



DONNELLY COLLEGE

EST. 1949

EMPLOYEE MANUAL

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WELCOME TO DONNELLY COLLEGE

We are delighted to have you as an integral part of Donnelly College. We pride ourselves on hiring people, like you, who believe in our Mission and students, and who strive to do the best job possible in every situation.

This Employee Manual is intended to provide you with a general understanding of the basic personnel policies of Donnelly College and the guidelines concerning your duties as an employee of Donnelly College. It contains general statements of policy and should not be read as including the fine details of each policy. All employees are responsible for reading this Manual and becoming familiar with its contents, as it will answer many commonly asked questions concerning your employment with Donnelly College. This Manual cannot, however, anticipate and address every specific situation or answer every question about your employment. If you have any questions regarding our personnel policies, procedures, guidelines or benefits, or you do not understand any provisions of this Manual, you are responsible for bringing your questions to our attention and discussing the matter with a member of the administration.

This Manual is **not a contract** regarding the terms, conditions or duration of your employment, and the policies set forth in this Manual are not intended to create contractual obligations of any kind between you and Donnelly College. ***Your employment with Donnelly College is specifically “at will”, which means that your employment may be terminated either by you or by Donnelly College at any time, with or without cause or prior notice unless you are employed under a contract outlining the terms, duration, and conditions of your employment.***

Nothing contained in this Manual or in any other statement (whether written or oral) concerning the policies or philosophies of Donnelly College or the terms and conditions of your employment, including any statements made in connection with your offer of employment or any performance reviews, should be considered an express or implied promise of continuing employment under any circumstance.

Donnelly College may, in its sole discretion, add to, change, revise, eliminate or deviate from any of the policies, procedures and/or benefits described in this Manual at any time, without prior notice. Donnelly College will attempt to keep this Manual current, but there may be times when polices will change before the material in this Manual can be revised. Certain policies and procedures set forth in this Manual may be applied differently in any given situation at the discretion of Donnelly College. As this document is frequently updated, employees should always view the most recently approved Manual that will be available for view and personal printing on the Donnelly College Website. As the Manual references other official publications at the College, should there be a conflict between this manual and the other referenced sources, the information contained in this Manual will be considered current and in effect.

Upon receipt of this Manual, you are required to read, sign and date the Acknowledgement of Receipt form attached to this Manual and promptly return it to the Human Resources Office.

HISTORY OF DONNELLY COLLEGE

Donnelly College is an independent, co-educational college. Founded in 1949 by the Benedictine Sisters at Mount St. Scholastica in Atchison, Kansas and the Archdiocese of Kansas City in Kansas, it is a Catholic college affiliated with the archdiocese. Donnelly College has remained in the heart of Kansas City, Kansas since its founding. As a Catholic liberal arts college, Donnelly's institutional vision derives from a belief in God and in the dignity of each person. As an educational institution, Donnelly believes that education can lead people to recognize their potential and value as human beings, to be aware of their relationship to God, and to function as constructive members of society. Over the years the College has expanded its programming to include Associates Degrees in a variety of disciplines; a Nursing Program; Bachelor's degree programs in Organizational Leadership, Urban Teacher Education, and Information Services; dual credit programs with several local school districts; and a prison education program in several correctional facilities.

MISSION

Donnelly College is a Catholic institution of higher education that seeks to continue the mission of Jesus Christ in our time by making the love of God tangible in our world.

Specifically, the mission of Donnelly College is to provide education and community services with a personal concern for the needs and abilities of each student, especially those who might not otherwise be served.

ADDING, DELETING, REVISING POLICIES AND PROCEDURES

Among other sources, recommended changes to the Employee Policy Manual may be brought through Administrative Council, or in the case of legal/federal mandated policies through the Vice President of Business Affairs. If approved through Administrative Council, the Vice President of Business Affairs will review the policy, review/collaborate with legal counsel, and then forward it to the President with a recommendation regarding approval. If the change/revision is due to a legal/federal mandate, the Vice President of Business Affairs will submit the policy with a recommendation regarding approval. If the change/mandate requires a vote by the Board, the President will present the change at a Board meeting. Those that do not require a vote of the Board will be approved by the President for inclusion in the Manual.

The Vice President of Business Affairs will be responsible for updating and tracking all President-approved changes/additions to this manual and will present a report to the Finance Committee and Board of Directors at each scheduled meeting detailing all such changes.

DONNELLY COLLEGE EMPLOYEE CODE OF CONDUCT

As part of its mission, Donnelly College promotes an environment conducive to academic, social, spiritual, personal and physical growth for persons from a variety of economic, social, religious, racial, ethnic and national backgrounds. An individual who enters this college community voluntarily assumes

obligations to accept the code of conduct of the institution and to promote its purposes and functions. The College may take disciplinary actions whenever employee conduct interferes with its responsibility of providing an opportunity for educational achievement or of protecting the rights, health and safety of the College Community.

Employees are expected to maintain standards of conduct befitting mature and responsible citizens in an academic community and reflecting the mission of the College. Among other things:

1. All members of the community are expected to exhibit integrity and personal honesty in the classroom and in other campus affairs;
2. Conduct which leads to embarrassment, physical harm, or indignities to other persons will not be tolerated;
3. A genuine interest in all students and community members will be apparent/visible at all times, with a dedication to helping them learn to help themselves;
4. The privacy of others will be respected and information obtained in the course of duties will be held in the strictest of confidence;
5. The rights and views of colleagues and those served will be honored, and all individuals will be treated with respect, courtesy, and good faith;
6. Harassment or discrimination in any form will not be tolerated or condoned at any time;
7. Those that have the responsibility for employing and evaluating staff performance will do so in a responsible, considerate and equitable fashion;
8. Individuals will not use their professional relationship to further their own interests, financial or otherwise;
9. All personal behavior of community members must conform to standards of propriety congenial to the College's heritage and aims, as well as to the laws of the state and nation.

Donnelly College adheres to the principle of equal education and employment opportunity without regard to age, race, sex, disability, or national origin. Further, the College is committed to the maintenance of an atmosphere of civility and respect for all students, faculty, and staff.

Violation of the College's Code of Conduct as described above may lead to disciplinary action(s) which may include termination.

EMPLOYEE MISCONDUCT

All employees share responsibility for keeping Donnelly College operating in a professional, safe, productive, efficient and orderly manner. Accordingly, any employee misconduct will not be tolerated, and may result in disciplinary action, up to and including immediate discharge, with or without a prior warning.

While it is not possible to list all the forms of conduct and behavior that are considered unacceptable in the workplace or work-related settings, the following are examples of gross misconduct or infractions which jeopardize good working relationships, interfere with professional, safe, productive, efficient and orderly operations, and will not be tolerated:

- Sexual harassment or any other unlawful harassment;
- Discourteous treatment of other Donnelly College employees, students and suppliers;
- Refusal or failure to perform assigned duties;
- Insubordination or lying to a member of the administration, or other disrespectful or dishonest conduct;
- Incompetence or failure to achieve and maintain reasonable levels of productivity and accuracy in performing duties;
- Engaging in horseplay, or unsafe or negligent conduct that could or does result in personal injury or property damage;
- Failure to immediately report a workplace or work-related accident;
- Fighting, intimidation or threatening violence;
- Intoxication or other violations of Donnelly College’s Drug and Alcohol policy;
- Sleeping on the job;
- Removing Donnelly College property without permission, or waste or neglect of Donnelly College property;
- Possession on Donnelly College’s premises or at an Donnelly College event (except to the extent that may be specifically permitted by applicable law), of firearms, weapons, explosives, or any other articles of a nature which may be hazardous to the health and safety of other employees or customers;
- Unexcused absences or tardiness;
- Theft or any other illegal activity;
- Any other violations of any of the policies set forth in this Manual or established from time to time by the administration;

Please remember that the foregoing list merely contains examples of misconduct or infractions which are deemed unacceptable and may result in disciplinary action, up to and including immediate discharge. There may be other situations in which the administration believes disciplinary action is appropriate in light of an employee’s conduct or behavior.

CONFLICTS OF INTEREST

In connection with federal regulation 24 CFR 84 (Institutions of Higher Education, non- profit organizations), Donnelly College has developed the following addendum to the Code of Conduct that prohibits real and apparent conflicts of interest that may arise among officers, employees, or agents; prohibits the solicitation and acceptance of gifts or gratuities for personal benefit in excess of minimal value.

Conflicts of interest exist when it is likely that an employee could be influenced, or could be perceived to be influenced, by a personal interest in carrying out their duties of employment. Conflicts of interest that lead to biased decision-making may constitute corrupt conduct.

No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award.

The officers, employees, and agents of Donnelly College shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub-agreements. However, the College may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the College.

An Individual employee may often be the only person aware of the potential for conflict. It is therefore his/her responsibility to avoid any financial or other interest that could compromise the impartial performance of their duties, and disclose any potential, or actual conflicts of interest to their supervisor or other senior staff member. If employees are uncertain whether a conflict exists, they should discuss the related interest matter with their supervisor and attempt to resolve any conflicts of interest that may exist.

To resolve any conflicts of interest that occur, or could occur, a range of options is available depending on the significance of the conflict. These options include:

- a) Recording the details of the disclosure while taking no further action because the potential for conflict is minimal or can be eliminated by disclosure, or effective supervision.
- b) Relinquishing the personal interest.
- c) Being removed from the task/activity/situation where the conflict could occur.
- d) Disputes over alleged conflicts of interest may be resolved through an appeal through the President's Office.

Acceptance of gifts or benefits

- a) Employees should not accept a gift or benefit that is intended to, or is likely to, cause them to act in a partial manner in the course of their duties.
- b) Employees should report to their immediate supervisor if they believe they have received or been offered a favor or benefit.
- c) Employees dealing with, or having access to, sensitive investigations, or commercial sensitive information, should be particularly alert to inappropriate attempts to influence them.

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

SAFETY

Campus Crime Report

Under the regulations of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Donnelly College files an Annual Security Report with the United States Department of education which among many other things includes campus crime statistics. The full report is found on the Donnelly College website at www.donnelly.edu/clery.

Campus Security

Security Personnel can be contacted by calling 913-433-3350. In emergency situations call 911.

Safety

Each person is responsible for his/her belongings. Taking another's belongings will not be tolerated and will result in disciplinary action.

Children are welcome on campus only when accompanied by a parent or guardian. The presence of children in classes is only permitted in unusual circumstances and requires the permission of the instructor. Children of employees are permitted on campus with approval of appropriate division head.

Accident and Incident Reports

In the event of a serious emergency or accident, call 911. Then report the accident/incident to the Manager of Security and Maintenance at 913-433-3350. Incident reports should be filled out for all emergencies, accidents or incidents. Incident reports are found on the Donnelly College Website and are given to the Vice President of Business Affairs. Incident reports are maintained by the Vice President of Business Affairs.

POLICY FOR THE PREVENTION OF DRUG USE AND ALCOHOL ABUSE

In 1989 the United States Congress passed the Drug-Free Schools and Communities Act as amendments to the 1965 Higher Education Act. The legislation, which was signed into law in December of 1989, requires institutions that receive federal funds to implement a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees.

Donnelly is committed to the maintenance of a drug-free environment and workplace for students and employees. In order to provide a drug-free campus for the benefit of students and employees, the College adopts the following policy statement with reference to employees and students at the college.

1. Donnelly College supports and endorses the 1989 Drug-Free Schools and Communities Act. The college is committed to a program to prevent the abuse of alcohol and the illegal use of drugs on the campus. The college prohibits the unlawful possession, use, manufacture or distribution of drugs, or alcohol by students and employees on its campus, or as part of any college program or activity.
2. Employees of the college who are found to be abusing alcohol or using, possessing, manufacturing, or distributing a controlled substance in violation of the law on college property or as a part of college events shall be subject to disciplinary sanction.
3. Illegal possession or use of drugs or alcohol may subject individuals to criminal prosecution under the provision of Kansas and Federal laws as applicable. Internal investigations regarding violation of any laws will immediately be turned over to the appropriate local/state/federal authorities and Donnelly College will actively cooperate with and provide assistance with full prosecution of such violations as permitted by law.

As a condition of employment, all employees must understand that the College prohibits unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace.

Employees also agree to notify the College within five days of any controlled substance offense conviction. Employees convicted of controlled substance offenses may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program and/or be subject to appropriate personnel actions up to and including termination.

An employee who violates this policy is subject to sanctions including suspension, non-renewal of contract, and/or termination of employment.

SMOKING POLICY

All Donnelly College buildings have been declared smoke-free.

Smoking is prohibited in all college-owned student residences, vehicles, and all academic and administrative buildings. Outdoor smoking is limited to the three designated smoking areas listed below.

There are three designated smoking areas on campus. Smoking is limited to a 6 foot perimeter from the ash receptacle at each designated location.

1. Lower entrance to Marian Hall, just outside the blue awning. The ash receptacle is located near the sidewalk outside this door.
2. Outside the main tower at the bottom of the steps leading to the picnic area. This location is found by going around the building towards the Events Center and continuing down the steps. The ash receptacle is located in the concrete inlet at the bottom of those steps.
3. Outside the front entrance to the International Center. The ash receptacle is located near the sidewalk next to the parking lot.

Smokers must dispose of cigarette/tobacco remains in the designated ash receptacles.

WORKPLACE ACCOMMODATIONS

It is Donnelly College's policy to consider all requests for workplace accommodations, and to make reasonable accommodations for specific employee needs where necessary, appropriate, feasible and required by law. It is your responsibility to inform the administration if you are in need of any workplace accommodations.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of Donnelly College to provide equal employment opportunities without regard to race, color, religion, sex, national origin, age, disability, marital status, veteran status, sexual orientation, genetic information or any other protected characteristic under applicable law. This policy relates to all phases of employment, including, but not limited to, recruiting, employment, placement, promotion,

transfer, demotion, reduction of workforce and termination, rates of pay or other forms of compensation, selection for training, the use of all facilities, and participation in all company-sponsored employee activities. Provisions in applicable laws providing for bona fide occupational qualifications, business necessity or age limitations will be adhered to by the College where appropriate.

As part of the College's equal employment opportunity policy, Donnelly College will also take affirmative action as called for by applicable laws and Executive Orders to ensure that minority group individuals, females, disabled veterans, recently separated veterans, other protected veterans, Armed Forces service medal veterans, and qualified disabled persons are introduced into our workforce and considered for promotional opportunities.

Employees and applicants shall not be subjected to harassment, intimidation or any type of retaliation because they have (1) filed a complaint; (2) assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state or local law requiring equal employment opportunity; (3) opposed any act or practice made unlawful by any federal, state or local law requiring equal opportunity; or (4) exercised any other legal right protected by federal, state or local law requiring equal opportunity.

The above-mentioned policies shall be periodically brought to the attention of supervisors and shall be appropriately administered. It is the responsibility of each supervisor of the company to ensure affirmative implementation of these policies to avoid any discrimination in employment. All employees are expected to recognize these policies and cooperate with their implementation. Violation of these policies is a disciplinary offense.

The Vice President of Business Affairs who is named Affirmative Action Officer has been assigned to direct the establishment and to monitor the implementation of personnel procedures to guide the affirmative action program throughout Donnelly College.

NO HARASSMENT

Donnelly College is committed to providing a work environment that is free of unlawful harassment, including, but not limited to, sexual harassment. Accordingly, Donnelly College strictly prohibits and will not tolerate any unlawful harassment based on factors such as gender, sexual orientation, race, religion, creed, color, national origin, ancestry, age, pregnancy, marital status, veteran status, disability, or any other status, condition or characteristic protected by applicable law, to the extent the status, condition or characteristic is protected by applicable law. This prohibition covers harassment by anyone in the workplace itself or in any work-related settings, including supervisors, managers, co-workers and non-employees.

The term "harassment" includes, but is not limited to, actions, slurs, jokes and other offensive verbal, graphic, visual or physical conduct (both overt and subtle) relating to a legally protected status, condition or characteristic that creates an intimidating, hostile or offensive working environment or

that unreasonably interferes with job performance. The term "sexual harassment" includes unwelcome or unwanted sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct is used as a basis for any employment decision affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creates an intimidating, hostile or offensive work environment. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

While it is impossible to anticipate every type of behavior which may constitute harassment in a particular situation, the following types of behavior come within this prohibition :

- unwelcome touching, impeding or blocking movements ;
- offering employment benefits in exchange for sexual favors;
- making or threatening reprisals after a negative response to sexual advances;
- offensive facial expressions, leering, sexual gestures or movements;
- displaying sexually suggestive objects, pictures, cartoons, calendars or posters ;
- graphic advances or propositions;
- graphic comments about another employee's body or clothes;
- use of derogatory names, slurs, epithets or comments, especially of a sexual nature;
- unwelcome discussion of sexual experience, activity or jokes;
- sexually degrading words used to describe another employee; and
- suggestive or obscene letters, notes or invitations including emails and texts.

Such behavior, and any other harassing or discriminatory activity, is unacceptable in the workplace itself or in any work-related settings.

Remember that it is not always possible to tell whether jokes or suggestive comments are "welcome" to another employee. The best policy is to refrain from all such joking, comments or activity in the workplace. It is also important to understand that a third party can be offended by jokes or comments that are overhead.

VIOLATION OF THIS POLICY WILL SUBJECT AN EMPLOYEE TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE DISCHARGE.

Employees who believe they have been subjected to or witnessed any unlawful harassment should immediately report the matter to their immediate supervisor, the Vice President of Business Affairs, or the President. Employees are not required to complain first to any supervisor who they believe has engaged in or condoned the harassment.

Any supervisor who receives a complaint or report of any alleged unlawful harassment must immediately refer the matter either to the Vice President of Business Affairs or the President. Further, any supervisor who knows or has reason to know that any employee is being subjected to unlawful harassment is instructed and required to immediately take appropriate corrective action to stop any

ongoing harassment, regardless of whether the supervisor has received a complaint or report regarding the harassment, and must immediately thereafter report the matter to the Vice President of Business Affairs or the President. Any supervisors or managers who fail to abide by this policy will be subject to disciplinary action up to and including immediate discharge or removal from office.

Donnelly College will protect the confidentiality of harassment complaints to the extent possible, except as necessary to conduct a thorough investigation or to take an appropriate action. Please do not assume that Donnelly College administration is aware of any incidents of sexual or other unlawful harassment. It is your responsibility to bring any such incidents to our attention so that we can promptly investigate and attempt to resolve the matter.

Donnelly College will promptly commence a thorough, impartial and objective investigation of all incidents of alleged sexual or other unlawful harassment that are reported to the administration.

Upon completion of the investigation, Donnelly College will make a determination as to whether unlawful harassment has occurred, and to the extent appropriate will provide an explanation of the results of the investigation to the individual(s) who made the complaint or report and to the accused harasser(s). If Donnelly College makes a determination that unlawful harassment has occurred, Donnelly College will promptly take appropriate remedial action commensurate with the circumstances. Appropriate disciplinary action will be taken against any employee who Donnelly College determines has violated this policy, up to and including immediate discharge. Appropriate remedial measures will also be taken to correct the effects of the harassment and to deter any future harassment. To the extent appropriate, whatever remedial action is taken by Donnelly College will be communicated to the individuals involved in the matter.

Donnelly College strictly prohibits and will not tolerate, any retaliation or retribution, directly or indirectly, against any employee who in good faith: (1) makes a complaint of harassment; (2) reports the harassment of another employee; (3) opposes any prohibited discrimination or harassment; or (4) participates in, provides information in connection with, or otherwise assists in the investigation of any incidents of alleged sexual or other unlawful harassment conducted by Donnelly College or by any governmental agency. Any employee who engages in or encourages any such retribution or retaliation, directly or indirectly, will be subject to disciplinary action, up to and including immediate discharge. Further, any employee who knowingly and intentionally provides false or misleading information regarding any complaints or reports of alleged sexual or other unlawful harassment will be subject to disciplinary action, up to and including immediate discharge.

Upon receipt of this Manual, as part of the new hire intake process, you will be required to promptly read, sign and date the attached Acknowledgment of No Harassment Policy form which will be placed in your personnel file. During the course of your employment with Donnelly College, you may be required, from time to time, to read, sign and date the same or a similar acknowledgment form at the request of the Human Resources office.

SEXUAL MISCONDUCT - TITLE IX POLICY

Without limiting any other rules regarding improper conduct, Donnelly College will not tolerate any acts of sexual misconduct committed by or against any member of our community which includes students, staff, faculty, approved volunteers, visitors, and vendors.

Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §1681 *et seq.*, is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. All public and private elementary and secondary schools, school districts, colleges, and universities (hereinafter “schools”) receiving any Federal funds must comply with Title IX. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Donnelly College has established a Policy pursuant to Title IX regarding sexual misconduct on campus. This policy primarily relates to students and their rights when sexual misconduct occurs. However, employees must be familiar with the policy and must take Title IX training upon hire. In addition the College has responsibility under the requirements of Title IX compliance to require employee attendance/participation in among other things online training, seminars, and webinars as designed by the Title IX Coordinator or designate.

WORKPLACE VIOLENCE POLICY

Donnelly College maintains a policy of zero tolerance for violence. If you engage in any violence in the workplace, or threaten violence in the workplace, your employment will be subject to appropriate disciplinary action, up to and including termination. No talk of violence or joking about violence will be tolerated.

Violence includes but is not limited to, physically harming others, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening to or talking of engaging in any of those activities.

WORK-RELATED INJURY OR ILLNESS

Employees who sustain work-related injuries or illness must immediately inform their immediate supervisor, the Vice President of Business Affairs, or another member of the administration. No matter how minor an on-the-job injury or work-related illness may appear, it is important that it be reported the same day it occurs or as soon as possible. It is the responsibility of managers to report the work-related injury or illness to the Vice President of Business Affairs in a timely and efficient manner.

RETURN OF COMPANY PROPERTY

Employees are responsible for all Donnelly College property, materials and/or written information issued to them or in their possession or control. This includes any keys, computers, documents, equipment, tools, identification cards, uniforms, and/or any other business-related items which may be delivered to you in the course of your employment. Employees must return all property to Donnelly College immediately upon request, or upon termination of their employment for any reason, whether

voluntary or involuntary. In the event an employee or former employee fails to return any Donnelly College property upon request, or upon termination of their employment, the individual may be held financially and legally responsible, and may be subject to prosecution and criminal liability in accordance with applicable law. Donnelly College may take any and all legal action deemed appropriate to recover or protect its property.

NON-DISCLOSURE OF CONFIDENTIAL INFORMATION

During the course of employment with Donnelly College, employees will become exposed to certain trade secrets and other valuable and confidential information concerning matters relating to Donnelly College and its students, vendors, donors, and service providers. The protection of confidential business information and trade secrets is vital to the interests and success of Donnelly College. All information concerning the business affairs of the College its students, suppliers, donors, funders, employees or personnel with which it is associated is considered confidential information, and is the sole and exclusive property of Donnelly College. Employees shall not use, disclose or reveal any such confidential information, at any time either during or following their employment with Donnelly College, except in the course of performing their duties for the College, under the direction and approval of the administration, or as may be required by law. If you are not sure whether particular information constitutes confidential information, then please refer your inquiries to your supervisor or the Human Resources office.

Such confidential information and trade secrets shall specifically include, among other things, without limitation, the following:

- Compensation data
- Financial information of Donnelly and/or its students
- Personally identifiable student information (FERPA)
- Operating strategies
- Pending projects and proposals
- Funding sources
- Contracts
- Personnel information
- Business & Marketing Plans & Strategies
- Budgets
- Computer Processes
- Student and Donor Lists
- Student and Donor Programs
- Student and Donor Preferences
- Student and Donor leads
- Past Projects & Proposals
- Grant and funding information
- Proprietary Operations Procedures/Manuals

- Pricing Information & Costing Sheets
- The Identity of Donnelly College's Preferred Vendors

Employees who improperly use or disclose trade secrets or other confidential business information to anyone outside Donnelly College, or to anyone within the College who is not authorized to receive the information, may be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the use or disclosure of such information. Further, current or former employees who misappropriate or improperly use or disclose Donnelly College's trade secrets or other confidential information may be subject to legal action, in accordance with applicable law.

PAYROLL ADMINISTRATION

Donnelly College is on a semi-monthly pay frequency (15th and last day of the month). The Vice President of Business Affairs will publish an annual official calendar of pay dates. Employee checks will be ready for pick-up in the Business Office after 11:00 a.m. on pay-day. Checks not picked up within three business days of the pay date will be mailed to the address on record. Employees are strongly encouraged to enroll in Direct Deposit by bringing a cancelled check or deposit slip to the Human Resources Office.

Employees should contact the Human Resources office regarding any errors on their paychecks. Adjustments will appear on the next paycheck. If an employee loses a paycheck, they should notify the Human Resources office immediately. The check will be replaced (after bank authorization). A stop payment fee may be charged.

Time Sheets: Non-exempt (hourly) employee work hours are recorded by means of a timesheet. Report to work no earlier than five (5) minutes before the scheduled work time and leave not later than five (5) minutes after scheduled work time ends. Employees should ensure that the all required information is on the timesheet before it is submitted to the supervisor. Supervisors will then sign the timesheet and return it to the Human Resources office. A schedule of timesheet due dates is provided each year by the Vice President of Business Affairs as part of the pay schedule.

FRINGE BENEFITS

Donnelly College makes available a balanced program of benefits which includes: 401K plan, medical, dental, vision and life insurance programs as well as educational benefits in the form of tuition remission. These benefits are subject to change based upon the discretion and decision of Donnelly College. Only full-time personnel are eligible for employee fringe benefits.

Employee Insurance Benefits

Donnelly College offers the following employee insurance benefits: health insurance, vision insurance, dental insurance, life insurance, short term and long term disability insurance, and a variety of accident and critical illness insurance options. Donnelly College shares in the premium payments of health, dental, life, dental, and short term and long term disability plans. Premiums for vision and the various

accident and critical illness plans are totally the responsibility of the employee. At the time of employment, the Human Resources Office will provide information and enrollment forms for such programs. Benefits are available for all full-time instructional and non-instructional employees. The College reserves the right to amend or terminate any benefit plan at any time, or require or alter the amount of employee premium contributions. Please see the Guide to Benefits for the current year, which explains all benefits offered to eligible employees on The Archdiocese of Kansas city in Kansas website at www.archkck.org. Select THE ARCHDIOCESE, Human Resources and Benefits, Benefit Information and then navigate to the current year Employee Benefit Guide.

Archdiocesan 401K Plan

All full-time employees participate in the Archdiocesan 401K Plan. An enrollment form is required for each employee. The enrollment form is completed as part of the new hire process. Plan information can be obtained from the Archdiocese of Kansas city in Kansas website at www.archkck.org. Select THE ARCHDIOCESE, Human Resources and Benefits, Benefit Information and then navigate to the 401(k) Retirement Plan link.

Tuition Waiver

The College grants waiver of tuition for attendance at Donnelly to all full-time employees and to the spouses and dependent children of same, provided such students have necessary academic entrance requirements and maintain the academic standards of the College. These students will be required to apply for Financial Aid. This waiver does not apply to non-credit classes or audit of classes.

Tuition Remission

The College has entered into tuition remission agreements with several other institutions. See the Human Resources Office for details. The terms and conditions of these agreements are subject to change at any time.

Supplementary Retirement Plan

The College has established a supplementary 403B retirement plan through the Teachers Insurance Annuity Association- College Retirement Equities Fund (TIAA-CREF). This is a voluntary plan in which any employee may participate and serves as a way to supplement the Archdiocesan 401K plan. Details are available from the Human Resources Office.

Family and Medical Leave Act

It is the intent of Donnelly College to comply with all applicable provisions of the Family and Medical Leave Act, 29U.S.C. &&261 et.seq. Under the FMLA, eligible employees with a minimum of twelve (12) months of service are entitled to take up to twelve (12) weeks of leave per fiscal year in certain circumstances for personal and family medical reasons. The leave is unpaid. Details can be obtained by contacting the Human Resources Office.

Leave For Victims of Domestic Violence, Abuse and Sexual Assault

Employees who are victims of domestic abuse (including physical violence and/or sexual assault), may take leave from work to:

- Obtain protection for the employee or his/her child(ren), such as restraining orders or injunctions,
- Seek medical attention for injuries caused by the abuse,
- Seek help from domestic violence shelters or programs, or
- Make court appearances in connection with the abuse.

Such leave should be scheduled in advance with the President or his designee whenever possible. The employee must provide documentation to certify the nature of the leave. If the leave is scheduled in advance, the employee must submit the documentation within 48 hours after returning from the scheduled leave. If the leave is unscheduled, the employee must submit the documentation within 48 hours after the start of the unscheduled leave. Such documentation should be given to the President or his designee and may consist of one or more of the following:

- A police report indicating that the employee was a victim of domestic abuse,
- A court order protecting the employee from the perpetrator of the abuse, or other evidence that the employee has appeared in court in relation to domestic abuse, or
- Documentation from a health care provider, an advocate for victims of domestic violence or sexual assault, or a counselor that the employee was undergoing treatment for physical or mental injuries caused by an act of domestic abuse.

Employees requiring this type of leave may use any accrued paid time off (sick or vacation leave). Once this accrued time is exhausted, the employee may use unpaid time off. The total number of days available for leave under this policy is limited to eight days per calendar year.

For the purposes of this policy, domestic abuse means any of the following when caused by a domestic partner or household member:

- Intentional infliction of bodily harm,
- Causing fear of bodily harm by physical threat, or
- With respect to a child under the age of 16 (who is not the spouse of the offender), sexual intercourse, lewd fondling or touching of either the minor or the offender with the intention or arousing of satisfying sexual desires.

The President or his designee will take all necessary precautions to protect the confidentiality of the employee and any documentation provided to substantiate a request for time off under this policy.

PERSONNEL RECORDS

Employee's personnel records are solely the property of Donnelly College, and may be accessed only by persons with a legitimate need in the performance of their duties as determined in Donnelly College's sole discretion, or by others as required by law, subpoena or court order. Without limiting the foregoing,

unless approved by the President or Vice President of Business Affairs, an employee does not have the right to view that employee's own personnel records.

In order to keep personnel, payroll and benefit records current each employee is responsible for notifying the Human Resources office in writing of any of the changes in the following:

- Name
- Address
- Telephone number
- Marital status
- Dependents
- Citizenship or work authorization
- Person to be notified in case of emergency
- Registration, certification, licensure
- Other information having a bearing on employment

The division supervisor will be responsible for providing the Human Resources Office with employee records of approved leave (sick leave, vacation leave, jury duty, emergency, etc.). Personnel records are maintained to document employment related decisions and to comply with government recordkeeping and employment requirements.

NEPOTISM/EMPLOYMENT OF CLOSELY RELATED INDIVIDUALS

Present and prospective employees shall be evaluated on the basis of individual merit without respect to race, sex, religion, national origin, disability or any factors not involving professional qualifications and performance. In accordance with this principle, the following restrictions are adopted to avoid the possibility of favoritism based on family relationships for all College employees.

1. The College shall not employ two (2) or more persons concurrently who are "closely related" in positions which would result in one person of such relationship supervising another closely related person or having a substantial influence over employment, salary or wages, or other management or personnel actions pertaining to the close relative.
2. "Closely related" is defined to mean mother, father, brother, sister, son, daughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandmother, grandfather, grandson, granddaughter, uncle, aunt, nephew, niece, husband, wife, first cousin, step-parent, step-child, step-brother, step-sister, guardian or ward, or persons engaged in an amorous, physical, or romantic relationship without the benefit of marriage that live in the same household.
3. With respect to the concurrent service of closely related persons within the same academic department or other comparable institutional subdivision of employment, neither relative shall be permitted, either individually or as a member of a committee, to participate in the evaluation of the other relative.

4. Board members and College employees shall not take part in any official action regarding the employment of a “closely related” family member that results in financial gain to the Board member. For any official action regarding the employment status of a family member that would result in the financial gain to the Board member or the employee, the Board member will disclose the conflict to the full Board and will not take part in the official action, unless otherwise allowed by law.

PARTISAN POLITICAL ACTIVITY PROHIBITION

As a 501 C3 organization, Donnelly College prohibits employees who engage in partisan political activity from representing themselves as spokespersons for the College. Such actions are also prohibited during work time or using Donnelly College resources. Employees involved in partisan political activity must see that this is clearly recognized as the exercise of their individual rights and has no association with the College.

EXIT INTERVIEW AND FINAL PAYCHECK

Each employee who terminates employment will have an exit interview with the Vice President of Business Affairs and/or a Human Resources Office designate. Upon termination of employment, the employee will turn over all Donnelly College property. The final paycheck will be received on the next scheduled payroll after the employee termination date.

SUSPECTED MISCONDUCT, DISHONESTY, FRAUD AND WHISTLE-BLOWER PROTECTION

If any person knows of or has suspicion of misconduct, dishonesty or fraud, the President or any other Officer other than the involved parties should be contacted.

If the Vice President of Business Affairs, President or other officer of the organization receives information about misconduct, dishonesty or fraud, they shall inform the Board Chair, Chair Elect, or any member of the Board (or other designated committee, if one exists), which shall determine the procedure for investigating all credible allegations.

At all times, to the extent appropriate, the privacy and reputation of individuals involved will be respected. There will be no punishment or other retaliation for the good faith reporting of conduct under this policy. If the person providing the information requests anonymity, this request will be respected to the extent that doing so does not impede any investigation.

For the purposes of this policy, the definition of misconduct, dishonesty, and fraud includes but is not limited to:

- Acts which are inconsistent with college policy
- Theft or other misappropriation of college assets
- Misstatements or other irregularities in college records

- Incorrect financial reporting
- Misuse of college resources
- Illegal activities
- Forgery or alteration of documents
- Any other form of fraud

CLASSIFICATION AND EMPLOYMENT STATUS

Full-time regular: A full-time regular employee who works in a staff or administrative capacity will work a minimum of 30 hours of the normal work week consisting of 35 hours. Faculty on nine or twelve month contracts are considered to be full-time regular employees for classification purposes and most benefit programs. Only full-time personnel are eligible to participate in employee fringe benefits, vacation, and sick leave benefits programs. Faculty who are under twelve month contracts are considered to be Full Time, exempt employees and as such are subject to the same benefits as Full time Non-Faculty employees.

Part-time regular: A part-time regular employee is one who normally works less than 30 hours per week. Part-time regular employees are not eligible to participate in any employee fringe benefit, vacation, and sick leave benefits programs. Instructors on Adjunct Contracts and Clinical Instructors are considered to be part-time regular employees for classification purposes.

Non-exempt employees: These employees receive overtime pay for any hours worked per week in excess of 40 hours per week. Without limiting any other requirements or procedure, non-exempt employees are required to properly and accurately record all time worked, but are prohibited from doing any work outside of approved working hours without the prior consent of the Division Manager of their program/department. Full-time or part-time employees classified as non-exempt are required to turn in a timesheet, signed by their immediate supervisor for each pay period.

The Federal Labor Standards Act requires that employers compensate non-exempt employees at a rate of one and one-half times the regular rate for more than forty hours of work per week. When non-exempt employees work more than thirty-five (35) hours in a week, they will be paid at their normal hourly rate for up to five (5) hours over the regular thirty-five (35) hours for that week. Time worked over forty (40) hours will be compensated at a pay rate of one and one-half times the employee's regular rate. Vacation, Holiday, Personal Days, Jury Duty, and Sick Leave do not apply towards the calculation of overtime.

Exempt employees: These employees are paid a set salary per pay period and are not entitled to overtime except as may be required under applicable law.

PROBATIONARY PERIOD OF EMPLOYMENT

The first ninety (90) days of employment is a probationary period.

PAID HOLIDAYS

Donnelly College observes the following holidays:

1. Christmas Eve through new Year's Day, inclusive
2. Martin Luther King, Jr. Day
3. Good Friday
4. Three days scheduled during Spring Break
5. Memorial Day
6. Independence Day
7. Labor Day
8. Wednesday before Thanksgiving, Thanksgiving and the following Friday

PAID TIME OFF

Vacation

All full-time regular employees with the exception of Faculty on contracts less than 12 months earn vacation time as follows:

- Exempt employees are provided 15 working days of vacation each year.
- Non-exempt employees are provided vacation in accordance with the number of years employed by the college. Nonexempt employees have 10 working days following one full year of employment; 12 days after 5 full years; and 15 days after 10 full years of employment.

Scheduling of vacation time requires advance approval of the employee's immediate supervisor. The supervisor will keep a record of approved vacation leave and provide a copy for the Human Resources Office. Minimum vacation leave is in one half day increments.

Vacation days accrue at a monthly rate. Vacation time is computed from the time the employee starts work until the end of the fiscal year (June 30). New vacation accumulates beginning July 1 through June 30. Vacation accrued but unused at the end of the fiscal year must be used by December 31 of the same calendar year. In those cases where it is deemed by the College that the June 30 vacation balance cannot be used in full before December 31, the deadline for taking vacation may be extended to March 31 provided the division supervisor requests the extension prior to December 31 to the Human Resources Office. The extension must indicate the specific dates the vacation will be used and is subject to the approval of the President.

Personal Day

All full-time regular employees with the exception of Faculty on contracts less than 12 months will be entitled to take one personal day per year. This day must be used by June 30 of each year. This day will not carry forward to the next fiscal year. Minimum personal leave is in one half day increments.

Sick Leave

All full-time regular employees with the exception of Faculty on contracts less than 12 months are eligible for sick leave. Sick leave is seven (7) working days per year, cumulative to 30 working days. No

sick leave accrues for period of leave without pay. Upon separation from employment or retirement, employees will not receive payment for accrued sick leave.

When an authorized college holiday falls within an eligible employee's Sick Leave period, Sick Leave is charged only for the actual Sick Leave days, not the holiday.

The Division Supervisor is to be notified when requesting Sick Leave. The division supervisor will approve and keep a permanent record of sick leave accrued and used. Forms are available for this purpose. Record of Paid leave forms are to be submitted to the HR office within five days of submission to the Supervisor. Minimum sick leave is in one half day increments.

Emergency Leave

All full-time regular employees with the exception of Faculty on contracts less than 12 months are eligible for Emergency Leave. Emergency leave can be used for employee absence necessitated by death in the immediate family (parents, step-parents, siblings, spouse, children, step-children, foster children, in-laws, sibling in-laws, grandparents, great grandparents, step-great grandparents, grandchildren, aunts, uncles, nieces, and nephews), illness in the family requiring the employee's presence, and other legitimate instances to be determined by the President.

Emergency leave is non-cumulative. Three (3) days emergency leave will be granted per year.

Instructor Sick and Emergency Leave

Faculty on contracts less than 12 months are eligible for Instructor Sick and Emergency Leave. This Leave is to be used for absences due to illness or injury of the instructor or their immediate family members. Instructor Sick and Emergency Leave is seven (7) working days per contract year, cumulative to 30 working days. No Instructor Sick and Emergency Leave accrues for a period of leave without pay. Upon separation from employment, a maximum of 30 days will be paid.

The process for using this leave is outlined in the **Unexpected Absences of Faculty** section of this manual.

Medical Documentation of Illness or Injury

Employees who have three consecutive days of excused absences because of illness or injury must give Donnelly College proof of physician's care. If an illness or injury prevents an employee from performing his or her regularly scheduled duties, a physician's (or other qualified medical professional) statement must be provided verifying:

- existence of a medical condition that impacts scheduled work,
- if and when the employee will be able to return to work, if applicable, and
- whether the employee is capable of performing his or her regularly scheduled duties, and if not, what duties the employee is capable of performing.

The employee is responsible for providing Donnelly College with the above-described medical proof of care. Without an acceptable excuse, the employee may be subject to immediate disciplinary action which may include termination.

Leave necessitated by pregnancy or childbirth conditions will be granted under the same terms and conditions as Sick Leave. FMLA standards will apply .

Jury Duty

Donnelly encourages responsible citizenship among its employees. If notification is received by an employee to report for jury duty, the supervisor should be notified immediately and be provided a copy of the summons for the record. The division supervisor will approve and keep a record of jury duty leave. Employees will continue to receive full college pay while on jury duty.

WORKING HOURS AND EMPLOYEE ATTENDANCE

Regular working hours for most non-faculty full-time employees are from 8:30 a.m. to 4:30 p.m. with one hour for lunch Monday through Friday (35 hour work week). Summer hours may differ as determined by the President but will not exceed 35 hours for a full-time employee. The nature of work in some departments necessitates arranging special work schedules for some employees. Where necessary, special work hours are assigned on a need basis by the division. Each hourly employee is to maintain a record of the hours worked each day and file such reports with the appropriate supervisor. These records must be approved by the supervisor and submitted to the Business Office for payroll processing in accordance with the Pay Schedule that is published each year. Faculty work hours are discussed in the Faculty workings hours section of this manual.

Non-faculty, employees are expected to be at their place of employment daily at 8:30 a.m. or other assigned starting time. When unexpected circumstances occur which prevent an employee from being at work on time, the employee must notify his/her supervisor prior to the employee's starting time or within a reasonable time thereafter in the event of an emergency. If direct contact cannot be made with the supervisor, a message should be delivered to the supervisor either through voicemail or email in a reasonable and timely manner. Employees who fail to adhere to the tardiness policy will be penalized vacation time or, if there is no unused vacation time, pay. Employees with an unexcused absence from work are subject to termination.

EMPLOYEE RESIGNATION

Exempt and non-exempt employees intending to resign should submit to their immediate supervisor written notice of intent no less than 14 days in advance of leaving. Failure to give this advance notice cancels all rights to vacation time that may have accumulated.

Faculty are contracted for the year and are expected to fulfill their contract. However, if an instructor must resign before the expiration of the contract because of ill health or family circumstances, a written notice of intent must be submitted to the President at least 14 days in advance of leaving when possible. Payment due will be consistent with the portion of contract filled and any accumulated sick leave due.

Employees are considered to have resigned when they leave of their own accord, fail to return from an authorized leave of absence, or fail to report to work and fail to provide their supervisor with a valid excuse within a reasonable period of time.

TERMINATION OF NON-FACULTY EMPLOYEES

Donnelly College is an at will employer. An employee may be discharged for any lawful reason at any time.

FACULTY

Credentials

As a rule, instructors will hold a Master's or other advanced degree. Instructors who do not have a Master's degree will be required to earn a Master's degree within five years from the time of employment.

Any change in professional proficiency of a faculty member should be provided to the Dean of the College. These changes may include: transcripts of higher degrees, records of research or publication, advanced studies, committee appointments or services, attendance at major educational meetings, papers and lectures delivered away from the College, recognition by education, civic, or religious groups.

Academic files, together with curriculum vitae for each faculty member, are kept in the Offices of the Dean of the College and are updated each year.

Faculty Contracts

Contracts are issued to full-time faculty members by approximately March 15th each year for the school year beginning in August. In general, a teaching load of 15 credit hours each semester is considered full-time.

Notice of non-reappointment, or of intent not to reappoint, is given in writing to the instructor by approximately March 15th of the academic year of service. However, employment contracts of employees with contracts that have a definite ending date may be non-renewed or not extended without notice and cause and without any reason or reasons being given for such action. The fact that such an employee's contract has been renewed in the past shall not be deemed to create an expectation of continued employment beyond the contract expiration date, nor shall it create any protected property interest in employment beyond the contract expiration date.

Faculty members must notify the President no later than March 31st of the academic year of the intention to terminate employment at the end of the contract year.

A contract becomes null and void if it is not signed and returned within two weeks from the time it is offered.

Working Hours

Each full-time instructor is expected to be on campus at least thirty hours through five days of each week that classes are in session. A minimum of five office hours each week is to be scheduled for professional services. Conference hours for consultation and guidance at times convenient for the students should be posted outside each faculty member's office and filed with the Dean of the College.

Faculty Full-time Load

Faculty load is defined in terms of full-time equivalency for a two-semester academic year. As a rule, a full-time load consists of thirty credit hours of teaching per year, usually fifteen credit hours each semester. One laboratory period clock hour will be considered .75 of a credit hour.

Full-time loads will include at least one evening class per year.

Besides teaching, the full-time instructor's duties may include, among other things:

1. Attendance at division, assembly, community meetings and instructional workshops.
2. A minimum of five office hours per week will be posted on the office door and maintained at a time available to students.
3. Participation on at least one committee.
4. Mandatory attendance at certain College functions as defined in the annual contract.

Schedules of class periods, registration assignments, and office hours are to be arranged so that the instructor renders service over the 175 days designated by the school calendar as the contract period.

The instructional load may be adjusted by consultation with the Dean of the College each semester. If the number of credit hours assigned exceeds the maximum, the instructor will be compensated overload pay.

If the number of credit hours assigned is below the minimum, any of the following adjustments may be required:

1. More than one evening class may be scheduled.
2. Various administrative or quasi-administrative roles may be assigned.
3. An instructional load may be balanced by an additional load the following semester.
4. The instructor may teach a summer course (without additional compensation).

Any released time arrangements must be approved by the President.

Instructors appointed as program directors will have additional duties and reduced course loads in order to facilitate the added duties of the director designation.

Faculty Overload

An instructor whose teaching load exceeds full-time as described above will be compensated according to the payment offered for adjunct instructors. Occasionally, other duties may be requested of an instructor by mutual agreement.

Part-time Faculty

There are two types of part-time faculty at Donnelly College, adjunct and clinical hourly.

Adjunct

This classification applies to instructors hired on a course-by-course basis via Adjunct Contract, not to exceed 12 credit hours per semester. Adjunct instructors serve as the instructor of record, independently complete academic assessment of students in their assigned classes, submit requests for “incomplete” grades, develop lesson plans, and are the College’s liaison for students’ in their assigned courses. Additionally, adjunct instructors may be required to participate in curricular development, and program assessments.

Clinical Hourly

This classification applies to health care instructors hired on an hourly basis, not to exceed 29 hours per week, to assist in healthcare program clinical instruction. Employees in this category fall under the same policy criteria as non-faculty, non-exempt employees. Hours worked are not guaranteed. Contracts are not issued for this employee type.

Hourly instructors report to an instructor of record for the courses they teach. The instructor of record completes academic assessment of students in their assigned classes, submit requests for “incomplete” grades, develop lesson plans, and are the College’s liaison for students’ in their assigned courses. The hourly instructor delivers the curriculum and lesson plans as assigned by the instructor of record. Hourly instructors will be compensated on an hourly basis for all work related to the delivery of their courses. Time sheets for the hours worked each week are submitted to the Director of Nursing for approval and submission to the Business Office for payroll processing.

Unexpected Absences of Faculty

An instructor may not be absent from class without the approval of the Dean of the College or designate. If the instructor must be absent from class or from office hours he/she reports the anticipated absence in writing to the Dean of the College as far in advance as possible. In the case of an absence from class, it is the responsibility of the Dean of the College and the faculty member to make arrangements so that the class period will prove a learning experience for the students. In the case of unexpected absence, the instructor notifies the Dean of the College who makes provision for the class. In the event of the absence of the Dean, the Registrar is notified. The instructor files an appropriate written form with the Dean of the College for each absence. An instructor with an unreported or unexcused absence from class may be subject to termination. Faculty will fill out the appropriate Record of Paid Leave form to reflect days missed. Reorganizing class schedules or assigning alternative assignments for a missed class does not negate the instructor’s missed day. Missed classes should be prorated into the record of paid leave. For example: an instructor has 2 scheduled classes and then must cancel one of them due to illness or emergency. A Record of Paid Leave will be filled out for ½ day of paid time off. If the instructor would have missed both classes, then the record of Paid Leave would reflect a full day.

Termination of Faculty Contracts

Contracts of full-time and adjunct faculty members may be altered or terminated by written mutual agreement of the College and the instructor at any time with the exception of termination for cause as specified below or under extraordinary circumstances because of serious financial emergency as determined by the President and the Vice President of Business Affairs. In addition to any right of the College under an employment contract, the College is authorized to terminate any such contract at any time for cause among other things.

Termination for Cause

Donnelly College shall have the right to terminate employment covered under Faculty or Adjunct Contracts at any time for Cause, which termination shall be effective immediately. Termination for "Cause" shall include termination for, among other things, without limiting any other situation that may constitute for cause:

- Flagrant or deliberate violations of the policies and procedures of Donnelly College.
- Persistent failure to carry out specified teaching assignments as determined by a department or by the Academic Division.
- Abuse of authority as a teacher; actions that intimidate others or constitute a discouraging effect on the freedom of thought necessary in an academic community; behavior which fundamentally corrupts scholarship or teaching.
- Teaching ineffectiveness.
- Intentional nonperformance or misperformance of such duties, or refusal to abide by or comply with the reasonable directives of superiors or Donnelly College's policies and procedures, which includes, among other things:
 1. Maintenance of competent performance levels of teaching as confirmed by objective appraisals.
 2. Professional performance of assignments outside the classroom.
 3. Effectiveness in constructively carrying out the aims and objectives of the College: personal conduct which reflects unfavorably on the College or inhibits its effectiveness in carrying out its mission, aims and objectives.
 4. Failure to comply with specific duties in the contract which include, among other things, requirements to:
 - Activate a Moodle course section for each course taught
 - Post current syllabus on Moodle for each course taught
 - Submit summary attendance on Moodle for all students
 - Submit daily attendance on Moodle for all students
 - Submit midterm grades on Moodle for all freshmen students and provide early alert feedback focused on student success and retention
 - Submit final grades on Moodle for all students and include last date of contact for those earning a grade of F.

When a decision has been made for termination for cause, the terminated instructor will not be paid the unearned portion of the contract. Accrued sick leave will be paid to the faculty member, if applicable, on the final paycheck.

When a decision is made for an involuntary termination due to extraordinary financial circumstances, the instructor will not be paid the unearned portion of the contract. Accrued sick leave will be paid to the faculty member, if applicable, on the final paycheck.

Faculty Responsibilities

Syllabus

For any course that is scheduled, a course description must be on file in the Registrar's office and a course syllabus must be filed with the Dean of the College.

The syllabus, to be filed before the first class and given to each student in each class at the beginning of the term, should include:

1. Instructor's name and title
2. Course name, number and number of credits
3. Class meeting time and location
4. Instructor's office location, phone, and office hours
5. Instructor's contact phone number (optional)
6. Course rationale
7. Course purpose, goals and objectives
8. Textbook information (author, title, edition, publisher)
9. Supplementary readings — mandatory and/or suggested
10. Attendance policy/Grading policy
11. Assessment criteria
12. Assignments and course calendar
13. Statement regarding disabilities/assistance

Office Hours

A minimum of five office hours each week are to be scheduled for professional services. These office hours for consultation and guidance at times convenient for the students must be posted outside each faculty member's office and filed with the Dean of the College or designate.

Student Attendance Tracking

All faculty are required to keep daily attendance on Moodle. Failure to record attendance will be considered cause for termination of contract.

Students who report to class, but are not on the class roster should be immediately sent to the Business Office. They should not be allowed to participate in class until their name is on the roster.

No-show Reporting Requirements

A student whose name appears on the class roster, but who does not report to class the first two weeks that the class is in session, must be withdrawn immediately by the instructor as a “no show” in the office of the Registrar.

Emergency Classroom Procedures

On rare occasions, instructors may need to deal with emergency situations in the classroom. These emergencies may arise from health, behavior, or maintenance situations. If 911 is called in health emergencies, the caller should also remember to call Security at 913-433-3350 to indicate the floor and location where the emergency is located. In a behavioral emergency, Security should be alerted at 913-433-3350. If there is a maintenance emergency, call 913-433-3350 to reach maintenance personnel.

These measures are reserved for true emergencies. The person making the emergency call should file a written incident report with the Vice President of Business Affairs.

Full-time Faculty Professional Development

Instructors are expected to complete an Annual Individual Development Plan (IDP) in consultation with their supervisor.

Performance Evaluation

Performance evaluation for faculty members, an important aspect of professional development, consists of three components:

1. Each Fall semester an evaluation survey is administered to students in each class under the supervision of the Dean of the College. Computerized results of these surveys are given to each faculty member for self-study.
2. A self-evaluation tool is used by each full-time faculty member in conjunction with the annual interview with the Dean of the College prior to renewal of contract. At that time, a plan for professional growth is agreed upon.
3. A third vehicle for performance evaluation is peer evaluation, which is conducted in Spring Semester within each department under the Dean of the College.

An annual performance review is made of all faculty members by their Division Supervisor each year. Written reports of the employee’s job performance are filed with the Division Supervisor and are available for the employee to review and make any comments. The Division Supervisor is responsible for turning in all performance evaluation materials to the Human Resources office for inclusion in employee personnel files.

ACKNOWLEDGMENT OF RECEIPT

I, the undersigned employee of Donnelly College, acknowledge that I have received a copy of Donnelly College’s Employee Manual and understand that I am responsible for reading its contents, and for contacting a member of the administration and asking questions if I do not understand any portion of the Manual. I understand that it is my responsibility to comply with all of the policies and procedures contained in the Manual or otherwise adopted by Donnelly College, as may be amended or revised from time to time by Donnelly College.

I specifically acknowledge that my employment with Donnelly College is “at will” and that the policies and procedures set forth in the Manual do not establish any contractual relationship between Donnelly College and me regarding the terms and conditions of my employment, nor do they guarantee my continued employment under any circumstance. Except as may be specifically provided in any written employment contracts signed on behalf of both Donnelly College and me, the undersigned, I understand that no statements (whether verbal or written) or other representations or promises, regardless of by whom and when made, shall be effective to modify the “at will” nature of my employment with Donnelly College so as to create any agreement for employment for any specified period of time.

I recognize that any of the policies, procedures or benefits described in the Manual or otherwise adopted by Donnelly College may be added to, changed, revised, eliminated or deviated from at any time by Donnelly College, without prior notice, at the sole discretion of Donnelly College.

Employee’s Signature

Date

ACKNOWLEDGMENT OF NO HARASSMENT POLICY

NO HARASSMENT

Donnelly College is committed to providing a work environment that is free of unlawful harassment, including, but not limited to, sexual harassment. Accordingly, Donnelly College strictly prohibits and will not tolerate any unlawful harassment based on factors such as gender, sexual orientation, race, religion, creed, color, national origin, ancestry, age, pregnancy, marital status, veteran status, disability, or any other status, condition or characteristic protected by applicable law, to the extent the status, condition or characteristic is protected by applicable law. This prohibition covers harassment by anyone in the workplace itself or in any work-related settings, including supervisors, managers, co-workers and non-employees.

The term "harassment" includes, but is not limited to, actions, slurs, jokes and other offensive verbal, graphic, visual or physical conduct (both overt and subtle) relating to a legally protected status, condition or characteristic that creates an intimidating, hostile or offensive working environment or that unreasonably interferes with job performance. The term "sexual harassment" includes unwelcome or unwanted sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct is used as a basis for any employment decision affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creates an intimidating, hostile or offensive work environment. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

While it is impossible to anticipate every type of behavior which may constitute harassment in a particular situation, the following types of behavior come within this prohibition:

- unwelcome touching, impeding or blocking movements;
- offering employment benefits in exchange for sexual favors;
- making or threatening reprisals after a negative response to sexual advances;
- offensive facial expressions, leering, sexual gestures or movements;
- displaying sexually suggestive objects, pictures, cartoons, calendars or posters;
- graphic advances or propositions;
- graphic comments about another employee's body or clothes;
- use of derogatory names, slurs, epithets or comments, especially of a sexual nature;
- unwelcome discussion of sexual experience, activity or jokes;
- sexually degrading words used to describe another employee; and
- suggestive or obscene letters, notes or invitations including emails and texts.

Such behavior, and any other harassing or discriminatory activity, is unacceptable in the workplace itself or in any work-related settings.

Remember that it is not always possible to tell whether jokes or suggestive comments are "welcome" to another employee. The best policy is to refrain from all such joking, comments or activity in the workplace. It is also important to understand that a third party can be offended by jokes or comments that are overhead.

VIOLATION OF THIS POLICY WILL SUBJECT AN EMPLOYEE TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE DISCHARGE.

Employees who believe they have been subjected to or witnessed any unlawful harassment should immediately report the matter to their immediate supervisor, the Vice President of Business Affairs, or the President. Employees are not required to complain first to any supervisor who they believe has engaged in or condoned the harassment.

Any supervisor who receives a complaint or report of any alleged unlawful harassment must immediately refer the matter to the Vice President of Business Affairs, or the President. Further, any supervisor who knows or has reason to know that any employee is being subjected to unlawful harassment is instructed and required to immediately take appropriate corrective action to stop any ongoing harassment, regard less of whether the supervisor has received a complaint or report regarding the harassment, and must immediately thereafter report the matter to the Vice President of Business Affairs, or the President. Any supervisors or managers who fail to abide by this policy will be subject to disciplinary action, up to and including immediate discharge or removal from office.

Donnelly College will protect the confidentiality of harassment complaints to the extent possible, except as necessary to conduct a thorough investigation or to take an appropriate action. Please do not assume that Donnelly College administration is aware of any incidents of sexual or other unlawful harassment. It is your responsibility to bring any such incidents to our attention so that we can promptly investigate and attempt to resolve the matter.

Donnelly College will promptly commence a thorough, impartial and objective investigation of all incidents of alleged sexual or other unlawful harassment that are reported to the administration.

Upon completion of the investigation, Donnelly College will make a determination as to whether unlawful harassment has occurred, and to the extent appropriate will provide an explanation of the results of the investigation to the individual(s) who made the complaint or report and to the accused harasser(s). If Donnelly College makes a determination that unlawful harassment has occurred, Donnelly College will promptly take appropriate remedial action commensurate with the circumstances. Appropriate disciplinary action will be taken against any employee who Donnelly College determines has violated this policy , up to and including immediate discharge . Appropriate remedial measures will also be taken to correct the effects of the harassment and to deter any future harassment. To the extent appropriate, whatever remedial action is taken by Donnelly College will be communicated to the individuals involved in the matter.

Donnelly College strictly prohibits and will not tolerate, any retaliation or retribution, directly or indirectly, against any employee who in good faith: (1) makes a complaint of harassment; (2) reports the

harassment of another employee; (3) opposes any prohibited discrimination or harassment; or (4) participates in, provides information in connection with, or otherwise assists in the investigation of any incidents of alleged sexual or other. unlawful harassment conducted by Donnelly College or by any governmental agency. Any employee who engages in or encourages any such retribution or retaliation, directly or indirectly, will be subject to disciplinary action, up to and including immediate discharge. Further , any employee who knowingly and intentionally provides false or misleading information regarding any complaints or reports of alleged sexual or other unlawful harassment will be subject to disciplinary action, up to and including immediate discharge.

Upon receipt of this Manual, as part of the new hire intake process, you will be required to promptly read, sign and date the attached Acknowledgment of No Harassment Policy form which will be placed in your personnel file. During the course of your employment with Donnelly College, you may be required, from time to time, to read, sign and date the same or a similar acknowledgment form, at the request of the Human Resources office.

I, THE UNDERSIGNED EMPLOYEE OF DONNELLY COLLEGE, HAVE RECEIVED, READ AND UNDERSTAND THE FOREGOING NO HARASSMENT POLICY. I HAVE BEEN GIVEN A COPY OF THIS POLICY FOR MY PERSONAL RECORDS.

(Employee signature)

(Date)

(Employee name – printed)

A signed copy of this form will be placed in the employee’s personnel file.