be used, the employee must notify his or her supervisor, or designated representative, of the absence within one hour after work is scheduled to begin. Sick leave is not to be used as vacation time. If a university holiday occurs during a period of sick leave, that time is considered holiday rather than sick leave. For information on extended sick leave, see “Family and Medical Leaves.”

14.10 Bereavement

OVU provides the following paid time off for all employees to grieve the loss of an immediate family member.

5 Days	3 Days (within 150 miles of residence)	5 Days (more than 150 miles of residence)
Parent (full/step)	Sibling (full/half/step/in-law)	Sibling (full/half/step/in-law)
Spouse	Grandparent (full/in-law/great)	Grandparent (full/in-law/great)
Child (full/step)	Mother/father-in-law	Mother/father-in-law
	Son/daughter-in-law	Son/daughter-in-law
	Grandchild (full/half/step/in-law)	Grandchild (full/half/step/in-law)

14.11 Tuition Waiver

The university provides a tuition waiver plan for employees, their spouses and their children taking undergraduate classes at Ohio Valley University. The following stipulations apply:

1. Full-time employees and part-time faculty may enroll in one course each semester during the normal work day with the permission of their supervisor. The cost of tuition and general fee will be covered.
2. Anyone taking more than six credit hours while receiving the waiver must complete the Free Application for Federal Student Aid (FAFSA) each academic year to receive a tuition waiver. Also, the employee must complete a request form and return it to the Financial Aid Office.
3. To be eligible for a tuition waiver, children of employees must be under the age of 26.
4. The tuition waiver may be applied to a maximum of seventeen hours per semester (i.e., fall and spring terms).
5. The tuition waiver may be applied to a maximum of one course (three credit hours) per term during shortened academic sessions (i.e., summer sessions).
6. For dependents of full-time employees hired after July 1, 2013, additional institutional scholarships may be used to offset the cost of the general fee and half the cost of a semi-private dormitory room. For those hired before July 1, 2013, additional institutional scholarships may be used to offset the cost of the general fee and a semi-private dormitory room. As with all institutionally-funded awards, tuition waiver benefits are subject to the Ohio Valley University Direct Cost Refund Policy.
7. Meal plans and course fees cannot be covered by tuition waiver or other institutional benefit.
8. Part-time faculty members receive a tuition waiver for their spouses or children in the same ratio as their teaching load is to fifteen hours. The same benefit ratio is applied to the one summer course of benefit.
9. Part-time staff members receive a tuition waiver in the same ratio as their hours per week are to forty. The same benefit ratio is applied to the one summer course of benefit.
10. Courses taken by independent study may be covered by a tuition waiver only with the permission of the vice-president for academic affairs. Additional fees associated with independent study courses will not be covered by the waiver.
11. The tuition waiver program is available to current university employees and does not accrue for use after retirement, resignation, or termination.
12. The tuition waiver may not be applied to any courses that are repeated to earn a higher grade or to courses for which a grade of withdrawal has been received.

13. The tuition waiver available to a family cannot be doubled when more than one member of the family works for the university.
14. The tuition waiver may be applied only to courses taken at Ohio Valley University and not to courses taken in cooperative programs with other colleges or universities.
15. As stipulated in the university's academic catalog, students on academic suspension will not be eligible for a tuition waiver for courses taken during a period of suspension.
16. The tuition waiver may only be used for a maximum of nine (9) semesters of full-time course work, per individual student.

The following definitions apply for the purposes of interpreting the tuition waiver policy:

1. A full-time employee is a faculty member who works at least a nine-month contract or a staff member who works forty (40) hours per week for the entire twelve-month period of a fiscal year.
2. Part-time faculty includes those hired at three-quarter time, one-half time, or as adjuncts.
3. A part-time staff member is one who is expected to work fewer than thirty (30) hours per week for the entire twelve-month period of a fiscal year.

14.12 Parking

The university provides free parking for all employees. Those who wish to park at the university must register their vehicles with the university's campus security office. This helps manage parking and security and the identification of vehicles with a legitimate purpose for being on the premises. Possession of a permit allows, but does not guarantee, a parking space. Lack of available or convenient space is not a valid excuse for parking violations.

To receive a vehicle registration sticker, employees should contact the university and provide appropriate information on the vehicle to be registered. The university assumes no responsibility for vehicles or their contents while they are operated or parked on university property. When employees register their vehicle at the university or bring a vehicle on the premises, they are subject to the traffic and parking regulations of the university, including traffic fines.

14.12.1 Vehicle Registration

All vehicles operated on campus must be registered with the Campus Security office within 72 hours of arrival on campus. This policy applies to both North and South Campuses.

How to register:

1. Use the online form on the university's website (www.ovu.edu) or in person with Campus Security, located in Stott's Administration Building, Room 45. It may be necessary to call (304) 865-6258 to reach the on-duty guard. New students will be registered during school registration.
2. A parking permit will be issued by Campus Security for the registered vehicle. If more than one vehicle is to be used on campus, separate permits will be issued for each vehicle. Permits will be available for pickup depending on the status of the driver. For instance, commuters may be able to retrieve their permits from the receptionist, but campus residents may receive theirs on move-in day. Due to the transient nature of security guards, regular office hours are difficult to predict. Please contact Campus Security at (304)865-6258 with questions about how to receive a permit.
3. Registration is free; however, failure to register a vehicle will result in a \$50.00 fine, not to exceed one fine per calendar week.

Any change in vehicle ownership or status, including the use of a borrowed, unregistered vehicle, should be reported to Campus Security within two business days. Community members should be aware that unreported changes may result in ticketing and that the ticket remains valid after the changes have been reported.

14.12.2 General Vehicle Information

The speed limit on all campus property is 25 mph.

All parking regulations apply twenty-four hours a day, seven days a week. Bookstore customer parking is enforced Monday through Friday 9 am to 5pm.

Parking is defined in WV Code §17C-1-54 and that definition will be used on OVU's campus; *"Park," when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.*

Permits must be displayed on the rear view mirror with the numbers facing outward, unobstructed, and visible from the front bumper of the vehicle. If a vehicle requires an exception, please contact Campus Security to register the exception and avoid being ticketed.

Prior permission must be granted by Campus Operations to make automobile repairs or park disabled vehicles on campus. Abandoned vehicles will be towed at the owner's expense.

14.12.3 Parking on Campus

Visitor parking is reserved exclusively for campus guests. OVU provides ample parking for employees and students.

A loading zone is located adjacent to the handicap accessible parking in Lot “A” near the main entrance of Stott’s Administration Building.

Parking lots “D” and “I” are reserved for employees only and students who park there will be ticketed. Employees that park in this lot without a properly displayed permit may also be ticketed.

There are several “reserved” and “no parking” areas on campus designated by signage. “No Parking” areas include all fire lanes, grassy areas, or sidewalks.

There is no parking above the dorm supervisor space in the driveway for Garman, Church, and Clark halls with the exception of a one (1) hour grace period for unloading.

If community members fail to abide by the vehicle and parking policy, they should expect to be ticketed. Persistent violations may result in disciplinary action from the Dean of Students, wheel locking, or towing at the owner’s expense.

14.12.4 Vehicle Offenses and Fines

All student ticket violations will be charged to the student’s account 72 business hours after the violation and must be paid in the business office, Room 119. Students may protest their ticket within 48 business hours by calling 304-865-6015 and making an appointment with the security supervisor. Unpaid fines may restrict students from receiving grades, final transcripts, or diplomas.

Vehicles may be ticketed for any of the following at a rate of \$25.00 per occurrence:

1. Parking in designated space
2. Parked in “No Parking” area
3. Parked in loading zone over 1 hour
4. Parked on grass/sidewalk
5. Permit: Not properly displayed or missing
6. Driving across grass/sidewalk
7. Speeding
8. Failure to obey traffic signs
9. Littering
10. Failure to register (includes placing a permit on an unregistered vehicle)
11. Reckless acts in a vehicle

Vehicles may be ticketed for any of the following at a rate of \$100.00 per occurrence:

1. Use of handicap accessible parking without a state issued permit
2. Unattended vehicle in driving/fire lane

14.13 Overtime

All hourly employees will be paid one and one-half times their regular rate of pay for all hours worked over forty in one designated workweek.

14.14 Compensatory Time

The status for exempt and non-exempt salaried employees is determined based on the Fair Labor Standards Act, a Federal law governing this issue. Information relating to the Fair Labor Standards Act can be reviewed upon request.

Compensatory time will be granted to salaried non-exempt employees for actual hours worked on the job exceeding forty (40) hours during the university workweek. This compensatory time must be taken within the same period that it is earned, or overtime will be paid on the next pay period.

Compensatory time worked over forty (40) hours in one workweek will be taken at one and one-half hours off for one hour worked (as will the overtime pay be one and one-half hours pay for one hour worked if compensatory time is not taken).

Definition from <http://www.flssa.com/coverage.html>: “With few exceptions, to be exempt an employee must (a) be paid at least \$23,600 per year (\$455 per week), and (b) be paid on a salary basis, and also (c) perform exempt job duties. These requirements are outlined in the FLSA Regulations (promulgated by the U.S. Department of Labor). Most employees must meet all three ‘tests’ to be exempt.”

14.15 Miscellaneous Benefits

In addition to the benefits described above, each eligible employee receives the following benefits:

- The university pays the required premiums for FICA, Worker’s Compensation, and Unemployment Compensation;
- Employees receive a 10% discount on all purchases at the OVU bookstore;
- Employees receive free admission for themselves and their families to university athletic events; and
- The university provides library services to all employees.

14.16 Continuing Benefits If Employment Status Changes

If an employee’s status changes from being eligible for benefits to a no longer being eligible for benefits, the employee may be eligible to continue health care coverage at his or her own expense under federal provisions known as COBRA. The employee may also be eligible to convert other insurance coverage to individual policies at his or her own expense. Employees terminated for misconduct are excluded from COBRA coverage. For more information, contact the Benefits/Payroll Office.

14.17 Guest Passes

When discounts or access to events, such as athletic events or performances, are granted to employees and their immediate families, each employee may bring one guest with

them. If an employee is married, that guest may be their spouse or another individual, unless specifically restricted by contract to be limited to the employee's spouse. In the event that children of an employee are given a discount or granted access, that benefit applies only to the children of the employee (i.e., not the children of the guest of an employee).

15 Employee Attendance Policies

15.1 Leaves of Absence

The university recognizes that an employee may need to be away from work for medical or family reasons or to fulfill military service obligations. Some types of absences are affected by federal law such as the Family & Medical Leave Act, some by state laws, and some by the university's policies.

Leaves may be paid or unpaid, depending on what type of leave the employee has requested and whether he or she has appropriate paid leave available. Formal leaves are counted from the first day of absence. Individuals on an approved unpaid leave will not be compensated for time off during holidays.

15.1.1 Family and Medical Leaves

The Family and Medical Leave Act (FMLA) was enacted to provide job security for individuals who need time off from work to deal with a serious illness or to care for a family member with a serious illness or to accommodate the birth, adoption, or foster care placement of a child. FMLA protects one's employment for 12 weeks of leave in any 12-month (rolling) period, measured from the time the employee uses any FMLA leave. Leave time granted under FMLA will not be used in performance actions related to attendance concerns.

In order to be covered by FMLA, a serious health condition is defined as a physical or mental illness or injury of three consecutive calendar days that requires either:

- In-patient care in a hospital, hospice, or residential care facility or
- Continuing treatment by a health care provider.

A family member, as defined by FMLA is:

- Employee's spouse; or
- Employee's parent; or
- Employee's child (biological child, adopted child, step-child, or legal ward) and less than 18 years of age, or incapable of self-care due to a mental or physical disability.

All FMLA leave will be unpaid, other than the use of certain accrued paid leave time such as sick time or vacation.

To be eligible for FMLA, the employee must have worked for the university for at least one year and have worked at least 1,250 hours in the past 12 months. The employee must request FMLA leave at least 30 days in advance if the reason for the leave is foreseeable. The employee must also provide appropriate certification of the need for such a leave.

The employee may be eligible to use FMLA leave under the following circumstances:

- Time off for individual serious health condition and six weeks normal recovery for the birth of a child, within the same 12-month period. Six weeks additional time for bonding, if used, will also be unpaid, unless vacation is available for use;
- A few days off every now and then, when a controlled serious health condition requires treatment;
- Time off for medical appointments related to a serious health condition;
- Reducing weekly work schedule, e.g., from 40 hours to 20 because a serious health condition does not permit full duty; the non-worked 20 hours would count toward the 12-week total.

If a husband and wife are both employed by the university, the maximum leave for purposes of birth/adoption or care of parents is 12 weeks total for both individuals within a 12-month period.

The employee's department will not fill the position on a regular basis, or if it is filled, the department will make a comparable position available if an employee is on an approved FMLA leave (12 weeks or fewer) and if the employee returns to work by the end of the approved leave. A comparable position is defined as:

- Same rate of pay;
- Same pay grade;
- Same or a similar position classification and title for which one is qualified;
- 30 hours or more if the employee was full time;
- Fewer than 30 hours if the employee was part time;
- Same shift (day, evening, or night).

Supervisors can modify the employee's specific duties or assignments and can change actual work schedules, including days worked to meet the operating needs of the department.

If FMLA is granted for the employee's own serious health condition, then all of the employee's accrued paid sick leave must be utilized before the time off becomes unpaid.

If FMLA is granted for the birth of a child or a family member's serious health condition, then all accrued paid sick leave and paid vacation leave must be utilized before the time off becomes unpaid.

If FMLA is granted for the adoption of a well child, then all of the employee's accrued paid vacation leave must be utilized before the time off becomes unpaid. The employee may not utilize accrued paid sick leave for the adoption and care of a well child.

If an employee is on an approved FMLA leave, the university will continue to cover its portion of the employee's health care costs during the period of leave, up to 12 weeks total in any 12-month period. The employee will continue to be responsible for paying his or her portion of the premium cost, which is deducted from the employee's paycheck automatically while the employee is being paid accrued leave. But if any part of the employee's FMLA leave will be unpaid, the employee will need to make arrangements with the Business Office to pay for his or her premium charges.

15.1.2 Military Leave

The university respects an employee's decision to serve and protect the country. If an employee leaves his or her position in order to enter active duty in the Armed Forces, voluntarily or involuntarily, the employee is entitled to return to his or her civilian position after his or her discharge or release from active duty if the employee meets the basic eligibility criteria of the Uniformed Services Reemployment Rights (USERRA) Act. Those criteria are:

- The employee must hold an "other than temporary" civilian position;
- The employee must leave the civilian position expressly for the purpose of going on active duty;
- The employee must not remain on active duty longer than four years, unless the period beyond four years (up to one additional year) is at the request and for the convenience of the Federal Government;
- The employee must be discharged or released from active duty under honorable conditions;
- The employee must apply for re-employment with the university within 31 or 90 days of discharge, whichever is applicable to the employee's type of military service.

Active military duty that requires an absence of six months or less is handled as a military leave. If the active military duty will be longer than six months, the employee's employment at the university will be ended although the employee has re-employment rights under the conditions above.

While performing military service, the employee will accumulate seniority and retain previously accumulated benefits at the university. The employee will not earn vacation, holiday, or sick time; there is no coverage under the health care benefit programs. When the employee returns, the employee will be eligible for any approved benefits or general increases that have occurred during the absence. Returning employees will also receive the university contribution to the retirement plan if such contributions are in effect.

Temporary military leave is also granted for National Guard duty or temporary Reserve duty. The employee should talk with his or her supervisor immediately if any of these situations arise and contact the payroll/benefits office to discuss continuation of benefits coverage, where applicable, during active duty.

15.1.3 Jury Duty/Witness Duty

The university grants leaves of absence up to 20 days annually (i.e., within any 12 month period) with pay for time spent on jury duty or witness duty. Upon completion of service as a juror or witness, the employee will assign the court's compensation for service to the university. Employees appearing in court on their own behalf must use available vacation time or take leave without pay.

15.2 Attendance and Work Schedules

Work hours and schedules vary throughout the university, depending on the services provided by each area. As part of an employee's orientation, the employee and the supervisor should discuss the normal work schedule requirements.

Supervisors establish and inform employees of specific work schedules, including normal start times, break times, meal schedules, and ending times. An employee's supervisor has the authority to rearrange work schedules to meet the operating needs of the department. This might include changing the schedule, requiring overtime, or reducing work hours.

When an employee's work schedule must be changed, the employee's supervisor will give as much advance notice as possible, so the employee can make personal arrangements to meet the new scheduling requirements. The operating requirements of the department must be the primary consideration in establishing work schedules and requiring overtime. However, supervisors are expected to consider the personal needs of staff as well in making such decisions.

15.2.1 Attendance

Reliable, consistent attendance is an important requirement of all positions. Coworkers and those an employee serves in his or her position rely on the employee. When an employee is absent, work and service are interrupted and often an additional burden is placed on others.

If an eligible employee must be absent due to reasons covered by the Family & Medical Leave Act (FMLA), such as his or her own or a family member's serious health condition or the birth or adoption of a child, such absences will not be counted in considering disciplinary action due to excessive absenteeism.

15.2.2 Notification of Absence or Tardiness

If an employee must be late or miss work due to an unscheduled absence, the employee should notify the supervisor as soon as possible. "Notify" in this context means ensure receipt of notice.

It is expected that the employee notify his or her supervisor at least 30 minutes prior to the employee's scheduled start time and, at the very minimum, within 30 minutes after the scheduled start time if the employee will be late or absent. However, each department (e.g., academic departments) has its own policies and procedures that are specific to the

nature of its work and some departments may even require staff to call an hour (60 minutes) or more before his or her shift is to begin. The employee needs to understand the department's expectations and procedures for calling in. Planned absences should be coordinated well in advance with the employee's supervisor.

The employee should be the one to notify; the employee's supervisor will need to speak or otherwise respond directly with the employee to make alternate arrangements for the work the employee would have done that day. Relatives or friends should not call on the employee's behalf unless the employee is medically unable to do so.

The employee must notify the supervisor directly rather than a coworker unless that individual is officially authorized by the department to accept such notices.

If an employee has an absence that lasts for more than one day, the employee should notify the supervisor each day according to the department's policy, unless the employee makes alternate arrangements in advance with the supervisor.

Failure to notify an employee's supervisor according to established departmental policies when an employee will be absent or late may result in disciplinary action.

If an employee is absent for three consecutive scheduled workdays without notifying and receiving approval from his or her supervisor, the university may consider the employee to have abandoned his or her position without proper notice and may terminate employment, effective the employee's last day of work.

An employee who displays a pattern of excessive absenteeism for reasons other than those covered under FMLA or other applicable laws may be subject to disciplinary action, up to and including possible termination of employment.

15.2.3 Certification of Illness

When the university deems it appropriate, a physician's excuse may be required for time missed due to illness before an employee will be paid sick time.

If requested, physician statements must specifically verify that the employee was diagnosed with an illness or injury and is unable to work (not merely that the employee consulted with a health care provider) before the time off will be authorized.

15.2.4 Medical and Dental Appointments

Whenever possible, employees should schedule medical and dental appointments for themselves and their family at times that will not cause the employee to miss work. If an employee needs to miss work for a scheduled medical or dental appointment, the employee should coordinate with his or her supervisor at least two weeks in advance. If the appointment will require four hours or more away from campus, the employee should document the time away as sick time.

15.2.5 Absences Due to Serious Health Conditions

Absences due to a serious health condition, whether the absence is continuous or intermittent, may be covered by the FMLA. Short-term absences for medical reasons, such as the flu or a sprained ankle, are generally not considered to be serious health conditions and are not covered under the FMLA.

15.2.6 Severe Weather or Other Emergencies

As a residential campus, the university does not close completely during extreme weather or other emergency situations. When OVU students are present, a certain level of essential services must be provided regardless of the circumstances.

When severe weather or a similar circumstance occurs, the university will attempt to maintain full service levels. Unless the university formally cancels activities, all offices and service operations are expected to remain open with at least core staffing. In such circumstances, however, supervisors may make judgment calls about whether a specific individual's presence outweighs safety concerns (e.g., travel risks) or other factors.

On rare occasions it may be prudent for the university to open late or to formally cancel most public events and administrative activities for the day. In such situations, the decision will be announced via public media as a "late opening" or a "closing," even though the university is not entirely closed and some staff will be required to report for work.

Determining which employees are required to report to or remain on campus when activities have been formally cancelled will depend on the specifics of the circumstances. However, it is generally expected that some employees of Campus Operations, Security, and Dining Hall will be required to work in order to ensure essential services. In addition, other employees may be required to report to campus as needed.

15.2.7 Employee Breaks

The university attempts to be flexible when people need short breaks.

For positions with limited flexibility, supervisors are encouraged to schedule a 15-minute break approximately halfway through each four-hour work period. These breaks are part of the regular work routine and are considered paid time. Breaks cannot be saved or accumulated to use at another time, or to come in late or leave early, because the intended purpose is not fulfilled if the breaks are not taken at the scheduled intervals.

15.2.8 Employee Meal Breaks

The university provides an unpaid meal break of no less than 30 minutes for all shifts of seven consecutive hours or more. Meal breaks are considered personal time. The employee must be relieved of all duties and employees are encouraged to leave his or her immediate work area in order to eat and relax. Meal breaks may not be saved or used to

compensate for tardiness or for leaving early. In general, meal breaks should be limited to one hour (60 minutes).

15.2.9 Bringing Children or Grandchildren to Work

The university values family and community and promotes healthy families and quality relationships. Family members of employees are encouraged to participate in school sponsored events. However, employees should use discretion in bringing children or grandchildren to work during normal working hours. Supervisors, in conjunction with the Office of Human Resources (currently defined as the EVP), may grant exceptions for limited period of times under extraordinary circumstances.

16 Staff Performance Management

The university's reputation as a quality and respected university exists and grows because of the dedicated effort and commitment to excellence of faculty and staff. Employees are chosen for their position because of the employee's qualifications, abilities, and commitment to the high standards this university has set for itself.

16.1 Annual Performance Evaluations

Departments provide annual opportunities, for the employee and his or her supervisor to sit down and discuss the employee's overall performance, to review the past year, and to set objectives for the upcoming year. These discussions provide an excellent opportunity for the employee to confirm how they are performing, to identify issues to concentrate on, and to set objectives for the future.

16.2 Professional Development

Staying current in an employee's field and keeping abreast with changes is a normal job responsibility. Needs and priorities change over time and the employee should be prepared to acquire new skills to help the employee remain competitive and successful in his or her current position. Employees should feel free to discuss professional development opportunities with their supervisor.

16.3 Potential Job Transfers due to Job Performance

If employees are unable to successfully manage their current job responsibilities, it may be to the employee's and the university's advantage to attempt to identify other opportunities where an individual may be more successful.

17 Counseling and Discipline Process

The university has a strong commitment to excellence in all the university does and depends on the members of the community to uphold the highest professional standards. The university strives for an environment of trust, unquestioned integrity, and a genuine concern for the welfare of the organization and of others in the university community.

Issues of poor performance or misconduct, however, compromise both the individual and the organization. For this reason, the university expects performance and professional conduct to meet high standards at all times. Performance or conduct issues that arise will be addressed through a process of performance improvement counseling and disciplinary action. Certain infractions may warrant – in the university’s discretion – immediate disciplinary action.

Performance improvement counseling is an extension of performance evaluation and professional development. It is a process intended to help supervisors and staff members overcome work-related shortcomings, strengthen job performance, and maintain a successful employment relationship.

The Office of Human Resources is available for consultation at any step of the performance improvement counseling process and should always be consulted before disciplinary action or termination of employment.

If at any time in the counseling and discipline process an employee feels it is warranted, he or she may file a complaint or grievance in accordance with the policy and process outlined elsewhere in this handbook.

Additionally, at any stage during the counseling and discipline process, the employee has the right to submit his or her position in writing; and if the employee requests, this document will be placed in his or her personnel file. The document can be removed from the file at any time at the request of the employee.

17.1 Progressive Discipline Process

Problems in performance or conduct can occur at any point in an employee’s career. Sometimes they are due to new tasks or changes in work routine or are the result of personal problems an employee may be experiencing. Raising issues and exploring solutions are the responsibility of both supervisors and employees. The progressive discipline process, if properly managed, should serve as a vehicle to identify, correct, and prevent recurrence of a performance problem or incident of misconduct and to prepare the employee for satisfactory service in the future.

17.1.1 Oral Reprimand

When a supervisor notices a performance issue, it is expected that he or she will bring the issue to the attention of the employee in a respectful and timely manner. The oral discussion with the employee should always be the first step. The supervisor shall produce written documentation of the reprimand in detail, utilizing the university’s

counseling and discipline form. After the oral discussion of the problem and agreed upon solution, the employee is to acknowledge by signing the counseling and discipline form ([Counseling & Discipline](#) (HR-21)). If the employee does not wish to sign the counseling and discipline form, the supervisor may indicate on the form that the employee did not wish to sign. The employee should be given a copy of the counseling and discipline form. A copy of the counseling and discipline form should also be kept in the immediate supervisor's file and one copy should be placed in the employee's official personnel file.

17.1.2 Written Notice for Performance or Misconduct Problems

If performance concerns persist, a written warning from the employee's supervisor is warranted to officially inform an employee of concerns arising out of continued and/or unsatisfactory conduct or performance of a more serious nature. The supervisor should give the employee an opportunity to tell his or her side of the story before formal action is taken, especially in cases where the decision to take action will be based on reports from others rather than on first-hand observation by the supervisor. This reprimand is to be written utilizing the counseling and discipline form ([Counseling & Discipline](#) (HR-21)) and acknowledged by the employee by signature. If the employee does not wish to sign the counseling and discipline form, the supervisor may indicate on the form that the employee did not wish to sign. The employee should be given a copy of the counseling and discipline form. A copy of the counseling and discipline form should also be kept in the immediate supervisor's file and one copy should be placed in the employee's official personnel file.

Below is a guide for the type of information supervisors should consider including in the written notice:

1. What the performance expectations are for anyone who holds this position;
2. How the employee's current performance is falling short of those expectations;
3. What corrections the employee will need to make in order to meet expectations;
4. The time frames for correction in order to reach a satisfactory level of performance;
5. The consequences of failure to correct the performance concern to the expectations (including action that may lead to termination of employment).

The supervisor should also indicate what, if anything, the employee or the department would do to support the needed changes. For example, the supervisor could offer closer mentoring or providing additional training resources. Supervisors are asked to consult with the Office of Human Resources and review the appropriate documentation before issuing the written notice.

Misconduct concerns of a more general nature, which also warrant a written notice, include but are not limited to:

1. Excessive occurrences of absence, tardiness, or requests to leave early that are not due to an FMLA approved health condition;

2. Minor neglect of, or failure to accurately complete, assigned duties;
3. Failure to notify supervision each day according to departmental policies when unable to report for work;
4. Failure to report back to work from authorized breaks in a timely fashion;
5. Excessive use of university resources or time for personal matters;
6. Violation of the university's no-smoking policy;
7. Transporting unauthorized persons (i.e., individuals, other than students, faculty and staff traveling for authorized university purposes, who have not been approved by an employee's supervisor prior to travel) in university vehicles;
8. Failure to interact collegially, maturely, and effectively with co-workers, students, or other individuals with whom the employee comes in contact;
9. Failure to wear appropriate work attire;
10. Using the university's name, logo, seal, mascot, or letterhead for personal gain and/or for personal use without authorization.

If performance or conduct improves to an acceptable level and does not recur for one year and no other disciplinary actions are required during that time, the written notice should be considered resolved. However, the written notice remains on file as part of the individual's historical record and a pattern of performance problems, regardless of improvement, will be considered grounds for disciplinary action, up to and including dismissal.

17.1.3 Final Written Notice

If performance or conduct does not improve to an acceptable level within the time frames established in the written notice or if additional performance or conduct concerns arise, a final written notice may be appropriate.

Documentation of the performance problems should state how the employee's unacceptable behavior or performance continues to fall short of expectations, what must be accomplished in order to meet expectations, and the time frames for achieving expectations. Most importantly, it should clearly document the fact that failing to reach the necessary level of performance within the established time frames will end the employment relationship. As in the previous step, supervisors should consult with the Office of Human Resources before issuing a final written notice.

If the employee does not wish to sign the final written notice, the supervisor may indicate on the notice that the employee did not wish to sign. The employee should be given a copy of the final written notice. A copy of the final written notice should also be kept in the immediate supervisor's file and one copy should be placed in the employee's official personnel file.

Examples of behaviors that might call for a final written notice include but are not limited to:

1. Rude, unprofessional, or abusive conduct with a co-worker, supervisor, student, or other individual with whom the employee comes in contact;
2. Neglect of duty that could result in loss or injury;
3. Violation of a university safety rule;
4. Violation of the university's harassment policies;
5. Accessing confidential information without authorization.

If the performance or conduct improves to an acceptable level and does not recur for one year and if no other disciplinary actions are taken during that time, the matter should be considered resolved. However, the written notice remains on file as part of the individual's historical record and a pattern of performance problems, regardless of improvement, will be considered grounds for disciplinary action, up to and including dismissal.

17.2 Misconduct That Warrants Immediate Dismissal

Actions that involve dishonesty, violation of the law, material risks to university operations or to the safety or well-being of self or others, or other serious misconduct are grounds for immediate dismissal. Examples of behavior that could warrant immediate dismissal include but are not limited to:

1. Possessing weapons (e.g., a firearm, explosives, or a bow) on university property;
2. Making threats, engaging in threatening conduct, or engaging in other acts of aggression or violence at the university;
3. Fighting at the university (this does not include fighting in self-defense);
4. Falsifying university records, including employment application, time records, and grade reports;
5. Conviction of a crime involving controlled substances, dishonesty, or violence;
6. Illicit use, possession, or distribution of illegal drugs or alcohol on university premises;
7. Violation of the university's non-discrimination or harassment policies;
8. Sexually immoral conduct;
9. Behavior that compromises personal safety or the safety of another;
10. Violating the university's conflict of interest policy.

The foregoing is offered by way of example and the list is not intended to be exhaustive. Employees should review the above items so that they may be aware of the university's position regarding immediate dismissal.

If a question of fact exists as to whether an employee engaged in misconduct that warrants immediate dismissal, the Office of Human Resources, the president or legal

counsel may suspend the employee with pay until a hearing on the issues has been conducted. The recommendation for a hearing may be made by the employee, the Office of Human Resources, the president, or Legal Counsel. The university shall designate a committee with the charge of managing the process of investigating and conducting hearings on dismissals where a question of fact exists as to whether an employee engaged in misconduct warranting immediate dismissal. The hearing committee will consist of the Office of Human Resources (chair) plus two representatives from faculty (selected by the VPAA) and two representatives from staff (selected by the EVP). Administrative support may be present for note-taking. The hearing committee will follow the process outlined below:

1. Recommendation regarding the need for a hearing is made to the chairperson.
2. Chairperson shall schedule meeting.
3. Meeting shall be closed with only the accuser, accused, witnesses, and hearing committee members present.
4. All deliberations and recommendations of the hearing committee shall be confidential.
5. Meeting procedures:
 - a. Accuser presents evidence and witnesses on his or her behalf.
 - b. Accused presents evidence and witnesses on his or her behalf.
 - c. Accuser, accused, and witnesses available for questions from accuser, accused and committee.
 - d. Committee shall deliberate in executive session as to whether university policy has been violated, and if so, shall recommend appropriate action(s).
 - e. Chairperson shall inform the president, in writing, of the committee's findings and recommendations within seven calendar days of the meeting. The president, at his sole discretion, shall take the action necessary and appropriate to protect the university.

At any stage during the process, the accused has the right to submit his or her position in writing; and if the accused requests, this document will be placed in the accused person's personnel file. The document can be removed from the file at any time at the request of the accused.

17.3 Employee Dismissal

Supervisors should consult with the Office of Human Resources before dismissing an employee. Reasons for dismissal should be documented in writing, with copies to the employee and the official employee file.

17.4 Limitations on Transferring

Individuals who are engaged in performance improvement counseling because skills or performance levels are not meeting expectations are eligible to seek other positions within the university as long as the employee is not on warning for an issue of misconduct and as long as the transfer does not involve skills or competencies that are the subject of the performance improvement counseling or disciplinary action.

18 Complaint/Grievance Process

The university provides methods for employees to seek timely and objective resolution of complaints/grievances arising in the workplace. The process seeks to determine the appropriateness of decisions or actions affecting an employee's work environment and to establish what modifications, if any, might be warranted. Items that may warrant use of the complaint/dispute process include, but are not limited to, the following: job performance, disciplinary warnings, suspensions for unsatisfactory performance or misconduct, specific work assignment or other working conditions, changes in positions, reporting relationships, performance evaluations, work unit or position restructuring, interpersonal conflicts among individuals, and concerns regarding job titles and individual rates of pay.

It is the goal of the university to resolve complaints and grievances without formal procedures or hearings. Open communication among Christian members of the university community is encouraged so that resorting to a formal procedure will be unnecessary or extremely rare. To accomplish these ends, the university has adopted procedures that are based on principles expressed in Matthew 18:15:

“If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses. If he refuses to listen to them, tell it to the church....”

18.1 Complaint/Grievance Definitions

Grievance is an allegation that an individual's rights or entitlements have been violated through a misapplication or misinterpretation of policy, regulation, or procedure of the university.

Grievant is an individual/individuals who alleges/allege a grievance. At the time of the action giving rise to the grievance, a grievant must be an employee of the university.

Complaint is a dispute or disagreement between two or more members of the university community. A complaint does not constitute an alleged violation of an individual's rights or entitlements under a policy, regulation, or procedure of the university and is does not involve the university as a party.

Complainant is an individual/individuals who has/have a dispute or disagreement with another member or members of the university community. This dispute or disagreement does not involve the university as a party. At the time of the action giving rise to the complaint, a complainant must be an employee of the university.

Mediator is one of the university's employees trained in alternative dispute resolution.

18.2 Complaint and Grievance Procedures

An individual who believes grounds for a complaint or grievance exists should attempt to resolve the problem by first discussing the issue with the person(s) involved.

If the initial meeting does not resolve the alleged complaint or grievance, then the complainant or grievant should informally discuss the problem with his or her immediate supervisor who has the authority to resolve the situation. If the supervisor is the person against whom the complaint or grievance may be brought, then the complainant or grievant should informally discuss the problem with the next highest supervisor having the authority to resolve the situation. The supervisor's intent will be to resolve the problem without any further procedures. In this attempt to resolve the problem, the supervisor may interview all persons involved and review pertinent documentation and evidence.

If the problem cannot be resolved at the supervisory level, then the complainant or grievant may elect to take the issue to mediation. It will be the intent of this step to resolve disagreements through mediation without resorting to formal procedures. To facilitate this informal resolution, the university will maintain a group of employees who are trained in alternative dispute resolution. These employees will act as mediators when mediation becomes necessary. When there is a complaint, the Office of Human Resources will arrange for a mediator acceptable to both parties. When there is a grievance, the Office of Human Resources, or a person designated by him or her, will represent the university. Within fifteen working days of receiving the complainant's or grievant's formal, written request for mediation, a meeting with the mediator must be convened. The mediator will maintain the confidentiality of all information related to the complaint or grievance.

If the mediation is unsuccessful, then either party may submit a written complaint or grievance to the president of the university within fifteen working days of the completion of the mediation process. The president will review all written materials relating to the issue and may interview any persons involved. Within fifteen working days, the president will make and publish to the parties involved a formal decision addressing the issues of the complaint or grievance.

If either party is not satisfied with the president's decision, then he or she may apply to the board chair for consideration of a formal hearing before the Executive Committee of the Board of Trustees. The Executive Committee will decide whether to hear the complaint or grievance. Such a hearing would be held at the next regular meeting of the Executive Committee or, at the discretion of the board chair, at a special meeting called for that purpose. The decision of the Executive Committee of the Board of Trustees is the final determination of a complaint or grievance.

18.3 Non-Retaliation Policy

Employees may initiate the complaint/grievance process without fear of retaliation from supervisors or others against whom a complaint may be lodged. Retaliation against a

member of the community for participating in the review process is a violation of university policy. Retaliation will not be tolerated and will be subject to university disciplinary procedures. Any violation of this policy should be reported to the Office of Human Resources or appropriate university leadership immediately.

18.4 Confidentiality

It is important to recognize that understanding the nature of the complaint or grievance and facilitating resolution typically requires speaking with others. The person conducting the review will take this step only when necessary to resolve the complaint or grievance and only with those persons relevant to the resolution. It is presumed that all participants of a complaint or grievance will maintain the confidentiality of the proceedings to ensure an unencumbered resolution process.

18.5 Fraudulent or Dishonest Conduct Policy

18.5.1 Introduction

Ohio Valley University is committed to maintaining the highest standards of conduct and ethics. This Fraudulent or Dishonest Conduct Policy (the Policy, Fraud Policy, or Whistleblower Policy) reflects the practices and principles of behavior that support this commitment. The university expects every employee and volunteer to read and understand the Policy and its application to the performance of his or her responsibilities.

The university will investigate any possible fraudulent or dishonest use or misuse of university resources or property by faculty, staff, administrators, or volunteers. The university will take appropriate action against anyone found to have engaged in fraudulent or dishonest conduct, including disciplinary action by the university, or civil or criminal prosecution when warranted.

All members of the university community are encouraged to report possible fraudulent or dishonest conduct (i.e., to act as a “whistleblower”), pursuant to the procedures set forth in the next section.

18.5.2 How to Report

Concerns about possible fraudulent or dishonest use or misuse of resources should be made in writing and forwarded in a sealed envelope to the executive vice president/chief financial officer (EVP/CFO), the president, or the Chair of the Board of Trustees. Sufficient information should be provided in order that an investigation can be conducted. The envelope should be marked as “Confidential – Fraud Policy.” These concerns may be submitted on a confidential, anonymous basis, if the person so desires. The names of the current persons in these positions and their contact information are attached to this Policy.

The university encourages those submitting concerns to put their names to allegations because appropriate follow-up questions and investigation may not be possible unless the source of the information is identified. Anonymous whistleblowers must provide

sufficient corroborating evidence to justify the commencement of an investigation. An investigation of unspecified wrongdoing or broad allegations will not be undertaken without verifiable evidentiary support. Because investigators are unable to interview anonymous whistleblowers, it may be more difficult to evaluate the credibility of the allegations and therefore, less likely to cause an investigation to be initiated.

18.5.3 Confidentiality

Whistleblowing complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Generally this means that whistleblower complaints will only be shared with those who have a need to know so that the university can conduct an effective investigation, determine what action to take based on the results of any such investigation, and in appropriate cases, with law enforcement personnel. (Should disciplinary or legal action be taken against a person or persons as a result of a whistleblower complaint, such persons may also have the right to know the identity of the whistleblower.)

18.5.4 Malicious Allegations

Malicious allegations may result in disciplinary action.

18.5.5 Whistleblower Protection

Employees of the university may not retaliate against a whistleblower for informing management about an activity which that person believes to be fraudulent or dishonest with the intent or effect of adversely affecting the terms or conditions of the whistleblower's employment, including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or wages. Whistleblowers who believe that they have been retaliated against may file a written complaint with the EVP. Any complaint of retaliation will be promptly investigated and appropriate corrective measures taken if allegations of retaliation are substantiated. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.

18.5.6 Contacts

Questions related to the interpretation of this policy should be directed to the EVP. Listed below are the current names, e-mail addresses, and office phone numbers of the EVP, president, and Chair of the Board of Trustees.

- Executive Vice President

Jeff Dimick
jeffrey.dimick@ovu.edu
(304) 865-6131

- President

Dr. Harold Shank

Harold.shank@ovu.edu

(304) 865-6007

- Chair of the Board of Trustees

Dr. Gail Hopkins

zoashi@aol.com

(304) 865-6029

19 Safety, Health, and Workers' Compensation

The university shares with the employee the responsibility for promoting a safe workplace by observing occupational health and safety regulations and by practicing safe work habits. If an emergency arises involving the safety or health of a member of the university community, the employee should notify campus security or the receptionist immediately.

19.1 Safety

Personal safety is a priority at the university. Crimes against persons can happen anywhere, anytime. Employees should exercise caution when working alone and when moving around the campus, especially after dark.

The university's most commonly reported criminal offense involves property stolen from unsecured places, so general safety precautions are strongly advised: leave expensive or irreplaceable personal items at home and keep work area or office secured at all times.

Behaviors that endanger personal safety or the safety of others such as neglect, disregard for safety procedures, disorderly or unprofessional conduct, or horseplay are grounds for disciplinary action, including immediate dismissal.

Campus Security has primary responsibility for the overall security of the university. It provides security services for the entire university and investigates matters that might threaten safety on campus. Security officers, sometimes with police assistance, will respond to illegal acts committed in the university community.

For more information on general safety issues, please see the university's emergency plan, which is included as an appendix to the handbook.

19.2 AIDS & Hepatitis B Policy

Acquired Immune Deficiency Syndrome (AIDS) is an infectious disease caused by the human immunodeficiency virus (HIV). The HIV virus is not transmitted from infected persons to uninfected person through casual contact, but can be transmitted through the exchange of semen, blood, and other body fluids during intimate sexual contact. Transmission also occurs by sharing HIV-contaminated needles or, much less frequently, through blood products. The virus may be passed from infected mothers to their newborn.

Current knowledge indicates that persons with any form of HIV infection do not pose a health risk to other students or employees in an academic setting. Based upon the current medical knowledge, which indicates HIV may only be transmitted by intimate sexual contact and by exposure to contaminated blood, the university establishes the following policy guidelines applicable to students, student applicants, employees, or employment applicants who are known to have AIDS, AIDS Related Complex (ARC), or those who test positive for HIV. Since these facts also apply to Hepatitis B, this policy shall also apply to students, faculty or staff members who are known or suspected to be infected with Hepatitis B.

Consistent with its desire not to discriminate and to preserve the sanctity of human rights, the university reaffirms its respect for the individuals' confidentiality of information and their personal goals and objectives regardless of their personal afflictions or disabling conditions. It also recognizes that such persons may wish to maintain their student or employee status for as long as their medical condition allows. To this end, the university will apply the following guidelines, adopted from the American university Health Association, in analyzing and responding to each person's condition and circumstances in determining the extent to which the person can remain associated with the university.

19.2.1 Handicapping Conditions

The university will apply the same handicapped statutes, policies, procedures, and regulations to students, employees, and applicants with AIDS, Hepatitis B (or related conditions) as are applied to persons with other disabling conditions.

19.2.2 Admissions

The university will not include consideration of the existence of any form of HIV or Hepatitis B infection in the initial admissions decision for people applying to attend the university. The university affirms that the exclusion of people with HIV infection for reason of that infection constitutes unwarranted discrimination.

19.2.3 Attendance

The university's students or employees who have HIV or Hepatitis B infection, whether they are symptomatic or not, will be allowed regular classroom or work attendance in an unrestricted manner as long as they are physically and mentally able to attend classes or perform the responsibilities of his or her position. Students and employees are subject to the same attendance expectations as their colleagues.

19.2.4 Access to Facilities

Access of persons with HIV or Hepatitis B infection will not be restricted in the student center, auditorium, grille, cafeteria, gymnasiums, recreational facilities, classrooms, offices or other common areas.

Where applicable, and under the meaning of reasonable accommodation as specified by law, the university will reasonably accommodate the environmental restrictions or medical limitations of the affected person, provided the individual can perform the essential functions of his or her normal responsibilities with the accommodation. All accommodations will be considered on an individual basis.

19.2.5 Residential Housing

Decisions about housing for students with HIV or Hepatitis B infection must be made on a case-by-case basis. The best currently available medical information does not indicate any risk to those sharing residence with infected individuals. In some circumstances, however, there may be reasonable concern for the health of students with immune

deficiencies (of any origin) when those students might be exposed to certain contagious disease (e.g., measles or chicken pox) in a close living situation. When there is flexibility to provide private rooms Student Services administrators may wish to recommend that students with immune deficiencies be assigned private rooms in order to protect the health of the immunodeficient student – not to protect other students from them.

19.2.6 Medical Care

The university will not ask students or employees to respond to questions about the existence of HIV infection. If this information is voluntarily provided, it will be handled in a strictly confidential manner. The following recommendations pertain to the provision of clinical services to people with HIV or Hepatitis B infection.

Special precautions to protect the health of immunologically compromised individuals should be applied during periods of prevalence of certain casually contagious diseases, such as measles and chicken pox.

Persons known to have HIV or Hepatitis B infection should receive measles and rubella vaccinations and not be exempted from university requirements for those vaccinations. However, administrators should be aware of current recommendations for other immunizations in persons with HIV infection because of potentially serious consequences of their receiving live virus vaccines.

university officials will not undertake programs of mandatory testing of either employees or students for antibody to HIV or Hepatitis B nor will this test be included in health examinations, which may be required for prospective employees.

19.2.7 Confidentiality

The university requires that confidential information concerning any aspect of HIV or Hepatitis B infection be handled with extraordinary care. The law in WV prohibits release of information to faculty, administrators, insurers or even parents without the expressed written consent of patients in such cases. Disclosures may only be made to the subject of the test, persons who secure a specific release of the test results which are executed by the subject, a funeral director, licensed medical personnel providing care to the subject, but only to the extent that such is medically necessary, the department of health or the center for disease control, certain health facilities, including those which may handle organs, blood or bodily fluids of the subject, health staff committees, and those obtaining access pursuant to a court order.

There is no medical or other reason for the university to advise students living in a residence hall of the presence there of students with HIV or Hepatitis B infection. Similarly, university officials will not reveal the identity of students or employees with HIV or Hepatitis B infection in any other setting. Any recommendations regarding AIDS, HIV infection, or Hepatitis B will be based on guidelines from the United States Public Health Service, the Centers for Disease Control, and the American university Health Association.

university administrators must strictly observe public health reporting requirements. In all jurisdictions, cases of AIDS meeting the criteria of the surveillance definition of the Centers for Disease Control must be reported to the local public health authorities. In a few areas, seropositivity for antibody to HIV is also reportable but must be kept confidential.

19.2.8 Safety Precautions

The university adopts the following safety guidelines as proposed by the United States Public Health Service for the handling of the blood and body fluids of all persons, not just those previously known to have HIV or Hepatitis B infection. These universal precautions are necessary because many people with HIV or Hepatitis B infection are not identified in advance. The same procedures should thus be followed for the handling of blood and body fluids of any student or employee.

In order to prevent the accidental transmission of HIV or Hepatitis B in health care settings, the university will implement current recommendations from the Public Health Service for infection control except to the extent limited by state law and should monitor compliance with these procedures. The university will provide educational programs about HIV infection and its transmission in health care settings to all clinical personnel. Medical and nursing professionals, and other clinical service providers handling blood or body fluids should be familiar with recommended infection control procedures and should follow them consistently.

The university adopts the recommendations of the Public Health Service safety guidelines for the handling of blood and body fluids in teaching laboratories. Laboratory courses requiring exposure to blood, such as biology courses in which blood is obtained by finger prick for typing or examination, will use disposable equipment, and no lancets or other blood-letting devices should be re-used or shared. No students should be required to obtain or process the blood of others without direct faculty supervision. In campus or clinical laboratories, health science students will use disposable, one-user needles and

other equipment whenever such equipment will puncture the skin or mucous membranes of another student or patient. Extreme caution should be exercised when handling sharp objects, particularly in disposing of needles. Health science students in the clinical agencies are expected to follow the universal precautions as prescribed by agency procedures and protocols.

19.2.9 Support Services

Through its student and employee assistance programs, the university will provide support service through which concerned persons can receive counseling, assistance in locating resources, and referrals for further assistance.

19.2.10 Harassment

As a result of the fear, anxiety, and anger that many people feel in reaction to AIDS or Hepatitis B, some students or employees who are either known to be or suspected of

being infected with HIV or Hepatitis B may be subjected to either emotional or physical abuse. The university will condemn all such occurrences as intolerable and respond to them quickly by treating them as violations of university policy, subject to student or employee disciplinary action.

19.3 Workers' Compensation

All employees at the university are covered by the [Workers' Compensation](#) program that covers medical expenses incurred and loss of compensation as a result of on-the-job accidents. If an employee is injured while at work, it is the employee's responsibility to report the injury to his or her supervisor immediately to initiate an incident report ([Accident Report](#) (HR-7)) and/or medical treatment. The employee and supervisor must jointly complete the accident report form within twenty-four (24) hours of any accident. Under state law, the employee may not be eligible for workers' compensation benefits if the illness or injury is not reported in a timely manner.

If an employee is injured on the job and immediate medical attention is required, the immediate supervisor should contact Campus Security or call 911 depending on the level of urgency. The immediate supervisor will initiate an incident report and forward to the Office of Human Resources within 24 hours.

If an employee misses work due to a work-related injury or illness, a statement from an authorized physician will be required. The employee should notify supervision according to established department policies each day that the employee would miss work, or the employee should make alternate arrangements with his or her supervisor in the case of a more extended absence. The employee should use accrued sick time for any follow-up visits that require the employee to miss work.

A workers' compensation absence of three days or fewer is covered by sick leave, if available, or as unpaid time. If a claim is determined to be compensable, the employee becomes eligible to receive benefits if they must miss more than three days of work.

For verified worker's compensation injuries or illnesses, the employee should not send the bills or invoices for his or her medical treatment to the Office of Human Resources to be paid under general healthcare benefits – instead, the employee should send such bills directly to the Workers' Compensation Office. If the employee has any out-of-pocket medical expenses, the employee should save all receipts and contact the Workers' Compensation Office. Payment does not happen automatically; the only way the Workers' Compensation Office knows about the bills is if the employee submits them for payment.

A statement from the employee's health care provider certifying the employee's ability to return to work will be required before the employee may return to his or her regular duties. If the employee is released to return to work with restrictions (e.g., lifting restrictions) that prevent the employee from performing his or her usual duties, the employee should contact his or her supervisor to discuss the possibility of an "alternate duty" assignment.

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For further information regarding West Virginia's Workers' Compensation, employees are directed to the following URL:

<http://www.personnel.wv.gov/employees/Pages/workerscomp.aspx>.

20 Campus Operations Work Order Request Procedure

Work orders for janitorial services or maintenance services are to be completed in an electronic format. Employees are requested to follow the following procedure in order to access either the janitorial or maintenance work order request forms.

- Go to: <http://forms.ovu.edu/workorder>
- Complete form and submit.
- **PLEASE NOTE:** Verbal work orders will not be processed

All work orders are received by the director of campus operations and the appropriate supervisor via e-mail. Work orders are given a priority status and addressed accordingly. The typical lead time required is generally not more than 24 to 48 hours. Emergency situations are addressed as such and will take precedence over other prioritized items and may delay the completion of a request in progress.

All work orders are to be received in an electronic format. All completed work orders are to be reviewed by the appropriate supervisor. A response will be sent to the requestor via e-mail. All work orders are entered into a log and are noted upon completion. Campus Operations will then close out the work order.

Campus events often require the combined efforts of maintenance and janitorial crews. All events are to be scheduled/coordinated through the Campus Operations Administrative Assistant (Sharon Woomer). **PLEASE NOTE:** When requesting room set-ups, the requestor must provide the assistant a sketch of the room set-up. The assistant will not process a set-up work order without such a sketch. Set-up work orders **MUST** be submitted and approved a minimum of six (6) weeks in advance of the event.

PLEASE NOTE: All emergency after-hours work orders must be submitted to the director of campus operations (Dave Stewart). Emergencies are items that require immediate attention, including fire, loss of power and/or downed power lines, waterline break or leaks and flooding, accidents and/or injury. Contact the director at david.stewart@ovu.edu or 304-483-6412.

21 Record Retention and Disposal Guidelines

The purpose of these guidelines is to ensure that necessary records and documents are adequately protected and maintained and to ensure that records that are no longer needed or that are of no value are discarded at the appropriate time.

These guidelines apply to all records generated in the course of the university's operation, including both original documents and reproductions. It also applies to records stored on computer and microform, as well as paper records.

Upon completion of the time period specified, the employee in charge of each record should dispose of the record. Any document containing identifying information should be shredded. All other documents may be disposed of by other means. In the event of a governmental audit, investigation, or pending litigation, record disposal may be suspended at the direction of the legal counsel.

In addition, the Legal Counsel should be informed of any situation that might give rise to legal action as soon as the situation becomes apparent.

The following abbreviations are used in the table below:

- ACT = while active, employed, or enrolled
- LIFE = life of affected employee
- PERM = permanent

21.1 Institutional and Legal Records

• Articles of Incorporation.....	PERM
• Charter.....	PERM
• By-Laws.....	PERM
• Minutes of board meetings.....	PERM
• Licenses.....	ACT
• Expired licenses.....	6 years
• Deeds and titles.....	PERM
• Attorney opinion letters (property).....	ACT + 4 years
• Leases.....	ACT + 6 years
• Policy statements.....	10 years
• Campus crime reports.....	4 years
• Contracts.....	ACT + 4 years
• Patent and trademark records.....	ACT + 6 years

21.2 Application Materials for Students Who Enroll

• Acceptance letters.....	5 years after date of last attendance
• Applications.....	5 years after date of last attendance
• Correspondence.....	5 years after date of last attendance

- Entrance exams and placement scores 5 years after date of last attendance
- Letters of recommendation Until admitted

21.3 Application Materials for Students Who Are Accepted, but Do Not Enroll

- Acceptance letters 1 year after application term
- Applications 1 year after application term
- Correspondence 1 year after application term
- Transcripts 1 year after application term

21.4 Individual Student Records

- Course drop/add slips 1 year
- Disciplinary files ACT
- Pass/fail requests 1 year
- Class schedules 1 year after date of last attendance
- Registration forms 1 year
- Transcript requests 1 year
- Academic records PERM
- Advanced placement 5 years after date of last attendance
- Application for graduation 1 year after date of last attendance
- I-20 forms 5 years after date of last attendance
- Date of graduation and degree award PERM
- Degree audit records 5 years after date of last attendance
- Transfer credit evaluations 5 years after date of last attendance
- Personal data forms 1 year after date of last attendance
- Name change authorizations 5 years after date of last attendance
- Tuition and fee charges 5 years after date of last attendance

21.5 General Student Records

- Applicant statistics 5 years
- Enrollment statistics 10 years
- Grade statistics 10 years
- Racial/ethnic statistics 3 years
- Degree statistics 10 years

21.6 Financial Aid Records

- Applications 5 years
- Financial aid awards ACT + 5 years
- Financial aid transcripts 5 years
- Lender's name and address ACT + 5 years
- Promissory notes PERM
- Job placement ACT + 5 years

- Repayment history.....ACT + 5 years

21.7 Employment Applications/Employment Listings

- Job announcements and advertisements.....1 year

21.7.1 Individual applicants who are not hired

- Employment applications.....1 year
- Background investigation results.....1 year
- Resumes.....1 year
- Letters of recommendation.....1 year

21.7.2 Individual applicants who are hired

- Employment applications.....ACT + 1 year
- Background investigation results.....ACT + 1 year
- Resumes.....ACT + 1 year
- Medical examinations.....ACT + 1 year
- Letters of recommendation.....ACT + 1 year

21.8 Payroll Records

21.8.1 General information

- Wage rate tables.....3 years
- Cost of living tables.....1 year

21.8.2 Individual employee files

- Wage of salary history.....6 years
- Salary or current rate of pay.....6 years
- Payroll deductions.....6 years
- Time cards or sheets.....5 years
- W-2 form.....6 years
- W-4 form.....6 years
- Garnishments.....ACT

21.9 Personnel Files

21.9.1 Faculty files

- Correspondence.....ACT + 5 years
- Course evaluation forms.....3 years
- Peer review documents.....4 years
- Scholastic evaluation.....4 years

- Tenure records ACT

21.9.2 Individual employee files

- Employment application or resume ACT
- Employment history ACT
- Beneficiary designation ACT
- Emergency contacts ACT
- Medical records ACT
- Promotions ACT
- Attendance records 3 years
- Employee evaluations 3 years
- Transfers 3 years
- Personnel actions 3 years
- Disciplinary warnings and actions 3 years
- Layoff or termination 3 years

21.9.3 General files

- EE0-6 reports 3 years
- Superseded employee manuals 10 years
- Superseded job descriptions 10 years

21.10 Employee Medical, Health, and Safety Records

- Accident reports 6 years
- Employee exposure records 30 years
- Exposed employee medical records 30 years
- Safety records 6 years
- Employee medical complaints 6 years
- Employee injury records 6 years

21.11 Pension and Benefits Records

21.11.1 Individual employee files

- Education assistance LIFE
- Vesting 6 years
- Sick leave benefits LIFE
- Retirement benefits accrued LIFE
- 401K/403B benefits accrued LIFE
- Disability records LIFE

21.11.2 General files

- Actuarial records 6 years

- Incentive plans (after expiration)..... 6 years
- Pension plan (after expiration)..... 6 years
- Retirement plans (after expiration)..... 6 years

21.12 Federal Tax Records

- Form 990..... 3 years
- Form 990-T..... 3 years

21.13 Accounts Receivable Records

- Accounts receivable..... 4 years
- Accounts receivable ledgers..... 4 years
- Receipts..... 4 years
- Uncollected accounts..... 4 years
- Collection records..... ACT

21.14 Accounts Payable Records

- Purchase requisitions/work orders..... 4 years
- Invoices..... 4 years
- Accounts payable ledgers..... 4 years
- Payment/disbursement records..... 4 years
- Expense reports..... 4 years
- Insurance premiums..... 4 years
- Royalty payments..... 4 years

21.15 Capital Property Records

- Property records/inventory..... ACT + 4 years
- Equipment inventory..... ACT
- Depreciation schedules..... ACT + 4 years
- Mortgage records..... ACT + 4 years
- Property investment records..... ACT + 4 years
- Sales..... 4 years

21.16 Financial Records

- Account ledgers..... ACT + 4 years
- Description of accounting system..... ACT
- Balance sheets..... ACT + 4 years
- General ledgers..... ACT + 4 years
- Auditor's reports..... ACT + 4 years

21.17 Publications

- Alumni newsletters..... 3 years
- Alumni directories..... 3 years
- Bulletins and course catalogs..... 10 years
- Student newspapers..... 3 years
- university newspapers/newsletters..... 3 years

21.18 Facilities Records

- Building permits..... ACT + 1 year
- Building plans and specifications..... PERM
- Office layouts..... ACT
- Zoning permits..... ACT
- Operating permits..... ACT
- Maintenance records..... ACT
- Motor vehicle records..... ACT
- Air or water waste emissions..... 3 years
- Hazardous chemical waste records..... 5 years
- Laboratory practices..... ACT

21.19 Litigation Records

- Claims..... ACT
- Court documents and records..... ACT
- Deposition transcripts..... ACT
- Discovery materials..... ACT
- Litigation files..... ACT + 2 years

21.20 Gift Records

- Current cash gifts..... 4 years from time of gift
- Non-cash gifts..... ACT + 4 years after possession is relinquished

22 Cellular Phone Usage

The university expects appropriate professional use of cellular phones while on campus or while conducting university business. The university strictly prohibits the use of camera phones in areas such as locker rooms and restrooms or any other area on campus that is considered private. While on university time, minimal personal cell phone usage is permitted.

Ohio Valley University considers it a top priority to provide a safe environment for all employees and the general public. Per [West Virginia law](#) the use of a cellular phone while operating a vehicle unless hands-free cellular phone options are utilized by the employee is prohibited.

While operating a vehicle, the primary responsibility of the employee is to drive safely and to obey state and local laws. Recommendations that may assist in this matter include, but are not limited to the following:

1. Allow voice mail to handle all calls while operating a vehicle.
2. If it is absolutely necessary to place or receive a call while operating a vehicle, pull off of the road at a safe location.
3. Ask a passenger to make all calls or take all messages.

23 FACTA Compliance, Identity Theft Policy, FERPA Compliance and Protecting Sensitive Data

23.1 Introduction to FACTA

The Fair and Accurate Credit Transactions Act (FACTA) was enacted to reduce identity theft. FACTA amends the Fair Credit Reporting Act (FCRA), the federal law that governs consumer credit reports and its use for employment purposes. FACTA requires that any person who maintains or otherwise possesses consumer information or any compilation of consumer information properly disposes that information.

Consumer information includes any record about a person who is a consumer or information that is derived from a consumer report that is either (1) an “investigative consumer report” based on personal interviews with neighbors, friends, associates, and knowledgeable acquaintances of the person who is the subject of the report or (2) a “consumer report” provided by a reporting agency and contains information on the employee’s or applicant’s credit worthiness, credit standing, credit capability, character, general reputation, personal characteristics, or mode of living. Consumer information also includes any compilation of these records.

Under FACTA, proper disposal means taking reasonable measures to protect against unauthorized access to, disclosure of, or use of such information. FACTA rules cite these examples of “reasonable measures” for disposal: burning, pulverizing, and shredding paper documents; erasing computer files containing protected information; or hiring a vendor to do any of these things.

Although the FACTA rules apply to consumer reports and the information derived from consumer reports, the Federal Trade Commission (FTC) encourages those who dispose of any records containing a consumer’s personal or financial information to take similar protective measures.

At Ohio Valley University, employees can comply with the FACTA regulations by taking the following actions when dealing with any sensitive information on a daily basis:

- Maintain in a secure location all information relating to a social security number, address, or bank account number for an employee or student, and provide such information only to appropriate university personnel.
- Do not display social security numbers on student or employee timesheets.
- Ensure that computer files are password protected, and do not provide passwords to unauthorized individuals.
- Turn off computers at the close of each day.
- Notify student-workers of rights and responsibilities in dealing with consumer information or other confidential information.
- Dispose of consumer information and other confidential information in accordance with the university’s Record Retention and Disposal Guidelines.
- Comply with all university policies and procedures regarding confidential information.

23.2 Identity Theft Policy

23.2.1 Program Adoption

Ohio Valley University has adopted this initial Identity Theft Prevention Program ("Program") in compliance with the Red Flag rules issued by the Federal Trade Commission pursuant to the Fair and Accurate Credit Transactions ACT (FACTA). The university is engaging in activities that are covered by the FACTA Red Flag rules. After consideration of the size and complexity of the university's operations and account systems and the nature and scope of the university's activities, the Board of Trustees has determined that this Program is appropriate for the university.

23.2.2 Program Purpose

Under the Red Flag rules, the university is required to establish an Identity Theft Program with reasonable policies and procedures to detect, identify, and mitigate identity theft in its covered accounts. The university must incorporate relevant Red Flags into a Program to enable the university to detect and respond to potential identity theft. The university shall ensure that the Program is updated periodically to reflect changes in risks to customers or creditors or the university from identity theft.

23.2.3 Responsible University Officers

The chief financial officer shall serve as program administrator. The program administrator shall exercise appropriate and effective oversight over the Program.

23.2.4 Program Administration and Maintenance

The program administrator is responsible for developing, implementing and updating the Program throughout the university. The program administrator will be responsible for ensuring appropriate training of university staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for identifying, preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances, and considering periodic changes to the Program.

The Program will be periodically reviewed and updated to reflect changes in identity theft risks and technological changes. The program administrator will consider the university's experiences with identity theft, changes in identity theft methods; changes in identity theft detection, mitigation and prevention methods; changes in types of accounts the university maintains; changes in the university's business arrangements with other entities; and any changes in legal requirements in the area of identity theft. After considering these factors, the program administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted.

The program administrator shall confer with all appropriate university personnel as necessary to ensure compliance with the Program. The program administrator shall annually report to the president on the effectiveness of the Program. The program administrator shall present any recommended changes to the president for approval. The

president's approval shall be sufficient to make changes to the university Identity Theft Program.

23.2.5 Definitions

Pursuant to the Red Flag regulations at 16 C. F. R. § 681.2, the following definitions shall apply to this Program:

Covered accounts means (1) any account the university offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions and (2) any other account the university offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the university from Identity Theft.

Credit means the right granted by a creditor to a debtor to defer payment of debt or to incur debt and defer its payment or to purchase property or services and defer payment therefore.

Creditor means an entity that regularly extends, renews, or continues credit.

Customer means any person with a covered account with a creditor.

Identifying information means any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, social security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, and computer's Internet Protocol address or routing code.

Identity Theft means a fraud committed using the identifying information of another person.

Red Flag means a pattern, practice, or specific activity that indicates the possible existence of Identity Theft.

23.2.6 Identification of Red Flags

In order to identify relevant Red Flags, the university considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts, and its previous experiences with Identity Theft. The following are relevant Red Flags, in each of the listed categories, which employees should be aware of and diligent in monitoring for:

23.2.6.1 Notifications and Warnings from Credit Reporting Agencies

- Report of fraud accompanying a credit report;
- Notice or report from a credit agency of a credit freeze on a customer or applicant;

- Notice or report from a credit agency of an active duty alert for an applicant; and
- Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity.

23.2.6.2 Suspicious Documents

- Identification document or card that appears to be forged, altered or inauthentic;
- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and
- Application for service that appears to have been altered or forged.

23.2.6.3 Suspicious Personal Identifying Information

- Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
- Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a credit report);
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
- Social security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;
- A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
- A person's identifying information is not consistent with the information that is on file for the customer.

23.2.6.4 Suspicious Account Activity or Unusual Use of Account

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (example: very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the university that a customer is not receiving mail sent by the university;
- Notice to the university that an account has unauthorized activity;
- Breach in the university's computer system security; and
- Unauthorized access to or use of customer account information.

23.2.6.5 Alerts from Others

- Notice to the university from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

23.2.7 Detecting Red Flags

The Program's general Red Flag detection practices are described in this document. The Program Administrator and each campus will develop and implement specific methods and protocols appropriate to meet the requirements of this Program as necessary.

23.2.7.1 New Accounts

In order to detect any of the Red Flags identified above associated with the opening of a new account, university personnel will take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information such as name, date of birth, residential or business address, driver's license or other identification;
- Verify the customer's identity (for instance, review a driver's license or other identification card);
- Independently contact the customer.

23.2.7.2 Existing Accounts

In order to detect any of the Red Flags identified above for an existing account, university personnel will take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information (in person, via telephone, via facsimile, via e-mail);
- Verify the validity of requests to change billing addresses; and
- Verify changes in banking information given for billing and payment purposes.

23.2.8 Responding to Red Flags and Mitigating Identity Theft

In the event university personnel detect any identified Red Flags, such personnel shall all appropriate steps to respond and mitigate identity theft depending on the nature and degree of risk posed by the Red Flag, including but not limited to the following examples:

- Continue to monitor an account for evidence of Identity theft;
- Contact the customer;
- Change any passwords or other security devices that permit access to accounts;
- Not open a new account;
- Close an existing account;
- Reopen an account with a new number;

- Notify law enforcement; or
- Determine that no response is warranted under the particular circumstances.

23.2.9 Staff Training and Reporting

University employees responsible for implementing the Program shall be trained under the direction of the Program Administrator in the detection of Red Flags and the responsive steps to be taken when a Red Flag is detected.

Appropriate staff shall provide reports to the Program Administrator on incidents of identity theft and the effectiveness of the Program and the university's compliance with the Program.

23.2.10 Service Provider Arrangements

In the event the university engages a service provider to perform an activity in connection with one or more accounts, the university will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft:

- Require, by contract, that service providers have such policies and procedures in place; and
- Require, by contract, that service providers review the Utility's Program and report any Red Flags to the Program Administrator.

23.3 Student of Rights under FERPA for Ohio Valley University

The Family Educational Rights and Privacy Act (FERPA) afford eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is eighteen (18) years of age or older or who attends a postsecondary institution.) These rights include:

1. The right to inspect and review the student's education records within forty-five (45) days after the day the Ohio Valley University receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The university official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the university to amend a record should write the university official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the university decides not to amend the record as requested, the university will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the university discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The university discloses education records without a student's prior written consent under the FERPA exception for disclosure to university officials with legitimate educational interests. A university official is a person employed by the university in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A university official also may include a volunteer or contractor outside of the university who performs an institutional service of function for which the university would otherwise use its own employees and who is under the direct control of the university with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another university official in performing his or her tasks. A university official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the university.

Upon request, the university also discloses education records without consent to officials of another university in which a student seeks or intends to enroll.

The Family and Education Rights and Privacy Act of 1974 (Buckley Amendment) grants students the right to prohibit the university from releasing Directory Information which, unlike all other information, may be released by the university without student consent. "Directory Information" consists of name, address, telephone listing, date and place of birth, major field of study, degrees and awards received, enrollment status in past or present semester, the most recent educational agency or institution attended, participation in officially-recognized activities and sports, and weight and height of members of athletic teams.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the university to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

See the list below of the disclosures that postsecondary institutions may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to university officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student –

- To other university officials, including teachers, within the university whom the university has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the university has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another university where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))

- To organizations conducting studies for, or on behalf of, the university, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the university has designated as “directory information” under §99.37. (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the university determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the university’s rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the university, governing the use or possession of alcohol or a controlled substance if the university determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

23.4 Protecting Administrative Data and Other Sensitive Information

Ohio Valley University is committed to protecting administrative data and other sensitive information related to students, employees, alumni, donors, and friends. The following guidelines are designed to assist the university in fulfilling its commitment.

23.4.1 Confidentiality Agreement

Due to the nature of employment at the university, all employees may have access to confidential, sensitive and/or private information. Therefore, all employees and any volunteer who may access such information must complete a confidentiality agreement. A copy of the agreement can be found in the university’s policy and procedures manual

located on the university's intranet at: <L:\Workgroups\Policies and Procedures\Policy Manual\05 General Institutional Policies\General Institutional Form - Confidentiality Agreement.doc>.

23.4.2 Access to Administrative Data

The purpose of this section is to provide a framework in which the university employees may obtain reports or extracts from university administrative data and/or access the data through university administrative software systems.

Data or access to data through university administrative software systems will be on a need-to-know basis. Control over access to university data has been assigned to specific units as trustees. Those trustees follow:

- Accounting Records – University controller
- Alumni Records – Director of advancement
- Human Resource Records – EVP/CFO
- Payroll Records – EVP/CFO
- Budget Records – University controller
- Donor Records – Director of advancement
- Student Records (billing accounts) – University controller
- Student Records (academic) – Registrar
- Student Records (admissions) – Director of admissions
- Student Records (disciplinary) – Dean of student life
- Student Records (financial) – SVP/Director of financial aid

Individuals or units needing reports or on-line access to data must justify their request in writing to the appropriate trustee. When no clear trustee can be identified or the data falls outside of the above list, requests should be sent to the director of information technology (IT) who will make a determination as to the appropriate trustee for approval and make recommendations for updates to this policy as needed.

Data, once available, must be used only for the authorized purpose and must not be passed on to a third party not listed on the request. Data remain the property of the university.

Units receiving reports or extracted data are responsible for preserving their confidentiality and for their retention and disposal according to university policies regarding confidentiality, document retention and disposal, and other applicable policies.

Individuals accessing university data, whether from on or off-campus, should adhere to applicable regulations, including but not limited to FERPA. For questions regarding data access, individuals should contact the responsible trustee in advance.

23.4.3 Protecting Administrative Data through Password Protocol

Protecting sensitive administrative data is important to all individuals at the university. The purpose of this section is to establish a standard for creating strong passwords, protecting those passwords, and frequently changing passwords.

General Standards

General protocol for passwords includes the following:

- All systems-level passwords (e.g., root, enable, NT admin, application administration accounts) must be changed on at least a quarterly basis.
- All user-level passwords (e.g., e-mail, web, desktop computer) must be changed at least every 140 days.
- Users must not insert passwords into e-mail messages or other forms of electronic communication.
- All user-level and system-level passwords must conform to the guidelines described below.
- Any unattended computer should be password protected.
- All computers should be set up to require a password upon entry and each time the screensaver is used.

23.4.4 Password Construction Guidelines

Passwords are used for various purposes at the university. Some of the more common uses include: user level accounts, web accounts, e-mail accounts, screen saver protection, voicemail password, and local router logins. As very few systems have support for dynamic passwords that are used only once, all employees should be aware of how to select strong passwords.

Poor, weak passwords have the following characteristics:

- The password contains fewer than eight characters
- The password is a word found in a dictionary (English or foreign)
- The password is a common usage word such as
 - Names of family, pets, friends, co-workers, fantasy characters, etc.;
 - Computer terms and names, commands, sites, companies, hardware, software;
 - The words “Ohio Valley University,” “Ohio Valley,” “OVU” or any derivation;
 - Birthdays and other personal information such as addresses and phone numbers;
 - Word or number patterns like *aaabbb*, *qwerty*, *zyxwvuts*, *123321*, etc.;
 - Any of the above spelled backwards; or

- Any of the above preceded or followed by a digit (e.g., secret1, 1secret).

Strong passwords have the following characteristics:

- Contain both upper and lower case characters (e.g., a-z, A-Z);
- Have digits and punctuation characters as well as letters e.g., 0-9, !@#\$%^&*()_+~":?><|\;
- Are at least eight alphanumeric characters long;
- Are not words in any language, slang, dialect, jargon, etc.;
- Are not based on personal information, names of family, etc.;
- Are never written down or stored on any computer system without encryption;
- Are not shared with anyone, including administrative assistants or secretaries;
- Are not shared in any manner, including hinting as to the form of a password or revealing them on questionnaires or security forms; and
- Are not “saved” in the “Remember Password” feature of applications such as Eudora and Outlook

Create passwords that can be easily remembered. One way to do this is create a password based on a song title, affirmation, or other phrase. For example, the phrase might be: “This May Be One Way To Remember” and the password could be: “TmB1w2R!” or “Tmb1W>r~”.

Pass-phrases can be used in place of passwords. A pass-phrase is a longer version of a password and is, therefore, more secure. A pass-phrase is typically composed of multiple words, and because of this, a pass-phrase is more secure against dictionary attacks. A good pass-phrase is relatively long and contains a combination of upper and lowercase letters and numeric and punctuation characters. An example of a good pass-phrase is “2MonkiesAte\$500This Morning!”

23.4.5 Monitoring Password Compliance

Password scans may be performed on a periodic or random basis. If a password is guessed or cracked during one of these scans, the user will be required to change it.

24 Responsible Use of University Funds

The university is not for profit and has tax exempt status. Employees should ensure appropriate documentation is made available to vendors prior to any purchase. Employees may obtain tax exempt status forms from the university Controller or the Business Office.

24.1 General Guidelines for Credit Card Usage

University credit cards are to be used by those representing the university who need to

- Travel;
- Entertain donors;
- Entertain prospective donors, students and parents;
- Entertain business contacts in the community; or
- Appropriate university purchasing and payments

Each area that has line item budgets for travel is expected to operate within the parameters of that budget. If a budget is expended before the end of the fiscal year, credit cards may not be used unless there is a transfer from another line item. Charges to be made to another budget category should have the number clearly indicated on the statement.

Credit cards may not be used for purchases other than travel and entertainment without prior approval from the area supervisor and the CFO. Under no circumstances should credit cards be used for other expenses (i.e. personal use or office supplies) without approval.

Receipts are to be turned in with credit card statements on a timely basis. Each receipt should have noted on it the purpose of the purchase, and who was entertained, if more than one person's meal is purchased. Failure to turn in receipts within one week of receiving the credit card statement may result in the employee's paycheck being held until receipts are turned into the business office.

All credit card statements must be countersigned by the administrator who has budget approval rights for that particular budget area.

24.2 Per Diem Guidelines

The university encourages all individuals traveling on university business to limit expenses to a reasonable level. As a guide employees are encouraged to review the Government per diem rates as found on <http://www.gsa.gov/portal/category/100120> for the location to which they are traveling. Although the Government may receive better lodging arrangements than university personnel, the meals and incidental rates are appropriate guidelines to follow.

24.3 Motels/Hotels

Employees are encouraged to pre-plan their trips and hotel stays through rewards programs, travel agents, or on-line companies such as Travelocity, Orbitz, hotels.com, etc. Whenever possible, room expenses should be kept below approximately \$100 per night, excluding taxes.

24.4 Airline Tickets

Employees are encouraged to pre-plan trips and purchase airline tickets through a rewards program, travel agent, or on-line companies such as Travelocity or Orbitz. All airline travel must be for university business and be pre-approved by the budget area supervisor. Credit cards may be used with supervisor approval and expenses charged to approved travel budgets.

24.5 Rental Cars

Employees traveling outside the local area on university business may rent a university-owned vehicle from Admissions, if available, or rent a car from Enterprise. Employees need to complete the OVU Travel Purchase Order Request form online and have it approved by the budget area supervisor and the CFO before the car may be rented from Enterprise. If an employee has flown to another location to do business, cars may be rented in the customary manner. However, employees are encouraged to book rentals in advance and get the best price available.

24.6 Mileage Reimbursement

Employees may be reimbursed for mileage at the current rate set by university policy (see university Controller) if using a personal vehicle for university business. If an employee elect to be reimbursed for mileage the employee must be pre-approved for travel by the budget area supervisor and the CFO. Upon return the employee must complete the travel log and describe the nature of the business, calls made, and odometer readings. The employee may use a university credit card for gasoline purchases and deduct gasoline charges from the amount of reimbursement. Please note that it is advantageous to the university to use a gasoline vendor credit card rather than the general credit card to reduce taxes. By law, mileage is not reimbursable for traveling from an employee's home to place of employment, or vice versa.

24.7 Meals

If travel requires being away from the local area for extended periods, meals required during the absence may be charged to the credit card. If university business requires an overnight stay with a full day of absence, breakfast, lunch, and dinner may be purchased. Meals that fall within the period of travel during any portion of a trip are also allowable. Appropriate ranges for specific meals include:

- At the current rate set by university policy (e.g., see Government per diem rates for meals and incidentals: <http://www.gsa.gov/portal/category/100120>)

- A customary tip of up to eighteen (18) percent is appropriate in addition to the above amounts.

According to Internal Revenue Service guidelines, lunch expenses charged to the university when not accompanied by an overnight stay or for entertaining clients are considered as taxable income. In most cases, meals for work in town should be at the employee's expense.

24.8 Snacks

If traveling on university business, snacks or beverages may be purchased if within a reasonable allowance (typically no more than \$5/day).

24.9 Personal Items

It is never permissible to purchase personal items using the university credit card. In the event an employee uses the credit card for an emergency, the amount of the personal item shall be paid back to the university upon return from the trip. Personal items include toiletries, medications, etc. which are usual and customary expenses for the employee and not necessary for business purposes.

24.10 Entertainment Expenses

From time to time employees will find it necessary to entertain donors, prospective donors, prospective students, parents of prospective students, or local business contacts. Entertainment shall be limited to usual and customary venues that include meals and coffee. When dining service is available, it is preferable to feed guests to the campus in the campus dining hall and charge it to the appropriate budget. Purchasing gifts or other items is not appropriate unless prior authorization is given by the area supervisor and the purpose is fully documented.

It is not appropriate to use university funds to entertain family members or other employees. Exceptions would include entertaining clients and including a spouse for public relations purposes. From time-to-time, area vice presidents may use the credit card for employee meetings as necessary. However, this practice should be the exception and must be for business purposes.

24.11 Group Events

NOTE: Special care should be taken when working with prospective or current student-athletes. Employees should check with the university's Compliance Officer in the Athletic Department for guidelines prior to any expenditure.

Group dinners, pizza parties for youth groups, etc. can be charged to credit cards as necessary. However, in most cases, when advance notice is possible, the university prefers using the purchase request system and receiving prior approval for such use.

24.12 Cash Advances

Employees anticipating the need for cash for university related travel (for such things as tolls, meals where credit cards are not accepted, etc.) should request a cash advance from the business office prior to the trip. Receipts must be turned in for all cash advances. In the event employees are unable to get a cash advance, he or she should use his or her own resources, document the expenditure, and get reimbursed upon his or her return. Credit cards may not be used to obtain cash to avoid the higher fees associated with cash advances.

24.13 Misuse of University Credit Cards

Misuse of university credit cards may result in revocation of this privilege. Employees may be required to make restitution and further disciplinary action may be taken.

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