GENERAL INFORMATION

ADDRESS – ACADEMIC AND ADMINISTRATION

Arkansas School for Mathematics, Sciences, and the Arts
200 Whittington Avenue
Hot Springs, AR   71901

Phone: (501) 622-5100

ADDRESS – STUDENT CENTER

ASMSA Student Center
153 Alumni Lane
Hot Springs, AR   71901
Res Life office hours: 12:00-10:00 (M-F) 10:00-7:00 (Sat & Sun)
Phone: (501) 622-5213

SECURITY OFFICE – STUDENT CENTER

ASMSA Security Office
153 Alumni Lane
Hot Springs, AR   71901

Phone: (501) 622-5153

Business Hours: 8:00 a.m. to 4:30 p.m., Monday through Friday
UNIVERSITY OF ARKANSAS SYSTEM

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Department Chairs: Arts and Humanities - Neil Oatsvall, Ph.D.
Mathematics and Computer Science - Walt Levisee
Science - Brian Monson, Ph.D.
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I. ASMSA MISSION AND PHILOSOPHY

A. ASMSA MISSION

ASMSA, a campus of the University of Arkansas system, is a public residential high school serving academically and artistically motivated students of all backgrounds from throughout the state. ASMSA’s community of learning exemplifies excellence across disciplines while serving as a statewide center of academic equity and opportunity that ignites the full potential of Arkansas’ students and educators.

B. ASMSA PHILOSOPHY

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

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

ASMSA’s ultimate goal is to graduate students who possess both the academic skills to pursue advanced training in the post-secondary arena and social skills for independent living. Through the academic and residential components of the school, ASMSA seeks to become a leader in preparing lifelong learners. The ultimate test of education is to evaluate the progress of the past, responsibly manage the consequences of such progress, and contribute to the intellectual and technological advancements of the future.
II. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION

A. POLICY STATEMENT

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

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

B. DISABILITY DISCRIMINATION

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

C. VETERANS WITH DISABILITIES/VIETNAM ERA VETERANS

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

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

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

2. If a disabled veteran appearing on an interview or employment list is passed over, the hiring official must submit, in writing, the reason and attach it to the employment application.

E. **RACE AND NATIONAL ORIGIN DISCRIMINATION**

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

F. **AGE DISCRIMINATION**

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

G. **SEX AND GENDER DISCRIMINATION**

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

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

The Equity Coordinator, currently the Human Resources/Payroll Manager, is responsible for investigating sexual harassment complaints involving employees. The Title IX Coordinator, currently the Dean of Students, is responsible for investigating sexual harassment complaints involving students and visitors. Incidents of sexual harassment involving visitors should be reported directly to the Title IX Coordinator. During non-business hours, sexual harassment complaints may be reported to the ASMSA Security office which will then refer the complaint to the appropriate Coordinator. If a visitor to ASMSA or an ASMSA-sponsored event experiences an incident of sexual harassment, the appropriate Coordinator should be contacted.

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

Sexual harassment is particularly serious when it threatens relationships between teacher and student, or supervisor and subordinate, because of the potential to exploit the power inherent in these relationships and to undermine the ability of ASMSA to carry out its mission. ASMSA strongly encourages all community members to report incidents of sexual harassment. To the extent possible, reporting and investigating procedures are supportive of and sensitive to the alleged victim, while safeguarding the rights of the alleged offender.
ASMSA will take appropriate actions within the scope of its legal authority to prevent, correct, and discipline behavior that violates this policy.

1. Definition

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

2. Prohibited Acts

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

Sexual harassment includes any behavior of a sexual nature where:

a. Submission to or rejection of the conduct is made either explicitly or implicitly a term or condition of employment or status in an ASMSA-sponsored course, program, or activity;

b. Submission to or rejection of the conduct is used as a basis for employment or academic decisions affecting that individual; or

c. Such conduct unreasonably interferes with an individual’s work or academic performance, or creates an intimidating, hostile, or offensive environment for work or learning.

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

Typically, such relationships are found between:

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

3. Examples

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

a. Physical assault;

b. Suggestions that submission to or rejection of sexual advances will influence decisions regarding an individual’s employment or educational status;

c. Repetitive remarks or actions of a sexual nature (including, but not limited to, statements, questions, jokes, and anecdotes) which constitute a pattern where actions unreasonably cause discomfort or humiliate an individual;

d. Unwelcome visual contact or body language that communicates a sexual message;

e. Whistling, cat calls, leering, or other improper gestures;

f. Persistent, unwelcome flirtations, and outright advances or propositions of a sexual nature;

g. Unwelcome remarks or actions about an individual’s appearance;

h. Unwelcome repetitive touching, such as patting, pinching, hugging, or brushing against an individual’s body;

i. Unwarranted displays of sexually suggestive objects or pictures;

j. Unwelcome exposure to sexually explicit music, letters, or written notes; and

k. Unwelcome descriptions of sexual activity or speculation about previous sexual experiences.
4. **Disciplinary Action**

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

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

5. **Confidentiality**

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

6. **Retaliation**

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

7. **Malicious Allegations/Complaints/False Information**

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

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

8. Record Keeping

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

PROCEDURE

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

REPORTING

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

Students should report incidents of sexual harassment to the Title IX Coordinator. Individuals who need to report an incident of sexual harassment after regular business hours should report the incident to the ASMSA Security Department if the employee’s supervisor is unavailable or other administrative offices are closed. The ASMSA Security Department will notify the appropriate Coordinator at the beginning of the next business day.

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

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

INFORMAL COMPLAINT PROCESS

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

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

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

3. If the parties are unable to reach a mutually satisfactory agreement after meeting, the option of filing a formal complaint is available. If a mutually satisfactory agreement is reached, it should be documented in writing and signed by the complainant, the accused, and any third party participating in the process.

4. For employees, the Informal Complaint Process may also include referral of either or both parties to confidential counseling through the Employee Assistance Program.
5. The complainant or the Equity Coordinator may elect to refer the complaint to the Formal Complaint Process at any time as deemed necessary to resolve the complaint in an appropriate and timely manner.

FORMAL COMPLAINT PROCESS

1. When the Informal Complaint Process fails to resolve the complaint, or in instances where the Equity Coordinator determines the nature of the allegations requires formal investigation, the Formal Complaint Process will be used. The Equity Coordinator may assist employees in preparing the complaint, in writing, as necessary.

2. If an individual wishes to file a formal complaint, he or she must submit a signed, written statement alleging harassment to the Equity Coordinator. Documentation should include the name of the complainant, the name of the accused, the nature of the complaint, date(s), witness(es), the name(s) of the person(s) who received the complaint, and any other information relevant to the complaint. If some of this information is not available, the reason(s) of unavailability, if known, should be documented.

3. The Equity Coordinator will meet with the accused and present a copy of the complaint and a copy of the sexual harassment policy. The accused will be given an opportunity to respond to the complaint orally and in writing and may provide evidence and witnesses. The Equity Coordinator will also explain that there is to be no contact with or retaliation against the complainant. The Equity Coordinator will gather relevant evidence by interviewing the complainant, the victim (if different from the complainant), the accused, and any witnesses or other individuals deemed appropriate to conduct a thorough investigation. Every effort will be made to ensure a thorough and timely investigation of the complaint.

4. Following completion of the investigation, the Equity Coordinator will present his or her written findings to the appropriate supervisor. The supervisor will consult with the employee’s division head regarding the written findings for purposes of resolving the complaint. It is the responsibility of the division head to take action consistent with the written findings. Once a final determination is made by the appropriate supervisor, both the complainant and the accused will be notified of the action to be taken.

5. Employees may appeal any employment decision made subsequent to a finding of sexual harassment through the campus grievance procedure provided in this handbook.
6. Complainants may not appeal administrative decisions regarding sexual harassment complaints through the grievance process.

I. CONSENSUAL RELATIONSHIPS

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

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

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

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

A. ORGANIZATIONAL CHART
B. PROBATIONARY PERIOD

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

C. EXTRA HELP

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

Extra-help employees are prohibited from working more than 1,500 hours in a fiscal year. It is the responsibility of both the employee and the hiring department to monitor the number of hours an extra-help employee works. The Human Resources office will also monitor the hours of an extra help employee and will make every effort to notify the department prior to the time limit being met.

D. EXEMPT AND NON-EXEMPT

(U.S. Fair Labor Standards Act - Public Law 99-150)

The state of Arkansas Office of Personnel Management (OPM) designates state job titles as exempt or non-exempt under the federal Fair Labor Standards Act (FLSA). Certain positions may, because of the nature of their responsibilities, be exceptions to OPM's general classification of exempt or non-exempt. Human Resources can review specific positions for exempt or non-exempt status using U.S. Department of Labor guidelines.

Exempt employees are those whose job duties meet certain criteria for executive, administrative, professional and outside sales positions, as well as certain computer-related positions and highly compensated employees. The Fair Labor Standards Act does not require employees in exempt positions to receive additional compensation for working more than 40 hours in a work week.

Non-exempt positions refer to jobs that are covered by the Fair Labor Standards Act and thus eligible for overtime compensation (generally in the form of compensatory time) for hours worked in excess of 40 hours in any work week. Such overtime hours must be approved in advance by the person authorized for the department. For more information on overtime compensation, see Section V of this handbook.
E. **EMPLOYMENT PERIODS** *(Board of Trustees Policy 405.4)*

All staff employees of ASMSA, whether full-time or part-time, who are appointed or hold regular positions, are “at-will” employees and may have their employment terminated by ASMSA for convenience at any time or may be dismissed immediately for cause in accordance with University of Arkansas System policies. Although a period of notice is not required, any such period furnished at the discretion of ASMSA should be determined by the employing unit in consultation with Human Resources and, as appropriate, General Counsel and/or other School units.

All other staff employees (for example, temporary and hourly employees who do not hold an appointed or regular position may be terminated at any time without advance written notice. While advance written notice is not required, termination should be communicated to the employee and documented.

F. **PERFORMANCE EVALUATIONS**

Administrators will be evaluated by appropriate supervisors.

**Faculty Supervision and Evaluations**

Annual evaluations of instructional staff will be conducted by the appropriate chair outside of the Workday system. Performance ratings will be entered into the Workday system to track performance and goals.

Evaluation procedures will be updated and provided to faculty by Human Resources in conjunction with department chairs, the Dean of Academic Affairs, and the Director.

**Residential Life Staff Supervision and Evaluations**

Annual evaluations of Residential Life staff will be conducted by Dean of Students in the Workday system. Copies of evaluations will be maintained in the employee’s personnel file.

**Staff Supervision and Evaluations**

Annual evaluations of all non-instructional staff will be conducted by their immediate supervisor in the Workday system. Copies of evaluations will be maintained in the employee’s personnel file.
A. **ETHICS**

Employees are expected to:

1. Perform work in a timely and efficient manner;

2. Be courteous and prompt in dealing with and serving the public, as well as other faculty and staff;

2. Conduct themselves in a manner that will not discredit or embarrass ASMSA;

3. Maintain high standards of honesty and integrity in performing job duties;

4. Treat every individual fairly without regard to race, color, national origin, sex, age, disability or any other improper reason;

5. Act responsibly using State property;

6. Refrain from using their official position for personal gain for themselves, family and/or friends;

7. Observe all conflict of interest laws and regulations including, but not limited to, participating in or voting for any contract, purchase or service where the employee has a direct or indirect interest; and

9. Refrain from representing that any private work is on behalf of or for the benefit of ASMSA.

B. **DRUG-FREE WORKPLACE**

(U.S. Drug Free Workplace Act of 1988; Governor's Executive Order 89-2)

State agencies, boards, commissions and institutions are required to certify that they are in compliance with the Drug Free Workplace Act of 1988. If you were hired in May, 1989 or later, you were asked, on or before your first day of work, to read and sign an acknowledgment of receipt of information about the school's drug-free workplace policy.

Drug abuse and use at the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs may impair the well-being of all employees, the public at large, and result in damage to state property. Therefore, it is the policy of the State of Arkansas that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in a state agency's or institution's workplace, including
residential spaces, is prohibited. Any employees violating this policy will be subject to
discipline up to and including termination. The specifics of this policy are as follows:

State agencies will not differentiate between drug users and drug pushers or sellers. Any
employee who gives or in any way transfers a controlled substance while on the job or on
agency premises will be subject to discipline up to and including termination.

The term "controlled substance" means any drug listed in 21 U.S.C. Section 812 and other
federal regulations. Generally, these are drugs which have a high potential for abuse. Such
drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, and "crack." They
also include legal drugs which are not prescribed for the individual using them by a
licensed physician.

Each employee is required by law to inform the school within five days after he or she is
convicted for violation of any federal or state criminal drug statute where such violation
occurred on ASMSA’s premises. A conviction means a finding of guilt (including a plea of
nolo contendere) or the imposition of a sentence by a judge or jury in any federal court,
state court, or other court of competent jurisdiction.

If an employee is convicted of violating any criminal drug statute while in the workplace,
he or she will be subject to discipline up to and including termination. Alternatively, the
School may require the employee to successfully finish a drug abuse program sponsored
by an approved private or governmental institution.

ASMSA reserves the right to require the employee to submit to a drug alcohol test. If the
employee refuses the test, or if the test comes back with a positive result, it may lead to
disciplinary action, up to and including, immediate termination.

All employees agree to abide by the terms of this policy as an express condition of
employment.

C. **ALCOHOL USE** *(Board of Trustees Policy 705.2 and Governor’s Policy Directive #5)*

Possession and use of alcoholic beverages in public areas of ASMSA facilities and at official
student functions held on campus must follow state and federal laws and school policies
at all times. For employees, the possession or consumption of alcoholic beverages on
school property or during working hours, reporting to work under the influence of alcohol,
and intoxication while on duty are prohibited and will result in disciplinary action up to
and including termination. Under the governor’s policy directive, use of alcoholic
beverages during office hours is strictly prohibited and shall be grounds for immediate
dismissal.
D. **TOBACCO POLICY**

ASMSA is a tobacco-free campus. You are prohibited from smoking or using other tobacco products (including cigarettes, cigars, pipes, smokeless tobacco and other tobacco products), as well as the use of electronic cigarettes, at all times on property owned and operated by ASMSA, including on and within vehicles on school property. If you are on or within a school vehicle, you are prohibited from smoking or using other tobacco products at any location.

All individuals attending public events, such as conferences, meetings, public lectures, social events and cultural events using school facilities are required to abide by the school’s smoking and tobacco use policy and state law. Organizers of such events are responsible for communicating the policy to attendees and for enforcing the policy.

E. **WEAPONS**

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

**Definitions**

A weapon is any object designed or used for inflicting bodily harm or physical damage. Weapons include, but are not limited to: firearms, air pistols, air rifles, fireworks, incendiary devices, knives with a blade length of four inches or greater, blackjacks, metal knuckles, bows, arrows, nun chucks, tasers or other electrical stun devices, or any other such offensive objects.

Ark. Code Ann. § 5-73-309 defines a handgun as “any firearm, other than a fully automatic firearm, with a barrel length of less than twelve inches (12”) that is designed, made, or adapted to be fired with one (1) hand.” A concealed handgun must be covered from observation so as to prevent public view.

**Exceptions**

Carrying a concealed weapon at the following locations and events is prohibited, whether or not a person obtains enhanced licensure:

1. **UASP Policy 290.1** and collegiate athletic events as defined by Ark. Code Ann. § 5-73-101(11), provided they are posted as firearm sensitive areas and have a security plan approved by the Arkansas State Police.
2. A public K-12 school, prekindergarten, or daycare facility
3. Grievance or disciplinary meetings conducted in accordance with certain specifications of Act 562

In accordance with Ark. Code Ann. §§ 5-73-306 and -322, campus, division and unit policies shall specify locations, such as those identified above, at which individuals remain prohibited from carrying concealed handguns, and appropriate signage will be displayed.

F. BACKGROUND CHECKS

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

G. MANDATED REPORTERS

Individuals in the following positions are considered Mandated Reporters and are required to report suspected child maltreatment to the Child Abuse Hotline (1-800-482-5964).

(A) School official  
(B) Teacher  
(C) Public school counselor  
(D) Social worker  
(E) Mental Health Professional or Paraprofessional  
(F) Licensed nurse

Professional Development for Mandated Reporters and licensed elementary and secondary public school personnel required under § 6-61-133 shall be completed every four years. The training is available online, at no cost to the employee.

https://ar.mandatedreporter.org/UserAuth/Login!loginPage.action

H. PERSONNEL RECORDS

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

I. CONFIDENTIAL INFORMATION

Employment at ASMSA may result in an employee having access to academic, personnel, budgetary or other such confidential information. An employee is expected to respect the confidentiality of such information and not disclose it to anyone who does not have an official need for the information, except as required by law.
I. **FRAUD POLICY** *(Board of Trustees Policy 350.1)*

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

I. Scope

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

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

II. Policy

Management is responsible for the prevention and detection of fraud, misappropriations, and other inappropriate conduct. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility and be alert for any indication of irregularity.

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

III. Actions Constituting Fraud

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

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

IV. Other Inappropriate Conduct

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

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

V. Identity Theft Prevention Programs

In accordance with the Federal Trade Commission issuing the Red Flags Rule under sections 114 and 315 of the Fair and Accurate Transactions Act (FACT), Subpart J, Section 41.90, each campus will prepare a written Identity Theft Prevention Program. This program should be designed to detect, prevent and mitigate identity theft in regard to “covered accounts”, as defined in the law. The programs must be approved by the Board of Trustees and include a requirement for an annual review and update filed with the School of Arkansas System Vice President for Finance and Chief Fiscal Officer through the Chancellor’s Office of each campus.

VI. Investigation Responsibilities

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

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

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

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

VIII. Reporting Procedures and Fraud Hotline

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

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

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

IX. Termination

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

X. Administration

The Internal Audit Department is responsible for the administration, revision, interpretation, and application of this policy.
K. **WHISTLEBLOWER POLICY** *(Board of Trustees Policy 355.1)*

I. Introduction

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

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

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

II. Definitions

A. Whistleblower

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

B. Wrongful Conduct

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

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

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

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

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

Employment of relatives in the same department or division is allowed only when one will not supervise or have control over personnel decisions affecting the other. To avoid possible conflict of interest, relatives must not participate, either formally or informally, in decisions to hire, retain, promote or determine the salaries of each other. For purposes of this policy, an immediate family member shall mean an employee’s spouse, children of the employee or his or her spouse, and brothers, sisters, uncles, aunts, nieces, nephews, or parents, whether by blood or marriage, of the employee or his or her spouse.
M. **CONCURRENT EMPLOYMENT** *(Board of Trustees Policy 450.1)*


Under certain circumstances and with prior approval, ASMSA employees may work for two departments or two state agencies or institutions concurrently. The work performed for the second department, agency or institution must not interfere with the proper and required performance of the employee's duties in the primary position. The combined salary payments must not exceed the maximum allowable salary for the higher paid position, except that, under Arkansas Code Ann. § 19-4-1604, state employees may teach temporarily at state-supported institutions of higher education even though their combined salaries will exceed the line-item maximum. This exception is subject to the approval of the chief fiscal officer of the state. Human Resources can provide information about the approval process for concurrent employment.

You may not be on paid sick leave from one state agency or institution while you are being paid by another state agency or institution.

N. **OUTSIDE EMPLOYMENT** *(Board of Trustees Policy 450.1)*

While emphasizing the fact that full-time faculty and non-classified staff members (including, but not limited to, senior administrators) of the School are obligated to devote their working time and efforts primarily to School activities, the School recognizes that a limited amount of outside work for private compensation may be advantageous to all concerned. Such persons are therefore encouraged to engage in outside employment which will affirmatively contribute to their professional advancement or correlate usefully with their School work. This employment shall not interfere in any substantial way with the employee's School duties nor conflict with his/her School assignments.

Written approval from department head and/or dean shall be obtained in advance of such outside employment. Each dean or similar officer shall keep records on outside employment by personnel in his/her college or administrative unit and shall prepare an annual report on such outside employment. The report should include actual time spent during the reporting period. Such records shall be reviewed periodically by the appropriate administrators and shall be submitted to the Chancellor, Vice President for Agriculture, or chief executive officer for the unit (or a designee who is a senior administrator) by September 30 of each year.

It is the employee’s responsibility to make clear that, with respect to the outside employment, he/she is not acting as an agent or representative of the School. School facilities or property shall not be used except with permission of the department head or dean, taking into account the best interests of the School, and the payment of appropriate fees may be required. Prior approval is also required for concurrent employment with
another school unit or state agency, pursuant to Arkansas Code Ann. § 19-4-1604 & Arkansas Code Ann. § 6-63-307.

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

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

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

There may be rare occasions when conflicts of interest and commitment are unavoidable; however, the failure to disclose situations that have the potential for or involve actual conflicts of interest or commitment is a violation of policy. Situations that have the appearance of, potential for or involve actual conflicts of interest or commitment must be reported, in writing, to the employee’s immediate supervisor. Written disclosure should be made by the employee before any arrangements, whether verbal or written, are made concerning the conflict. Modification to existing arrangements should be reported as they occur. In addition, continuing arrangements should be reported on an annual basis. In disclosing these situations, the employee shall indicate all steps that will be taken to avoid or minimize any conflict of interest or commitment.

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

The following are examples of situations that may involve conflicts of interest or commitment, and consequently should be disclosed. There may be activities or situations that have the appearance, potential for or involve actual conflicts that should be disclosed.
1. Use of ASMSA resources (employee time or space, equipment or supplies) to benefit oneself and/or an external entity.

2. Employee or immediate family member having a financial interest in business decisions.

3. Disclosing information obtained through employment for personal profit or gain or for profit or gain of a family member.

4. Appointment, promotion, supervision or management of an immediate family member.

5. Accepting benefits, gratuities or special favors from external entities either currently doing business or seeking to do business with ASMSA.

6. Having a financial interest with a vendor doing business or seeking to do business with ASMSA.

P. **USE OF SCHOOL NAME, SEAL, AND LOGO** *(Board of Trustees Policy 100.7)*

ASMSA’s name and logo are used in many contexts and for a wide range of purposes. Use of the name and logo shall be limited to ASMSA activities. Use of the seal is reserved for official business or formal occasions. Projects requiring use of the logo must be approved by the Public Information Specialist. Projects requiring use of seal must be approved by the Director. Only official versions of the logo should be used.

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

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

R. **COMPUTERS AND THE INTERNET**

Employees are expected to use equipment and accounts to perform their job responsibilities.
You do not own your school computer accounts but are granted use of them. The school will access electronic files, including email files, only under one or more of the following conditions: you consent in writing to such access; there is an emergency which may affect someone's physical health or well-being or may result in the damage or destruction of school property; there is reason to believe that a violation of law or school policy is occurring or has occurred; or access is necessary for maintenance of computers, networks, data, and storage systems, or to protect the rights or property of the school or other users.

Electronic files, including email files, of school employees are potentially subject to public inspection and copying under the state Freedom of Information Act (FOIA), which states that "All records maintained in public offices or by public employees within the scope of their employment are presumed to be public records."

Records containing information directly related to a student are confidential and protected from public disclosure by the Family Educational Rights and Privacy Act. You may not access any such records maintained in an electronic format or disclose or distribute their contents in a manner inconsistent with federal and state laws and school regulations. Confidential information placed in computers must be protected appropriately.

You should not give your password to any unauthorized user and should take advantage of system-provided protection measures to prevent unauthorized use of or access to your account, your computer and its network. If you cease to be a member of the campus community, are assigned new responsibilities, or take a new position, your account and access authorization will be reviewed. You may not use facilities, accounts, access codes, privileges or information which you are not authorized to use.

You must not attempt to access, copy, or destroy programs or files that belong to other users or to the school, nor use school computing resources for unauthorized monitoring of electronic communications. You must not create, run, install or knowingly distribute a computer virus, Trojan horse or other surreptitiously destructive program, email, or data via any school computer or network facility, regardless of whether it results in demonstrable harm. School computers must not be used to annoy, harass, threaten, intimidate, terrify, or offend another person, disrupt or damage another person's work, or invade another's privacy. Sending electronic chain letters, spamming, spoofing, and engaging in resource-intensive activities unrelated to school functions are also prohibited. Violation of this code may result in revocation or suspension of access privileges, in disciplinary action, or legal sanctions.

S. SOCIAL MEDIA POLICY

Social media (including but not limited to blogs, message boards, micro blogging sites such as Twitter, social networking sites such as Facebook, and LinkedIn as well as other
websites, “chat” forums, and messaging apps) can be a valuable tool for educators. The Arkansas School for Mathematics, Sciences, and Arts (ASMSA) offers the following cautionary guidelines to assist faculty and staff in assuring that their usage of these tools is consistent with the spirit and intent of the Code of Ethics for Arkansas Educators and the ASMSA Employee Handbook:

1. Faculty and staff interactions with students on social media should be confined to academic and residential life issues.

2. To the extent possible, faculty and staff should use the social-networking tools provided through school accounts to communicate with students rather than tools available through their own personal accounts. ASMSA reserves complete discretion to monitor and remove offensive or inappropriate postings on school accounts.

3. When requested, parents/guardians and appropriate school officials will be provided a written explanation of the academic purpose for the use of social media by faculty and staff. The written explanation will be provided by the individual faculty or staff member using social media.

4. Faculty and staff should regularly check for inappropriate material on any social media site that they use for exchange of academic and residential life information to which their students and/or public can view or post. Any such material should be reported to ASMSA administration.

5. Faculty and staff are prohibited from disclosing through social media confidential ASMSA information regarding students.

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

U. PARKING

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

V. DRIVING ASMSA AND PRIVATE VEHICLES

1. Only ASMSA employees are allowed to drive school vehicles. Any exceptions must be approved by the Director in advance.
2. Assigned vehicles should be used for official business only. Personal use or allowing passengers other than persons directly involved with School of Arkansas business in school vehicles is not allowed unless explicit approval from the employee’s supervisor has been granted for each trip.

3. All drivers must maintain a valid driver’s license appropriate for the vehicle to be driven in accordance with the requirements of Arkansas law. Certain ASMSA positions are required to have a clean driving record in order to be eligible for hire. A clean driving record is defined as having no more than 10 points on their driving record. Any exceptions to this policy must be approved in advance by the Director. These positions include, but are not limited, to the following:

   - Director of Institutional Development
   - Residential Life Staff
   - Maintenance Staff
   - Admissions Staff

4. State Vehicle: Employees shall use a State vehicle if one is available; however, State vehicles are not to be used for out-of-state travel unless approved by the Director.

5. Personal Vehicle: Employees using their own automobiles for campus business must maintain adequate insurance coverage.

6. Reporting Accidents and Traffic Violations: Drivers must report accident and traffic violations to the campus Security Office within twenty-four hours of the occurrence or the following business day.

ASMSA complies with the University of Arkansas System Vehicle Safety Program. This policy has been posted on the ASMSA website for all employees to review. New employees are required to complete the vehicle safety authorization form as part of the onboarding process.

W. **GRADUATION**

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

X. **POLITICAL ACTIVITIES** ([Board of Trustees Policy 465.1](#))

School employees, as citizens, have the right to engage in political activity. However, no employee may involve the institution's name, symbols, property, or supplies in political activities. If employees speak publicly on matters of public interest and are identified by
their name and position with the School, they should make every effort to make it clear that the employee’s comments or opinions are those of the employee and not the School.

Any employee who intends to seek public office or to assume a major role in a political campaign is obligated to discuss his/her plans with his/her supervisor. If the supervisor determines that the activity will impinge to any extent upon the full discharge of the employee's responsibilities to the School, including, but not limited to, any actual or perceived conflict of interest, the plans shall be reviewed through regular administrative channels to the Chancellor or chief executive officer for each campus, division or unit, after consultation with the General Counsel’s Office, for a determination of work-load and salary adjustment. Such determination shall be reported to and subject to review by the President.

Activities which require part- or full-time services, and for which more than token compensation is received, will require a reduction of work-load and pay, leave-of-absence, or resignation, depending upon the extent of the activity.

In engaging in political activities, employees shall abide by applicable law. This shall include, without limitation:

- not devoting any time or labor during usual office hours toward the campaign of any candidate for office or for the nomination to any office including the gathering of signatures for a nominating petition;
- not circulating an initiative or referendum petition or soliciting signatures on any initiative or referendum petition in any public office or during the usual office hours of the School or while on duty for the School;
- not coercing, by threats or otherwise, any public employee into devoting time or labor towards the campaign of any candidate for office or for the nomination to any office;
- not using any office or room furnished at public expense to distribute any letters, circulars or other campaign materials unless such office or room is regularly used by members of the public for such purposes without regard to political affiliation;
- not to use for campaign purposes any item of personal property provided with public funds; “campaign materials” and “campaign purposes” refer to the campaign of a candidate for public office and efforts to support or oppose a ballot measure, except as provided in Ark Code Ann 7-1-111;
- not to assess any public employee for any political purpose whatever or to coerce, by threats or otherwise, any public employee into making a subscription or contribution for any political purpose;
- not to place any campaign banners, campaign signs, or other campaign literature on any cars, trucks, tractors or other vehicles belonging the School.

Any approved political activities of an employee must be taken on personal time by taking annual leave with approval of the employee’s supervisor.
Nothing in this policy shall prohibit the Board from engaging in government speech, provided, that the expenditure of public funds to support or oppose a ballot measure is prohibited except as permitted by Ark Code Ann. 7-1-111(c).

Y. PUBLICITY RELEASES

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

Z. FREEDOM OF INFORMATION ACT

Under the Arkansas Freedom of Information Act, ASMSA records, with some exceptions, are considered public records and must be made available to citizens of the state of Arkansas for inspection during regular business hours. Records covered by the act include data compilations in any format, including papers, microfilm, microfiche, computer disks and tapes, email, and audio and video recordings. Freedom of Information requests must be responded to within three days of the date when a written request is received. The public may also request that disclosable documents be copied, but the school may charge a fee for copying.

Any employee who receives a request for public records under the FOIA shall promptly furnish the request to the Public Relations Specialist. The Public Relations Specialist will notify the appropriate custodian of the records. The Public Relations Specialist will assist the custodian(s) in complying with requests and, if necessary, discuss requests with the general counsel’s office.

Personnel records are exempt from disclosure under the FOIA if their release would constitute an unwarranted invasion of personal privacy. Evaluation or job performance records are disclosable only if they formed the basis for the suspension or termination of an employee, the administrative resolution of the case is complete, and there is a compelling public reason for their disclosure. Medical records and student education records are also exempt from disclosure. However, you or your designated representative may view your own personnel records. Also exempt are state income tax records, some law enforcement records, records which would give an advantage to competitors or bidders, and library patron records.
V. COMPENSATION POLICIES AND PROCEDURES

A. PAY PERIODS

Paychecks are disbursed twice per month with twenty-four (24) pay periods per year for twelve-month employees, and twenty (20) pay periods per year for ten-month employees. Paydays are the 15th and the last day of the month. Paydays are adjusted backward if payday falls on a holiday or weekend.

B. CAREER SERVICE RECOGNITION

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

<table>
<thead>
<tr>
<th>Career Service</th>
<th>Annual Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 through 14 years of state service</td>
<td>$800</td>
</tr>
<tr>
<td>15 through 19 years of state service</td>
<td>$1,000</td>
</tr>
<tr>
<td>20 through 24 years of state service</td>
<td>$1,200</td>
</tr>
<tr>
<td>25 or more years of state service</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

Payments are made on the last payroll of the employee’s anniversary month. Checks are subject to federal income tax required withholding rates, and regular social security and state income tax withholdings. Withholdings such as retirement contributions or any miscellaneous deductions do not apply. Payments do not affect or become a part of an employee’s base salary.

C. FAIR LABOR STANDARDS ACT

A regular work week of forty hours has been legally established. If the workload in a department necessitates working beyond regular hours, overtime payment may be made with the prior approval of the supervisor and appropriate senior administrator for non-exempt employees defined by the Fair Labor Standards Act, or for the performance of non-exempt work by an exempt employee. The granting of compensatory time may be used, and is preferred, in lieu of the payment of overtime compensation in accordance with Arkansas law.

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

D. **GARNISHMENTS**

If you have your wages or other amounts due from ASMSA seized by a court order of garnishment, the school is required by law to comply with the court order. Governmental liens resulting from claims for unpaid taxes, bankruptcy claims and child support orders must also be honored. When ASMSA receives a court order for garnishment or a salary lien, it must pay the required amount directly to the clerk of the court or the governmental agency. Any defenses you may wish to make must be made to the court or governmental agency.

Because a substantial amount of administrative time and expense is involved in processing wage garnishments and liens, the school has a concern whenever such an order is issued against an employee and served on the school. Grounds for dismissal will exist when two orders of garnishment, two salary liens or a combination of one of each type of seizure is processed against an employee in any 12-month period. Multiple garnishment orders resulting from the same debt or the same judgment will be treated as a single garnishment, and multiple assertions of salary liens arising out of the same bankruptcy order or the same debt for taxes due to the same governmental unit will be treated as a single salary lien.

E. **WORKERS COMPENSATION** (Arkansas Code Ann. §11-9-514, 529, 701)

If you become injured or ill while you are at work due to a work-related incident, you may be eligible to receive workers' compensation. Workers' compensation is available to you by law to ensure that you get appropriate and reasonable medical care for injuries or illnesses sustained while you are on the job. Should your injury or illness require that you take an extended period of absence from work, you may be eligible for disability benefits through workers' compensation. Leave taken because of a serious health condition for which workers' compensation benefits are received will be designated as family and medical leave if it meets the definitions. Determination and payment of claims is made by the Public Employee Claims Division located in Little Rock.

F. **EMPLOYEE DEBTS** (Board of Trustees Policy 405.2)

ASMSA has the right to offset amounts due to an employee for debts owed to the school. The Director, through the Fiscal Office, may develop a repayment plan for successive offsets so that the entire amount owed is not offset on a single occasion; except where a final check for wages for a terminating employee may be involved.
VI. LEAVE POLICIES AND PROCEDURES

(Board of Trustees Policy 420.1 and Board of Trustees Policy 420.3)

A. ABSENCES FROM WORK

If you will be absent from work for any reason, you are responsible for notifying your immediate supervisor within the first hour of your regularly-scheduled time for reporting to work. If you do not notify your department that you will be absent, or have someone notify the department for you if you are not able to, your absence will be considered unauthorized and may result in disciplinary action. The University may terminate employment if an employee fails to report to work and fails to notify supervisors (no call/no show) for three consecutive days of scheduled work, or under other circumstances where it appears that the employee has abandoned the position. Termination will be effective as of the last day worked.

Faculty members are to promptly notify ASMSA through their department chair and the Academic Affairs office. Staff members are to notify their immediate supervisor.

B. INCLEMENT WEATHER

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

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

When ASMSA is closed, employees previously scheduled for leave will not be penalized. If the campus was expected to work (i.e. early dismissal) and an employee previously scheduled a vacation day, the employee will be charged the entire day of vacation.

C. ANNUAL LEAVE

Employees whose titles are listed in the appropriation acts as twelve-month non-classified positions will receive 22.5 days of paid vacation from the on-set of employment, earned at a rate of 15 hours per month, with accrual occurring at the end of each month. While
administrative duties cannot be limited to a five-day, forty-hour week, for purposes of annual leave the normal work week shall be considered Monday through Friday.

Annual leave shall not be taken before it is earned but must be taken within twelve months after the close of the calendar year in which it is earned. An exception may be made when a vacation is postponed for the convenience of the School. Overuse of unaccrued leave hours may result in a docked pay status, disciplinary actions and/or termination.

Annual leave benefits are granted to all non-classified and non-student employees on twelve-month appointments of one-half time or more, with the part-time employees earning leave in proportion to the time worked.

An employee whose period of employment is scheduled to be changed from a twelve-month basis to a nine-month basis must take all accrued, unused vacation before the end of the twelve-month period. An employment period shall not be extended for the purpose of paying an employee for unused vacation, and neither shall lump-sum terminal payment be made unless an employee terminates employment with the School.

Annual leave is cumulative; however, no employee may have in excess of 30 days (240 hours) on December 31 of each year. During the calendar year accrued leave may exceed 30 days, but those days in excess of 30 will be lost if they are not used before December 31 of each year.

Accrued annual leave may be requested by an employee at any time. Requests for annual leave should be submitted to the appropriate supervisor no later than 2 weeks prior to the date of leave unless in emergency situations. Your supervisor may require that you take annual leave at those times when it will be most convenient for and least disruptive to your department or work unit.

Annual leave may not be accumulated while an employee is on leave without pay.

If you transfer to the School from another state agency or institution of higher education, without a break in service (within thirty (30) consecutive working days), you retain and transfer all of your accumulated annual leave. You will receive one year's credit for each full year that you have worked in another state agency or institution of higher education. You will not, however, receive credit for partial years.

Upon termination, resignation, retirement, death, or other action by which a person ceases to be an active employee of the School, the amount due the employee or his/her estate from accrued annual leave or holiday leave, not to exceed 30 working days inclusive of holidays, shall be included in the final pay to the employee. No employee receiving such additional compensation shall return to School employment until the number of days for which he/she received additional compensation has expired.
D. **SICK LEAVE**

**Definition**
Sick leave is a benefit available to ASMSA employees who are employed half-time or greater and on at least a nine-month appointment period. Paid sick leave is not granted as vacation leave and can be used only when: (1) the employee is unable to perform the employee’s regular duties because of sickness or injury or (2) for treatment by or consultation with a licensed health care provider.

Sick leave may also be granted to employees due to the death or serious illness of a member of the employee's immediate family. Immediate family shall mean the employee’s parent, sibling, spouse, child (including an adoptive child), grandparent, grandchild, in-law, or any individual acting as a parent or guardian of the employee. Serious illness for the purpose of this policy includes pregnancy- and maternity-related health conditions.

**Requests for Sick Leave**
Requests for sick leave should be submitted in advance, when possible (i.e. medical appointments, procedures, etc.). When advance notification is not possible, sick leave should be reported to your supervisor within the first hour of your regularly scheduled time to report to work. An unplanned sick leave request must be submitted within two days after the employee returns to work.

An employee shall be required to furnish to his or her supervisor and Human Resources a certificate from an attending health care provider for five or more consecutive days of sick leave and may be required to furnish a certification for purposes of the Family and Medical Leave Act (FMLA) for a serious health condition that continues for three or more consecutive days. An employee may also be required to provide a medical certification for other absences under a campus, division or unit attendance policy reviewed by the Office of General Counsel. A certificate from a Christian Science practitioner listed in the Christian Science Journal may be submitted in lieu of a physician’s certificate.

**Sick Leave Accrual**
An eligible, full-time (100%) employee accrues sick leave at the rate of eight hours for each complete month of service, up to a maximum annual carryover of 960 hours. Full time ASMSA employees will receive 8 hours on the last pay period of the month. Eligible employees working less than full time accrue sick leave in the same proportion to time worked.

Sick leave may not be accumulated during a leave without pay when such leave totals ten or more days within a calendar month.
When an employee is laid off due to budgetary reasons or curtailment of School activities and within six months again becomes an employee of the School, accrued sick leave may be restored to his/her credit.

**Use of Accrued Sick Leave**

**A. General**
Sick leave is granted on a basis of work days and not calendar days. It is deducted from the employee's accrued sick leave in increments of not less than one-fourth hour. Non-workdays such as weekends and holidays falling within a period of sick leave are not charged as sick leave.

Sick leave shall not be taken before it is earned. Overuse of unaccrued leave hours may result in a docked pay status, disciplinary actions and/or termination.

Sick leave may be granted only for a period when the employee is in an appointed status. For the purpose of this policy, academic employees who are in pay status during the summer term will be considered to be in appointed status. For academic employees on less than a 12-month appointment, sick leave that begins during the Spring Semester shall not extend into the Summer Session and may resume in the Fall Semester if the employee is otherwise eligible for sick leave and has received a benefits eligible appointment for the Fall Semester.

Absence due to illness or disability, except in case of leave for pregnancy or maternity related health conditions, is charged first to sick leave, and next to any remaining available leave in the order dictated by payroll procedures.

**B. Worker’s Compensation and FMLA**
An employee who is absent from work due to a temporary occupational injury or illness and who is entitled to Worker's Compensation Benefits may, upon proper application, utilize their accrued sick leave as a supplement to Worker's Compensation so as to receive weekly benefits from both sources equal to but not in excess of their normal weekly pay at the time of the injury or onset of illness. This option, when exercised, will reduce the employee's accrued sick leave on a basis proportional to the sick leave pay being claimed. An employee receiving Worker's Compensation benefits for a permanent disability is also eligible to utilize accrued sick leave.

Sick leave shall run concurrently with leave taken under the Family and Medical Leave Act.

**C. Maternity-Related Health Conditions**
Sick leave may be taken for pregnancy- and maternity-related health conditions and will be treated as any other leave for sickness or disability except that: (1) no health care provider certification will be required for the first four weeks following the birth of the
child, and (2) the employee taking leave for a pregnancy or maternity-related health condition may elect to take leave of absence without pay without exhausting accumulated annual and sick leave. Upon return from leave the employee will be given the same or comparable position to the one occupied prior to the leave. The employee is expected to provide the employee’s supervisor as much notice as possible prior to beginning leave for a pregnancy- or maternity-related health condition, and at least two weeks’ notice prior to returning to work from pregnancy- or maternity-related leave. Both notices must be in writing.

E. WELLNESS PROGRAM AND LEAVE TIME

In an effort to promote health and wellness, employees are granted up to 1 ½ hours each week to participate in wellness activities. Since the time granted is during the work day, employees should coordinate the time with their respective supervisor to ensure all offices have coverage between 8:00 a.m. and 4:30 p.m. Activities must be campus based, meaning the activity occurs on campus (Zumba, yoga, use of the fitness center, etc.) or must depart from and return to campus (walks/jogs in nearby areas, etc.).

F. HOLIDAYS and CAMPUS CLOSURES

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

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

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year’s Day</td>
<td>January 1</td>
</tr>
<tr>
<td>Martin Luther King, Jr. Birthday</td>
<td>Third Monday in January</td>
</tr>
<tr>
<td>* George Washington Birthday</td>
<td>*Used during winter break</td>
</tr>
<tr>
<td>* Employee Birthday</td>
<td>*Used during winter break</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Last Monday in May</td>
</tr>
<tr>
<td>Independence Day</td>
<td>July 4</td>
</tr>
<tr>
<td>Labor Day</td>
<td>First Monday in September</td>
</tr>
<tr>
<td>* Veterans Day</td>
<td>* Used during winter break</td>
</tr>
<tr>
<td>Thanksgiving Day</td>
<td>Fourth Thursday in November</td>
</tr>
<tr>
<td>Christmas Eve</td>
<td>December 24</td>
</tr>
<tr>
<td>Christmas</td>
<td>December 25</td>
</tr>
</tbody>
</table>
2. If the Governor proclaims any other holiday for State employees, ASMSA will grant that day or another day off.
3. Due to the nature of some positions, if an employee is assigned a work schedule that requires work on a regularly scheduled holiday, the employee will be granted time off on another day following the holiday.
4. An employee who works one-half time or greater will receive holiday pay proportionate to the time worked.
5. In order to receive holiday pay, an employee must be in paid status (not on leave without pay) the workday prior to the holiday and the workday after the holiday.

**Authorized Absence:** An authorized absence is an absence that an employee schedules in advance and does not require the use of annual or sick leave. This includes military service, jury duty, professional development, inclement weather and other closures approved by the Director.

**Campus Closures (ex: Fall Break, Extended Weekends, etc.):** As often as possible, it is the goal of ASMSA for employees to work a consistent schedule. When a campus closure is scheduled, employees are expected to work a designated number of hours in that week. Since the number of hours expected to work will vary based on the reason for closure, supervisors will be responsible for modifying schedules as needed. In general, if campus is closed, you are not expected to work those hours. If it is a non-instructional day, non-exempt employees are expected to be on campus. Exempt employees are expected to work those hours either on-campus or off-campus.

G. **FAMILY AND MEDICAL LEAVE ACT**

Under the Family and Medical Leave Act of 1993 (FMLA), the school provides up to 12 weeks (480 hours) unpaid leave per year for employees with qualifying life events, continuation of health benefits during leave, and reinstatement to the same or an equivalent job upon return.

In general, when an employee cannot report to work due to either a personal or family illness for greater than three consecutive working days, they may be eligible for unpaid leave under the FMLA.

Qualifying events include:
- Birth or adoption of a child
- Placement of a child in foster care
- Spouse or an immediate family member with a serious health condition requiring care
- Inability to work due to a serious health condition
- Covered service member with a serious injury or illness requiring care if the employee is the spouse, son, daughter, parent or next of kin
- Qualifying exigency rising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty

An employee’s spouse, children and parents are immediate family members for the purposes of FMLA. Immediate family member includes a parent but does not include a parent-in-law. The term son or daughter does not include individuals age 18 or over unless they are incapable of self-care because of a mental or physical disability limiting one or more major life activities as defined by Equal Employment Opportunity Commission (EEOC) regulations under the Americans with Disabilities Act (ADA).

Under the FMLA, employees are required to provide the School with at least 30 calendar days of advanced notice prior to the expected start of FMLA leave, including requests for leave based on an expected birth, adoption or placement of a child in foster care. When a date of birth, adoption or placement of a child in foster care requires leave to begin in less than 30 days, notice must be provided as soon as is practical.

In any case, when 30-day advance notice is not possible, the employee must provide as much advance notice as possible, ordinarily within less than two business days from the time they become aware of the need for leave. Employees request FMLA by contacting Human Resources and will receive an informational packet with required forms.

ASMSA requires employees to use accrued vacation and/or sick leave concurrently with using unpaid FMLA leave. Vacation and/or sick leave, as well as catastrophic leave, if applicable, can count against the 12 weeks of allowed FMLA leave. Pregnancy, disability or maternity leave for the birth of a child is considered a qualifying serious health condition and may be counted in the 12 weeks of allowed FMLA leave. Workers' compensation leave can also count against an employee's FMLA leave entitlement.

H. MILITARY LEAVE

(Public Law 93-508, 94-286; Arkansas Code Ann. §21-4-3, §21-4-105; Board Policy Board of Trustees Policy 420.1, Board of Trustees Policy 420.2; Schoolwide Administrative Memorandum 435.2, 435.3)

If you are a member of the National Guard or of any of the Reserve branches of the Armed Forces of the United States and are a full-time appointed 12-month employee, you will be granted 15 working days of leave, plus any necessary travel time, each year for training. Military leave for annual training or other official duties is granted without any loss of pay and is in addition to your regular annual leave.

If you are a full-time appointed employee and are drafted or called to active duty in the Armed Forces of the United States or if you volunteer for military service, you will be placed on extended military leave without pay. Any unused sick leave that you have accumulated before you go on extended military leave will be reinstated when you return. All of your unused annual leave will be reinstated when you return, unless you request...
and receive a lump-sum payment for the accrued, unused annual leave when you go on extended military leave.

However, if you were called to active duty after September 11, 2001, as a member of the National Guard or any of the reserve components of the armed forces by order of the president or the governor for an emergency or contingency of more than 30 consecutive days, you are entitled to continued salary payments that when combined with your active duty pay, incentives and allowances, except uniform and clothing allowances, equal the amount that you would otherwise have received but for your required active duty. You must be a current active employee in order to receive such payments, unless your termination was the result of a disability incurred when on active duty. The payment will be made as a one-time lump sum payment and no retirement contribution will be made on the pay. You must present a Leave and Earning Statement showing military pay or Form DD214 showing active duty dates.

If you volunteer or are ordered to active duty for the purposes of specialized training, you will be placed on leave without pay for the period of the training unless you elect to use your accrued annual leave. Leave for specialized training is in addition to your annual military training leave. You will retain your eligibility rights, including your accumulated annual leave, unless you choose to use your annual leave for the specialized training period. You will also retain any accumulated sick leave that you have before you begin the specialized training. Although you will not accumulate annual leave or sick leave during the leave without pay, your annual leave accrual rate will be calculated as though you had not been absent.

You will be granted military leave with pay for up to 30 working days if you are called to active duty in an emergency by the governor or the president. If the emergency extends beyond 30 days, you may use annual leave and, if necessary, leave without pay. The emergency military leave is in addition to annual military leave for training.

You must make requests for military leave in writing, and you must attach a copy of your military orders to each request for military leave.

When you are released from active duty for military service or for specialized training, you will be reinstated to your former position or to a position with comparable pay and benefits, provided you apply for reinstatement within 90 days of your release from active duty. If you extend your enlistment or re-enlist for additional military service beyond your initial enlistment period for more than four years, or five years when your re-enlistment was at the request of the military, you will lose all reinstatement rights, and will be treated as a rehire.

If you incur a military service-related disability and are scheduled by the U.S. Department of Veterans Affairs to be reexamined or treated for the disability, you are entitled to paid leave of up to six days during any calendar year for reexamination or treatment.
I. COURT AND JURY LEAVE

(Board Policy Board of Trustees Policy 420.1, Board of Trustees Policy 420.2; Schoolwide Administrative Memorandum 435.2, 435.3; Arkansas Code Ann. §§ 21-4-213 and 21-5-104)

If you serve as a juror or are subpoenaed as a witness to give deposition in a court or hearing, you are entitled to your regular ASMSA pay in addition to any fees paid by the court for your services or necessary appearances, and your absences from work will not be counted as annual leave. You should return to work as soon as your services are no longer needed by the court.

When your service on a jury would cause a hardship to the operation of your work unit, the chancellor may petition the judge, in writing, asking that you be excused from jury duty. However, if the request is denied or no response is received before the date your jury duty is to begin, you must report for jury duty.

If your service as a witness can be handled by the taking of a deposition rather than court appearance, the deposition is preferable. Depositions or statements which involve the school may be taken during working hours. All others should be handled on personal time.

If you are accepted by the court as an expert witness and are paid a fee in excess of the normal witness fee, you will be required to take annual leave for the time needed for your testimony.

If you are involved in personal litigation or are a paid witness in a case outside the scope of your school employment, you will be required to take annual leave.

J. LEAVE OF ABSENCE WITHOUT PAY

(Board Policy Board of Trustees Policy 420.1, Board of Trustees Policy 420.2; Schoolwide Administrative Memorandum 435.2, 435.3; Act 835 of 2003)

Requests for leave of absence without pay should be made to and must be approved by your department head and/or the director. Leave of absence without pay may be granted to ASMSA employees for the following reasons:

- An extended absence, requested by the employee, which is in the best interest of the school or which the school is able to accommodate. Classified employees may be granted up to six months of leave without pay, and non-classified employees up to one year’s leave without pay. You must make a written request to the chancellor for approval of your leave of absence without pay if it is for any reason except those which follow.
• Necessary absences because of your or your immediate family member's serious health condition (see Family and Medical Leave) or because of disability or personal reasons when the absence extends beyond your available earned annual and sick leave. On a case-by-case basis, unpaid leave will be considered as a form of reasonable accommodation for qualified individuals with disabilities.

• Leave for the birth or placement of a child with you for adoption or foster care (see Family and Medical Leave and Maternity Leave).

• Military leave that involves active duty or active duty for specialized training (see Military Leave).

• Employees may be put on leave of absence without pay for disciplinary reasons.

• Employees who do not report to work because of inclement weather conditions may elect to use "leave without pay" in lieu of "annual leave" with approval from their supervisor. Absences due to inclement weather will be treated as an "excused absence."

You must use all of your accumulated annual leave before you take leave without pay, except when the leave qualifies as maternity leave, certain types of military leave, when the leave is for disciplinary purposes, or for absences due to inclement weather. You will not earn annual leave or sick leave if you are on leave without pay for 10 or more days during a calendar month. You will not be paid for official school holidays while you are on leave without pay.

When you are on leave without pay, you may continue to participate in the school's group insurance programs. However, you must pay the total cost (your part and the school's matching part) of your coverage for any month when you are on leave without pay for 10 or more consecutive days. For those benefits provided by the school, with no employee contribution (basic life insurance and long-term disability insurance), you must pay the amount of the school's contribution or risk loss of coverage, except when those benefits are protected by FMLA regulations (see Family and Medical Leave).

If you fail to report to work promptly at the end of an agreed-upon period of leave without pay, your employment with the school may be terminated. If there is good reason for the delay, the school may extend your period of approved leave. The chancellor must approve the extension if it causes your total leave to exceed six months.

K. BEREAVEMENT LEAVE
(University-wide Administrative Memorandum 435.3)

You may use sick leave when you are absent from work because of the death of a member of your immediate family. Immediate family means your mother, father, sister, brother, husband, wife, child, grandchild, grandparents, in-laws, or any individual who has acted as your parent or guardian.
If you wish to attend the funeral of anyone outside your immediate family, you should make a request, as far in advance as possible, to your supervisor. Your absence will be charged to compensatory time first, then annual leave/personal day, or to annual leave/personal day if you have no compensatory time accumulated.

L. **CHILDREN’S EDUCATIONAL ACTIVITIES LEAVE**  
(Act 1796 of 2007; Arkansas Code Ann. §21-4-216)

If you are a full-time, benefits-eligible employee, you will receive eight hours of leave each calendar year to participate in, assist with or attend your children's educational activities. Unused children's educational activities leave may not be carried over to the next calendar year, and you will not receive compensation for unused children's educational activities leave at retirement or when your employment with the school ends.

For the purposes of children's educational activities leave, "child" is defined as any person enrolled in an educational program for pre-kindergarten through grade 12 (preK-12) who is your natural child, adopted child, stepchild, foster child, grandchild, legal ward, or for whom you are the legal guardian or act in any other legal capacity as a parent, or is over the age of 18 and declared legally incompetent.

Pre-kindergarten means an educational and child development program that is designed to prepare children who are at least three (3) years of age for an academic kindergarten program.

Educational activities are defined as: parent-teacher conferences, your participation in school-sponsored tutoring, school-sponsored volunteer programs, field trips, classroom programs and academic competitions, and your assisting with athletic, music or theater programs. Children’s educational activities leave may not be used to attend sports activities.

M. **EDUCATIONAL LEAVE**

A full time employee may be granted educational leave, with or without pay, to pursue a course of instruction, provided that your doing so will be beneficial to the school and provided the Director approves your application. On your return, you will be expected to continue to work for the school for a period at least twice the length of your course of training, or as required by state statute. If you do not remain with the school for the agreed-upon period, you will be required to pay the school the total cost or a proportionate share of the cost of the out-service training and any compensation paid during the training period. A written contract will be drawn up setting forth the terms of your leave, to be signed by you and the Director. The amount of salary paid during the training period will be agreed upon by you and the Director, but it may not exceed your regular salary. Payments for tuition, fees, books and transportation may be made only if
the funds have been specifically appropriated by the Arkansas General Assembly for those purposes.

N. **CATASTROPHIC LEAVE**

The Catastrophic Leave Bank Program assists eligible university employees, after they have exhausted their earned sick leave, annual leave, holidays, and compensatory time, to manage medical emergencies, injuries and illnesses incurred by them or eligible family members.

Catastrophic Leave may also be used for parental leave.

Only full-time (100% appointed) employees in a benefits-eligible position may donate or receive hours in the catastrophic leave bank. Donations are strictly voluntary and employees do not need to be donors to receive hours from the bank. Leave donations are accepted only during donation drives or at an employee's end of employment.

Donations are made in one-hour increments. There is no limit to the number of hours that can be donated. A donation cannot be accepted, however, if it reduces the combined sick and annual leave balances of the donor to less than 80 hours.

Employees on catastrophic leave continue to accrue leave and receive other benefits; however, any leave earned while an employee is on catastrophic leave must be assigned to the catastrophic leave bank as a condition of voluntary participation in the program. Restrictions concerning the maintenance of minimum leave balances do not apply to employees on catastrophic leave.

Employees should contact Human Resources to apply for Catastrophic Leave. No employee shall be approved for catastrophic leave unless the employee has provided an acceptable medical certificate from a physician supporting the continued absence and setting forth that the employee is, and will continue to be, unable to perform the employee’s duties due to a catastrophic illness. In no case shall an employee be granted catastrophic leave beyond the date certified by a physician as the date when the employee is able to return to work because the health of either the employee or the qualifying family member has sufficiently improved. Information concerning an employee’s assigned duties should be made available to the physician and the Catastrophic Leave Committee.
A. **HEALTH INSURANCE** (Board of Trustees Policy 430.1)

ASMSA provides a self-insured medical plan that is administered by a third-party administrator. If you are a regular appointed employee working twenty or more hours a week, eligible retiree, or eligible disabled employee, you and your eligible dependents may enroll in the school's health insurance plan, provided you do so within 31 days of your initial employment.

Different options or plans of health coverage are available. Eligible retirees and retiree spouses under age 65 will be offered enrollment in the regular health plan administered by UMR. Eligible retirees and retiree spouses age 65 and older will be offered enrollment in the University of Arkansas United Healthcare Medicare Advantage Plan (PPO). For a full-time employee, ASMSA pays a significant portion of the monthly premium costs with the remainder of the premium being paid by the employee through payroll deduction.

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

B. **DENTAL INSURANCE** (Board of Trustees Policy 430.1)

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

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

ASMSA provides basic term life insurance at no cost to you if you are an active, regular appointed employee who works at least 20 hours a week. The plan pays your beneficiaries a benefit equal to your annual salary, up to a maximum of $50,000. When your pay increases, your coverage is automatically adjusted. If you are age 70 or older, your benefits will be reduced. Human Resources can provide further information about this and other insurance benefits.

You may buy additional life insurance through the school for yourself and your dependents. You pay the full cost of this coverage, and must enroll within 31 days after your first day of work, unless you provide proof of insurability. Optional life insurance increases your coverage, and pays your beneficiaries amounts equal to one, two, three or four times your annual salary, up to a maximum of $500,000.
You may buy dependent life insurance for your spouse and eligible dependents. The policy allows you to choose $10,000, $15,000 or $20,000 coverage on your spouse. Eligible dependents are your biological children, adopted children, step children and children for whom you have legal guardianship who are under age 26. Eligible children are covered for 50% of the spouse's coverage.

Accidental Death and Dismemberment Insurance is available for you and your eligible dependents. If you or a covered dependent die as the result of an accident, on or off the job, the beneficiary will receive a benefit based on the amount of coverage you select. You may choose coverage for yourself in increments of $25,000 up to $300,000. If you choose dependent coverage, your spouse's coverage is 60% of your amount, and each eligible dependent is covered for 20% of your amount. The plan may also pay partial benefits if a covered person is seriously injured or loses a limb or eyesight.

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

ASMSA pays the full cost of your basic long-term disability insurance policy if you are an active, regular appointed employee who works 20 hours a week or more. Your coverage is automatic, starting with your first day of work. If your annual salary is more than $20,000, you may purchase additional optional long-term disability coverage to increase your benefits. You pay the total cost of the optional coverage, which will be deducted from your paycheck. Both the basic and the optional long-term disability insurance policies are designed to coordinate with other forms of disability insurance, such as social security and workers' compensation, to provide you with total monthly payments, until you retire or reach age 65, equal to 60% of your salary before you became disabled. Payments begin in the seventh month of your long-term disability.

E. **TUITION DISCOUNT** *(Board of Trustees Policy 440.1)*

All full-time active employees, not on leave without pay other than workers compensation, military or family medical leave, employed as of the final day of regular registration in any particular session or semester, their spouses, and their dependent children (as defined by the Internal Revenue Service) are eligible for a tuition discount at another University of Arkansas System institution. Surviving spouses, who have not remarried, and dependent children of deceased employees who died while in the full-time employment of ASMSA are also eligible. All enrollees must meet normal admissions requirements, and audits should be on a space available basis only. For employees hired after May 1, 2017, eligibility as described above shall begin with the final day of regular registration following continuous employment in a full-time position with ASMSA for one complete fall or spring semester. For further information concerning tuition discount, contact the Human Resources Office.
ASMSA employees shall designate one campus as the “employee’s campus” for purposes of this policy. The designated campus shall remain the same for the term of employment unless the site of employment changes. These employees should receive the same employee and/or dependent tuition waiver available for undergraduate education on the designated “employee’s campus” that is available for employees of the designated campus.

Employee’s enrollment at reduced rates shall not exceed eleven semester credit hours in the fall and spring semesters and six semester credit hours in the summer session.

All enrollments that require release time from an employee’s work schedule must be approved by an authorized supervisor. This policy does not assume that release time from regular working hours will be automatically permitted. Release time is not a right but a privilege that is granted at the authorized supervisor’s discretion.

Spouses and dependents may take up to 132 undergraduate semester credit hours and receive a 50% tuition discount at the employee’s designated campus or 40% tuition discount at any other campus within the University of Arkansas. A student may not receive discounts as both an employee and a dependent of an employee. Waiver benefits are applicable to tuition only. All applicable fees are to be paid in full for any enrollment. The waiver benefit is applicable to credit courses only.

F. TUITION REIMBURSEMENT

ASMSA employees are encouraged to utilize the tuition waiver available through a designated “employee campus” whenever possible. For courses not covered by a U of A campus tuition waiver policy or programs of study that are unavailable at a UA System campus, ASMSA employees may be eligible to receive reimbursement for tuition and fees of approved continuing education or graduate work that will be a benefit to ASMSA or to the employee’s current position. Reimbursement will not exceed $825 per semester.

The reimbursement benefit is applicable to either credit courses or specific certifications directly related to the employee’s field of expertise and position with ASMSA.

In order to be eligible for the tuition and fees reimbursement, requirements must be met prior to the start of the semester (where applicable). Contact Human Resources to apply for tuition reimbursement.

If the employee benefitting from this policy does not continue employment with ASMSA for two years after the semester compensation is granted, the employee shall reimburse ASMSA.
Full reimbursement of tuition and fees will be granted if ASMSA requires a full-time employee to take a class to maintain eligibility for employment for his or her current position. A written request will be sent to the employee detailing coursework requirements and placed in the employee’s personnel file.

An appeals committee will be in place in the event an employee is denied and wishes to appeal the decision. The committee will be made up of representatives from Human Resources, one faculty member, and one staff member.

G. EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) is available for all employees who are 50% appointed or greater, and who are not students. You and members of your immediate family who live in the same household may use the EAP’s services. The EAP is designed to help identify and resolve personal and job-related problems that may affect your job performance. These include health, marital, family, financial, legal, emotional, stress, alcohol, drug and other similar concerns.

The EAP also offers training sessions and workshops that address personal and organizational issues that may affect work performance and provides consultation for supervisors dealing with a variety of work-related issues. The EAP will provide stress debriefing in the event of a critical incident that affects the campus. Use of the EAP is voluntary. Choosing to participate in the programs of the EAP, or not to participate, will not affect your job status or your opportunities for promotion, but it will also not excuse you from following school policies and procedures concerning job performance and conduct. You may decide to make an appointment to visit the EAP or your supervisor may refer you to the EAP if there are problems with your work performance or your conduct at work. However, it is your choice to accept or not accept your supervisor’s referral to the EAP. If the EAP refers you to another source of help, the decision to accept that referral is also your own choice and responsibility.

All aspects of your contact with the EAP are confidential and will not be disclosed without your written authorization. An exception is that state and federal laws require, for example, that the EAP report to the appropriate authorities if you make a threat to your own or someone else’s life. EAP records are maintained in the EAP offices and will not become a part of, or be referred to in your personnel file, benefits file, medical file or any other file that may be accessed by any individual, department or organization.

You may visit the EAP during work hours if you coordinate your visits with your supervisor. You will not be charged annual leave or sick leave if you make arrangements with our supervisor when you visit the EAP. The EAP may confirm to your supervisor that you kept your appointment and how long the appointment lasted, but not what was discussed.
during your appointment or the reason you visited the EAP. The EAP can schedule appointments outside of work hours or you may use your accrued sick leave or annual leave if you wish to keep your visits to the EAP confidential.

If you are a benefits-eligible employee, the services of the school’s EAP are free to you and members of your household. If the EAP makes a referral to an outside provider, you will be responsible for any costs associated with those services that are not covered by your medical insurance.

H. **RETIREMENT** ([Board of Trustees Policy 425.5](#))

**The 403(b)/457(b) Retirement Plan**

A regular employee, or an employee with a half-time or greater appointment, is eligible for retirement benefits under the School's 403(b) and 457(b) defined contribution plans. In a defined contribution plan, an employer, its employees—or both—make regularly scheduled contributions to an account set up in each participating employee’s name. Each account’s value depends on the amounts the employer and/or employee contributes, and investment gains or losses on those contributions.

Plan highlights:
- ASMSA contributes to your 403(b) and you are required to make basic contributions. You can elect to make additional voluntary contributions on a pre-tax or after-tax (Roth) basis. This contribution design is intended to support meaningful retirement savings for all participants.
- Required employee contributions are made on a pre-tax basis, providing you with savings on federal and state income tax by lowering your taxable income.
- The University monitors the core fund lineup, providing for best-in-class investment options for all plan participants.
- For a wider array of investment options, a brokerage window is available with TIAA and Fidelity.

You can invest the money in your Retirement Plan through TIAA and/or Fidelity. If you need help with your retirement plan investment options or you need personalized financial advice, schedule an appointment with a TIAA or Fidelity representative.

You may keep the money in your account if you leave ASMSA or transfer the vested portion (the money you own) to another tax-qualified retirement savings plan. The vested portion is always yours.

You are vested automatically in your own contributions. This means you can take them with you if you leave ASMSA for any reason.

You become vested in the ASMSA contributions if you:
• Complete 24 consecutive months of employment in a benefits eligible position; OR
• Die; OR
• Reach age 65; OR
• Become disabled as determined by the Social Security Administration or ASMSA’s long-term disability insurance provider.

If you are not vested when you leave ASMSA employment and return to ASMSA after 30 or more days, your vesting period starts over. If you are vested when you leave ASMSA employment and then return as an employee at another University of Arkansas campus, you will still be vested. Once you are vested in the retirement plan, you are always vested.

Defined Benefit Plans

ASMSA no longer participates in the Arkansas Public Employees Retirement System (APERS) or the Arkansas Teachers Retirement System (ARTRS). If you were employed by ASMSA and were a participant in either plan before the school stopped participating, you were allowed to continue participating.

If you transfer from one campus to another and were participating in APERS at your prior campus, you can elect to participate in APERS at your new campus. Note: A transfer is defined as a break in service of 30 days or less. You cannot remain in ARTRS if you transfer campuses.

Retirement Options for Non-Benefits-Eligible Employees

If you are a non-benefits-eligible employee, you can voluntarily participate in the 403(b) Retirement Plan. ASMSA will not contribute to your account. Contributions can be pre-tax or after-tax. You can participate through TIAA and/or Fidelity.

I. CONTINUATION OF BENEFITS

If your employment with ASMSA is terminated for any reason other than as a result of gross misconduct while you are covered by the school’s medical insurance plan, or if you become a part-time employee and are no longer eligible for coverage under the medical insurance plan, you may continue your coverage at your own expense for up to eighteen months or until you are covered by another plan, whichever comes first, under the provisions of the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Your covered dependents may also be eligible for COBRA coverage under certain circumstances. For additional information, please contact the Human Resources Office.
VIII. DISCIPLINARY ACTION AND COMPLAINT RESOLUTION

A. DISCIPLINARY ACTION

Discipline is a serious matter, and the level of discipline should take into consideration the conduct or behavior of the employee, and its impact upon the working environment. Discipline may vary depending upon the nature and severity of the offense. There are various forms of discipline, including, but not limited to, an oral or written warning, probation, suspension and termination. Before meeting with or discussing an action with an employee, a supervisor must present any proposed disciplinary action to the Human Resources Office.

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

1. The employee’s performance will be reviewed at least once each month; and

2. The supervisor will document each meeting with the employee and place a copy of the document in the employee’s personnel file. Each meeting should be conducted in the presence of a member of Human Resources. Should the situation warrant, the appropriate administrator may also be asked to attend.

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

Employees have five business days from the date of the disciplinary action to file a grievance or dispute resolution for further review by the Director and/or appropriate official.

B. ADMINISTRATIVE REVIEW/DISPUTE RESOLUTION

The purpose of dispute resolution is to provide employees with a prompt review, impartial consideration and equitable disposition of grievances having a potential adverse, unjust or inequitable effect on employment conditions. Complaints concerning discrimination are addressed through the Consolidated Grievance Procedure set forth below. There is no grievance right for an employee who has received notice of termination upon written notice of at least thirty days in accordance with Board of Trustees Policy 405.4, excepting allegations of discrimination. An employee who presents a complaint shall be free from restraint, interference, discrimination or reprisal.
Step 1: The employee shall notify the immediate supervisor of the complaint describing the nature of concern and an appropriate remedy. The immediate supervisor will review the complaint and attempt to reach a satisfactory resolution. If the employee is not satisfied with the supervisor’s resolution, he/she should proceed to Step 2. If the employee’s complaint concerns the immediate supervisor, the employee may proceed directly to Step 2;

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

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

C. CONSOLIDATED GRIEVANCE PROCEDURE

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

Step 1: The employee shall provide a written grievance to Human Resources listing the actions complained of, and any witnesses or evidence concerning the grievance within thirty calendar days of the date of the alleged event/action. HR will investigate the grievance and prepare a written report of the findings to the immediate supervisor, or the next level supervisor if the employee’s grievance concerns the immediate supervisor. The appropriate supervisor will review the complaint, and with the assistance of HR, attempt to reach a satisfactory resolution. If the employee is not satisfied with the supervisor’s resolution, he/she should proceed to Step 2 or Step 3;

Step 2: The employee shall present the grievance, in writing, to the next supervisor in the line of authority who will review the grievance and attempt to reach a satisfactory resolution. If the employee is not satisfied with the supervisor’s resolution or have no higher supervisor remaining, he/she should proceed to Step 3.
Step 3: The employee shall present the grievance, in writing, to the Director who will review the complaint and with the assistance of HR, render a decision, or refer the grievance to an ad hoc committee for recommendation. The decision of the Director is final. For complaints involving the director, Human Resources and/or an ad hoc committee will render a decision.

*In the event the employee grievance involves the Director, Human Resources will work directly with a UA system representative.*
IX. RESIGNATION AND TERMINATION OF EMPLOYMENT

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

A faculty or staff member has a duty to give early notice of his or her resignation, including the proposed effective date of the resignation. Generally, notice should be given in written or electronic form to the individual’s supervisor or to the administrative head of the department to which the individual is assigned. If notice is given verbally, the individual’s supervisor or the administrative head of the department to which the individual is assigned should, as soon as practical, send a written communication to the individual acknowledging receipt of the verbal notice. The supervisor or administrative head shall give a formal response to the notice (either an acceptance or rejection) to the employee within five (5) working days of receipt of the notice of resignation. When the written acceptance of the resignation is forwarded to the individual submitting his/her resignation, the resignation becomes final. A copy of the letter of resignation and the acceptance shall be forwarded to the Human Resources office and the Director.

Before a final paycheck is issued to a leaving employee, the following steps must be taken:

1. During the last 5 workdays, the employee must obtain a Termination Clearance Form from Human Resources. This form must be turned in on the last day of employment.

2. A final time sheet (if applicable) and all leave forms must be submitted through Workday on the last day of employment.

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

Termination of employment is governed by the University of Arkansas Board of Trustees Policy 405.4. ASMSA employees are considered “at-will” employees and may have their employment terminated by the school for convenience at any time or may be dismissed immediately for cause. Although a dismissal for cause may be effective immediately, an employee may seek review of a for-cause dismissal in accordance with the policies of the campus, division or unit. If no review policy applies, the employee shall have the opportunity to seek, within five (5) working days of dismissal, review of the matter by the Director who shall make a final decision on the for-cause termination.

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

When you leave ASMSA employment, the amount due to you from unused accrued annual leave, up to thirty days or 240 hours, will be paid to you as a lump sum, in the final paycheck and/or a separate check issued on the 15th of the month following your termination. You will also receive payment for any compensatory time accrued as a result of approved overtime work and any unused holiday time. If you receive payment for unused leave, you may not return to employment with ASMSA or with any other state agency or institution until the number of days for which you received the additional compensation has expired. If you have any unpaid debts to ASMSA at the time of your termination, the school will withhold an amount from your final paycheck to cover them. If you die while you are an active employee, your estate will be paid any amount due to you for up to sixty days or 480 hours accrued annual leave.
A. SCIENTIFIC AND SCHOLARLY MISCONDUCT

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

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

**Step 1:** Initiate an inquiry into the suspected or alleged misconduct and conduct a subsequent investigation, if warranted;

**Step 2:** Take action necessary to ensure the integrity of research, the right and interests of research subjects and the public and the observance of legal requirements or responsibilities; and

**Step 3:** Notify the funding agency of the suspected or alleged misconduct as required by federal law.

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

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

1. Emergencies involving students, faculty and staff that may result in bodily harm will be addressed as follows:

   a. Emergencies occurring in the residence hall will be addressed by the Residential Life staff. For medical emergencies occurring during the school day, the school nurse will direct the appropriate response. Staff will assist with crowd control and may be required to provide transportation to professional medical resources. Medical emergencies occurring after business hours will be addressed by the Residential Life staff to determine whether transport to a medical clinic or emergency room is warranted. Staff members will notify the student’s parent/guardian of the situation and follow up with notification to the school nurse.

   b. Emergencies involving law enforcement matters and students (e.g. police department notification and arrest), will be addressed by the Residential Life staff who will assist law enforcement and immediately thereafter notify the Dean of Students.

   c. Emergencies involving a suicide attempt, student emotional crisis, group concerns or disturbances, the Residential Life staff will contact the Dean of Students who will consult the Licensed Professional Counselor. If the Dean is unavailable, staff is to contact the Assistant Dean for Residential Life. The following personnel shall also be contacted: Dean of Students at 622-5174, Director at 622-5117 and Dean of Academic Affairs at 622-5111.

2. Emergencies that involve issues of potential or actual damage to facilities (e.g. fire, utility and elevator interruptions, flooding, security, physical damage) will be addressed as follows:

   a. The first responding employee shall handle the emergency to the best of his/her ability and should contact the Security office at 622-5152. Security personnel will contact the appropriate staff who will, in turn, contact appropriate contracted resources. Security personnel will also initiate the notification of administrative personnel in the following manner:

   Student Center: Residential Life - 622-5213
   Residential Life Coordinator - 622-5310
b. During the evenings, Residential Life staff shall first contact the Dean of Students. If unavailable, staff shall notify one (1) school administrator in the following order until an administrator is notified:

1. Director
2. Dean of Academic Affairs
3. Director of Finance
4. Director of Admissions
5. Director of Institutional Advancement

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