

# **MILES COLLEGE STAFF HANDBOOK**



Revised 2021



"As employees of Miles College your work is essential to the College. You should never doubt your value as a conscientious, reliable employee. Development of your skills and proficiency in performing your duties are vital. Only through the personal efforts of each employee can we expect to achieve our objectives of excellence in teaching, research, and community service. Belief in the importance of our service goals to the College community and the importance of your duties, whatever your work, is essential to successful and meaningful employment at Miles College."

A handwritten signature in black ink, appearing to read "B. Knight".

Bobbie Knight, J.D.  
President, Miles College

### **STATEMENT OF ACCREDIATAION**

Miles College is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award baccalaureate degrees. Questions about the accreditation of Miles College may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC's website ([www.sacscoc.org](http://www.sacscoc.org)).

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## **SECTION 1                      ABOUT THE COLLEGE**

### **1.1                      MISSION STATEMENT**

Miles College is a senior, private, liberal arts Historically Black College with roots in the Christian Methodist Episcopal Church. The College through dedicated faculty cultivates students to seek knowledge that leads to intellectual and civic empowerment. Students are transformed through rigorous study, scholarly inquiry, and spiritual awareness, thereby enabling graduates to become responsible citizens who help shape the global society.

### **1.2                      VISION STATEMENT**

Miles College is an institution of academic excellence whose students, graduates, and faculty contribute to the intellectual and professional vitality of the broader community, exhibit technological sophistication, and value the renderings of art in all its forms. The College serves increasingly diverse students and gains recognition for global partnerships that assure cultural awareness. Student and faculty involvement in international studies and global intelligence will preface the College emerging as a magnet for regional discourse in public policy and global awareness. Academic course offerings will include masters level courses delivered through a variety of pedagogic delivery mechanisms that appeal to a wide range of student needs. The course offerings are a catalyst for continued growth in the number of students served. Miles College functions as the archetype for colleges and universities throughout the United States and global community to engage in the study, discourse, and application of solutions for human problems throughout the world. Students, who engage in the Miles College experience, demonstrate a commitment to excellence, continuous improvement, and service to others through regular gifts to the dynamic academy that Miles College has become.

### **1.3                      STRATEGIC GOALS 2018-2023**

**Strategic Goal #1:** To offer a broad range of high-quality programs through teaching and learning

**Strategic Goal #2:** To recruit and retain appropriately qualified and highly effective faculty and staff

**Strategic Goal #3:** To build programs and facilities to enhance student life

**Strategic Goal #4:** To provide a sound financial base to support the institution

**Strategic Goal #5:** Leverage the engagement of education by undergraduate and graduate students seeking a rigorous scholarly experience

**Strategic Goal #6:** To attract a more diverse campus community

**Strategic Goal #7:** Transform campus with new and improved infrastructure, facilities, and technology-based instruction and learning

**Strategic Goal #8:** Will respond to the most urgent needs of local, state, national, and international constituents to foster collaboration and mutually beneficial relationships

## **SECTOION 2                      GENERAL EMPLOYMENT**

### **2.1                      EMPLOYMENT AT WILL**

Unless otherwise agreed to in writing signed by an officer of the College, employment with Miles College is at the mutual consent of Miles College and the employee, and either party may terminate that relationship at any time, with or without advance notice and for any reason or no reason. Employment at will is a statement of the voluntary nature of the relationship between Miles College and its employees. All employees who do not have a signed employment contract for a specific term of employment are "at-will" employees. Generally, only faculty and head athletic coaches have written contracts of employment with the College under which they are not "at will" employees. Neither an initial employment offer, nor

any statement or representation in this handbook or in any other College communication should be construed as an implied contract of employment with a specific term or permanent employment. Nothing in this handbook should be read or interpreted as to alter an employee's at-will status. This employment-at-will statement does not require the College to exercise this right. In addition, it does not absolve supervisors of their obligations, where appropriate, to orient, train, develop, evaluate, and counsel employees.

## **2.2 AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY**

The following is a statement with respect to affirmative action and equal employment opportunity which has been adopted by Miles College.

“Miles College hereby reaffirms its policy of equal employment opportunity. The college is expressly committed to a program of affirmative action in maintaining and promoting non-discrimination in all aspects of recruitment and employment of individuals at all levels throughout the College. Specifically, the college shall provide equal educational and employment opportunities without regard to race or ethnicity, creed, color, sex, national origin, age, religious preference, the presence of any sensory, mental, or physical disability, sexual orientation, or nonconformity.

All employment actions will be decided upon the individual's qualifications, merit, and professional ability and in conformance with all current Institutional and legal requirements. All personnel actions, programs, and facilities will be administered in accordance with equal employment opportunity policy, including recruitment, selection, assignment, classification, promotion, demotion, transfer, layoff and employment, selection for training or retraining, and social and recreational programs.

The President may appoint various committees from time to time to keep them advised on the status of equal employment and affirmative action at Miles College. In addition, the Director of Human Resources has been appointed as Affirmative Action Officer for the academic and non-academic personnel. Affirmative Action Officers serve as an extension of the President's Office and is directly responsible for the administration of the Affirmative Action Plan.”

### **“EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW”**

## **2.3 Equal Employment and Educational Opportunity Policies**

It is the policy of Miles College to ensure equal opportunity without discrimination or harassment based on race, color, religion, sex, sexual orientation, gender identity or expression, the status of being transgender, age, national origin, marital status, citizenship or veteran status, disability, or any other characteristic protected by federal, state, or local laws and regulations. Miles College prohibits and will not tolerate any such discrimination or harassment.

This policy of equal opportunity applies to all policies and procedures relating to recruitment, hiring, admission, financial aid, compensation, benefits, termination, and all other terms and conditions of employment and education.

**Miles College Title IX /Sexual Misconduct Policy [TITLE IX Policy](#)**



## **SECTION 3**

## **JOB CLASSIFICATION**

### **3.1 FULL-TIME REGULAR EMPLOYEE**

Employee with regular work schedules of 40 hours a week, but no specified duration of employment, who are not members of faculty, and not a full-time student and is benefit eligible.

### **3.2 PART-TIME REGULAR EMPLOYEES**

These are employees who work on a part-time basis for a period less than thirty-five (30) hours per week. Employees in this category are not eligible for benefits or paid annual, sick leave, or holiday pay.

### **3.3 JOB CLASSIFICATION AND COMPENSATION**

The following section describes the essential steps in job classification and compensation. It is the intent of this section to provide a general overview of job classification and pay and salary administration practices.

### **3.4 FAIR LABOR STANDARDS ACT (FLSA)**

Miles College conforms to all terms of the Fair Labor Standards Act (known as the Federal Wage and Hour Law), including the payment of minimum wages and overtime pay. These laws establish the criteria for determining which positions are "non-exempt" (eligible to receive overtime pay), and which are "exempt" (not eligible to receive overtime pay). Human Resources is responsible for ensuring compliance with such laws, including the determination of exempt and non-exempt status.

### **3.5 JOB DESCRIPTIONS**

Job descriptions are developed to reflect the purpose and major responsibilities of jobs, and the knowledge, skills and abilities required to perform those jobs successfully, and are the key element for classification and compensation of a position. They reflect essential functions and departmental expectations and are considered to be descriptive rather than restrictive. The tasks described are characteristic of the job, and not every task needs to be listed to reflect an accurate job description. Job descriptions are representative of the work performed by all incumbents in a job. In multi-incumbent jobs, some duties described may not apply to all individuals, or one individual may perform an additional task. If that addition (or omission) does not significantly change the job, the job description still may be appropriate. Each description should include the following job information: a job summary or general overview, the essential functions of the position, any special, unique, or periodic duties, and working conditions, including physical requirements. Essential functions are the core duties and responsibilities of a position, without which the position would be fundamentally different.

### **3.6 CHANGES TO POSITIONS**

Changes to the employment status, pay, or benefits of any staff member will generally require the recommendation of the Director of the Department and the approval of the appropriate Provost/Vice President/Dean. Such requests for changes must be forwarded to the Budget Officer and Senior Vice President for Finance Administration to receive budget approval. Certain changes may require the approval of the President and are generally the result of an approved re-organization. If a salary adjustment is requested with a change to an existing position, it will be reviewed within the context of the overall compensation goals of the College and consistent with internal and external equity considerations. Request for an analysis of pay for similar positions within the College, market wages, or other compensation matters should be forwarded to the Human Resources Department.

### **3.7 EMPLOYMENT AGENCY PERSONNEL**

Individuals who are leased from temporary employment agencies for specific assignments are employees of the respective agency and not of Miles College. These personnel are not eligible to receive a Miles Identification Card or receive any benefits or status as a member of the Miles Community.

### **3.8 INDEPENDENT CONTRACTOR**

Individuals who perform specified services for the College and do not occupy an identified regular or temporary position at the College are considered independent contractors and not employees of the College. Independent contractors are paid through accounts payable. Federal and state regulations governing independent contractors are complex, and Senior Vice President for Finance and Business Administration and the Director of Human Resources should be consulted when classifying individuals as employees or as independent contractors.

## FACULTY AND STAFF EMPLOYMENT PROCESS FLOW CHART

*(The College President reserves the right to appoint academic and non-academic administrative positions at will).*



## **4.1 ADVERTISING, POSTING, AND RECRUITING POSITIONS**

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Internally, position openings may be posted on and/or via e-mail to the campus. Externally, open positions may be advertised via the College's Career page or other recruitment venues.

On occasion, certain positions will be open to internal candidates and will be identified as such. Internal Candidates Only postings are designed to encourage current staff members to apply for positions on campus. It is the prerogative of the hiring manager to have an open search, an internal search, or a combined internal and external search based upon the time involved in the search process, as well as the needs and demands of the department.

Advertising and posting position announcement are only two forms of recruiting qualified candidates. Additional recruiting efforts are encouraged to develop a large and diverse pool of potential applicants. All interested candidates should be directed to the College's Career page to apply for open positions.

## **4.2 EMPLOYMENT APPLICATIONS**

Miles College relies upon the accuracy and completeness of the information provided by applicants in online employment applications and/or résumés as well as the accuracy and completeness of other data presented by applicants and/or employees throughout the hiring process and during employment (including but not limited to academic credentials). Any misrepresentations, falsifications, or material omissions in any of this information or data, regardless of when or how discovered, may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment. Employment applications are required of all positions. No unsolicited resumes and applications will be accepted.

A criminal background check shall be part of the employment process for all new full-time employees, new part-time employees, and rehires when not employed by the college for more than one-year effective January 2021. Background checks may also be required for employees or student workers for employment or placement in select, sensitive positions or as part of their educational curriculum. Background checks are conducted for the purposes of protecting college resources and promoting a welcoming and safe environment for employees and students.

## **4.3 INTERNAL CANDIDATES**

Miles College provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, all regular non-temporary job openings are posted on the employment website. Temporary positions, promotions, reclassifications, and positions created by reorganizations are not necessarily posted as vacancies.

Employees who have a written warning or reprimand on file within the most recent 6-month period of time are not eligible to apply for posted jobs. Employees who are on suspension

are not eligible to apply for posted jobs. Staff members in their introductory period of employment with the College are ineligible to apply for internal postings.

Eligible employees should only apply for those posted jobs for which they possess the required skills, competencies, and qualifications as advertised or listed in the position announcement. To apply for an open position, employees should follow the instructions in the position posting.

The hiring manager will review internal applications in a manner consistent with external applications. There is no guarantee of an interview for internal applicants; however, the hiring manager is advised to contact the internal applicant directly in the event they are not selected for an interview. The hiring manager must check internal references of the employee who is a candidate for a position with the employee's current supervisor to verify performance, skills, attendance and other factors related to the employee's employment.

#### **4.4 ORIENTATION**

The Human Resources Office through a general orientation program instructs all new employees. All new employees are expected to attend the orientation session. This orientation includes information necessary to the new employee for them to become comfortable and productive as soon as possible. Central orientation by Human Resources is followed by specific position orientation by the supervisor. This includes specific work hours, lunch times, break times, specific requirements of the position, and an opportunity for the new employee to ask questions.

##### **4.4.1 PROBATIONARY PERIOD**

The first six (6) months of employment of support personnel is considered a probationary period. During this time, employees have an opportunity to learn more about their assignments and determine whether or not they are satisfied with the position. At the same time, the supervisor has an opportunity to determine whether or not the employee has the ability and desire to perform the job assignments. Under unusual circumstances, this period may be extended to three (3) additional months to allow the supervisor more time to evaluate the employee's work performance.

#### **4.5 PERSONNEL RECORDS**

Miles College Office of Human Resources creates and maintains all personnel files and benefits records for all employees (past or present) of the College. The Office of Human Resources safeguards the confidentiality of all information and documents stored in its files and records. Access to such information is strictly limited to those with a need to know based on the nature of their positions. Employees may request access to their own personnel files and benefits records by contacting the Office of Human Resources to schedule an appoint. All file reviews will be conducted in the presence of the Director of Human Resources, and the employee may not remove any documents from his/her file. An employee (past or present or their representative) may request a photocopy of his or her personnel file but will be charged \$0.20 per page.

## **SECTION 5      PAYROLL**

### **5.1   DIRECT DEPOSIT**

As a condition of employment at Miles College, all employees are required to participate in payroll direct deposit. Employees' pay will be deposited into the U.S. bank account(s) of their choice. To ensure new accounts are set up and allocations are made in a timely manner, please allow five (5) business days before the payroll date. All changes will be applied to the next available payroll. Employees who leave the College must keep their bank account active until they have received their final pay from the College.

### **5.2   DEDUCTIONS FROM PAY**

There are a number of deductions that will occur from most employees' compensation. Among these are applicable federal, state, or local income taxes. In addition to legally mandated deductions, each benefit eligible employee will have deductions from their paycheck according to the benefits selected from the Miles College benefits program. Eligible employees authorize deductions from their paychecks to cover the cost of participating in these programs. Other wage deductions, such as garnishments or tax levies, may be made to fulfill legal requirements when appropriate.

### **5.3   PAYROLL REPORTING & TIME KEEPING**

#### **Payroll Reporting**

Reporting personnel attendance and leave is the responsibility of the supervisor. The payroll period begins on the 25<sup>th</sup> day of the month and ends on the 24<sup>th</sup> day of the following month. However, this period covers the entire month. If you terminate early your paycheck will be prorated based upon the number of days worked during the month.

#### **Time Keeping**

Time records are the basic source of information for payroll purposes. Time records should reflect the actual hours worked. Employees should not sign in at times in variance with their daily work schedules without prior approval as indicated above. Timecards are checked by supervisors, department heads, and the Human Resources for accuracy. Changes, alterations or notations are not to be made on time sheets except by approval of and with the signature of the supervisor involved.

You are reminded that adequate timekeeping in work schedules is a requirement of the Federal Law (FLSA). Further, such laws require that historical records are maintained for an indefinite period of time for all time worked.

**Exception: Annual leave requests should be processed in advance and submitted to Human Resources prior to taking Annual.**



## **SECTION 6**

## **WORKING HOURS AND ATTENDANCE**

### **6.1 WORK SCHEDULES**

The College adheres to state and federal labor laws regarding work hours. Due to the varying nature of the work performed, departmental norms should be used to determine staff scheduling requirements and should be disclosed to employees at their department orientation.

#### **College Defined Work Week**

The College operates on a biweekly and monthly pay cycle. The College's regular office hours are Monday through Friday, 8:30 a.m. to 5:00 p.m. As an institution that provides in-residence services to students, many workers connected with the College's operations do not work these typical business hours. As a result, and in accordance with applicable wage and hour rules, the College defined the work week for the purposes of computing wages and overtime as beginning at 12:00:00 a.m. on Monday morning and ending at 11:59:59 p.m. on Sunday night. Departments may configure individual staff schedules to accommodate departmental needs and the needs of the College. The establishment of the schedules within the workweek is the responsibility of supervisors, directors, deans, and other administrative officials, who must consider operational requirements. Changes will be announced as far in advance as practicable.

For hourly paid employees, all hours worked will be paid in accordance with the defined work week. The College expects all hours worked to be reported

#### **Paid Worktime**

Work hours, meal breaks and rest periods vary according to operational need and are scheduled by the department head and/or supervisor.

#### **Exempt/Salaried Employees**

Employees who are exempt from overtime are expected to work as many hours as necessary to meet the responsibility of their position. Typically, full-time personnel work at least 40 hours a week, and often more depending on operational demands at the time. Exempt employees who work beyond their "regular schedule" (including nights and weekends) are not entitled to additional pay or compensatory time off.

#### **Hourly Employees**

Worktime is defined as all time spent by an employee performing activities which are job-related. This includes the employee's regular work time, plus time spent performing job-related activities which benefit the employer. Work done at home or at a place other than the normal work site is work, and the time must be counted (e.g. looking and responding to e-mail, returning phone calls). Other examples of paid activities are work related travel, meetings or training that occurs outside of regularly scheduled hours. See Travel Time pay below for more details.

The College does not condone "working off the clock". Employees are expected to accurately report all hours worked on their official time record and seek approval from their supervisor if the need should arise to work hours above their regularly scheduled hours.

Supervisors are accountable for authorizing hours worked beyond an employee's regular schedule and for approving, in a timely manner, all hours worked in a pay period in accordance with the College payroll schedule.

### ***Non-exempt/hourly staff***

Supervisors who manage hourly paid staff should be aware of their regular schedules and appropriately plan overtime based on operational needs. Hourly employees must track all hours worked each week and Prior supervisor approval is required before working overtime. Supervisors may ask their employees to work additional hours during particularly busy times of the year and employees are expected to be flexible when these needs arise.

Essential non-exempt employees are those identified as having positions deemed necessary to maintain basic College operations during scheduled closures or unscheduled suspension of normal operations due to emergencies, events or other situations are considered. Essential staff may not work more than two double shifts in a pay week and such shifts cannot be worked consecutively, barring extreme circumstances such as a declared State of Emergency. For example, Security Officers may periodically fill in for a fellow officer and work two consecutive shifts for a total of 16 hrs. Check with your supervisor for clarification as needed regarding whether or not your position is essential.

### ***Travel Time***

When an hourly paid employee or salaried non-exempt employee is required to travel away from home overnight as part of their regular job duties, time spent traveling is counted as work time when it cuts across the employee's normal working hours, including the corresponding hours on nonworking days. Thus, if an employee regularly works from 9 a.m. to 5 p.m. from Monday through Friday the travel time during these hours is work time on Saturday and Sunday as well as on the other days. If there is any work done once arriving at the destination (e.g., attends a seminar, meets clients, attends meetings, etc.) then time spent on work activities is paid time. Meal breaks are not paid time unless there is work being conducted. If there are no work activities, any time once reaching the destination is not work time and is not compensated. Department of Labor (DOL) regulations provide that any time outside those hours spent traveling as a passenger on an airplane, train, boat, bus, or car is not considered work time. (29 CFR §785.39) If an employee is offered public transportation but requests permission to drive her car instead, the employer may count as hours worked either the time spent driving the car, or the time that would have counted as hours worked if the employee had taken public transportation. (29 CFR § 785.40)

Any questions regarding what is paid time should be directed to Human Resources.

### ***Meals and Breaks***

Lunch breaks are scheduled by supervisors and may be staggered to provide adequate office/service coverage. Bona fide meal periods (typically 30 minutes or more) generally need not be compensated as work time. The employee must be completely relieved from duty for the purpose of eating regular meals. The employee is not relieved if he/she is required to perform any duties, whether active or inactive, while eating.

## **6.2 ATTENDANCE AND PUNCTUALITY**

To maintain a safe and productive work environment, the College expects staff members to be reliable and punctual in reporting for scheduled work. If an employee is unable to report to work for any reason, it is their responsibility to notify the supervisor as soon as possible prior to the start of the workday. If the employee is unable to reach the supervisor, they should follow the department's procedure for notification. Failure to notify the College of an absence before the start of the workday means the absence is unauthorized and can lead to disciplinary action. A staff member who is absent for three days or more without notifying their supervisor shall be considered to have voluntarily terminated their employment. Absenteeism and tardiness create a burden on other staff members and on the College.

## **6.3 UNSCHEDULED ABSENCES**

Unscheduled absences are considered time away from work which is not scheduled in advance or approved by the staff member's supervisor. Tardiness is defined as not being in the workplace and ready to work by the start of the staff member's scheduled workday; leaving work prior to the end of scheduled work time without prior approval; or taking an extended meal or break period without approval. Patterns of use of sick time or tardiness that may indicate potential abuse may be reviewed by the supervisor and may lead to disciplinary action. When considering discipline for absenteeism or tardiness, the supervisor should not count any days that are protected by an approved leave (e.g., FMLA or military leave, medical leave of absence, disability accommodation or work-related injury).

## **SECTION 7 OVERTIME**

### **7.1 OVERTIME POLICY**

**Non-exempt employees:** A non-exempt employee working over 40 hours in a given work week will be paid time and one-half for hours worked over 40 during that week. It is contrary to federal law to permit "compensatory" time (time off taken in the following time period in lieu of overtime). Employees must have overtime authorized by the appropriate supervisor before working overtime hours. Holiday pay and any other paid leave will not be included when calculating hours worked for determining whether the employee is eligible for overtime.

**Exempt employees:** not eligible for overtime pay.

For purposes of this policy, an "emergency condition" exists if, in the opinion of the College President, one or more of the following is present:

1. A situation in which the performance of necessary overtime work will increase the effectiveness of College registration, enrollment, orientation, graduation, or commencement activities. However, under such circumstances an employee shall not be required to work overtime unless the College previously has taken reasonable action to obtain the services of other qualified employees who are willing and able to perform the work required of the employee; and
2. A situation in which the performance ~~of~~ overtime work will, or may reasonably be

expected to, significantly contribute to the success of college goals or efforts to obtain a college or program accreditation from recognized accreditation agencies or organizations. Under such circumstances, the employee shall not be required to work overtime unless the College previously has taken reasonable action to have the work performed during normal work hours (that is, reasonably good planning would not ensure the timely performance of the work so as to avoid an “emergency” concerning accreditation).

## **SECTION 8 GENERAL POLICIES**

### **8.1 PROFESSIONAL DEVELOPMENT**

#### **Miles College Professional Development for Faculty and Staff**

The purpose of Miles College Faculty and staff professional development structure is to support the mission and goals of the college through planning and implementing workshops, seminars, and educational opportunities. Internal and external professional development are essential to the growth of the faculty and staff the institution. Faculty and staff are expected to take initiative in promoting their own growth by identifying and participating in professional development and activities that will meet their needs to enhance their performance as documented in their annual evaluation. The major responsibility and professional growth reside with each faculty and staff.

#### **Professional Development Committee**

The major responsibility for implementing Miles College professional development program resides with the Professional Development Committee that includes faculty and staff. The committee advises on professional development needs and issues that align with the mission and goals of the College and provides leadership in assisting college personnel (faculty and staff) to fulfill their annual professional development needs. The purpose of the committee is

- recommending professional development opportunities
- communicating with college employees concerning the professional development opportunities each year
- communicating the effects of the professional development activities in their respective divisions, units or departments
- recommending how internally managed professional development activities are designed, delivered, and evaluated after consulting with the divisions, units or departments
- Working with the divisions, units and departments to ensure appropriate professional development activities are identified and available for all employees
- assist in trainings and in house professional development
- develop/publish/maintain Professional Development Calendar
- send out communications about upcoming committee approved Professional Development activities

At the time of the performance evaluation, individual professional developments needs will be assessed and discussed. Identified topics based on individual performance evaluation needs will be listed by the supervisor. These topics will be added to a general pool of needs. At the discretion of the supervisor, the general pool will be forwarded to the Professional

Development Committee for the purpose of professional development activity planning.

### **Professional Development Planning**

The annual performance evaluation encompasses the employee's responsibility to his/her position. During the evaluation, the employee and supervisor will identify professional development activities. During the year, employees may update or change their professional development plans. Professional development activities should be related to:

- Miles College's mission and goals
- Division/departmental goals that align with Miles College mission and goals
- Professional upgrading and/or certification that aligns with Miles College mission and goals
- Employee's job description and competencies that align with Miles College mission and goals
- Professional Enrichment that aligns with Miles College mission and goals

Professional development activities should be maintained by creating and logging a professional development portfolio. The contents should include materials pertinent to participation in professional development activities, and other documentation that reinforces the individual commitment to development. Faculty and staff should submit professional development as part of their evaluation materials annually.

### **Funding for Professional Development Activities**

Miles College's professional development program focuses on the individual employee and permits individuals to assess their own needs and to design plans to meet those needs. If an event is approved and has direct benefit to the college and employee, the college may cover cost within the rules and regulations of the applicable fund source. The sources listed below support appropriate professional development activities as funds permit.

\*Departmental and other Professional Development budgets are not managed by the Professional Development Committee. Application Procedure & Reimbursement Current process managed through each department.

### **Professional Development Process**

- Annual professional development is mandatory for all full-time employees.
- Participation in Professional Development is reviewed as part of an employee's annual evaluation process.
- All employees are responsible for creating and logging their own Professional Development Portfolio.

Recommended Practice: All Professional Development activities attended off campus should submit a deliverable (presented or written) to supervisor and colleagues.

- All employees are required to report using a standardized electronic reporting form. The data will be made accessible to Human Resources, Professional Development Committee, and Supervisors.

### **Professional Development Categories**

#### **Faculty**

Professional development should be achieved in house and/or from outside sources.

### **Internal Faculty Development Opportunities**

- All full-time faculty will attend beginning and end of Academic year professional development conferences/ workshop
- Faculty will self-select internal professional development as needed. Outside of mandatory....However, faculty must attend at least 3 per semester.

### **External Faculty Development Opportunities**

- Faculty will attend two (one per semester) professional development aligned with subject matter in an Academic Year. One of these could be a webinar.
- Opportunities could include faculty perusing a terminal degree.

### **Staff**

#### **Internal Staff Development Opportunities**

- All full-time staff will attend beginning and end of Academic year professional development conferences/ workshop
- Staff will self-select internal professional development as needed. However, staff must attend at least 3 per semester.

#### **External Staff Development Opportunities**

- Staff will attend two (one per semester) professional development per year. One of these could be a webinar.
- Opportunities could include faculty perusing a certificate.

Each activity on the Professional Development calendar will go through the Professional Development committee and approval will be made before it is listed on the published calendar. Each approved activity will be based on Miles College's mission and goals as aligned with each unit under the supervision of each member of the President's cabinet.

## **8.2 PERFORMANCE EVALUATIONS**

All employees are evaluated annually except as provided during the probationary period. Supervisors are encouraged to counsel with employees early whenever performance standards are not being met. A formal written evaluation program is implemented at the College. Employees should be aware that they are evaluated daily and should always work to the best of their ability.

The supervisor reviews the evaluation with the employee and discusses areas of concern. A plan for corrective action, where deficiencies exist, and a Performance Improvement Plan (PIP) may be implemented. The evaluation is not complete until both the supervisor and the employee have signed the evaluation form. The employee's evaluation and follow-up of corrective action is maintained in the personnel file. Employees should be informed by the supervisor as to the status of his/her evaluation. The employee has the right to record a documented disagreement with the Human Resources within thirty (30) days after receipt of an evaluation if there is disagreement with ratings given.

## **8.3 PROMOTIONS AND TRANSFERS**

Transfer to another position within the College may be approved when made under conditions that are mutually beneficial to the College and to the person concerned.

Transfers for promotion are particularly encouraged for qualified persons. Each transfer



request will be judged on its own merits. Transfer by employee requests are normally made only after the employee has satisfactorily completed the six (6) month probationary period. Employees who wish to transfer to another position must confer with their supervisors and the Human Resources which will advise the individual of the position availability and position requirements.

In order that the conditions of transfer may be reviewed and evaluated, the procedures outlined below are applied to transfer request affecting personnel other than faculty and principal administrators:

1. The transfer request must be reviewed and evaluated by Human Resources. The candidate's qualifications will be examined in the same manner as those of a new applicant.
2. The transfer evaluation must include a performance rating by the transferee's current supervisor. A form to be used for evaluation purposes or a letter in lieu of an evaluation form must be furnished to the Human Resources.
3. Lateral transfers (transfers without promotion) will not be approved with an accompanying increase in salary.
4. The department from which the transfer is being made is entitled to at least two (2) weeks' notice.
5. All transfers and promotions are subject to approval by the Administrative Supervisor and the President.
6. Employees will be promoted on the basis of qualification. Where there are two or more equally qualified applicant employees for transfer into the same position, the employee's length of service will be the determinant.

#### **8.4 EMPLOYMENT OF RELATIVES (NEPOTISM)**

The College's policy is that persons in the same immediate family is not employed when any of the following conditions are present:

1. They have the same supervisor
2. They work within the same office setting and the same work shift
3. Their work assignments would bring them in close relationship to one another  
Immediate family is defined as husband, wife, father, father-in-law, mother-in-law, son, daughter, son-in-law, daughter-in-law, brother, sister, grandfather, grandmother, grandson, and granddaughter.

All requests for exceptions to the above policy will be considered on an individual basis and will require the approval of the President.

## **8.5 SERVICE DATES**

Your service date is the date you began your employment with Miles College after which there has been no “break” in service by reason of termination of employment.

## **8.6 RESIGNATION**

All employees are expected to give at least two (2) weeks’ notice of resignation. Employees in supervisory or professional positions are expected to give at least one month notice of resignation (subject to change). A failure to give required notice subjects the employee to loss of accrued Annual pay.

Employees submitting resignations will be paid through the last workday and will receive their check the first payday following resignation. If the above prescribed advance notice has been received, full-time employees with at least one (1) year of service will be eligible for terminal Annual pay of two weeks if that time has been earned but not taken at the time of separation. Other benefits may be available and consequently, all terminating employees should report to the Human Resources to arrange an Exit Interview.

## **8.7 DISMISSAL**

(See also Section 16, Code of Conduct) the College’s rules concerning dismissal are intended to be general guidelines to good management and fair treatment. Just cause for dismissal is not limited to those violations that follow as there may be other offenses committed that may warrant this action depending on a number of factors. The College reserves the right to make changes to the listing contained in subparagraph A at any time.

### **A. VIOLATIONS WHICH MAY CAUSE IMMEDIATE DISMISSAL**

1. Falsification of personnel records, including timecards and application for employment
2. Inexcusable neglect of duty, insubordination, or disobedience
3. Unauthorized possession or drinking of any alcoholic beverages or unauthorized use or possession of narcotics, barbiturates, hallucinogenic, amphetamines, or marijuana on college property
4. Unexcused absences of three (3) days without notification or reasonable cause
5. Theft, unauthorized use, removal, or destruction of college property
6. Unauthorized possession of firearms, knives, explosives, etc.
7. Stealing from fellow employees. Students, the College, or others while at the College
8. Immoral or indecent conduct on college premises or the conviction by a court of law of such conduct off the job

## **8.8 RE-EMPLOYMENT**

A former employee seeking re-employment is required to list dates and show previous employment on the application. Former employees whose separations were under

satisfactory circumstances may be re-employed in the same type of work or in another type of work for which they are qualified. However, such employees cannot receive credit for sick leave, Annual benefits, nor educational benefits accrued during their former employment. Such individuals will, upon re-employment, be considered for benefit purposes on the same basis as a new employee.

## **8.9 REDUCTION IN WORK FORCE (LAY OFF)**

1. If, because of insufficient funds or program readjustments, the College effects a general reduction in force, or reduction of force in any area, recommendations of persons to be released will be made by the department head(s) to the President.
2. In the final determination which is made jointly by the department head(s) and Human Resources, subjected to special review by the President, preference for retaining will be given to persons on the basis of past value to the College, length of service and possibility of future usefulness in the College Service.
3. An employee whose services are terminated because of a reduction in the work force will be given:
  - a. Thirty (30) days prior notice to release.
  - b. Payment for accrued Annual time if employed for at least one (1) full year.
  - c. Preference in re-employment.

## **8.10 MANAGEMENT RIGHTS**

The College has always sought the opinion of its employees, individually or through their supervisors, about working conditions, ways and means of getting their jobs done better, and other matters of employee interest. From time to time, however, the College, just as any other organization, has to make decisions without prior consultation with its employees. The College must, therefore, maintain exclusive discretion to exercise the customary functions of management including, but not limited to, the discretion to select, hire, promote, suspend, dismiss, assign, supervise, and discipline employees; to determine the work schedules, to determine the size and composition of work force; to establish, change and abolish policies, procedures, rules and regulations; to determine and modify job descriptions and job classifications; to assign duties to employees in accordance with the needs and requirements determined by the College.

## **SECTION 9 WORKPLACE VIOLENCE POLICIES**

### **9.1 WORKPLACE VIOLENCE PREVENTION**

#### **POLICY OBJECTIVES**

Miles College has established the following policy on workplace violence (hereinafter “policy”). The objectives of this policy are 22 employee education and prevention. We are

committed to the health, safety, and welfare of our employees, and will make every effort to prevent violent incidents from occurring.

## **WORKPLACE VIOLENCE DEFINED**

Workplace violence is defined under this policy as any physical assault, threatening behavior, or verbal abuse occurring in the work setting. It includes but is not limited to beatings, stabbings, shootings, rapes, sexual assault, or any use of force against another person, suicide, attempted suicide, verbal or physical threats or intimidation, and any form of harassment such as stalking, following, obscene phone calls, shouting, or using foul and abusive language toward another person. This definition is adapted from the definition set forth by The National Institute for Occupational Health and Safety.

## **9.2 ZERO TOLERANCE**

The College will not tolerate workplace violence. Within the sole discretion of the College, any employee who engages in workplace violence will be disciplined, up to and including immediate termination, with no further warning.

## **9.3 WEAPONS PROHIBITED**

Employees are also strictly prohibited under this policy from using, possessing, or concealing any weapon, including but not limited to handguns, shotguns, rifles, automatic or semi-automatic weapons, or other firearms, and knives while on college premises. This prohibition does not apply to materials specifically authorized by the College for use on the job or another job-related purpose. Any employee who violates this provision against weapons will be disciplined, up to and including immediate termination, within the sole discretion of the College.

## **9.4 REPORTING**

**All managers and supervisors** are responsible for taking measures to prevent and to correct promptly any incident of workplace violence. **All employees** are required to immediately and accurately report any incident of workplace violence or perceived threat of workplace violence, whether verbal or physical, and to report knowledge of another possessing a weapon on college premises. Written reports shall be made to the employee's supervisor or another member of management. In cases of emergencies, Security should be notified. The College will not discriminate against victims of workplace violence, or those who make reports under this policy. To the extent possible and practicable under the circumstances, the College will maintain such reports confidentially.

## **CONCLUSION**

**All employees, including managers and supervisors,** are responsible for using safe work practices, for following all directives, policies and procedures, and for assisting in maintaining a safe and secure work environment. Management is responsible for ensuring that all safety and health policies and procedures involving workplace security are clearly communicated and understood by all employees. Managers and supervisors are expected to enforce this policy fairly and uniformly. This policy will be reviewed and

updated annually. The Administration welcomes employee suggestions or comments concerning this policy.

## **SECTION 10 LEAVE POLICIES**

### **10.1 ANNUAL LEAVE**

The College provides Annual pay for all eligible employees. In order to be eligible for Annual with pay, you must (1) be a full-time employee, and (2) complete six (6) months of continuous uninterrupted employment.

Annual leave benefits are provided for all eligible employees; and are scheduled at the convenience of the employee and the College. Annual leave is taken based on anniversary date. Employees who have completed twelve (12) months of continuous employment will be entitled to an Annual of (2) weeks with regular pay.

Annual days are not accrued; therefore, a person who resigns or is terminated is eligible for two weeks of Annual pay resulting from continuous employment during the prior twelve (12) months, provided appropriate notification and Clearance from the College has been completed and the Annual leave is available.

An employee will not receive pay in lieu of Annual not taken unless it is deemed in the best interest of the College and approved by the President. In the event of a holiday observed by the College falls within a Annual period, an additional day of Annual will be allowed.

At the convenience of the College, the College may request that an employee postpone his/her annual leave beyond the regular period and take it at a later date. But such a postponement must have the recommendation of the supervisor and the approval of the Sr. VP of Finance & Administration and the President. However, when the recommendation is made and accepted, the new Annual dates must be set between the months of September and October. The College does not encourage postponement of Annual leave until November or December, because of holidays.

### **10.2 HOLIDAYS**

The College recognizes the following holidays: Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, Christmas Eve, Christmas Day, and the day following Christmas Day, New Year's Eve, New Year's Day, and Dr. Martin Luther King's Birthday.

#### **10.2.1 PART-TIME AND TEMPORARY EMPLOYEES ARE NOT ENTITLED TO PAID HOLIDAYS.**

If an employee is required to work on a holiday, he/she will be given another day off with pay within ninety (90) days following the holiday. Employees who fail to work their last scheduled workday prior to a holiday and their first scheduled workday after a holiday will forfeit holiday pay unless a legitimate absence is approved by the department head/supervisor and the Business Manager. In the event an employee is on Annual leave and a holiday occurs, the day will be taken as a holiday not Annual leave.

### 10.3 SICK/PERSONAL LEAVE

Each full-time employee shall earn one day of leave per month of employment, cumulative to a maximum of 90 days to be used at the employee's discretion. During the current fiscal year, the accrued time may be used at the discretion of the employee. At the end of the fiscal year all unused time will be carried forth and earmarked for sick leave only.

Sick leave taken in excess of three (3) consecutive days requires a doctor's statement. A supervisor may request a doctor's statement at any time a person is suspected of sick leave abuse. Sick leave is defined as the absence from duty for:

Use of Earned Paid Leave Sick leave may be used for the following: (1) when the staff member is ill or injured; (2) when an office visit to a doctor, dentist, vision care professional, or other medical professional treating a physical condition must be scheduled during normal working hours; (3) when it is necessary that the staff member provide or secure care for an ill member of their immediate family. The definition of immediate family for the purposes of this policy is your spouse or partner, children or parent.

In the event the staff member has no available Annual or sick leave, the staff member may take time off with approval from their supervisor. In such case, the time off will be unpaid. Staff members are not allowed to take an extended unpaid time unless it is a part of an approved leave of absence. Staff are prohibited from using accrued sick leave during the resignation notice period preceding termination of employment. Exceptions may be made if the staff member provides medical documentation of the need to be out of work during such period.

To be eligible for benefits, the following conditions are necessary:

1. notify the department head or supervisor of his/her illness as early as possible prior to the scheduled time of duty
  2. describe the nature of the illness and expected time of return to work
  3. prior supervisor/Human Resources approval is required for planned sick absences, Family Medical Leave Act (FMLA) will be strictly enforced
  4. all sick/personal time must be officially reported to Human Resources on the day the employee returns to work.
- Holidays, Annuals and other authorized or scheduled absences occurring during an absence for illness or injury will not reduce an employee's accrued leave credit. Such authorized absences shall be considered as the regular period of time worked.
- Employees are not paid for sick/personal leave upon termination.**

### 10.4 EMERGENCY AND BEREAVEMENT ABSENCES

In the event of death or critical illness in the immediate family (wife, husband, children, mother, father, brother, or sister) of either the employee or the spouse, an employee may be granted leave of absence with pay. An employee may not take a total of more than five (5) days of such absences in any given year. If so, the excess of five (5) days will be charged to regular Annual time.



## **10.5 FUNERAL LEAVE**

Employees bereaved by death in the immediate family are granted time off with pay. Employees will be granted a maximum of three (3) days off with pay. Additional days may be granted with the approval of the President of the College.

Immediate family is deemed to include spouse, parents, children, spouse's parents, sister, brother, grandparent, grandchild, a person who is legally acting in one of the above capacities, relatives living in the employee's residence, or spouses of any of the above.

An employee is not eligible to receive paid time for benefits while scheduled off or absent from work because of Annual, holidays, sickness (paid or unpaid) or other reasons.

## **10.6 LEAVE OF ABSENCE**

Full-time employees with a year or more of continuous active service may request a leave of absence for justifiable reasons without pay. After the normal maximum allowable time, the College reserves the right to terminate such employee(s). The standard reasons and normal maximum allowable time for each category is as follows:

1. Maternity leave
2. Educational leave/Professional leave (twelve (12) months – must lead to increased job ability)
3. Personal leave (three (3) months – justifiable reasons only)
4. Illness as sick leave
5. Active military service as required (reservist called to active duty or a member is drafted) will receive compensation for a period up to 2 weeks anything exceeding this must be approved by the President
6. Jury Duty
7. Witness in a court case

The length of service is normally waived for maternity, sick and military leaves of absence on a case-by-case basis. Compliance with the Family and Medical Leave Act of 1993 is strictly enforced.

Except for illness or sick leave, employees are required to submit a formal request for leaves of absence to the supervisor at least one (1) month in advance of the beginning date of the leave. The effective date of leave should be included. All leaves of absence are subject to the approval of the President. Employees applying for leave of absence should contact Human Resources if they have questions about their benefits status, such as earned Annual credits or health and life insurance status, during leaves of absence. Normally, life and health insurance may be continued in effect while an employee is in an official leave status with full premiums being paid by the employee.

Employees granted leaves of absence retain their job classifications and will, when possible, be reinstated to positions that are the same or similar to those previously held.

Employee benefits, including Annual and sick time, do not accrue during leaves of absence. However, earned credit may be carried forward and applied when the person returns from

a leave of absence.

Overstaying a leave of absence without proper notification and approval, or seeking and accepting other employment without previous authorization, constitutes an automatic resignation and subsequent loss of benefits. Employees wishing to return to duty from a leave of absence must report to the Human Resources.

## **10.7 ADA ACCOMMODATIONS FOR FACULTY AND STAFF**

Miles College is committed to its role in providing equal opportunity and access to employment and education for persons with disabilities. The college provides reasonable accommodations to otherwise qualified faculty and staff who are disabled or become disabled and need assistance performing the essential functions of their positions.

The Americans with Disabilities Act of 1990 is a federal anti-discrimination that provides civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. The ADA is designed to remove barriers that prevent qualified individuals with disabilities from enjoying the same opportunities available to persons without disabilities. Similar protections are provided by Sections 503 and 504 of the Rehabilitation Act of 1973.

At Miles College, ADA means that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the college. A qualified individual with a disability is defined as a person who satisfies the required skill, experience, education, and other job-related requirements of a position and who, with or without reasonable accommodations, can perform the essential functions of the position.

### **Requesting a Workplace Accommodation**

The Office of Human Resources serves in a coordinating role for faculty and staff with documented disabilities who seek reasonable accommodations in order to perform the essential functions of their jobs. The Office of Human Resources works with employees, their health care providers, and their respective departments to determine whether and how individuals with disabilities can be accommodated in the workplace.

To initiate the process of requesting a workplace accommodation, contact the Office of Human Resources.

### **Medical Documentation**

As part of its process for considering workplace accommodation requests, the Office of Human Resources requires appropriate medical documentation and, in some cases, consultation with the employee's physicians and other health care providers. Any information gathered by the Office of Human Resources will be handled confidentially and shared only as needed with appropriate personnel.

To expedite a request for accommodation, employees can complete the

college's reasonable accommodation request form and have their health care provider complete the medical information request form before meeting with the Office of Human Resources. Incomplete medical information will cause a delay in assessing the request.

### **The Interactive Process**

Requests for accommodation are reviewed on an individual basis through an interactive process involving the Office of Human Resources, the employee, and the employee's supervisor. The Office of Human Resources will work with the employee and their department to consider the nature of the request, the supporting medical documentation, the essential functions of the position, and the needs of the department. Any changes in the employee's medical condition or job functions may require additional review and updated medical documentation. The goal of the interactive process is to work toward reasonable accommodations that will allow the employee to fulfill their job responsibilities while meeting the needs of the department.

### **Temporary Situations**

A temporary nonchronic impairment that has little or no long-term impact—for example, a broken leg, a short-term illness, or recovery from surgery—is not usually considered a disability. The college may still be able to provide some assistance, such as the use of a Golf-cart to go from one campus location to another.

### **Students**

For information on student academic or accessibility accommodations, contact the Office of Student Disability Services at 205.929.1824, or visit their website at <https://www.miles.edu/student-services>

## **10.8 FAMILY AND MEDICAL LEAVE OF ABSENCE POLICY**

Pursuant to applicable law (FMLA of 1993) provides family and medical care leave to eligible employees. **Family and medical leaves of absence are unpaid.**

### **PROVISIONS**

#### **1. ELIGIBILITY PERIOD**

In order to be eligible for family or medical care leave, employees must have been employed by Miles College for at least twelve (12) months and have worked at least 1,250 hours in the preceding twelve (12) months before requesting leave.

#### **2. CIRCUMSTANCES UNDER WHICH YOU MAY TAKE LEAVE:**

- a.** for the birth of a child or to care for a child within the first 12 months after birth
- b.** for the placement of a child with the employee for adoption or foster care within the first 12 months of placement
- c.** to care for an immediate family member (spouse, child or parent), if such immediate family member has a serious health condition
- d.** because of a serious health condition that makes the employee unable to

perform one or more of the essential functions of his or her position

3. **DURATION OF LEAVE**

Employees who qualify for family or medical care leave are entitled to an aggregate total maximum leave of twelve (12) weeks during any twelve (12) month period beginning on the date of the employee's first leave under this policy. There is no carry over of unused family or medical care leave from one twelve (12) month period to the next twelve (12) month period.

4. **SPECIAL RULES CONCERNING CHILD CARE LEAVE**

If a husband and wife are both employed by Miles College and both are eligible for leave under this policy, leave for the birth, adoption, or foster care of their child is limited to a combined total of twelve (12) weeks within a twelve (12) month period. Each employee **is not** entitled to twelve (12) weeks of leave.

5. **MEDICAL CERTIFICATION**

An employee who requests leave for his or her own serious health condition or the serious health condition of the employee's child, spouse or parent, must provide written certification to Human Resources from the health care provider of the individual requiring care on the form provided by Miles College.

Miles College may require the employee to provide Human Resources with re-certification, as permitted under applicable law. Failure to provide Human Resources with adequate certification or re-certification, within a timely manner, may result in denial or delay of leave.

6. **HEALTH CARE BENEFITS DURING LEAVE**

During an approved family or medical leave, Miles College shall continue to provide medical coverage under its group health plan at the same level and under the same conditions that coverage would have been provided if the employee had been continuously employed during the duration of the leave. The employee shall remain personally responsible for paying his or her portion of the insurance premium, if any, including dependent coverage. Upon commencement of the employee's leave under this policy, Human Resources will provide the employee with written notice of the terms under which payment must be made. An employee's failure to pay premiums in a timely manner during his or her leave may result in a lapse of coverage.

If an employee fails to return to work following the expiration of his or her leave under this policy, the employee will be required to reimburse Miles College for the group health insurance premiums paid by the College on the employee's behalf, unless the employee's failure to return is caused by the continuation, recurrence or onset of a serious health condition that entitles the employee to leave under this policy or by circumstances beyond the employee's control.

## **7. USE OF ANNUAL AND PERSONAL/SICK LEAVE**

Accrued time must be used at the beginning of a leave before entering a “non-paid status.” Employees must use available sick/personal leave and may use Annual time before being granted a family leave. Use of paid accrued Annual or sick/personal leave does not extend the total amount of leave available. In all circumstances, an employee is entitled only to a maximum leave of twelve (12) weeks, whether paid, unpaid, or partially paid.

### **a) PAY AND BENEFITS**

While on FMLA Leave Employees are required to use any accrued paid leave time (sick and annual leave) during a family or medical leave. In order to use such paid leave time for FMLA leave, employees must comply with the College’s normal paid leave policies. Any paid leave (sick and annual leave) taken in conjunction with family or medical leave will count toward the 12-week maximum leave allowance. Employees are not eligible for holiday pay while in unpaid status (accruals have been exhausted or while on Short Term Disability). When the employee returns from FMLA leave, their benefits will resume according to applicable plans. Employees are required to pay the employee share contribution for insurance premiums while on leave if they have exhausted all sick and annual leave.

## **8. RETURN**

Employees are expected to return to work at the conclusion of their family or medical care leaves and will be reinstated to the original or an equivalent position in accordance with applicable law. There will be no reinstatement to the same or an equivalent position if such position ceased to exist because of legitimate business reasons unrelated to the employee’s family or medical care leave. If an employee fails to return at the end of FMLA leave, the employee will be considered to have voluntarily resigned his/her position with the College.

As a condition of the employee’s return from a leave taken because of the employee’s own serious health condition, Miles College will require that the employee provide medical certification from his or her health care provider certifying the employees physical ability to perform, with or without accommodation the duties of the position previously held. Employees retain their employee status with the College during the period of their leaves; their leaves shall not constitute a break in service for purposes of any employee benefit plan.

The period of time that an employee is on a family or medical leave of absence is not considered time worked for purposes of determining eligibility for, or the amount of, certain benefits such as Annual and sick benefits. When an employee returns from a leave of absence, the eligibility and accrual dates for such benefits will be adjusted forward to reflect the period of the leave. If a paid holiday falls during the period an employee is on family or medical care leave, the employee will not be eligible for the holiday pay.

### **OTHER EMPLOYMENT WHILE ON FMLA**

Employees are prohibited from working in any paid capacity for another employer

or in a self-employed capacity while on an authorized Family and Medical Leave from Miles College. Violation of this policy may result in disciplinary action up to and including termination.

### **COMMUNICATING WITH THE COLLEGE DURING FMLA LEAVE**

Employees who are out of work on FMLA leave are required to inform the College of any change in status, including but not limited to a release to return to work, a need for additional leave, or a decision not to return to the College. Failure to inform the College of a change in status may result in disciplinary action.

## **PROCEDURES**

Forms for requesting a Family and Medical Leave of Absence are available through the Office of Human Resources Department. Eligible employees should make requests for family leave to their supervisors at least 30 days in advance of foreseeable events or on the same day or next day for unforeseeable events. Employees requesting leave related to the serious health condition of a child, spouse/partner or parent may be required to submit a health care provider's statement verifying the need for a leave to provide care, its beginning and expected ending dates, and the estimated time required.

### **INTERMITTENT LEAVE**

The College recognizes that it may be medically necessary for an employee to use intermittent FMLA leave. The College will work with an employee to arrange reduced work schedules or leaves of absence in order to care for a family member's serious medical condition or their own serious medical condition.

The full text of this policy is available from the Human Resources Office and specific questions should be directed to that Office.

## **SECTION 11 EMPLOYEE BENEFITS**

### **11.1 SUMMARY OF BENEFITS**

Coverage and participation in the following benefits is effective first day of the month following the date of hire as governed by the relevant plan document. Miles College reserves the right and absolute discretion to alter, amend, reduce, or discontinue any benefit discussed in this Handbook. Coverage and benefits of the plans listed here are subject to certain restrictions, limitations, conditions, maximums, and minimums as described in the relevant plan documents. Please contact Human Resources for more detailed information.

- Medical and Dental Insurance
- Supplemental Dental and Vision
- Cafeteria Plan
- Employee Tuition Benefit
- Life Insurance
- Retirement Plan



In accordance with applicable law, the college may withhold and remit to the applicable authorities' tax related payments. The college cannot be responsible for current or deferred tax liability of employees.

## **11.2 WORKERS' COMPENSATION**

In the event of an on-the-job injury or on-the-job contracted illness, the event **MUST BE REPORTED immediately** to the supervisor who in turn must submit a written report to the Human Resources within three (3) days, so that the injury or event can be properly documented as occurring at Miles College. The incident report must be forwarded to the Human Resources immediately. If the incident is not reported within three (3) days, you may forfeit your benefits.

### **WORKERS' COMPENSATION POLICY**

The Workers' Compensation Law of the State of Alabama covers Miles College. Employees who are injured while on the job and whose injuries are job-related may be eligible for workers' compensation benefits under state workers' compensation laws.

Workers' compensation benefits are generally not available for injuries resulting from employee participation in off-duty recreational, social, or athletic activities, even if sponsored or endorsed by Miles College. Such activities are voluntary and not part of an employee's work-related duties. **The College will prosecute employees for Worker's Compensation fraud.**

**In the event of an on-the-job injury or on-the-job contracted illness, the following procedures must be followed:**

- The injury or illness must be verbally reported to Campus Security who will investigate the incident, document the event as occurring at Miles College, and complete a written report.
- If medical attention is required, the Human Resources Representative will make arrangements to have the employee taken to the closest college-designated treatment facility. (Approved treatment facilities may be obtained from the Office of Human Resources).
- If the injury or illness is life threatening, emergency paramedic services will be called to manage the situation.
- After the employee is treated, he or she must return to work if so, authorized by the treating physician. Employee(s) may not return to work without an authorized Return to Work Permit from the health care provider.
- The affected employee must notify Human Resources within 24 hours of the onset of the injury or illness. If the injury or illness prevents the employee from notifying Human Resources (e.g., if the employee is unconscious), his or her supervisor or manager is responsible for notifying Human Resources.
- The employee's supervisor or manager must report the "Accident/Exposure" within 24 hours of being notified of the injury or illness.

**All on-the-job injuries or illnesses, regardless of how small or insignificant they may seem, must be reported to Human Resources as soon as possible but within twenty-four (24) hours.**

### **11.3 UNEMPLOYMENT COMPENSATION**

Miles College provides unemployment compensation benefits as required by the laws of the State of Alabama. These benefits are provided at no cost to the employee. This means that employees qualified for benefits will be protected against loss of salary for reasons other than sickness or injury. Employees should be aware that voluntary termination or discharge for cause is not covered by unemployment compensation benefits.

### **11.4 SOCIAL SECURITY**

Social Security is a benefit to eligible employees with responsibility of contributions shared as required by law by Miles College and you as an employee. Your share is deducted from your wages each pay period.

Miles College makes an appropriate contribution and sends the total (employer and employee) payment to the district director of the Internal Revenue Service. Social Security payments made by Miles College are not subject to federal or state income tax by the employee.

### **11.5 MEDICAL INSURANCE CONTINUATION (COBRA)**

In accordance with applicable law, if your employment with Miles College is terminated, or if you experience a reduction in hours of employment, you may be eligible to continue your present level of health insurance coverage, if eligible, under Miles College's group health insurance plan. Under COBRA you pay the entire premium plus an administrative fee. This coverage can last for a period of up to eighteen (18) months, or you may be able to convert your group coverage to individual coverage.

If your spouse and any dependent children are covered under Miles College's group health plan at the time of your termination or reduction of hours, they may also have the same right to continue their health insurance coverage. In addition, they may have the right to elect to remain covered under our Plan if they lose coverage because of: (a) your death; (b) your divorce or legal separation; (c) your entitlement to Medicare; or (d) a dependent child's ceasing to be a "dependent child" under the plan. However, if events (b) or (d) above occur, you or your spouse must notify us of the event within 60 days in order for your spouse or child to be eligible to continue coverage.

To be eligible for these continuation or conversion rights for yourself or your spouse and any dependent children, the law requires that certain conditions be met. In addition, the summary plan description you receive contains further details concerning your health insurance coverage and the extension of such benefits coverage that governs in the event of any conflict. Of course, because the law changes and because our health insurance benefits change periodically, the continuation and conversion of benefits described above may also change.

## 11.6 EMPLOYEE EDUCATIONAL ASSISTANCE

Miles College has an educational assistance program that is available to all **full-time employees** and their **qualified dependents** that desire to further their education at Miles. The College will supplement up to 100% for class loads not to exceed six semester hours per semester for faculty and staff members who have completed one year of service at the College.

Spouses and naturally born or legally adopted children who are **unmarried dependents** of full-time faculty and staff members may enroll for full-load or less per Semester. To receive this supplemental assistance, they must continue to apply annually for the Federal and State assistance and maintain a minimum of a “C” or 2.0 averages.

Since this is a supplemental tuition waiver, funded by the Institution, employees, spouses, and qualified dependents must be eligible to receive Federal Aid. The tuition waiver will only pay the remaining balance after the Federal and State aid determination.

Employees should contact Human Resources for further details. All requests for educational assistance must be processed through the Office of Human Resources and submitted to the Financial Aid Office five (5) days prior to registration for determination of eligibility. Eligibility terminates if the employee discontinues full-time employment at the College for any reason except an approved leave of absence.

**Note: any person who defaulted on any loan will not be eligible for Staff Aid.**

## 11.7 LIFE INSURANCE

A \$30,000 life insurance policy is provided to all full-time regular employees after a 30-day waiting period. Insurance Forms must be completed through the Office of Human Resources. The enrollment form should be kept with the employee's records. The College pays all premiums. Additional life insurance may be purchased at a cost to the employee. (See Human Resources for more information).

## 11.8 RETIREMENT PROGRAM

Full-time employees can elect to reduce their salary on a pre-tax basis and contribute into a federal tax-deferred plan with TIAA/CREF Define Contribution Plan (DC). Employees are eligible to participate after two years (2) of service to the College without a break in service. The college will match these contributions in an amount not to exceed five percent (5%) of the annual salary. Employees should contact the Office of Human Resources for further information on TIAA/CREF Programs

In addition to the Defined Contribution Plan, employees are eligible to participate in the Tax Deferred Annuity Plan (TDA). In this plan employees can elect to reduce their salary on a pre-tax basis and contribute that amount into a federal tax-deferred plan with TIAA-CREF. The IRS limits the maximum amount employees can put into a tax-deferred 403(b)

retirement plan in any given year. All benefits arising from these contributions are immediately and fully vested.

## **11.9 UNEMPLOYMENT COMPENSATION**

Miles College provides unemployment compensation benefits as required by the laws of the State of Alabama. These benefits are provided at no cost to the employee. This means that employees qualified for benefits will be protected against loss of salary for reasons other than sickness or injury. Employees should be aware that voluntary termination or discharge for cause is not covered by unemployment compensation benefits.

## **SECTION 12 EMPLOYEE SERVICES**

### **12.1 PARKING**

Parking space is provided for members of the faculty and staff. Parking permits shall be obtained from the Business Office upon completion of the necessary registration forms provided by the Director of Safety and Security.

Staff members are required to purchase automobile decals. These decals must be permanently displayed on all automobiles parked on the Campus. Parking areas are controlled to prevent unauthorized parking. Employees who fail to properly identify their automobiles will be subject to parking violations and possible towing expenses. Failure to comply will result in other appropriate administrative action.

### **12.2 POST OFFICE**

Miles College has a post office located in the basement of Brown Hall. All staff members are urged to keep the postal clerk informed of their current addresses upon departure. The post office serves as the channel through which written campus communication is normally distributed. Each administrative office and most sub-administrative offices are assigned post office boxes for campus mail.

#### **1. MAILING PROCEDURES**

- All mail should be brought to the Post Office prior to 3:30 p.m. daily
- Packages having a special rate or library rate should be accompanied with a special form stating that particular rate
- Problems with postage rates will be handled by the Business Manager or his/her designee
- Mail will be taken to the U.S. Post Office daily by the College's Postal Clerk

## **SECTION 13 HEALTH AND SAFETY**

### **13.1 WORKING CONDITIONS**

Safe working conditions are of primary importance throughout the College. Each employee is to be given an orientation on safe practices needed for his or her by the supervisor and/or department head. Each employee is required to report any unsafe condition observed to the supervisor, who in turn, will report such conditions to the department head. Typical

examples of unsafe conditions include but are not limited to the following: slippery floors, equipment left in such a manner as to be a safety hazard, defective or broken equipment, careless handling of equipment (i.e., use of combustibles near open flames, etc.), all defective electrical outlets, lamps, and so forth. Employees should be aware that the maintenance of a safety-conscious environment is the responsibility of each and every one of us.

## **13.2 FIRE PREVENTION AND TRAINING**

The importance of fire prevention in all departments cannot be overemphasized. Carelessness and thoughtlessness are the two main reasons for fire disasters. Some major fire hazards that employees should report are:

- Cigarette, cigar or pipe ashes in wastepaper baskets
- Inflammable liquids left uncovered after use
- Accumulation of paper, rags, and so forth in storage or other areas
- Defective wiring or electrical devices
- Smoking in non-smoking areas
- Open fire doors

The College has set up fire prevention plans to protect employees, students, and other members of the academic community. Employees should be familiar with these plans and should make a commitment to actively participate in fire prevention.

### **IN CASE OF FIRE:**

- Avoid panic
- Move quickly to check the fire and judge its size
- Call the switchboard and inform the operator of the exact location and extent of the fire
- Use fire extinguishers and hoses as necessary
- Close windows, doors, and other sources of drafts
- Attempt to determine whether or not individuals are trapped in the buildings

## **13.3 HEALTH CLINIC**

The Miles College Health and Wellness Center is located in Bell Hall (room 101) and provides limited first aid and medical treatment. The Health Center is staffed by an On-Call Physician and a full-time registered nurse who treats minor ailments and injuries. When Physician's services are needed, the nurse will refer students to local medical offices for evaluation or notify the on-call Physician. The Major health problems or those requiring emergency treatment are referred to the nearest primary health facility/hospital. The health clinic is open weekdays from 9:00

a.m. – 4:00 p.m. and Fridays 9:00 a.m. – 12:00 p.m. Patients can call or email to set an appointment.

Phone # 205-855-3072

[Healthctr@miles.edu](mailto:Healthctr@miles.edu)

Emergencies occurring after regular clinic hours should be reported to a Security Officer.

## **SECTION 14 CODE OF CONDUCT PROFESSIONAL AND PERFORMANCE**

### **14.1 DISCIPLINE**

Rules and regulations are necessary in every society. The best working conditions prevail where employees conduct themselves with respect and consideration for others, their fellow employees, and their employers. Rules and regulations are needed to provide employee safety, happiness, and productivity.

Miles College has developed a corrective discipline plan which indicates those offenses that normally warrant disciplinary action (see Section 3.13.2 relating to terminating employment). Actions may include reprimand, suspension, and/or dismissal.

### **14.2 PERSONAL BEHAVIOR**

It is the desire of the College that all departments are run in a professional manner. Loud noises, inappropriate singing, whistling, arguing, and other types of loud noises should be avoided. Supervisors are called upon to maintain the work environment.

### **14.3 HORSEPLAY**

Horseplay is not permitted on college premises. College tools and equipment should not be used in horseplay, nor should they be used for any purpose other than for which they were designed. Horseplay is a serious matter which may result in injuries to employees.

### **14.4 REPRIMAND**

Either verbal or written reprimand may be made by supervisors for substandard performance, poor attendance, and other types of minor offenses. Reprimands are usually preceded by counseling. Written reprimands must be made a part of the personnel record.

### **14.5 IMPOSED PROBATION**

Employees who fail to respond to counseling concerning attendance or performance problems may be placed on imposed probation for one to three months on the authority of the immediate supervisor with the approval of the appropriate Cabinet Member. This action must be reported in writing to the Human Resources where it will be filed in the employee's personnel record. Employees who fail to respond to guidance during the period of imposed probation normally will be terminated. Merit wage increases will not be given to employees during this period.

### **14.6 DOWNGRADING**

It may be necessary to downgrade an employee's classification if just cause exists. Normally, this results in a reduction of salary. All down-grading actions must be documented in writing and filed in the employee's personnel record.

#### **14.7 SUSPENSION**

Employees who become involved in serious attendance, performance or other problems may be suspended from duty by the supervisor and/or department head for one to ten workdays. Suspension may also be made when an employee is involved in a serious breach of discipline such as stealing, insubordination, fighting on the job, gambling, and so forth. This type of suspension is normally done to permit an investigation prior to taking final action for an offense.

Employees arrested and charged with a serious crime may be, at the option of the College, suspended and placed on leave of absence without pay pending disposition of the case. All suspension actions must be given to the employee in writing and must be reported to the Human Resources in writing by the department head or supervisor. This information will be filed in the employee's personnel record.

No employee benefits will be paid or accrued to any employee while on suspension. Suspension shall not exceed a period of more than 30 days before a final disposition is made. Suspensions requiring an investigation may be with or without pay depending upon final determination and disposition of the case.

#### **14.8 DISMISSAL**

The appropriate Department Head, Dean, and the Administrator of the area will make a careful review of every case recommended for dismissal before any dismissal notice is given. Such action will be taken only as a last resort after reasonable attempts to correct the employee's faults have been made.

All letters of Dismissal must be signed by the President and sent to the employee. In all cases, terminating employees should report to Human Resources to obtain a Written Clearance Packet (Exit Paperwork) prior to receiving the final paycheck. Additional information about dismissal is contained in the policy on termination and employment.

#### **14.9 EXIT INTERVIEWS**

The Office of Human Resources conducts exit interviews with employees when they leave the College. Employees are also informed about applicable benefits and conversion options for those benefits. During the exit interview, the employee will return any College owned property such as keys, laptops, iPads and purchasing cards, cell phones, ID badge and other items provided by immediate supervisor.

#### **14.10 PERSONAL APPEARANCE**

Personal neatness and appropriate attire is left largely to the employee. All employees, however, are expected to be careful of their personal hygiene, neatness of attire, and cleanliness of apparel. Flagrant violations of standards of hygiene and cleanliness may be grounds for disciplinary action.

## **GENERAL INFORMATION**

### **BULLETIN BOARDS**

Bulletin boards are placed in strategic areas throughout the College and display information of interest to employees.

Supervisors and department heads are responsible for material placed on bulletin boards. Such boards are intended for official and semi-official information. Good judgment and discretion should be practiced in using these boards. All notices must be approved by the Dean of Students before posting.

### **LOST AND FOUND**

Articles found on the premises of Miles College will be turned in to College Security.

### **SAFEGUARDING COLLEGE EQUIPMENT AND SUPPLIES (Modified 11-05)**

All employees who handle College equipment are responsible for the care and security of such equipment while it is in their possession or under their control. Employees are not permitted to use College equipment for personal reasons. Unauthorized use, removal or destruction of college equipment or property may be cause for immediate dismissal.

Employees found guilty of careless, mischievous, malicious, or willful destruction of college equipment or property may be required to pay for the repair, recovery or replacement of equipment or property. In addition, this may be cause for immediate dismissal.

## **ADMINISTRATIVE POLICIES**

### **POLICY**

The Business Office operation is organized for the purpose of managing financial and physical resources to support the purpose of the Institution. Policies have been developed according to the National College and University Business Officer's association (NACUBO) standards, and federal laws.

The following procedures have been developed to support sound educational planning, provide efficient service to faculty, staff and students, and to furnish accurate internal and external reporting.

### **BUDGETING**

The Institution's staff and faculty participate in the preparation of a detailed annual budget. The Institutional budget process requires the following steps:

Faculty members are responsible for preparing a budget for his/her academic assignment. The budget must include a list of supplies, contractual service and equipment requirements



for the coming fiscal year.

Budget requests prepared by the faculty are submitted to the department chairperson. The Dean reviews the budget request and submits it to the Business Manager. The Business Manager is responsible for preparing the Institution's annual budget which is submitted to the President for approval. After the President's approval, the budget is submitted to the Board of Trustees for approval.

After approval by the Board of Trustees, budgets for each department are entered into the computer system. As expenses occur during the year, they are charged to the appropriate budget categories. A statement of available budget balances is furnished to the department heads each month.

Budget revisions are made as conditions require based on the request from the department chairperson/supervisor. In the case of a decrease in funding, or other circumstances, budget revisions will be communicated by the Business Manager to those affected within the Institution.

### **CASHIERING**

The College employs a Cashier who is responsible for receiving all funds. A Bond for the position is purchased in a sufficient amount to cover the revenue received.

No funds are to be collected in any of the campus buildings or on campus grounds unless written approval is given by the immediate supervisor, whose approval shall be subject to final approval by the Business Manager.

### **REFUND POLICY**

The College has a policy on refunding fees and charges to students who withdraw from enrollment and this policy is published in the "Statement of Expenses" on page 4, and in the College Catalog. This policy is in keeping with generally accepted refund practices in the higher education community and is applicable to all students.

### **PURCHASING POLICY**

The purchasing responsibility of the College is primarily vested in the Business Manager. The decision to purchase College books, supplies, equipment, etc., is based upon need analysis and availability of financial resources.

### **REQUEST FOR FUNDS**

Purchase requests for academic support (books, supplies, etc.) originate in the academic program and with division chairpersons. The academic program and division chairpersons submit their purchase requisitions to the Dean of Academic Affairs for approval. If approved, the Dean of Academic Affairs forwards the purchase requisitions to the Comptroller's Office. However, if disapproved, the purchase requisitions are returned to the requesting program or division for adjustment.

Purchase requests for non-academic support (supplies, equipment, etc.) originate with the non-academic unit supervisors. The non-academic unit supervisors submit their purchase

requisitions to the Comptroller's Office for approval. If disapproved, the purchase requisitions are forwarded to the non-academic unit supervisors for adjustments. Purchasing procedures must comply with the College's guidelines which are provided in detail in the Business Office Procedures Manual. The department head is responsible for reviewing the request for available budget, and its relative use in the department.

Requests for Funds should be submitted as follows:

- All requests for funds should be submitted to the Comptroller's Office for budget approval.
- All requests should have the supervisor's signature and your departmental account number(s). If you do not know your account number, call the Comptroller.
- All requests for items costing in excess of \$500.00 must have at least three (3) bids.
- All purchase receipts must be submitted to Accounts Payable after each purchase.
- All requests for funds are approved based on the availability of funds and should be submitted at least five (5) days prior to need.
- Individuals making unauthorized purchases are responsible for those purchases.

### **REQUISITION FOR PURCHASE ORDER**

An approved purchase order constitutes a contract which is binding on both the part of the College and the Vendor. All purchase orders, adjustments, cancellations, and/or revisions to the purchase orders must be written and approved by the President or his designee, the Business Manager. An employee who violates this policy is **personally** responsible for payment to the vendor.

The items to be purchased must be listed separately with the description clearly stated. General descriptions such as "office supplies" are not acceptable. The unit price for each item should be listed and extended to the total column. The total of all items must be placed at the bottom of the page.

The department head is responsible for reviewing the requisition for available budget, and its relative use in the department. After the department head's approval, the requisition must be forwarded to the Office of Business Affairs for budget approval and the issuing of a purchase order.

### **PURCHASE ORDER**

Purchase Orders are issued by the Business Office based on an authorized Requisition for a Purchase Order. The receiving department is responsible for receiving packages and is issued a copy of the purchase order. The receiving copy of the purchase order is used to verify receipt of goods or services. After the employee has verified receipt of the material or services ordered, the receiving copy of the purchase order and shipping slip is forwarded to the Accounts Payable Office for schedule payment.

### **PAYROLL**

Payroll policy, reporting calculation and distribution is explained in Section 4 in the

Compensation section.

### **PETTY CASH**

An employee maybe reimbursed for a purchase of \$20.00 or less with the immediate supervisor's approval. Purchases in excess of \$20.00 are not authorized. All purchases in excess of this amount must be processed through a request for funds or a requisition for purchase order.

All reimbursements from Petty Cash require the approval of the Business Manager and a receipt for the expenditure must be furnished.

### **TRAVEL**

All official travel must have the approval of the President. The basic rules and regulations governing official travel for faculty and staff members are made by the President and/or the Business Manager on the basis of availability of funds and priority of college business.

Requests for travel advances at the College's expense should be submitted on the proper form by the department chairperson, the director, or administrative officer to the Business Office for proper approval. All such requests must be submitted seven (7) days in advance.

The Dean, Chairperson, or Administrative Officer of each department/division has been authorized to act for the President in approving requests for travel if no direct expense to the College is involved for the travel. The approving officer must keep an accurate record of all such travel.

Travel for the purpose of attending funerals of Miles College staff and faculty members or their families is not considered official travel. College owned vehicles may not be used for this purpose, nor will mileage be paid for use of private automobiles.

### **PER DIEM REGULATIONS**

Employees authorized to travel for the College, in the State of Alabama, will be reimbursed for travel expense incurred not to exceed thirty-five dollars **(\$35.00)** per day. Travel expenses incurred out of the State in excess of Thirty-five dollars **(\$35.00)** shall be reimbursed based upon the Business Manager's prior approval. Receipts must be furnished in order to claim reimbursement for expenses over Thirty-five dollars **(\$35.00)** per day.

Travel expense report vouchers presented for payment must not exceed the amount approved by the Office of Business Affairs. Subsistence in excess of the amount originally authorized and other unauthorized expenditures are not reimbursed by the College.

When travel by private vehicle is authorized, the cost of transportation will be based on thirty-five cents **(\$.35)** per mile for privately owned vehicles or round-trip tourist airfare whichever is lower. This rate includes all expenses related to such transportation. No repairs, gasoline or oil, storage, car washes, or other expenses shall be paid. An employee of the College traveling in his/her own personal car, for which he/she is claiming

mileage, shall travel by the shortest travel route and mileage shall be based upon the official highway map.

Receipts are necessary when traveling by train, bus or any commercial airline. Travel by commercial airlines will be reimbursed only at the coach fare; if the coach fare is not available, prior approval must be obtained before making first class arrangements.

### **USE OF COLLEGE VEHICLES (MODIFIED 11-05)**

Departments or Divisions using College vehicles, with exclusion of bus, will be reimbursed to the transportation pool at the rate of fifty-five cents (\$.55) per mile, plus gas; if a driver has to be furnished, the fee will be ninety cents (\$.90) per mile or sixty-five dollars (\$65.00) per day plus gas, whichever is greater. For overnight trips, an additional fifty-five dollars (\$55.00) per day will be charged. Use of a College bus shall be reimbursable at the rate of one dollar and nine-five cents (\$1.95) per mile with driver for one-day trips; for overnight trips it shall be an additional fifty-five dollars (\$55.00).

#### **Basic regulations are as follows:**

1. **Official Stations:** The official station of an employee shall be the location of his permanent office. Mileage and per diem shall be computed from an employee's home or his official station; whichever is less, dependent upon actual conditions.
2. **Departure and Return:** The time of departure from and return to the College campus for each travel assignment must be shown on the expense report.
3. **Saturday, Sunday, and Holidays:** Travel cost will be allowed for Saturdays, Sundays, and Holidays when the per diem incurred by the employee remaining at his assignment is necessary for the proper transaction of official business.
4. Employees traveling on official business for a period between 6-12 hours shall be reimbursed for meals at a rate of ten dollars (\$10.00); for those traveling over 12 hours, but not overnight, the reimbursement shall be at the rate of eighteen dollars and fifty cents (\$18.50) for meals.

### **MISCELLANEOUS EXPENSES**

Receipts for cash expenditures, in support of expense claims, should be presented for reimbursement on an itemized report.

1. Telephone and telegraph expenses will be listed as miscellaneous expenses. The name of the person or institution called and reason for the call should be indicated on the travel report. If calls are made from an employee's home, then the total bill must accompany the receipt. Receipts signed for telephone calls by members of the employee's family will not be accepted. Federal tax on tolls cannot be reimbursed.
2. Taxi fares and the cost of other local public conveyances are allowable for official travel from official station to transportation terminal to place of lodging and return; to place of visitation. The amount of taxi fares to be

reimbursed should be itemized by the individual, showing starting and ending locations. Receipts are required for reimbursement.

3. Parking fees paid to park personal vehicles while traveling on College business will be reimbursed. A receipt must be submitted with the expense report.
4. Charges for meals included in registration fees will not be reimbursed. Receipts for such registration fees and other costs shall be completely itemized as requested by the Business Office for proper pre-audit. It is the duty of the employee to secure the necessary breakdown of such cost at the time of payment. Fees paid for the purpose of attaining membership or other personal benefits from an organization will not be reimbursed.
5. Purchase of any type of supplies will be allowed on an expense claim only in extreme emergencies and then only when an acceptable reason is given.

## **EQUIPMENT**

### **Inventory**

The College equipment inventory is prepared when the accounts payable department processes invoice for payments. The inventory form, which contains a detailed description of the item, is completed and an inventory number is assigned. The faculty/staff member or department head acknowledges the receipt of the equipment by signing and dating the inventory form. The description and inventory number are recorded in the departmental inventory and cost included in the total equipment value.

### **Disposal**

The employee who wishes to remove obsolete and worn-out items for the department completes a Disposal of Equipment Form. After the removal of equipment, the items are deducted from the department's inventory total.

### **Transfer**

Transfer of equipment between two departments within the Institution requires an Interdepartmental Transfer Form. The Property control clerk uses this form to update the departmental inventories.

### **Library**

The Learning Resources Center (LRC) is open for use from 7:30 a.m. to 10:00 p.m., Monday through Thursday; 8:00 a.m. to 5:00 p.m. on Friday; 8:00 a.m. to :00 p.m. on Saturday; and 2:00 p.m. to 10:00 p.m. on Sunday.

Extended hours of operations are available during Mid-terms and Finals exams until 12:00 p.m. the week of Mid-term and Final exams.

## **PUBLIC RELATIONS**

All official publications of Miles College shall conform to the following policies governing such publications. In addition, all advertising (print and electronic), recruitment materials, and other official publications shall accurately represent the Institution and shall rigorously conform to the principles of good practice. All such advertising and publications of the College shall present a positive and favorable image of the College while adhering to the principles of truth-in-advertising.

## **SNACK BAR AND CAFETERIA**

The College provides a Snack Bar and Cafeteria located on the first level of the French Student Activity Center. Snack Bar and Cafeteria operated by external management.

# **WORKPLACE CONDUCT POLICIES**

# **SEXUAL MISCONDUCT POLICY FOR STUDENTS, FACULTY AND STAFF**

## **POLICY STATEMENT**

In accordance with federal and state law, including Title IX of the Education Amendments of 1972 (“Title IX”) and Title VII of the Civil Rights Act of 1964 (Title VII), Miles College prohibits discrimination on the basis of sex in any of its education programs or activities or in employment. Miles College is committed to ensuring the highest ethical conduct of the members of its community by promoting a safe learning and working environment. To that end, this Policy prohibits Sexual Misconduct, a form of sex discrimination, as defined herein.

Miles is committed to reducing incidents of Sexual Misconduct, providing prevention tools, conducting ongoing awareness and prevention programming, and training the campus community in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and the Violence Against Women Act (“VAWA”). Prevention programming and training will promote positive and healthy behaviors and educate the campus community on consent, sexual assault, sexual harassment, alcohol and drug use, dating violence, domestic violence, stalking, bystander intervention, and reporting.

When Sexual Misconduct does occur, all members of the Miles College community are strongly encouraged to report it promptly through the procedures outlined in this Policy. The purpose of this Policy is to ensure uniformity throughout the colleges reporting and addressing sexual misconduct. Policy expressly prohibits Sexual Harassment, which includes, but is not limited to, Sexual Assault, Dating Violence, Domestic Violence, and Stalking, as well as gender-based violence, and/or violence based on sexual orientation or gender identity or expression. This Policy applies to all members of the Miles College community. This Policy is not intended to infringe or restrict rights guaranteed by the United States Constitution including free speech under the First Amendment, or the due process of Fifth and Fourteenth Amendments.

## **Definitions and Prohibited Conduct**

**Community:** Students, faculty, and staff, as well as contractors, vendors, visitors, and guests.

**Complainant:** An individual who is alleged to have experienced conduct that violates this Policy.

**Consent:** Words or actions that show a knowing and voluntary willingness to engage in mutually agreed- upon sexual activity. Consent cannot be gained by force, intimidation or coercion; by ignoring or acting in spite of objections of another; or by taking advantage of the incapacitation of another where the respondent knows or reasonably should have known of such incapacitation. Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future



consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time by a party by using clear words or actions.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such relationship shall be determined based on the totality of the circumstances including, without limitation to: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

**Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the alleged victim; by a person with whom the alleged victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the alleged victim.

**Incapacitation:** The physical and/or mental inability to make informed, rational judgments. It can result from mental disability, sleep or any state of unconsciousness, involuntary physical restraint, status as a minor under the age of 16, or from intentional or unintentional taking of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.

**Nonconsensual Sexual Contact:** Any physical contact with another person of a sexual nature without the person's consent. It includes but is not limited to the touching of a person's intimate parts (for example, genitalia, groin, breasts, or buttocks); touching a person with one's own intimate parts; or forcing a person to touch his or her own or another person's intimate parts. This provision also includes "Fondling" as defined by the Clery Act.

**Nonconsensual Sexual Penetration:** Any penetration of the vagina, anus, or mouth by a penis, object, tongue, finger, or other body part; or contact between the mouth of one person and the genitals or anus of another person. This provision also includes "Rape, Incest, and Statutory Rape" as defined by the Clery Act.

**Confidential Employees:** Institution employees who have been designated by the institution to talk with a Complainant or Respondent in confidence. Confidential Employees include those providing counseling, advocacy, health, mental health, or sexual assault related services (e.g., sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers) or as otherwise provided by applicable law. Confidential Employees must only report that the incident occurred and provide date, time, location, and name of the Respondent (if known) without revealing any information that would personally identify the alleged victim. This minimal reporting must be submitted in compliance with Title IX and the Clery Act. Confidential Employees may be required to fully disclose details of an incident in order to ensure campus safety

**Reasonable Person:** An individual who is objectively reasonable under similar circumstances and with similar identities to the person being evaluated by the institution.

**Reporter:** An individual who reports an allegation of conduct that may violate this Policy but who is not a party to the complaint.

**Respondent:** An individual who is alleged to have engaged in conduct that violates this Policy.

**Responsible Employees:** Those employees who must promptly and fully report complaints of or information regarding sexual misconduct to the Title IX Coordinator. Responsible Employees include any administrator, supervisor, faculty member, or other person in a position of authority who is not a Confidential Employee or Privileged Employee. Student employees who serve in a supervisory, advisory, or managerial role are in a position of authority for purposes of this Policy (e.g., teaching assistants, residential assistants, student managers, orientation leaders).

**Sexual Assault:** Sexual Assault is an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, which, for the purposes of this Policy, only includes:

- Rape—sexual intercourse against a person’s will
- Forcible sodomy—anal or oral sex against a person’s will
- Forcible object penetration—penetrating someone’s vagina or anus, or causing that person to penetrate her or himself, against that person’s will
- Marital rape
- Unwanted sexual touching
- Sexual contact with minors, whether consensual or not
- Incest (Sexual intercourse or sexual intrusion between family members.)
- Any unwanted or coerced sexual contact

**Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another for one’s own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited.

Examples of sexual exploitation may include, but are not limited to, the following:

1. Invasion of sexual privacy;
2. Prostituting another individual;
3. Non-consensual photos, video, of sexual activity;
4. Non-consensual distribution of photo, video of sexual activity, even if the sexual activity or capturing of the activity was consensual;
5. Intentional observation of nonconsenting individuals who are partially undressed, naked, or engaged in sexual acts;
6. Knowingly transmitting an STD or HIV to another individual through sexual activity;
7. Intentionally and inappropriately exposing one’s breasts, buttocks, groin, or genitals

- in non-consensual circumstances; and/or
8. Sexually based bullying.

**Sexual Harassment (Student on Student):** Unwelcome verbal, nonverbal, or physical conduct based on sex as well as on the basis of gender identity, determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to participate in or to benefit from an institutional education program or activity in violation of Title IX.

**Sexual Harassment (Other than Student on Student):** Unwelcome verbal, nonverbal, or physical conduct, based on sex including gender identity, that may be any of the following:

1. Implicitly or explicitly a term or condition of employment or status in a course, program, or activity.
2. A basis for employment or educational decisions; or
3. Is sufficiently severe, persistent, or pervasive to interfere with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or to benefit from an institutional program or activity.

Sexual Harassment also includes an incident of sexual violence that does not qualify as Sexual Assault, gender-based violence, and/or violence based on sexual orientation or gender identity or expression. These forms of Sexual Harassment need not be on the basis of sex.

Sexual harassment comes in many forms and can be committed:

- By or against anyone, regardless of gender, age, position, or authority.
- By a stranger, an acquaintance, or someone with whom the Complainant has an intimate or sexual relationship.
- By or against an individual or may be a result of the actions of a group of individuals.
- By or against an individual of any sex, gender identity, gender expression, or sexual orientation.
- In the presence of others, or when the parties are alone.

Miles College also prohibits unwelcome conduct determined by a Reasonable Person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a Miles College education program or activity in violation of Title IX.

**Sexual Misconduct:** Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, nonconsensual sexual contact, nonconsensual sexual penetration, sexual exploitation, sexual harassment, and stalking.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with person's property.
2. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

### **Types of Claims**

1. Quid Pro Quo: This the demand for sexual favors in exchange for some job or academic benefit (something for something)
2. Hostile Environment: This is sexually harassing conduct that unreasonably interferes with an individual's work or creates a hostile, intimidating, or offensive work or learning environment. The "hostile" work or learning environment forms of sexual and unlawful harassment may include offensive language, jokes, emails, gestures, comments, graphics, calendars, or graffiti. A hostile environment is created when sexual harassment is severe, or persistent or pervasive, and objectively interferes with, denies or limits someone's ability to participate in or benefit from Miles College's educational, employment, social or residential program.

Miles College reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature not on the basis of a protected status. Addressing such behavior may not result in the imposition of discipline under the College's policy but will be addressed through respectful confrontation, remedial actions, education and/or effective conflict resolution mechanisms. For assistance with conflict resolution techniques, employees should contact Human Resources and students should contact the Dean of Students or the Title IX Coordinator.

### **Reporting Sexual Misconduct**

**Initial Evaluation of Sexual Misconduct Reports:** Upon notice of the alleged Sexual Misconduct, the institution's Title IX Coordinator will assess whether a formal investigation, informal resolution, or dismissal would be appropriate. In making this determination, the Title IX Coordinator will assess whether the allegation(s), if true, would rise to the level of prohibited conduct, whether a Formal Complaint must be filed, whether an investigation is appropriate in light of the circumstances, whether the parties prefer an informal resolution, and whether any safety concerns exist for the campus community. The need to issue a broader warning to the community in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") shall be assessed in compliance with federal law.

### **Interim Measures:**

Interim measures may be implemented at any point after the institution becomes aware of an allegation of Sexual Misconduct and should be designed to protect any student or other individual in the Miles College community. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter Sexual Misconduct and retaliation. Interim measures must be implemented consistent with the provisions in applicable Board and institutional policies and procedures.

An interim suspension should only occur where necessary to promote safety and should be limited to those situations where the Respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the Complainant or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

Before an interim suspension is issued, the institution must make reasonable efforts to give the Respondent the opportunity to be heard on whether the Respondent's presence on campus poses a danger. If an interim suspension is issued, the terms of the interim suspension take effect immediately. The Respondent shall receive notice of the interim suspension and the opportunity to respond to the interim suspension.

Within three business days of receiving a challenge the institution will determine whether the interim suspension should continue.

Miles College encourages the reporting of all Sexual Misconduct as soon as possible. While there is no statute of limitations on the college's ability to respond to a report, the ability to respond diminishes with time, as information and evidence may be more difficult to secure.

## **Institutional Reports**

An institutional report occurs when the institution has notice of a complaint. That notice occurs in two instances:

1. When a Responsible Employee receives a complaint; or
2. When the Title IX Coordinator or their designee receives a complaint.

Any individual may make a report, but the institution does not have notice of the report until information is known to a Responsible Employee or the Title IX Coordinator. The report may be made directly to the Title IX Coordinator in multiple formats to include writing, email, phone, letter, fax, interview, or other method that provides the basis of the complaint of sexual misconduct. There is no specific information required to constitute a report; however, the report should contain as much information as can be provided. To submit an incident report, options for resolution, support services and more:

Title IX Coordinator – Patricia Wilson

Phone: (205) 929-1440  
Office Location: Brown Hall, RM 101  
Email: [titleix@miles.edu](mailto:titleix@miles.edu)/[Title IX Complaint Form](#)

Complainants, or anyone with knowledge of Sexual Misconduct, may file a report with a Responsible Employee or the Title IX Coordinator. That Responsible Employee must provide a complete reporting of all information known to them to the Title IX Coordinator. Responsible Employees informed about Sexual Misconduct allegations should not attempt to resolve the situation but must notify and report all relevant information to the Title IX Coordinator as soon as practicable.

Upon receipt of an institutional report, the Coordinator will contact the Complainant. The Title IX Coordinator will discuss the availability of supportive measures, the invitation to the Complainant to discuss their wishes with respect to implementation of supportive measures and explain the process of filing a complaint. An institutional report does not automatically prompt an investigation.

The Title IX Coordinator's identity and contact information shall be published prominently on the institution's website, as well as in any relevant publication. Miles College may choose to have Deputy Title IX Coordinators to whom reports may be made, as well.

The Title IX Coordinator shall notify the Appropriate Cabinet member of any allegation(s) of Sexual Misconduct that could, standing alone as reported, lead to the suspension or expulsion of the Respondent(s). The Appropriate Cabinet member will work with the institution to determine whether any support services or interim measure(s) are necessary and to assign an investigator who will work under the direction of the Appropriate Cabinet member or designee. If an allegation is not initially identified as one that would lead to the suspension or expulsion of the Respondent(s), but facts arise during the course of the investigation that could lead to the Respondent's suspension or expulsion, the Title IX Coordinator shall notify the Appropriate Cabinet member or designee. The Appropriate Cabinet member shall have the discretion to oversee the handling of the complaint.

### **Confidential Reports**

Confidential Employees or Privileged Employees may receive reports of Sexual-based Misconduct without the requirement to report that information to the Title IX Coordinator, except as dictated by law or professional standards. Upon request by the Complainant, Confidential Employees and Privileged Employees may make a report to the Title IX Coordinator within the degree of specificity dictated by the Complainant. Nothing in this provision shall prevent an institution staff member who is otherwise obligated by law (i.e., the Clery Act) to report information or statistical data as required.

### **Law Enforcement Reports**

Because Sexual Misconduct may constitute criminal activity, a Complainant also has the option, should the Complainant so choose, of filing a report with campus or local police, for the Complainant's own protection and that of the surrounding community. The

institution may assist the Complainant in reporting the situation to law enforcement officials. Filing a criminal report does not automatically constitute an institutional report.

Emergency Assistance 911

Miles College Police Department Reporting (205) 929-1720

Fairfield Police Department (205) 786-4111

Jefferson County Sheriff's Office (205) 325-1450

### **Anonymous Reports**

Miles College provides a mechanism by which individuals can report incidents of alleged Sexual Misconduct anonymously. Individuals should understand, however, that it will be more difficult for the institution to respond and to take action upon anonymous reports.

### **Complaint Consolidation**

Miles College may consolidate complaints as to allegations of Sexual Misconduct against more than one Respondent, by more than one Complainant against one or more Respondents, or cross-complaints between parties, where the allegations of sexual misconduct arise out of the same facts or circumstances.

Parties shall have the opportunity to request or object to the consolidation; however, the institution shall have the Miles College authority to make the final determination. For the purpose of this Policy, consolidation may occur during the investigation and/or the adjudication phases of the sexual misconduct process.

### **Complaint Dismissal**

Miles College is permitted, but not required, to dismiss complaints on the following grounds:

1. The alleged conduct, even if proved, would not constitute sexual misconduct.
2. The Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the complaint:
3. The Respondent is no longer enrolled or employed by the institution; or
4. There are circumstances that prevent the institution from gathering evidence sufficient to reach a determination regarding the complaint.

The parties shall receive simultaneous written notice of the dismissal and the reason(s) for the dismissal. The parties shall have a right to appeal the institution's decision to dismiss the complaint.

### **Retaliation**

Anyone who has made a report or complaint, provided information, assisted, participated or refused to participate in any manner in the Sexual Misconduct Process, shall not be subjected to retaliation. Anyone who believes that they have been subjected to retaliation should immediately contact the Title IX Coordinator or their

designee. Any person found to have engaged in retaliation in violation of this Policy shall be subject to disciplinary action.

### **False Complaints**

Individuals are prohibited from knowingly making false statements or knowingly submitting false information to a system or institution official. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a hearing, in violation of this Policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated under the appropriate institutional process.

### **Amnesty**

Individuals should be encouraged to come forward and to report Sexual Misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by a student during an investigation concerning the consumption of drugs or alcohol will not be used against the particular student in a disciplinary proceeding or voluntarily reported to law enforcement; however, students may be provided with resources on drug and alcohol counseling and/or education, as appropriate. Nevertheless, these students may be required to meet with staff members in regard to the incident and may be required to participate in appropriate educational program(s). The required participation in an educational program under this amnesty procedure will not be considered a sanction.

Nothing in this amnesty provision shall prevent an institution staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

### **Responding to Reports of Misconduct**

#### **Support Services**

Once the Title IX Coordinator has received information regarding an allegation of Sexual Misconduct, the parties will be provided written information about support services. Support services are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without charge that are made available to the Complainant and Respondent before or after the filing of a complaint or where no complaint has been filed. Support services include counseling, advocacy, housing assistance, academic support, disability services, health and mental services, and other services, available at the student's institution.

#### **Interim Measures**

Interim measures may be implemented at any point after Miles College becomes aware of an allegation of sexual misconduct and should be designed to protect any student or other individual in the Miles College community.

Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus community, or deter Sexual Misconduct



and retaliation. Interim measures will be provided consistent with the provisions in applicable Board of Trustees and institutional policies and procedures.

### **Emergency Removal**

Emergency removal will only occur where necessary to maintain safety and should be limited to those situations where the Respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the Complainant or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

### **Jurisdiction**

Miles College will take necessary and appropriate action to protect the safety and well-being of its community. Sexual misconduct allegedly committed is addressed by this Policy when the misconduct occurs on institution property, or at institution-sponsored or affiliated events, or off-campus, as defined by the student conduct policy.

### **Advisors**

Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing at the party's own expense. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process, including providing questions, suggestions and guidance to the party, but may not actively participate in the process. All communication during the Sexual Misconduct process will be between the institution and the party, and not the advisor. With the party's permission, the advisor may be copied on all communications.

### **Informal Resolutions**

Allegations of Sexual Misconduct may be resolved informally. The Complainant, the Respondent, and the institution must agree to engage in the informal resolution process and to the terms of the informal resolution. The Complainant(s) and the Respondent(s) have the option to end informal resolution discussions and request a formal process at any time before the terms of an informal resolution are reached. However, matters resolved informally shall not be appealable.

### **Timeframe**

Efforts will be made to complete the investigation and resolution within 120 business days. Temporary delays and limited extensions may be granted by Miles College for good cause throughout the investigation and resolution process. The parties will be informed in writing of any extension or delay and the applicable reason. The institution shall keep the parties informed of the status of the investigation.

## **Responding to Reports of Sexual Harassment Pursuant to Title IX**

The implementing Title IX regulations require special handling of complaints of sexual harassment, as defined in the regulations and listed below. The following section outlines the required specialized handling of these matters that may differ from an institution's handling of Sexual Misconduct, as defined in this Policy. Unless expressly mentioned in this section, other provisions of this Policy shall apply to all alleged Sexual Misconduct.

Other Title IX sex-discrimination allegations are handled pursuant to other applicable institutional policies.

### **Definition of Sexual Harassment**

Under Title IX sexual harassment, means conduct on the basis of sex that satisfies one or more of the following:

- 1) An employee conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct;
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or
- 3) "Sexual assault" as defined by the Clery Act and "dating violence," "domestic violence," and "stalking" as defined by the VAWA Amendments.

### **Jurisdiction**

Alleged misconduct is addressed by Title IX when the misconduct occurs against a person in the United States on institution property, or at institution-sponsored or affiliated events where the institution exercises substantial control over both the Respondent and the context, or in buildings owned or controlled by a student organization that is officially recognized by the institution.

### **Formal Complaints**

A Formal Complaint is a written document filed by the Complainant or signed by the Title IX Coordinator alleging sexual harassment, as defined by Title IX and its implementing regulations, against a Respondent and requesting that the institution open an investigation. In order to file a Formal Complaint, the Complainant must be participating in or attempting to participate in the education program or activity of the institution occurring within the United States at the time of the filing.

## **Informal Resolution**

Formal Complaints may be resolved informally, except in the instance of an allegation by a student against an institution employee. The following must be met in order to proceed with the informal resolution process:

1. The parties have received written notice of the allegations.
2. The parties have received written explanation of the informal process to include, but not limited to:
  - a. Written agreement of the parties to initiate the informal resolution process;
  - b. Written notice that the parties may withdraw from the process at any time prior to the agreement of the terms of the resolution;
  - c. Written notice that the final resolution precludes any further institutional actions on the allegations.
3. The institution has agreed to engage in the informal resolution process.

## **Advisors**

Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process but may not actively participate in the process except to conduct cross-examination at the hearing. If a party chooses not to use an advisor during the investigation, the institution will provide an advisor for the purpose of conducting cross-examination on behalf of the relevant party.

All communication during the Sexual Misconduct process will be between the institution and the party, and not the advisor. The institution will copy the party's advisor prior to the finalization of the investigation report when the institution provides the parties the right to inspect and review directly related information gathered during the investigation. With the party's permission, the advisor may be copied on all communications.

## **Process for Investigation and Resolving Sexual Misconduct Reports**

### **Investigation**

Throughout any investigation and resolution proceeding, a party shall receive written notice of the alleged Sexual Misconduct, shall be provided an opportunity to respond, and shall be allowed the right to remain silent or otherwise not participate in or during the investigation and resolution process without an adverse inference resulting. If a party chooses to remain silent or otherwise not participate in the investigation or resolution process, the investigation and resolution process may still proceed, and policy violations may result.

Until a final determination of responsibility, the Respondent is presumed to have not violated the Sexual Misconduct Policy. Prior to the finalization of the investigation report, timely and equal access to information directly related to the allegations that has

been gathered during the investigation and may be used at the hearing will be provided to the Complainant, the Respondent, and a party's advisor (where applicable).

Formal judicial rules of evidence do not apply to the investigation process. Additionally, the standard of review throughout the Sexual Misconduct process is a preponderance of the evidence.

- 1) The parties shall be provided with written notice of the: report/allegations with sufficient details, pending investigation, possible charges, possible sanctions, available support services and interim measures, and other rights under applicable institutional policies. For the purposes of this provision, sufficient details include the identities of the parties involved, if known, the conduct allegedly constituting Sexual Misconduct, and the date and location of the alleged incident, if known. This information will be supplemented as necessary with relevant evidence collected during the investigation. The notice should also include the identity of any investigator(s) involved. Notice should be provided via institution email to the party's institution email.
- 2) Upon receipt of the written notice, the parties shall have at least three business days to respond in writing. In that response, the Respondent shall have the right to admit or deny the allegations, and to set forth a defense with facts, witnesses, and supporting materials. A Complainant shall have the right to respond to and supplement the notice. Throughout the Sexual Misconduct process, the Complainant and the Respondent shall have the right to present witnesses and other inculpatory and exculpatory evidence.
- 3) If the Respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.
- 4) An investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any party's proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.
- 5) An investigator shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
- 6) The initial investigation report shall be provided to the Complainant, the Respondent, and a party's advisor (if applicable). This report should fairly summarize the relevant evidence gathered during the investigation and clearly indicate any resulting charges or alternatively, a determination of no charges. For purposes of this Policy, a charge is not a finding of responsibility.
- 7) The Complainant and the Respondent shall have at least 10 calendar days to review and respond in writing to the initial investigation report and directly

related information gathered during the investigation. The investigator will review the Complainant's and the Respondent's written responses, if any, to determine whether further investigation or changes to the investigation report are necessary.

- 8) The final investigation report should be provided to the Complainant, the Respondent, and a party's advisor, if applicable, at least 10 calendars days prior to the Hearing. The final investigation report should also be provided to all Hearing Panel members for consideration during the adjudication process.

**A. Access to Advisors:** Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the sexual misconduct process, including providing questions, suggestions and guidance to the party, but may not actively participate in the process except to conduct cross-examination at the hearing as outlined in the Resolution/Hearing section below. If a party chooses not to use an advisor during the investigation, Miles Collee will provide an advisor for the purpose of conducting cross-examination on behalf of the relevant party.

All communication during the sexual misconduct process will be between the institution and the party, and not the advisor. The institution will copy the party's advisor prior to the finalization of the investigation report when the institution provides the parties the right to inspect and review directly related information gathered during the investigation. With the party's permission, the advisor may be copied on all communications.

**B. Investigation:** Throughout any investigation and resolution proceeding, a party shall receive written notice of the allegations made against them and shall be provided the opportunity to respond. All employees, both parties and non-parties, are required to cooperate to the fullest extent possible in any internal investigation conducted by Miles College, when directed to do so by the persons who have been given investigative Miles College authority.

Until a final determination of responsibility, the Respondent is presumed to have not violated any applicable policies associated with the allegations. Prior to finalizing the investigation report, timely and equal access to information directly related to the allegations that has been gathered during the investigation and may be used at the hearing will be provided to the Complainant, the Respondent, and a party's advisor (where applicable).

Formal judicial rules of evidence do not apply to the investigation process; additionally, the standard of review throughout the investigation and resolution processes is a preponderance of the evidence.

Additionally, the investigation procedures will provide the following:

1. The parties shall be provided with written notice of the: report/allegations with sufficient details, pending investigation, possible charges, possible sanctions, available support services and interim measures, and other rights under applicable institutional policies. For the purposes of this provision, sufficient details include the identities of the parties involved, if known, the conduct allegedly constituting sexual misconduct, and the date and location of the alleged incident, if known. This information will be supplemented as dictated by evidence collected during the investigation. The notice should also include the identity of any investigator(s) involved. Notice should be provided via institution email to the party's email.
2. Upon receipt of the written notice, the parties shall have at least three business days to respond in writing. In that response, the Respondent shall have the right to admit or deny the allegations, and to set forth a defense with facts, witnesses, and supporting materials. A Complainant shall have the right to respond to and supplement the notice. Throughout the investigation and resolution process, the Complainant and the Respondent shall have the right to present witnesses and other inculpatory and exculpatory evidence.
3. If the Respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.
4. An investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any party's proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.
5. An investigator shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.

### **Hearings, Possible Sanctions and Appeals-Employees**

**Title IX Hearings:** The investigator may testify as a witness regarding the investigation and findings but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the proceedings outside of providing testimony during the hearing. All directly related evidence shall be available at the hearing for the parties and their advisors to reference during the hearing. Relevant facts or evidence that were not known or knowable to the parties prior to the issuance of the final investigative report shall be admissible during the hearing. The institution will determine how the facts or evidence will be introduced. The admissibility of any facts or evidence known or knowable by the parties prior to the issuance of the final investigative report, and which were not submitted during the investigation, shall be determined by the institution in compliance with the obligation to provide both parties an equal opportunity to present and respond to witnesses and other evidence.

Notice of the date, time, and location of the hearing as well as the designated Hearing Officer shall be provided via email at least 10 calendar days prior to the hearing. Parties may attend the hearing with their advisor.

Hearings shall be conducted in-person or via video conferencing technology. At all times participants in the hearing process, including parties, a party's advisor, and institution officials, are expected to act in a manner that promotes dignity and decorum throughout the hearing. Participants are expected to be temperate, respectful to others, and follow procedural formalities outlined by this Policy and the institution. Institutions may establish their own rules of decorum and expectations of behavior during the hearing process. The institution reserves the right to remove any participant from the hearing environment.

Each institution shall maintain documentation of the investigation and resolution process, which may include written findings of fact, transcripts, audio recordings, and/or video recordings. Any documentation shall be maintained for seven years.

Additionally, the following standards will apply:

1. Where a party or a witness is unavailable, unable, or otherwise unwilling to participate in the hearing, including being subject to cross-examination, the Hearing Officer shall not rely on statements of that party or witness in reaching its determination regarding responsibility. The Hearing Officer shall not draw an adverse inference against the party or witness based solely on their absence from the hearing or refusal to subject to cross-examination.
2. The parties shall have the right to present witnesses and evidence at the hearing.
3. The parties shall have the right to confront any witness, including the other party, by having their advisor ask relevant questions directly to the witness. The Hearing Officer shall limit questions raised by the advisor when they are irrelevant to determining the veracity of the allegations against the Respondent(s). In any such event, the Hearing Officer shall err on the side of permitting all the raised questions and must document the reason for not permitting any particular questions to be raised.
4. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior shall be deemed irrelevant, unless such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or consent between the parties during the alleged incident.
5. Decision maker(s) shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
6. Formal civil rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.
7. Following a hearing, the parties shall be simultaneously provided a written decision via email of the hearing outcome and any resulting disciplinary or administrative actions. The decision must include the allegations, procedural steps taken through the investigation and resolution process, findings of facts supporting

the determination(s), determination(s) regarding responsibility, and the rationale for any disciplinary or other administrative action.

**Title IX Disciplinary Action-Employees:** In determining the severity of sanctions or corrective actions the following should be considered: the frequency, severity, and/or nature of the offense; history of past conduct; an offender's willingness to accept responsibility; previous institutional response to similar conduct; strength of the evidence; and the wellbeing of the university community. The institution will determine disciplinary action and issue notice of the same, as outlined above.

**Title IX Appeals-Employees:** The Complainant and the Respondent shall have the right to appeal the outcome on any of the following grounds: (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original investigation (or hearing), because such information was not known or knowable to the person appealing during the time of the investigation (or hearing); (2) to allege a procedural error within the investigation or hearing process that may have substantially impacted the fairness of the process, including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by a conflict of interest or bias by the Title IX Coordinator, investigator(s), or administrative decision maker(s), or (3) to allege that the finding was inconsistent with the weight of the information.

The appeal must be made in writing, must set forth one or more of the bases outlined above, and must be submitted within five business days of the date of the final written decision. The appeal should be made to the President of the institution solely on the three grounds set forth. The appeal shall be a review of the record only, and no new meeting with Respondent or the Complainant is required.

The President may affirm the original finding and sanction, affirm the original finding but issue anew sanction of greater or lesser severity, remand the case back to the decision maker to correct a procedural or factual defect, or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The President's decision shall be simultaneously issued in writing to the Complainant, the Respondent within a reasonable time period. The President's decision shall be the final decision of the institution.



<b>Resources for Information and Assistance</b> <b>State Resources</b>	<b>Resources for Information and Assistance</b> <b>National Resources</b>
<p>Alabama Coalition Against Rape P.O. Box 4091 Montgomery, AL 36104 (334) 264-0123 <a href="http://www.acar.org">www.acar.org</a></p> <p>Alabama Crime Victims Compensation Commission P.O. Box 231267 Montgomery, AL 36123-1267 (334) 290-4420 1-800 541-9388 (for victims only) <a href="http://www.acvcc.alabama.gov">www.acvcc.alabama.gov</a></p> <p>Alabama Attorney General's Office for Victims Assistance Alabama State House 11 South Union St. 3rd Floor Montgomery, AL 36130 (334) 242-7300 1-800-626-7676 <a href="http://www.ago.state.al.us">www.ago.state.al.us</a></p> <p>Governor's Office for Victims of Crime State Capitol 600 Dexter Avenue Montgomery, AL 36104 (334) 242-7100 <a href="http://www.governor.state.al.us/staff.htm">www.governor.state.al.us/staff.htm</a></p> <p>National Suicide Prevention Lifeline <a href="https://suicidepreventionlifeline.org/">https://suicidepreventionlifeline.org/</a> 1-800-273-8255</p>	<p>National Center for Victims of Crime 1-855-4-VICTIM 1-855-484-2846 <a href="https://victimsofcrime.org/">https://victimsofcrime.org/</a></p> <p>National Organization for Victim Assistance 1-800-TRY-NOVA 1-800-879-6682 <a href="http://www.try-nova.org">www.try-nova.org</a></p> <p>Office for Victims of Crime Resource Center 1-800-627-6872 TTY 1-877-712-9279 <a href="http://www.ojp.usdoj.gov/ovc/ovcres/welcome.html">www.ojp.usdoj.gov/ovc/ovcres/welcome.html</a></p> <p>National HIV/AIDS Hotline 1-800-342-AIDS 1-800-342-2437 TTY 1-800-243-7012 Spanish 1-800-344-SIDA</p> <p>National Sexual Violence Resource Center 717-728-9740 <a href="http://www.nsvrc.org">www.nsvrc.org</a></p> <p>Rape, Abuse &amp; Incest National Network 1-800-656-HOPE 1-800-656-4673 <a href="http://www.rainn.org">www.rainn.org</a></p> <p>Violence Against Women Office 202-307-6026 <a href="http://www.ojp.usdoj.gov/vawo">www.ojp.usdoj.gov/vawo</a></p>

## **ALCOHOL & ILLEGAL DRUG ABUSE**

### **POSITION STATEMENT**

The following policy was adopted in conformance with the requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. The object of the policy is to provide a drug-free workplace and campus and to assist employees and students with problems related to alcohol and illegal drug abuse.

It is the policy of Miles College that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited anywhere on its premises or property or as a part of any college-related activity. Any employee or student at the college found to have violated the rule shall be subject to disciplinary action in accordance with published procedures up to and including dismissal. Where appropriate, the college reserves the right to refer individuals for treatment in lieu of disciplinary action.

Members of the college community are reminded that illegal manufacture, distribution, dispensing, possession or use of controlled substances also may subject individuals to criminal prosecution and penalties that may include fines and/or incarceration. If the situation merits, the college will refer individual cases for appropriate legal action.

As a condition of employment or enrollment, all employees and students at Miles College shall abide by the terms of this policy and will notify their supervisors and Human Resources (in the case of employees) or the Office of Student Life (in the case of students) of any criminal drug statute conviction for a violation occurring on the college premises or property, or as a part of any college-related activities. Notification must be made no later than five days after such conviction. For purposes of this policy, “conviction” means a finding of guilt or imposition of sentence, or both, by any federal or state judicial body. Failure to report such a conviction may result in immediate dismissal.

It also is the policy of Miles College that the possession, use or distribution of alcoholic beverages on its premises or property or as a part of any college-related activities is prohibited. This includes alcoholic beverages found in lockers or residence hall rooms. An exception to this policy is that alcoholic beverages may be served and consumed by employees at special meetings or events that are designated and/or approved by the President of the college. Also excluded are the private apartments or homes of residence hall directors. An employee or student who violates this policy will be subject to discipline, up to and including dismissal. Employees who report to work under the influence of alcohol will not be permitted to work that day and may be subject to further discipline.

Miles College provides regular programming and materials aimed at alerting its students, faculty and staff to problems relating to alcohol and drug abuse. Included in this section is an online source for a chart summarizing the effects and health risks associated with the use of illicit drugs and alcohol. However, the primary resources utilized for the prevention and treatment of alcohol and drug abuse are professionals, agencies and clinics located within the Birmingham City area.

The college takes the position that, except in matters of disciplinary referral, the decision to seek diagnosis and accept treatment for alcohol and drug problems is the responsibility of the employee and student. The decision to seek treatment will not be detrimental to job security or student status. Because supervisors, managers, department directors or chairs, and most faculty are not professionally qualified to identify substance abuse, referrals by them are based on unsatisfactory job or school performance. At the point at which the college is involved, the right to confidentiality will be respected in both informal and formal procedures, insofar as possible.

**Local Resources:**

Birmingham Alcoholic Anonymous (AA)  
Intergroup Central Office  
(205) 290-0060

Addiction Recovery Program at UAB Hospital  
Rehabilitation center  
1713 6th Ave S  
(205) 975-7350

UAB Department of Psychiatry, Community Justice Programs  
Social services organization  
401 Beacon Pkwy W  
(205) 917-3780

Bradford Health Services - Corporate Office  
Addiction treatment center  
2101 Magnolia Ave S #518  
(888) 577-0012

The Salvation Army Family Birmingham Rehabilitation Center  
1401 F L Shuttlesworth Dr  
Birmingham, AL - 35234  
(205) 252-8151

Alcohol and Drug Abuse Treatment Centers- Pearson Hall  
2701 Jefferson Avenue Southwest  
Birmingham, AL - 35211  
(205) 923-6552

Fellowship House Inc  
1625 12th Avenue South  
Birmingham, AL – 35205

**National toll-free numbers concerned with alcohol and drug abuse:**

Alcohol and Drug Referral Hot Line, 1-800-252-6465  
Al-Anon, 1-800-344-2666  
Narcotics Anonymous World Services, 1-818-773-9999  
National Drug & Alcohol Treatment Referral Service, 1-800-662-4357

The following is provided to give a brief guide to the effects of alcohol and a variety of commonly abused drugs and to the criminal penalties that may accompany the conviction for the illegal manufacture, distribution, dispensing, possession or use of controlled substances.

## **Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even in low doses, alcohol can significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol can increase the incidence of a variety of aggressive acts, including spousal and child abuse. Moderate to high doses of alcohol can cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses can cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, also can lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other children.

## **Informational Charts**

### **Drugs of Abuse – Uses and Effects**

[www.pace.edu/emplibrary/SH\\_AppendixA.pdf](http://www.pace.edu/emplibrary/SH_AppendixA.pdf)

Source: U.S. Department of Justice, Drug Enforcement Administration

### **Trafficking Penalties**

[https://www.dea.gov/sites/default/files/drug\\_of\\_abuse.pdf#page=30](https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30)

Source: U.S. Department of Justice, Drug Enforcement Administration

Some of these penalties are described in pages taken from the U.S. Department of Justice Drug Enforcement Administration Publication, "DRUGS OF ABUSE" - pub dt 2005.

# **DRUG-FREE WORKPLACE POLICY**

## **POLICY STATEMENT**

Miles College intends to help provide a safe and drug-free work environment for our students, faculty and staff. With this goal in mind and because of the serious drug abuse problem in today's workplace, we are establishing the following policy for existing and future employees of Miles College.

The College explicitly prohibits:

- The use, possession, solicitation for, or sale of narcotics or other illegal drugs, or prescription medication without a prescription on college premises or while performing an assignment.
- Being impaired or under the influence of legal or illegal drugs away from the College, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the College's reputation.
- Possession, use, solicitation for, or sale of legal or illegal drugs away from the College, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the College's reputation.
- The presence of any detectable amount of prohibited substances in the employee's system while at work, while on the premises of the college, or while on college business. "Prohibited substances" include illegal drugs, or prescription drugs not taken in accordance with a prescription given to the employee.

The College will conduct drug and/or alcohol testing under any of the following circumstances:

- **FOR-CAUSE TESTING:** The College may ask an employee to submit to a drug and/or alcohol test at any time it feels that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness.
- **POST-ACCIDENT TESTING:** Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, or if an employee refuses a request to submit to testing under this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including discharge from employment. In such a case, the employee will be given an opportunity to explain the circumstances prior to any final employment action becoming effective. 68

# **INTERPERSONAL RELATIONSHIPS AND FRATERNIZATION**

## **POSITION STATEMENT**

While Miles College encourages a collegial and supportive atmosphere at work for its employees, interpersonal relationships between employees may become a concern if they have the effect of impairing the work of any employee; harassing, demeaning, or creating a hostile working environment for any employee; disrupting the smooth and orderly flow of work within the office; or harming the goodwill and reputation of the college among its customers or in the community at large. For this reason, Miles College reminds its employees that the following guidelines apply in their relations with other employees, both on and off duty:

1. A supervisor should not engage in any form of relationship with a subordinate employee that could potentially have the appearance of creating or promoting favoritism or special treatment for the subordinate employee. In the event of such a relationship, the employees involved will be given the opportunity to choose which of them will be reassigned to an alternative position where favoritism or special treatment will not be an issue, or one or both employees may be subject to dismissal, depending upon the nature of the situation. All employees, especially managers, are reminded that the qualities of good judgment, discretion, and compliance with guidelines are all considered when considering future advancement opportunities and salary increases.
2. If a relationship or social activity between two or more employees:
  - a. has the potential or effect of involving the employees, their coworkers, or the college in any kind of dispute or conflict with other employees or third parties;
  - b. interferes with the work of any employee;
  - c. creates a harassing, demeaning, or hostile working environment for any employee;
  - d. disrupts the smooth and orderly flow of work within the office, or the delivery of services to the colleges visitors or customers;
  - e. harms the goodwill and reputation of the college among its customers or in the community at large; or
  - f. tends to place in doubt the reliability, trustworthiness, or sound judgment of the persons involved in the relationship, the employee(s) responsible for such problems will be subject to counseling and/or disciplinary action, up to and potentially including termination of employment, depending upon the circumstances.
3. No employee may use college equipment or facilities for furtherance of non-work-related activities or relationships without a sign facilities requisition form.
4. Employees who conduct themselves in such a way that their actions and relationships with each other become the object of gossip among others in the office, or cause unfavorable publicity in the community, should be concerned that their conduct may be inconsistent with one or more of the above guidelines. In such a

situation, the employees involved should request guidance from Human Resources to discuss the possibility of a resolution that would avoid such problems. Depending upon the circumstances, failure to seek such guidance may be considered evidence of intent to conceal a violation of the policy and to hinder an investigation into the matter.

Friendships and social contacts between employees are not a matter of concern as long as they are consistent with the above guidelines. Employees may address any questions on this policy to Human Resources.

# **PRIVACY AND CONFIDENTIALITY POLICY**

## **POSITION STATEMENT**

The purpose of this is to educate users of their rights and responsibilities regarding confidential information. This policy applies to students, faculty, staff, and anyone else who has authorized access to Miles College information including vendors, agents and service bureaus associated with the college.

## **Privacy and Confidentiality**

Mile College is the owner of the confidential information it collects. The college reserves the right to deny access to those who fail to use such information in accordance with this policy. Users must adhere to all applicable laws such as HIPPA, FERPA and to all college policies. We expect all users to meet the highest standards of ethics and responsibility. Non-public personal information may only be used for specific limited purposes that enable us to serve our customers, and which are permitted by law. One's use of confidential information must not infringe upon the rights of the Miles College community or other users.

The college is committed to protecting the privacy of its students, alumni, parents, faculty and staff. Students, faculty, staff and anyone else authorized to use Miles College confidential information are responsible for reading, understanding and complying with this Privacy and Confidentiality Policy. Miles strives to educate the community in responsible use and will respond when violations are pointed out. Questions regarding this policy should be directed to the chief information officer, information technology services ([it\\_support@miles.edu](mailto:it_support@miles.edu)).

## **Secure Technology**

Each individual is responsible for protecting his/her password for access to college resources and information. Each user is responsible for all actions taken and uses of computer systems made under that individual's username. Faculty, staff, students and guests must not tell others their passwords, post them in visible areas, or otherwise communicate a password to anyone other than IT services personnel. (In special circumstances, staff members may be asked to tell their password to their immediate supervisor.) Users who have reason to believe that their password has been compromised must change it immediately.

Miles College employs industry standard practices to keep non-public information as secure as possible. Despite this intention, it cannot assure members of the Miles College community that their uses of college computing and communications resources will be completely private. Information and messages sent over the Internet can be intercepted in various ways. Therefore, users of Miles College technology with access to the Internet cannot assume that information they send over the Internet will be or remain confidential and inaccessible to anyone other than the intended recipient. Information stored on college computing resources or passed through college communications networks may be accessible to the public through public record laws, subpoenas, interception, "hacking" or other means.

In general, information stored on computers is considered confidential, whether protected by the computer operating system or not, unless the owner intentionally makes that information available to other groups or individuals. Miles College will assume that computer users wish the information they store on campus local and shared computing resources to remain



confidential. Similarly, privileged information on account usage (i.e., that available only to users with system privileges) will be held in confidence.

### **Employee Responsibility**

Miles College employees, and students working in campus offices, who because of their work have access to non-public (confidential) information about others must not disclose that information. Employees must protect from the view of visitors' non-public information displayed on computer screens.

Employees who access Miles College non-public information from off campus, either through remote connection or by portable device, must take special precautions to ensure that information does not become accessible to others and that devices are not lost or stolen. When college computers are removed from service, IT services will completely erase all data and software from local storage drives before the computer leaves campus. If the computer will be reused, IT services may reinstall operating system software consistent with applicable license agreements.

Requests for disclosure of confidential information will be reviewed by the administrator of the information system involved. Such requests will be honored only when approved by authorized college officials or when required by state or federal law.

### **Web Site**

The Miles College websites provide Internet access to college information resources and external information sources that support teaching, learning, marketing and the administration of the college. Information is provided by Miles's communications, IT services, the library, administrative areas, academic affairs, faculty, staff and students.

Miles College accepts no responsibility for content on servers not maintained by the college that are linked from pages on Miles College's servers.

### **Social Media**

The Miles Communications Office oversees Miles's presence on key social networking sites and evaluates whether to launch a presence on new sites as they become available. All policies, procedures, and guidelines regarding college trademarks, names, and symbols apply to social networking sites. Miles College does not pre-screen posted content, but has the right to remove, at its sole discretion, any content that it considers to violate this policy. Posted comments do not necessarily reflect the opinions or policies of the college.

Language that is illegal or obscene, defamatory, threatening, infringing of intellectual property rights, invasive of privacy, profane, libelous, threatening, harassing, abusive, hateful, or embarrassing to any person or entity, or otherwise injurious or objectionable is unacceptable and shall be removed.

### **Online Payments**

Payment information will be kept secure and confidential and will not be shared with anyone or used for any purpose other than the purpose of this payment transaction.

College policy is not to issue refunds for online payments.

**Email**

Email at Miles College is a service provided to enhance communication regarding teaching, learning and the general operations of the college. Posting or sending personal, sensitive or confidential information about another person, including medical information about an employee or student, via any form of electronic communication is strictly forbidden.

**Enforcement of Policies**

Members of the college community who believe they have witnessed or been a victim of a violation of any of the above policies should notify the chief information officer, an appropriate vice president, an immediate supervisor or the director of human resources.

**Response to violations**

Violation will result in action by the appropriate college office or agency. Such action may include but is not limited to: permanent or temporary suspension of user privileges, deletion of files, disconnection from the Miles College network, and referral to applicable student/faculty/staff disciplinary processes that could include suspension or dismissal. All potentially illegal activities may be reported to appropriate local, state or federal law enforcement agencies for investigation and prosecution.

## **SMOKING POLICY**

### **POSITION STATEMENT**

Miles College is committed to providing a safe and healthy workplace and to promoting the health and well-being of its employees. As such, the following policy has been adopted and applies to all employees of Miles College. It is the policy of Miles College to prohibit smoking and vaping on all college properties to provide a safe and healthy work environment for all employees. Smoking is defined as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind." Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices such as e-cigarettes, e-pipes, e-hookahs and e-cigars.

This policy applies to:

- All areas of buildings occupied by college employees.
- All college-sponsored offsite conferences and meetings.
- All vehicles owned or leased by the college.
- All college employees.
- All visitors (customers and vendors) to college premises.
- All contractors and consultants and/or their employees working on college premises.
- All temporary employees.
- All student interns.
- All private residences owned by the college.

Employees who violate this policy will be subject to disciplinary action up to and including immediate discharge. No employee shall suffer any form of retaliation for raising a complaint or asking a question about this policy.

## **WHISTLEBLOWER POLICY**

### **Obligation to Report Suspected Violations (“Whistleblower Policy”)**

We are all obliged to report suspected violations of applicable laws, regulations, and policies, and of the principles expressed in this Code. The reporting of such suspicion normally should be made first through regular management channels beginning with our supervisors. If for any reason that’s not appropriate, we should go to a higher level of management, including the Provost, Chief of Staff, or Sr. Vice President for Finance and Operations, or Director of Human Resources.

If the suspicious behavior involves a member of the Board of Trustees, the President, or a Cabinet Member, employees may choose to report to the Chair of the Audit Committee of the Board of Trustees. The Chair of the Audit Committee will then exercise judgment on how to best deal with the report depending on the circumstances, which may include involving other Board members.

The more information given in a report the more thorough the college’s follow-up can be. Such reports can be made confidentially, although anonymity of the reporter may limit the college’s ability to follow-up on the report. In all cases, the college will make its best effort to maintain the confidentiality of the person(s) reporting and of the report itself, subject to the need to conduct an effective investigation.

### **Protection from Retaliation**

Raising such concerns is a service to the college and, when done in good faith, will not result in retaliation or jeopardize your standing at Miles. No one may retaliate in any way against an employee who, in good faith, reports a suspected violation in accordance with this Code. The College must, however, reserve the right to distinguish between reports made in good faith and with a reasonable belief in their accuracy, on the one hand, and those made maliciously or with knowledge of their falsity, on the other.

## **MILES COLLEGE OFFICE OF INFORMATION TECHNOLOGY SERVICES POLICY**

### **Access Control Policy**

Access control procedures are used to authenticate all users who access each system. Such controls include, at a minimum, a login ID and a password for each user. All user accounts are required to change passwords periodically. The frequency is determined by the enforced length and complexity of the password combined with the sensitivity of the data protected following industry standards and guidelines. Authorized users are defined as any faculty, staff, or student at Miles College. Contractors, with the approval of the Chief Innovation Officer, may be provided a temporary user account to be used to access the Miles College network.

Access rights and privileges for all authorized users are maintained and managed user information. Confidential information is protected against unauthorized access regardless of form, computing environment, or location.

### **Harassment**

Harassment of any individual or group through email, websites, or any other online means is prohibited. Harassment takes many forms. In general, it creates an uncomfortable or hostile environment for the individual or group who is being harassed. If you send an email message to another person and make unwanted sexual advances, or if you send unwanted digital messages, or if you send many messages to another person, you are harassing that person. If you feel as if you are or have been harassed, please contact the Human Resources department at 205-929-1440.

### **Cyber Bullying**

A safe and civil environment is necessary for students to be successful in their educational pursuits. Cyberbullying or cyber harassment by any member of the Miles College community (student, faculty, staff, etc.) toward another individual constitutes conduct that disrupts the educational environment of the College. Examples of cyberbullying and cyber harassment include, but are not limited to, harsh text messages or emails, rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles.

Cyberbullying and cyber harassment are prohibited by many state laws, by various federal laws, and many jurisdictions throughout the international community.

Miles College will not tolerate lewd, intimidating or other disorderly conduct by or toward members of its community. The following are examples of instances where social media

can cause harm to the College or a member of the Miles College community or may violate policies:

A Miles College student establishes a Twitter account that encourages others to submit negative anonymous messages to an account that will be redistributed by the account holder.

A member of the College community establishes a fake account under the name of an official College official or department and uses the name and trademark to post vicious comments or other content.

A member of the College faculty or staff uses his or her blog or social media account to berate or otherwise discuss engagement with or judgment of a student's work or other information considered confidential or proprietary by FERPA or HIPPA.

All other members of the College community are likewise prohibited from engaging in cyberbullying or cyber harassment, and instances will be adjudicated through the proper established channels.

Students who feel that they are being bullied or harassed through electronic technology should immediately report it to the Human Resources department at 205-929-1440.

## AWARENESS & TRAINING CONTROL

### Faculty and Staff Access and Training in the use of Technology

The Miles College faculty and staff have desktop computers and are provided with training in the use of applications. The College maintains technology appropriate to meeting the learning outcomes of its programs as well as to ensure faculty and staff access to technology.

### Security Assessment and Authorization

Shutting Off Computers – Users have the responsibility to sign off the computer after using the computer or whenever they need to leave the computer for an extended period. When leaving a computer unattended, the user should lock/log off the computer.

Virus Scan – Disks, removable media, and drives from any outside source have to be scanned for viruses prior to opening the contents on the disk/removable media/drives.

Laptops – Laptops need to have virus software updated regularly.

### Monitoring and Enforcement

The Miles College Office of Information Technology Services (ITS) actively monitors the

network and network resources. Monitoring activities are done regularly, and allow the ITS staff to detect, diagnose, and fix the normal day-to-day problems associated with operating a complex network. Monitoring also ensures that the network is used for its intended purpose—academics and academic support—and safeguards the College against legal risk.

When Miles College believes that technology resources are being:

Misused

Inappropriately used

Illegally used

Used in a way that compromises or threatens the functioning of the system

Used in conflict with College policies or local, state, federal, or international law

Miles College reserves the right to investigate and to take whatever action is necessary to maintain system integrity and security.

Miles College may review individual ITS records to the extent necessary to assess the problem and determine responsibility. Miles College also reserves the right to delete files, programs, network connections, and/or user accounts.

Both network and individual user logs may be examined. This includes the logs on personal computers or servers that are attached to the College network, whether they are owned by the College or by other parties.

Abuse of technology privileges may result in appropriate disciplinary action. In many cases, the user is given a warning. Incidents involving students may be referred to the Dean of Students. If the user violates our policies more than once, then this may result in the loss of network and computer privileges.

In cases of illegal activity, the College may refer these matters to law enforcement authorities. The College reserves the right to respond to legally mandated requests for technology records. For example, if a law enforcement agency is investigating allegations of copying and distribution of copyrighted material and serves a court-approved search warrant upon the College, the College is obligated to permit the search.

Unauthorized Access – Gaining unauthorized access to electronic information and communication systems.

Inappropriate Websites – Accessing websites including but not limited to pornography, gambling, music file downloading, chain letters, and etc.

## **Management and Access Controls**

Each ITS resource has a designee who is responsible for its security and management. Each authorized user of a system has a unique login ID. Any ID which is used to access a system and does not provide a unique user identification has access only to specific, limited system resources. Access to services and/or resources are suspended, and the appropriate account deleted when there is no longer a business or academic need for access. Employees are required to remove any personal data from Miles College computer systems before their last day at Miles College. The deprovisioning of the account is performed in a manner proportionate to the level of risk posed by such access, including immediate suspension of access and privileges and deletion of the report if necessary.

When an employee is terminated, that responsibility falls upon the department and the user's supervisor to report termination. Information Technology Services, upon an employee's termination and departmental request, stores files on a network drive and makes it available to the new departmental data owner for a period of one (1) year, unless a request is otherwise made, at the end of which the files are purged from the system. Upon notification from the Human Resources Director, ITS will disable the user account and email. When a student graduates from Miles College, their email account is deleted 6 months after graduation.

## **BACKUP AND RETENTION POLICY**

The goal of this policy is to ensure that Miles College has recovery plans against any kind of natural disaster, man-made disaster and/or system corruption. This policy focuses on the backing up of data, and the length of time backups are retained. Miles College retrieval time frame for data through backup is established and discussed.

### **Backup Policy**

Backing up data is a vital part of Miles College's defense to prevent against the loss of valuable information. Backups restore systems to the most recent backup performed and stored in case of a system failure or accidental deleting of a file. Back-ups are stored off-site in cloud-based locations.

### **Retention Policy**

Retention Policy refers to how long backup data files are stored. Miles College Office of Information Technology Services staff performs daily backups that are kept on tape or stored in the cloud for seven days. The weekly backups are kept up to two months on tape or cloud storage.

**System File and Log Retention Policy** System files and logs are kept for a year. **System Maintenance** Hardware (Including hardware issued and used offsite)



**Installing and Removing Hardware** – Users are not authorized to attach/detach or install/uninstall any computer components without authorization from their Division Chair or Supervisor and involvement of ITS staff. This includes keyboard, mouse, printer, monitor, internal boards, or components. The Office of Information Technology Services is responsible for assigning computer components to specific computers.

**Storing Data** – Users with the need for an extraordinary amount of data storage should notify their Division Chair or Supervisor, who will then work with the ITS staff to meet the user's needs. If portable media containing electronically protected information, the user must take the responsibility to store the media in a secured, locked location and dispose of the media per the media disposal guidelines when no longer needed.

**Acquiring and Disposing of Computer Hardware** – The purchase of any computer hardware or the disposal of old computer hardware is made only with the approval of the Chief Innovation Officer and the involvement of ITS staff. Please check with the ITS staff on proper disposal of removable media (CDs or removable media) containing confidential information.

## Software

**Installing Software** – It is the responsibility of the Office of Information Technology Services to install any software on Miles College computers. Users must submit a help desk request to have any program installed on any Miles College equipment by the ITS staff.

**Unauthorized Downloadable Software** – The use of illegal downloadable software is prohibited. Downloadable software such as freeware, shareware, program demos, surveys, advertising, training, Internet browsers, copyrighted data, fonts, personal digital images, graphics, and private photos should not be downloaded without prior approval.

**Software Licensing Compliance** – Violation of any software licensing agreement, copyright, or other intellectual property rights of third parties is strictly prohibited. This includes, but not limited to, computer software/data or related manuals and materials. Contact the Office of Information Technology for more information about software licensing agreements.

## Maintenance Time

All hardware and software maintenance times are typically performed after business hours, excluding the week of midterms and finals'. If hardware and software require disabling all faculty, staff, and students are notified 24 hours before, by Miles College official email.

## Internet and Email

Email accounts are created only for Miles College faculty, staff, and students.

Internet and Email Usage – The computer system, Internet, and email system are to be used for college business purposes only; however, the organization realizes that occasionally it is necessary for employees to use the Internet for critical personal issues, but such usage must be kept to a minimum. All computer use rules must be followed. Some examples of limited personal use may be to access other email accounts, bank accounts, and to verify travel plans.

Your email account is the only official means of communication from the College, including administrators, faculty, staff, and students. You are expected to check it regularly.

All restricted information must be approved, encrypted, and password protected.

Mass emails should only be used for official college events or communications. The mass email system should not be used for private marketing, solicitation, etc. without prior approval.

It is prohibited to use the Miles College email system to create, forward, and/or distribute any material that is disparaging or otherwise offensive.

Viruses – The ITS network or any computer resources cannot be used to download or distribute pirated software or data, or to propagate any virus or variant thereof. Instant messaging/chat rooms and the like are expressly prohibited to all employees unless specifically authorized otherwise.

## System Security

Shutting Off Computers – Users have the responsibility to sign off the computer after using the computer or whenever they need to leave the computer for an extended period. When leaving a computer unattended, the user should lock/log off the computer.

Virus Scan – Disks, removable media, and drives from any outside source have to be scanned for viruses prior to opening the contents on the disk/removable media/drives.

Laptops – Laptops need to have virus software updated regularly. The Office of Information Technology Services will provide users with practical avenues to accommodate anti-virus software updates.

## Spam Prevention

It is the responsibility of each computer user to take steps to safeguard against increasing the amount of spam that comes into the College. The Office of Information Technology Services provides guidance to the user on the type of sites, emails, and email addresses that are safe and unsafe to use.

Questions on the above policy can be sent to [its@miles.edu](mailto:its@miles.edu).

## **INFORMATION SECURITY POLICY**

Miles College Office of Information Technology Services has security policies in place for safeguarding data and information in its workstations, servers, mobile computing devices, storage devices, network, and communication devices. These policies also ensure that there is no theft of sensitive data, exposure of critical information, and theft, or damage to the College's devices. Any use of Miles College information technology systems contrary to this policy may lead to a withdrawal of access.

### Risk Assessment

Miles College Office of Information Technology Services staff regularly assess unauthorized use of network; risk to network security; unauthorized access to information; unauthorized request for information; and third-party unauthorized transfer of information; systems corruption; a breach of integrity. In addition, these risk assessments are done to ensure the protection of our student information. Risk assessments are conducted consistent with system criticality and are performed by ITS staff on a yearly basis. Cybersecurity tests are performed bi-annually and network penetration is tested twice a year to identify breaches in security.

### Password Security

Never disclose your password to others, in person, either by phone, or by email.  
Never leave your password at the default. Change it immediately.  
Make your password eight or more characters.  
Use a combination of upper and lower case letters, numbers, and special characters like @!&[\*  
Never use all numbers or all letters.  
Never use personal information someone could easily guess or discover. For example, your pet or hometown, etc.  
Never use any word found in a dictionary or the name of a sports team.  
If you must write down your password, keep it in a locked location.  
Change your password frequently, at least every 90 days.  
Miles College ITS staff will never ask for your password via email or telephone.

### Desktop Security

When you leave your desk, log off or lock your workstation with Ctrl+Alt+Delete or Windows Key + L  
At the end of day, log off or restart your computer.  
Do not download or install a screensaver to your workstation, choose a pre-installed screen saver.  
Do not install software-commercial, shareware, or freeware-borrowed or purchased from another user.

The use of peer-to-peer applications to share copyrighted materials, such as music or movies, is a direct violation of copyright laws. Do not do it!

## Laptop Security

Your laptop is easy access for identity theft. Protect it like your purse or wallet.

When traveling, lock your laptop in the trunk of your car.

Password protect or encrypt any sensitive information stored on the laptop.

When you are away, lock it in a drawer, overhead bin, cabinet, or office.

Never leave your laptop unattended in a public place, even for “just a minute.”

Never check your laptop as luggage when you travel.

Never leave your laptop in a car in plain view on the seat or the floor.

Never leave your laptop in a car overnight.

Never use your business card as a luggage tag to identify your laptop case.

Encrypt your hard drive if it is possible to do so.

## Spyware

Spyware is used by the advertising industry and by hackers. Spyware and Adware are software, when installed on your computer, may send you pop-up ads, redirect your browser to certain websites or monitor web sites you visit. Extremely invasive versions of spyware may track exactly what keys you type to steal username and password information.

The installation of an anti-spyware/anti-virus package is encouraged to fight spyware and other malicious software.

Other tips to fight malicious software: do not click on links with pop-up windows, choose “no” when you are asked unexpected questions, be wary of free, downloadable software, and never follow email links.

If you believe you have spyware on your system, please contact ITS personnel for assistance in having it removed.

## Voice Mail

The minimum password length is set to four digits.

To create a strong voicemail password, use five or more digits.

Do not set your password to the same as your phone extension or employee number.

## Viruses, Worms and Trojans, Malware

Viruses are computer programs designed to cause trouble to your computer. Worms are programs that replicate themselves and look for holes in networks or send themselves via

email to infect as many other computers as they can. Trojans are programs that carry hidden, malicious programs.

Fight malicious software by installing an anti-spyware/anti-virus package.

Do not open email files from anyone you do not know.

Do not open email attachments containing executable or movie files.

Some file extensions to avoid include: .EXE .COM .CMD .PIF .SCR .VBS .WMF .ASF

## Emails and Spam

Always password protect your email account.

Do not use your personal email account to send or receive sensitive information (credit card numbers, bank account information, SSNs, etc.)

Do not send or forward email messages such as chain letters, jokes, and news containing lewd, harassing, or offensive information.

Be wary of unsolicited attachments, even from people you know. Viruses travel incognito, using legitimate email addresses to trick their way into users' machines.

Do not click a link in an email. Even if the link says one thing, it may send you somewhere else.

Report other email abuses by calling 205.929.1498.

## Phone/Mobiles Device Security Tips

Set a password or PIN on your phone to prevent unauthorized use and make it more difficult to hack if stolen or lost.

If your phone has Bluetooth functions, disable them until they are needed, and then set visibility settings to "hidden" so your device cannot be scanned for other Bluetooth devices.

Limit the amount of sensitive or personal information, such as passwords and account information, stored on your mobile device.

Consider purchasing anti-virus software for your phone, and make sure it is frequently updated.

Download ringtones, games, and other personalized content only from trusted, classified sites.

Treat mobile devices as you would your wallet, keys, or laptop. Do not leave them in plain sight and keep them close to you at all times.

## USB Drives/Thumb Drives/Jump Drives and other Mass Storage Devices

These drives are a very convenient and commonly used method to hold personal files and schoolwork. Unfortunately, the small physical size of these devices makes them easy to lose or steal.

If you use a mass storage device to store any critical or sensitive data-class work, research data, personal files, etc.-make sure that the data is protected.

Many modern mass storage devices come with a security utility that can encrypt sensitive files.

If you do not have encryption on your mass storage device, do not keep sensitive information on it.

## Response to Incident

Miles College Office of Information Technology Services requires notification of incidents of unauthorized usage, access, and activity.

## External Vendors

External vendors providing service to Miles College and those who have access to data information have to maintain the integrity of that data and information and safeguard it against security leaks. Other College units using external vendors for technology needs have to forward the contracts to ITS for review of the arrangements. External vendors are not provided an email address.

If you suspect that you have been a victim of a computer crime or abuse while at Miles College, please report the incident by contacting the ITS help desk at [helpdesk@miles.edu](mailto:helpdesk@miles.edu). Give as many details as possible: Who, What, When, and Where.

Questions on the above policy can be sent to [helpdesk@miles.edu](mailto:helpdesk@miles.edu).

## INFORMATION TECHNOLOGY SUPPORT POLICY

The goal of this policy is to establish service expectations and inform faculty, staff, and students at Miles College of the method by which requests are prioritized and the expected resolution timeline. All Helpdesk requests will be resolved within 24-48 hours. The Helpdesk is the first and single point of contact for technology support for all Miles College faculty, staff, and students. Information Technology (ITS) provides technology assistance primarily by email ([helpdesk@miles.edu](mailto:helpdesk@miles.edu)) or through web-based portal (ITS), and walk-in requests for technical support. Walk-in requests for support are only handled Monday-Friday, 8 a.m. – 5 p.m. The Office of Information Technology Services uses ITS help desk to record and track all technology requests. Technology problems and requests for service are resolved in an efficient and timely manner.

The Office of Information Technology Services staff is committed to providing hardware, software, network, telephone, cable TV, media, event, and lab support for Miles College

faculty, staff, and students during business hours and all other approved times. A standard process and single point of contact for all technical problems are necessary to eliminate confusion over whom to call for an issue. The Office of Information Technology Services is comprised of a team of support technicians and server/network support personnel who are available to provide faculty, staff, and students and in special cases approved guests of Miles College support for technical problems or questions submitted via email or the online self-service process. Roles and responsibilities in the Office of Information Technology Services are to maintain a courteous and professional manner at all times when interacting with the college faculty, staff, and students.

The Office of Information Technology Services staff who receive calls directly, rather than through the ITS portal should advise the caller to place a ticket in ITS or email the Helpdesk. The caller is informed that calls made directly to technician staff are subject to delays, missed calls, and delayed resolution of problems. If a trouble ticket requires escalation, the ITS staff is to maintain ownership of the problem and escalation process. Users are to be advised that they will be contacted by an ITS support staff. The staff is to follow up to ensure resolution is achieved, and the ticket is updated.

When entering or updating tickets, the technician is to describe the problem accurately and include details. Generalizations such as “Broken” or “Fixed” are not sufficient to communicate worthwhile information. The ITS support staff in charge of resolution is responsible for updating tickets so that when a user asks for status updates, essential status updates can be provided. The ITS staff is responsible for conferring with each other and deescalate problems, to management, that they cannot fix within a reasonable timeframe.

The ITS Help Desk administrator monitors ITS to make appropriate determinations as to resources required. Problems and requests within a specific priority category are handled on a first-come first-served basis. All Service Outage Event Notifications are posted promptly by email or by direct contact.

#### Procedures

To report a problem, the user must provide the following:

Name

Student/Employee ID number

Email Address

Telephone Number

Location

Problem Type

Problem Description

This information serves to verify identity and contact information and identifies equipment location, if applicable.

Email: [helpdesk@miles.edu](mailto:helpdesk@miles.edu) Include Name, Student ID number, Email Address, Telephone Number, Location, Problem Type, Problem Description, and all necessary details.  
Enter a self-service web ticket at the following URL: <http://itsupport.miles.edu>  
To schedule support for a campus event, email [helpdesk@miles.edu](mailto:helpdesk@miles.edu). For more information, contact Director of Building Operations or Director of Student Activities

## **HARDWARE/SOFTWARE PURCHASE POLICY**

This policy applies to any purchase of hardware or software using institutional, federal, or grant funds. The requesting department is responsible for providing the funds to purchase software and hardware using their budget. ITS makes purchases with its funds in the event the software and hardware benefit the entire campus or multiple departments. This decision is made on a case-by-case basis.

ITS Involvement:

### **Software purchases require ITS involvement if any of the following are true:**

Assistance will be required to install or implement the software.

Software or data used by the software will be stored on an internal server.

Software will use and/or store data stored in the Student Information System (SIS).

Software or hardware will require campus credentials (Active Directory or Single Sign On) for authentication.

Software or hardware will be made generally available to students and/or employees.

Integration with other campus systems is required.

Ongoing support from ITS is expected.

Purchases of the following hardware require ITS involvement:

Desktop or laptop computers.

Tablets.

Any individual piece of hardware with a purchase price greater than \$500.

These items may not be paid through expense reimbursement to an individual. If paid by check request, the check must be paid to the vendor selling the hardware.

ITS involvement is not required for hardware that will change ownership prior to use/activation and will not be used for conducting College business (e.g. a tablet to be given away in a drawing).

Purchases of permanently mounted hardware require ITS involvement.

Purchases of peripherals (hard drives, adapters, mice, keyboards, etc) require ITS involvement if there is an expectation of future support. ITS involvement is always recommended to ensure device compatibility and best pricing.

As needed, ITS will draft a statement of work that outlines:

Requirements for implementation of the hardware or software.

Expected milestones and timelines.

Levels and expectations for post implementation support.



ITS does not support hardware and software purchased without ITS involvement. Support for such systems would be best effort and only as time allows.

#### Accessibility:

Software and non-peripheral hardware purchased by the college should consider accessibility as a factor in purchasing decisions.

Hardware or software purchased by the college should comply with one or more of the following standards as evidence of accessibility:

Section 508 of the Rehabilitation Act

W3C Web Content Accessibility Guidelines (WCAG) 2.0

As part of the purchasing process, the vendor should supply:

A valid Voluntary Product Accessibility Template (VPAT)

Another statement by the vendor that provides an evaluation of the product's accessibility.

The office making the purchase will provide to ITS:

Documentation regarding accessibility supplied by the vendor.

A list of any exceptions to the above accessibility standards identified in the vendor documentation.

In the event that no suitable product is found that meets minimum accessibility requirements, a description of the reason the product was selected should be submitted to ITS. ITS will store this documentation for the duration the product is in use.

#### Hardware Upgrade Policy

As there is need and as the campus hardware budget allows, Information Technology Services (ITS) aims to upgrade campus faculty and staff computers with improved machines every 3-4 years to help maintain maximum computing efficiency and productivity. ITS will be responsible for evaluating need and determining the best upgrade option. Though ITS routinely monitors the performance of all faculty and staff computers, please report all computer performance issues to the ITS Help Desk.

Staff members currently using a desktop and requiring an upgrade to a laptop are requested to give written justification including specific reasons for their portability needs and have approval from their department head and Vice President of Academic Affairs. ITS will carefully review all requests. In all situations where portability is not critical to job function, users will be required to use a desktop PC. If the user's request for a laptop is granted, the user's laptop will be swapped for their desktop PC. The advantages of a desktop PC are savings in purchase and support costs, improved performance and reliability, larger screen size, and good ergonomics.

Faculty members currently using laptops issued by the college, who do not have a need for portability, are also encouraged to switch to a desktop. If the laptop becomes damaged or unrepairable, ITS reserves the right not to issue the faculty member another laptop in favor of switching them to a desktop computer.

### New Computer Request Policy

Computer requests for new hires and or special projects should be submitted during the onboarding process or via the ITS help desk. If the campus hardware budget is exhausted, departments necessitating additional hardware may be required to pay for the expense out of their available budget, pending approval from the Comptroller's Office and ITS. All equipment must be purchased by ITS, meeting Miles College standard hardware specifications. You will be asked to return any computer equipment not purchased through ITS.

### New Employees/Change of Position and/or Office

All Miles College employees are to be given an email address, user login, and a computer/laptop(if applicable). Email addresses and user login will be created after completion of the onboarding form located on the ITS help desk and approval from the Human Resources Director. User account creation can take up to 3 business days to complete. It is the desire of ITS to deploy hardware for new employees prior to the employee's arrival to campus. However, this is dependent on the availability of ITS staff and other pressing issues that may arise.

Any changes in job position or office location that require moving or upgrading hardware should be initiated by the department head. The department head should send a request to the ITS help desk.

### **GOLF CART POLICY & PROCEDURE**

The following policy and procedures applies to anyone operating a golf cart on college owned or leased property. The purpose of this policy and procedure is to help ensure the safe operation of golf and other utility cart vehicles on campus.

Any individual operating a golf or utility cart on college owned or leased property must adhere to the following policies and procedures. Any violation of these rules may result in disciplinary action:

Carts are to be operated with the utmost courtesy, care and consideration for the safety of the operator, passengers, pedestrians and College property. Pedestrians shall be given the right-of-way at all times.

Carts are provided to facilitate performance of work duties.

Carts are to be properly equipped and utilized appropriately and safely.

Per [NH RSA 215-A](#) carts are prohibited from operating on "off campus" public roadways except when crossing onto other College owned or leased property. When crossing a public roadway the cart operator must do so at a 90 degree angle and must yield to traffic. Procedures and details for operating carts on campus are specified in the section below:

#### General Operation

Vehicles shall not be operated in a manner that may endanger drivers, passengers or other individuals (pedestrians), or harm College property. Dialing and/or texting on mobile

phones or manipulating other devices is prohibited while operating a golf cart. Golf cart operators (drivers) should be limited to employees (including student employees), authorized lessees and/or contractors. Passengers may include campers being shuttled by camp employees or lessees, athletes being shuttled by event personnel or athletic trainers, guests being shuttled for college events, and CS community members being shuttled by Campus Safety.

#### Passenger Limit/Load Capacity

Do not exceed the passenger limit, seating designation, capacity, or load capacity designated by the vehicle's manufacturer.

#### Parking

Do not block any access or egress (natural flow of traffic) to entrance areas to buildings, stairways, access ramps, or main thoroughfares.

Park carts in a single row so they do not block or interfere with the normal flow and path of pedestrians or other carts.

Cart operators are responsible for the security of ignition keys during the time that a cart is assigned to them. Any time a cart is unattended; the ignition shall be turned off, the key removed from the ignition, and in the possession of the authorized operator.

#### Driving Rules

No one under the age of eighteen (18) is allowed to operate a cart.

A valid driver's license is required to drive a cart on campus.

Carts will be driven in compliance with the common "rules of the road," adhering to all traffic laws and regulations, regardless of whether they are being operated on service drives, sidewalks or roadways.

Pedestrians have the right of way. Cart operators must reduce speed on walkways when pedestrians are present and space is limited. Maintain safe distance between golf cart and pedestrian. Drive on the right side of sidewalks/paths similar to street driving rules.

When walkways are crowded (between classes), golf cart operators must either stop, proceed around pedestrians at a very slow pace, or if ground conditions are dry may temporarily proceed around a group of pedestrians on the turf/grass.

All occupants in the golf cart shall keep hands, arms, legs and feet within the confines of the golf cart at all times when the cart is in motion.

Never back up without first making sure there is no person or obstructions behind the cart. Reduce speed to compensate for inclines, corners, bumps/rough terrain, pedestrians, and especially on wet/icy conditions.

Avoid abrupt stops (skidding), high speed turns and any form of horseplay.

Avoid driving over sprinkler heads, drain covers and avoid turf (grass) during wet conditions.

Do not jump curbs or other obstacles that may damage the cart.

Be certain to set the brake whenever stopping and leaving the cart.

Drivers and passengers must remain seated whenever the vehicle is moving. Do not stand on or ride on the bumpers, fenders or club storage area. Drivers should stop cart when looking or scanning beyond a 90-degree field of vision (stop before turning your head to view something behind you – 180 degrees).

#### Checking out golf carts

Authorization for use of golf carts originates with the Information Technology Services (ITS) Department.

The Admissions Office and ITS are the primary users of the golf carts. Outside requests for use of the golf carts is prioritized by need and function. We encourage requests for use of the golf carts be submitted at least 2 business days in advance.

If request for use of golf cart is approved, the individual will need to report to the ITS to be issued a key. If there are no available carts at the ITS office, the individual will need to go under the bleachers at the football stadium to get a cart. The key must be returned after use of the golf cart is complete.

#### Accidents

Drivers involved in an accident must immediately report the incident to their supervisor and to Campus Safety, regardless of whether property damage or personal injury occurred. Accidents involving injury must be reported to Campus Safety, the injured employee's immediate supervisor, and Human Resources.

#### Enforcement

Golf cart operators violating these procedures may be prohibited from operating a golf cart by their Department Head, Information Technology Services, and/or the Director of Campus Safety

## **COLLEGE MASCOT, MOTTO, AND ALMA MATER**

### **MASCOT**

THE GOLDEN BEARS

### **MOTTO**

“Sapientia et Pax et Amor Omnibus”

**“Knowledge and peace and love for all”**

## **ALMA MATER**

**TUNE: “All Through the Night”**

Hail to thee, our Alma Mater,  
Dear Old Miles.  
Though we toil, we'll not forget thee,  
Dear Old Miles.  
We will love thee as our home  
Though amid life's grandeur roam,  
Alma Mater, Alma Mater,  
Dear Old Miles.

Miles the home of Southern beauty,  
We love thee well.  
Let our voices ring with praises,  
Thy wonders tell.  
We, thy loyal sons and daughters  
Pledge to thee our loyalty.  
For we love thee, yes, we love thee,  
Dear Old Miles.

We will strive in life to serve thee,  
Dear Old Miles.  
All success in life we owe thee,  
Dear Old Miles.  
O'er the hills and grassy plains,  
Never shall our prestige wane;  
Honor, love and praise we give thee,  
Dear Old Miles.

**Catherine L. Vaughans '28**

## **ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK**

The Employee Handbook contains important information about the College, and I understand that I should consult with my immediate supervisor or Human Resources regarding any questions not answered in the handbook. I have entered into my employment relationship with Miles College voluntarily and understand that there is no specified length of employment. Accordingly, either the College or I can terminate the relationship at will, at any time, with or without cause, and with or without advance notice.

I understand and agree that no person other than the President or the Presidents designee may enter into an employment agreement for any specified period of time or make any agreement contrary to the College's stated employment-at-will policy.

Since the information, policies, and benefits described herein are subject to change at any time, I acknowledge that revisions of the handbook may occur, except to the College's policy of employment-at-will. All such changes will be communicated through official notices, and understand that revised information may supersede, modify, or eliminate existing policies. Only the President of Miles College has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I understand that this handbook is neither a contract of employment nor a legally bonded agreement. I also understand that it is my responsibility to comply with the policies contained in this handbook and any revisions made to it. I further agree that if I remain with Miles College following any modifications to the handbook, I hereby accept and agree to such changes.

I have received a copy of Miles College Employee Handbook on the date listed below. I understand that I am expected to read the entire handbook. Additionally, I will sign this Acknowledgement of Receipt, retain one copy for myself, and return on copy to Human Resources listed below on the date specified. I understand that this form will be retained in my personnel file.

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Signature of Employee

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Date

---

Employee's Name - Printed

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Director of Human Resources

---

Date

## **NOTICE OF NON-DISCRIMINATION**

Miles College is an equal opportunity employer dedicated to building an inclusive and diverse workforce. Miles College does not discriminate in its educational programs and activities on the basis of race, color, religion, ethnic or national origin, age, disability, sex, gender, gender identity, gender expression, sexual orientation, veteran status, or any other bases prohibited by law. Inquiries about the application of Title IX and its supporting regulations may be directed to the Title IX Coordinator, Brown Hall Room 101, 5500 Myron Massey Blvd Fairfield, AL 35064, 205-929-1440, [titleix@miles.edu](mailto:titleix@miles.edu). For information on the Title IX Sexual Harassment/Sexual Assault policy and grievance procedures, please [Click here](#).