

Eastern Oklahoma State College Staff Handbook

November 19, 2004
Amended August 19, 2005
Amended September 22, 2006
Amended November 3, 2006

Approval and Effective Date

The Eastern Oklahoma State Board of Regents approved this Staff Handbook, November 19, 2004. The Handbook becomes effective immediately on that date.

Disclaimer

This Staff Handbook supercedes all previous Eastern Oklahoma State College Handbooks and policies covering staff members. In approving the Staff Handbook for Eastern Oklahoma State College, neither the governing Board of Regents nor Eastern is waiving or restricting its lawful powers, duties, or responsibility to act at any future time to establish policies, regulations, and procedures and to implement other decisions of the Board. This handbook is not intended to create any contractual rights in favor of the employee or the College. The State of Oklahoma and the Eastern Oklahoma State College are at-will employers. An employment relationship may be terminated at any time at the will of the employee as well as by the employer. While policies and procedures have been established to provide guidance for administrators and employees, the policies herein shall not be construed to limit or abrogate the rights of the Eastern Oklahoma State College or its employees under the employment-at-will relationship. This handbook does not form an express or implied contract or promise that the policies outline will be applied in all cases. The College reserves the right to change the terms of this handbook at any time.

Affirmative Action

In compliance with the Executive Order 11246; Title II of the Education Amendments of 1976; Title VI of the Civil Rights Act of 1964, as amended by the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Title IX of the Educational Amendment of 1974, and all other federal, state, school rules, laws, regulations and policies, Eastern Oklahoma State College does not discriminate on the basis of sex, race, color, age, religion, national origin, status as a veteran or disability in the educational programs or activities which it operates. Such non-discrimination applies to all policies, practices, and procedures, including those pertaining to admission.

It is the intent of the Eastern Oklahoma State College administration, faculty, and staff to comply with both the letter and spirit of the law in making certain that discrimination does not exist in its policies, regulations, and operations. Grievance procedures for Title IX and Section 504 of the Rehabilitation Act and the Americans with Disabilities Act have been established for students, their parents, and staff members who feel discrimination has been shown by the College.

Any complaint, including Title VI, Title IX, and Section 504 complaints may be referred to the Human Resources Manager who is the designated ADA/Section 504 Compliance Officer.

Human Resources Manager
Eastern Oklahoma State College
(918) 465-2361, ext. 204.

Complaints may also be filed with the Regional Office for Civil Rights. Address correspondence to:

U. S. Department of Education, Region VII
Office for Civil Rights
10220 N. Executive Hills Boulevard
Kansas City, MO 64153

Title VII and ADA complaints may also be filed with the regional Equal Employment Opportunity Commission. Address correspondence to:

EEOC Office
200 Park Avenue, Suite 1350
Oklahoma Tower Building
Oklahoma City, OK 73102

[November 3, 2006, Eastern Regents added the ADA and the Weapons, Firearms, Ammunition Fireworks, Explosives and Dangerous Chemicals.]

Americans with Disabilities Act

The Law:

The Americans with Disabilities Act of 1990 (ADA) is the civil rights guarantee for persons with disabilities in the United States. It provides protection from discrimination for individuals on the basis of disability. The ADA extends civil rights protections for people with disabilities to employment in the public and private sectors, transportation, public accommodations, services provided by state and local government, and telecommunication services.

ADA's definition of a person with disabilities:

A person with a disability is anyone with a physical or mental impairment that substantially limits one or more major activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. In addition to those people who have visible disabilities such as persons who are blind, deaf, or use a wheelchair--the definition includes people with a whole range of less apparent disabilities. These include psychological problems, learning disabilities, or chronic health impairment and more. Documentation of the disability is required. A person is considered to be a person with a disability if he or she has a disability, has a record of a disability, or is regarded as having a disability.

Eastern Oklahoma State College ADA Policy:

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

Reasonable accommodation with respect to employment matters should be coordinated with the Human Resources Office and the disabled individual. Reasonable accommodation with respect to academic matters, including but not limited to faculty employment, should be referred to the Vice President for Academic Affairs, while all other issues of reasonable accommodation should be referred to the Vice President for Administrative Services. Individuals who have complaints alleging discrimination based upon a disability may file them with the college's Equal Employment Opportunity Officer in accordance with prevailing college discrimination grievance procedures.

Weapons, Firearms, Ammunition, Fireworks, Explosives and Dangerous Chemicals

The possession of weapons on campus is regulated by state law; all weapons are prohibited on any college or university campus by state law. This is to include, but not limited to, the possession or use of weapons, firearms, ammunition, fireworks, explosives and dangerous chemicals on campus, in Eastern Oklahoma State College vehicles, or on Eastern Oklahoma State College sponsored trips.

Exceptions to this policy are police and peace officers employed by Eastern Oklahoma State College, and those who have been called to assist or to perform law enforcement duties on campus, police and peace officers in their official on-duty capacities and in the performance of their duties. Collegiate Officer Program students during supervised skills training are exempt.

Persons who are licensed to carry concealed handguns pursuant to the Oklahoma Self Defense Act are authorized by that Act to enter the grounds of Eastern Oklahoma State College with such handguns only if the handguns are concealed and stored in the licensee's motor vehicle at all times. No handgun may be removed from such concealed storage while the vehicle is on Eastern Oklahoma State College property. Any exceptions are pursuant under state law.

Items used for instruction or training purposes are not considered weapons under this policy.

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Preface: Institutional Information

A. Mission Statement

The mission of Eastern Oklahoma State College is to provide excellent educational opportunities which [prepare/enable] graduates to complete baccalaureate degrees, obtain productive employment, and lead enriched lives, while at the same time providing effective support for economic and community development.

B. Functions

As a system institution coordinated by the Oklahoma State Regents for Higher Education (OSRHE), Eastern Oklahoma State College is charged with the following functions:

- (1) To provide general education for all students;
- (2) To provide education in several basic fields of university-parallel study for those students who plan to transfer to a senior institution and complete a bachelor's degree;
- (3) To provide one-and two-year programs of technical and occupational education to prepare individuals to enter the labor market;
- (4) To provide programs of remedial and developmental education for those whose previous education may not have prepared them for College;
- (5) To provide both formal and informal programs of study especially designed for adults and out-of-school youth in order to serve the community generally with a continuing education opportunity;
- (6) To carry out programs of institutional research designed to improve the institution's efficiency and effectiveness of operation; and
- (7) To participate in programs of economic development with comprehensive or regional universities toward the end that the needs of each institution's geographic service area are met.

In addition to sharing the functions of the main campus, the OSRHE have charged Eastern's McAlester Branch to serve as the institution responsible for providing and facilitating higher education courses and programs at the lower-division, upper-division, and graduate level in the McAlester area. Specifically, Eastern will contact and make arrangements with other regionally accredited Colleges and universities to offer courses and programs. Currently East Central University and Southeastern Oklahoma State University have extensive offerings at Eastern's McAlester branch.

C. History

Eastern Oklahoma State College was originally established as the Oklahoma School of Mines and Metallurgy, offering degrees in mining engineering. Although closed during World War I, the

school reopened in 1920 with trade and industrial education included in the curriculum. In 1924, the School of Mines added teacher training and extension courses, but, with the local mines rapidly closing, Eastern dropped mining engineering. In 1927, the school's name was changed to Eastern Oklahoma College and with the change came an added mission of pre-College level instruction. In 1941, the again renamed Eastern Oklahoma State Agricultural and Mechanical College came under the control of the State Board of Agriculture as a two-year College. Finally, in 1972, the legislature returned to the institution the name Eastern Oklahoma State College and created a separate Board of Regents to govern the College. In 1997, Eastern added a second campus in McAlester. Since that time, Eastern has been a comprehensive community College, providing instruction in a wide range of curricula in College transfer and career programs.

I. Governance

A. The Board of Regents

The Board of Regents for Eastern Oklahoma State College governs the institution under the coordination of the Oklahoma State Regents for Higher Education.

B. The President

The President is the chief executive officer of the College.

C. Administrative Staff, Professional Staff, and Support Staff

Administrative staff (including Executive Officers), professional staff, and support staff guide the administrative affairs of the College. The title and duties of these individuals will vary from time to time. Administrative staff may or may not supervise other employees. Professional staff have professional skills and may or may not supervise other staff members. Support staff are other non-faculty employees of the College.

II. Authority to Make Appointments

A. Appointment of the President

The Board of Regents shall appoint the President.

B. Appointment of Other Employees

The President shall appoint all other employees of the College.

(1) The President approves position descriptions and authorizes searches.

(a) Advertisement. HR Manager files a job description and coordinates internal and external advertising according to College policies. The breadth of advertisement for positions depends on the nature and level of the position in the organizational structure.

(b) Application. The applicant must complete an Eastern Application for Employment. Official transcripts from any institutions of higher learning attended must also be provided before the search is complete. If licenses and certifications are also required, copies of these must be presented. The applicants for upper- and mid-level positions must also provide a resume at the time of application.

(2) At his discretion, the President may appoint a search committee or appoint the position's supervisor to coordinate the search, with the guidance of the Human Resources Director. Usually, search committees are formed for higher-level positions, but the definition of that term varies. In the case of a search committee, the position's supervisor serves on the committee as an *ex officio* member. Either

the search committee chair and the supervisor or the supervisor alone, if there is no committee, recommends top candidates to the President for hiring.

- (3) The President selects one candidate and either makes a tentative overture or authorize another appropriate person to make a tentative overture. The President then sends a written offer. Only a written offer, signed by the President, is valid.
 - a. If the offer is accepted:
 1. The HR Manager prepares Personnel Action Form and otherwise documents the search.
 2. President signs the form and returns it to the HR Director, who keeps all search materials on file for five years.
 - b. If the offer is not accepted: The President, in consultation with the appropriate Executive Officer, determines whether to continue, re-open, or close search.
- (4) The President may set aside the above policy when an emergency hire becomes necessary. An emergency hire generally means, but is not limited to, a situation in which the President believes that it is essential that the position be filled within 30 days

III. Conditions of Appointment

A. At-Will Appointments

All staff employees of the College, except those specifically designated by formal action by the Board of Regents, are "at will" staff members whose employment may be terminated by dismissal or non-renewal at any time by the president or the Board of Regents of the College. By signing an appointment letter with the College, a staff member agrees and acknowledges:

1. That his or her appointment with the College does not create any property interest of any kind or at any time;
2. That, except as specifically set out in paragraph III.C. below, the staff member has no right to a due process hearing of any kind or at any time with regard to any aspect of his employment;

[September 9, 2006, Eastern Regents changed III. A. (2) p. 8. "paragraph C below" to "paragraph III. C. below."]

3. That any appointment and the corresponding compensation under the contract may be terminated by the College at any time with or without cause; and,
4. That in the event the staff member is terminated, staff member's compensation, including any vested rights or benefits beyond those due for previous service, shall also immediately terminate.

[September 9, 2006, Eastern Regents changed III. A. p. 8, "All staff employees of the College, except those specifically designated by formal action by the Board of Regents, are "at will" staff members whose employment may be terminated at any time by the College" to: "All staff employees of the College, except those specifically designated by formal action by the Board of Regents, are "at will" staff members whose employment may be terminated by dismissal or non-renewal at any time by the president or the Board of Regents of the College."]

B. Renewals

No staff member has the automatic or guaranteed right of renewal from one fiscal year to the next fiscal year.

C. Dismissals and Non-Renewals

Notwithstanding the foregoing, a staff member who is dismissed or non-renewed and who claims that his dismissal or nonrenewal is based on his or her race, religion, gender, national origin, age or disability may request to address the Board of Regents concerning said dismissal or nonrenewal on that issue only. The Board of Regents after hearing from the staff member and receiving such information as may be necessary from other sources, can take such action with regard to the staff member's continuing employment as is in the best interests of the College. No other hearings of any kind with regard to any type of adverse employment action against any staff member are authorized by this or any other policy of the College for any reason.

[September 9, 2006, Eastern Regents changed III. C. p. 8, "Notwithstanding the foregoing, a staff member who is dismissed ..." to "Notwithstanding the foregoing, a staff member who is dismissed or non-renewed ..."]

IV. Conditions of Employment

A. Ethical Behavior

1. Staff members represent the College when carrying out the duties associated with their position, and as such are expected to act in a manner consistent with the generally-accepted, educational philosophy and goals of the College. Staff members must adhere to all legal requirements and ethical norms covering their employment, as defined by their supervisors. Staff members of the College shall maintain the highest standards of conduct in all transactions with students, Administrative Staff, colleagues and the public. These standards of conduct include but are not limited to a prohibition on the writing of a check to the college without sufficient funds to cover the check. The president or the board may discipline an employee up to and including dismissing the employee the first time this occurs. The second time it happens, dismissal is mandatory.

[September 9, 2006, Eastern Regents in IV, A, 1, p. 9 added after the sentence: "Staff members of the College shall maintain the highest standards of conduct in all transactions with students, administrative staff, colleagues and the public," the following, "These standards of conduct include but are not limited to a prohibition on the writing of a check to the college without sufficient funds to cover the check. The president or the board may discipline an employee up to and including dismissing the employee the first time this occurs. The second time it happens, dismissal is mandatory."]

2. Supervisors of staff members who violate these laws and/or ethical standards (whether written or unwritten) due to a lack of understanding of them, will allow such staff members reasonable time to correct their behavior. Supervisors of staff members who understand or should have understood the laws and/or ethical standards of their positions but who violate these standards may seek disciplinary actions, including termination.

B. Regular Work Week.

The regular work week is 40 hours per week. The regular work day is nine hours in length with one hour off for lunch. Exceptions to this requirement must have Presidential approval.

C. Attendance and Punctuality

1. Staff members are required to be in attendance and prepared to begin work at the assigned work location on the specified days and hours. Attendance and punctuality are objective measures for job performance evaluations.
2. Absenteeism or tardiness that is unexcused or excessive in the judgment of Eastern Oklahoma State College is unacceptable.
3. If a staff member cannot report to work as scheduled, he/she shall notify the immediate supervisor as soon as possible after the reporting time. In the event notification is not made, immediately upon return to work the staff member shall show sufficient reasons for the lack of notification.

D. Salary Step Chart

The College will maintain a salary step chart to guide the setting of the salaries of non-exempt positions.

E. Employee Evaluation

1. The continuation of all staff members in their positions is at the will of the College.
2. The President at times of his own choosing may take any of the following actions, including but not limited to promotion, demotion, administrative leave with or without pay non-renewal and dismissal. The board of regents, acting on their own volition, may dismiss or non-renew any employee or take any other action against an employee deemed by the board to be in the best interests of the College.

[September 9, 2006, Eastern Regents changed IV. E. 2. p. 9, "The President at times of his own choosing may take any of the following actions, including but not limited to promotion, demotion, and administrative leave without pay and / or dismissal," to "The President at times of his own choosing may take any of the following actions, including but not limited to promotion, demotion, administrative leave with or without pay non-renewal and dismissal. The board of regents, acting on their own volition, may dismiss or non-renew any employee or take any other action against an employee deemed by the board to be in the best interests of the College."]

3. Staff members are evaluated informally on a daily basis, but the appropriate supervisor will also conduct a formal evaluation annually. The supervisor has the option to formally evaluate a staff member more than once a year, particularly in cases where performance is viewed as deficient.
4. The evaluations note strengths and weaknesses as identified by both the staff member and supervisor. The supervisor makes commendations and suggestions for improvement. These commendations and/or suggestions are conveyed to the staff member both orally and in writing. The staff member has a chance to respond in writing to both informal and formal written evaluations. The supervisor makes recommendations concerning retention to his or her supervisor and through that person (and any others above to the supervisor's level) to the President.
5. Evaluation criteria for all Administrative Staff shall be demonstrated satisfactory performance in their respective areas with regard to leadership, responsibility, management, and implementation of the Board of Regents' and President's policies and objectives and support and loyalty to the administrative head of the College as this relates to the institution.
6. Evaluation criteria for all other staff members shall be based on job performance as determined by administrative policy and needs.

F. Job Titles, Grades, Duties and Responsibilities

1. The President shall have the authority to change the titles, grades, duties, and responsibilities of all employees. This authority is not limited by the provisions below which specify the means by which employees and supervisors may request changes.
2. Any staff member, or that person's supervisor, may submit a request for a review of his or her current title, grade, duties, and responsibilities. A current job description (available from the Office of Human Resources), an updated job description prepared by the staff member and his/her supervisor, and a written recommendation from the supervisor must accompany the request.
3. The Human Resources Manager will review the request and, in concert with the Vice President for Administrative Services, properly designate the position and send a recommendation to the President and a copy to the staff member and his/her supervisor.
4. If no change is made in the position and if requested by the staff member, the President may appoint an ad hoc review committee to consider the request. The committee's members will have been employed by Eastern for five years before committee appointment and must include at least one non-executive level administrator, and at least two staff members, one of which will chair the review committee. No committee member shall work in the same department as any person seeking a review. The committee will send its findings and recommendations to the President.
5. The President will review the recommendation of the Human Resources Manager and the committee findings, if any, and may, at his or her discretion, meet with the person under review and/or his or her supervisor. The President may approve the changes, disapprove the changes, or refer the recommendations back to the committee for further study. Changes may or may not include salary adjustments. The President will send copies of his or her decision to the person under review and to the Human Resources Manager. The manager will share the President's decision with the other members of the committee. If the President approves changes, his decision is final. If the President disapproves changes, he will inform the person under review.

G. Disciplinary Actions

Eastern Oklahoma State College is an "at-will" employer. The contents included in this Handbook in no way modify or amend the right of the College as an "at-will" employer in originating or terminating employment of personnel. "At-will" employment is for no specified term and is terminable at the will of either the employee or the employer.

Notwithstanding the above, the College, at its sole discretion, may choose to take disciplinary action, including suspension with or without pay, rather than terminate an employee. Particularly serious problems include, but are not limited to misconduct, insubordination, inefficiency, drug or alcohol use, inability to perform satisfactorily the duties of the position in which employed, violation of College policies, conduct unbecoming a public staff member, conviction of a felony, or any other just cause. In cases of routine problems meriting disciplinary action, the College may follow any or all of the procedures listed below. If he or she deems it necessary and appropriate, the President may take action without following any or all of these procedures. Employees do not have contractual rights which limit the College's actions in disciplinary matters, except those as provided by law.

1. Informal Verbal Warnings. Supervisors may at any time issue informal, verbal warnings to staff members. No formal records are kept for such warnings.
2. Formal Verbal Warning. Supervisors may issue a formal verbal warning, which involves a discussion with the staff member. The supervisor prepares a written summary of the warning and the discussion and gives one copy to the staff member and another to the Human Resources Office for placement in the person's employment file.
3. Written Warning. Supervisors may issue a written warning, which includes a statement of the problem(s), requirements which the staff member must meet to correct the problem, and a deadline by which the staff member must complete the requirements. Copies of

the warning go to the staff member, the appropriate executive officer, and the Human Resources Office.

4. Suspension and termination. If the staff member fails to complete the requirements in the written warning within the time allowed or if the staff member receives three written warnings (regardless of his or her response) within twelve months, the supervisor may recommend suspension (with or without pay) and termination to the executive officer over his or her area. That executive officer may then recommend suspension (with or without pay) and termination to the President. The President may suspend the employee (with or without pay), demote the employee, terminate the employee by either dismissal or non-renewal or take any other employment action deemed appropriate by the President. The decisions of the President are final and nonappealable except as to any claim made by an employee under Section III. C. Dismissals and Non-renewals.

[September 9, 2006, Eastern Regents changed IV. G. 4. p. 11, "That executive officer may then recommend suspension (with or without pay) and termination to the President. The President may move to suspend (with or without pay). The President may also recommend termination to the Board of Regents," to "That executive officer may then recommend suspension (with or without pay) and termination to the President. The President may suspend the employee (with or without pay), demote the employee, terminate the employee by either dismissal or non-renewal or take any other employment action deemed appropriate by the President. The decisions of the President are final and nonappealable except as to any claim made by an employee under Section III. C. Dismissals and Non-renewals."]

5. Closure. The decisions of the President are final.

H. Voluntary Resignation and Job Abandonment

In order to secure a positive recommendation, staff members who resign voluntarily should give the College ten working days notice. Staff members should present written resignations to their supervisor, who will arrange an exit interview with the Human Resources Office. Staff members, who fail to report to work for three consecutive days, shall have abandoned their positions without notice.

I. Procedures for Externally-Funded Staff

Holders of administrative and staff positions funded through external, non-state sources are appointed, evaluated, reappointed, or not reappointed through the same mechanism as other College personnel. Depending on job performance, persons in these positions may continue their employment only as long as the grant is in effect. The College may accept external funding contingent on continuation of the position or function with College funds without making a commitment to continue the employment of the holder of the position or manager of the function.

J. Secondary Employment

1. Although full-time employment at Eastern is considered to be one's primary employment, staff members may engage in secondary employment provided that that employment does not interfere with assigned duties and responsibilities or constitute a conflict of interest.
2. Such secondary employment, including employment by Eastern Oklahoma State College in roles secondary to that of the staff member's primary, full-time employment, must occur outside of the staff member's contracted work period. For most staff members, this would mean that supplemental work must be limited to hours outside the M-F, 8 a.m. to 5 p.m. time frame for most College business. Similar time restrictions apply to staff members in positions requiring different hours. *Staff members who teach classes within their regular work periods receive no additional compensation, unless by agreement with*

their supervisors they use annual leave time for the teaching time or make up the lost work time during the same pay period Staff members who teach classes outside their regular work periods do receive additional compensation.

[August 28, 2006, Eastern Regents amended the Staff Handbook on Secondary Employment (IV, J, 2, p. 11) by modifying the phrase “*Staff members who teach classes within their regular work periods receive no additional compensation, unless by agreement with their supervisors they use annual leave time for the teaching time,*” to read: “*Staff members who teach classes within their regular work periods receive no additional compensation, unless by agreement with their supervisors they use annual leave time for the teaching time or make up the lost work time during the same pay period.*”]

3. Staff members wishing to hold secondary employment involving a number of hours equal to more than 20 percent of their standard College working time in any pay period or to earn an amount of money equal to more than 20 percent of their College pay for any pay period must obtain in advance the permission of their supervisors.
4. Supervisors may grant exemptions to these rules for the operators of private businesses and agricultural enterprises, equivalent to family farms and ranches.

K. Conflict of Interest

A staff member has an obligation and responsibility to report any outside business or financial activity which is, or may be, in conflict with the interests of the College, or which interferes with the performance of his or her duties. Violations of this policy are grounds for disciplinary action or termination.

L. Staff Development/Attendance at Professional Meetings

Staff members are encouraged, and may be required, to continue their professional development by attending applicable meetings, workshops, etc. The President and appropriate supervisors may require staff members to attend professional development sessions. When a supervisor asks a staff member to attend such a meeting and / or represent the College at any meeting, the College will reimburse the staff member for travel and per diem expenses. Permission to miss such required meetings must be obtained from the appropriate College supervisor.

M. Safety and On-the-Job-Injuries

1. All staff members must attend safety training at least semi-annually as provided by the College. All staff members have a responsibility for the safety and well-being of the campus community. Safety practices will be a part of the evaluation process.
2. On the job injuries are governed by the Worker's Compensation Act. Staff members should contact the human resources office for their rights under this act. A staff member injured on the job must report the incident immediately to his/her supervisor. The supervisor must immediately contact the human resources office and provide information concerning the nature of the injury and to receive further instructions. In cases of injuries, the staff member should be transported to the nearest available or best emergency health care treatment center.
3. Unless the injury is life threatening, the staff member should take an “Authorization for Medical Attention” form to the attending physician in order that the staff member is not charged for the services. In case of life or limb threatening situations the form should be delivered to the attending physician as soon as possible.

N. Professional Organizations and Community/Civil Involvement

1. All staff members are encouraged to join professional and civic organizations and to take leadership roles in their respective communities, professional organizations, or areas of interest. All staff members are automatically members of the Oklahoma Association for Community Colleges (OACC) and are encouraged to join the Higher Education Alumni Council of Oklahoma (HEACO). Because of the importance of a high rate of staff member participation in fund-raising, all staff members are encouraged to contribute to the College, Foundation, and / or Alumni Association.
2. Support staff are automatically members of the Eastern Support Staff Council, which consists of at least one representative for each of the following groups of staff members: Custodial, maintenance, food service, housing, Grades I-V, and paraprofessional.

O. Employment Files

The Director of Human Resources maintains personnel files, which are confidential, and are open only to the individual staff member, the President, the staff member's supervisor, and other appropriate officials on a need-to-know basis.

P. Falsifications

Any false, incomplete, or incorrect information pertaining to credentials for Eastern employment constitute grounds for refusal of employment, disciplinary action, or termination. False, incomplete, or incorrect information pertaining to workplace matters or job performance also constitute grounds for refusal of employment, disciplinary action, or termination.

Q. Media Relations and Political Activities

1. The President or his designee shall be the sole spokesman for Eastern Oklahoma State College. No other individual has authority to speak for the College. Requests for media communications should go to the President or the Director of Public Relations. Individuals maintain all constitutional and legal rights to speak for themselves.
2. Staff members may exercise their full rights to political participation so long as their involvement does not imply College endorsement of any political candidate or cause, does not use College time or resources in such efforts, and does not interfere with the rights of students or other staff members.

R. Smoking

All tobacco products are prohibited in all College-owned buildings and vehicles, with the exception of designated residences which are vented in such a way as to prevent the escape of the smoke into other enclosed areas. Outside, smoking and the use of other tobacco products is permitted only in designated areas.

S. Nepotism

- (1) Except as prohibited by the laws of the State of Oklahoma, relationship by one staff member to another staff member within the third degree of consanguinity or affinity shall not, in itself, be a bar to appointment, employment, re-employment, transfer or advancement at Eastern Oklahoma State College nor (in the case of faculty members) to eligibility for tenure.
- (2) Notwithstanding the foregoing, effective July 1, 2004, no person shall be hired, reassigned, promoted or re-employed for a new fiscal year contract period to any position in which the staff member will be either a supervisor or a subordinate to another staff member to whom he/she is related by affinity or consanguinity within the third degree. At no time shall any two staff members so related be given executive or administrative positions of any kind within any budgetary unit hierarchy.
- (3) This policy does not apply to student positions as long as all students within a department are treated similarly in all respects.

(4) Relatives within the third degree of relationship are as follows: great-grandparent, grandparent, parent, spouse, son, daughter, grandson, granddaughter, great-grandson, great-granddaughter, uncle, aunt, niece, nephew or corresponding in-law relationship.

(5) The supervisory or subordinate relationship shall be any relationship in which either related staff member is directly responsible for making recommendations regarding promotion, dismissal, re-employment, salary, assignment or any other type of employment action.

T. Propriety of Relationships

1. Eastern's mission requires an atmosphere of professionalism based on mutual trust and respect. For this reason, it prohibits staff members from engaging in a romantic and/or sexual relationship in which:
 - a. One person supervises, directs, evaluates or makes any employment recommendations over the other person.
 - b. Sexual activity occurs during working hours.
 - c. Sexual activity occurs on College property, outside of private residential facilities.
2. These rules apply to both sexes equally and to their relationships with other people of either sex. Staff members engaging in such relationships face discipline and possible termination.

U. Sexual Harassment

1. Eastern Oklahoma State College explicitly condemns sexual harassment of students, staff, and faculty and will not tolerate such conduct on or off campus. Sexual harassment is unlawful and may subject those who engage in it to College disciplinary sanctions as well as civil and criminal penalties.
2. Sexual harassment is defined as follows: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment status or academic standing,
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions, or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working/academic environment.
3. Eastern Oklahoma State College will take measures to periodically educate and train staff members regarding conduct that could constitute a violation of this policy. All personnel are expected to participate in such education and training and to be knowledgeable concerning the College policy. Retaliation against anyone who makes a good-faith complaint or participates in good faith in the complaint process will not be tolerated.
4. Procedures for the filing and handling of Sexual Harassment complaints vary, as follows:
 - a. Student Complaint Against Another Student: See the Student Handbook.
 - b. Student Complaint against a Staff member: See the Student Handbook.
 - c. Staff member Complaint against another Staff member: See Grievance Procedure Below.
 - d. Staff member Complaint against a Student:

1. Informal Process: The staff member should complain verbally to his or her supervisor or to the Human Resources Office. The supervisor or Human Resources Official should attempt to resolve the issue informally and report in writing the outcome to the Vice President for Academic Affairs.
2. Formal Process: If there is no informal resolution, the staff member and/or the student may formally complain in writing to the Vice President for Academic Affairs, who will convene a Sexual Harassment Grievance Committee, consisting of the Dean of Students (Chair), the Division Chair over the student's major field or some other Division Chair if that Chair is a party to the dispute or if the student has no major, the student's academic advisor or some other faculty member if the advisor is a party to the dispute, the Student Senate President (or another Student Senate officer if the President is a party to the dispute), and a human resources official.
3. This committee will report to the Vice President for Academic Affairs the circumstances of the case, summarize testimony, analyze the claim, render a judgment as to whether sexual harassment occurred, and propose a resolution, which may include sanctions for either party.
4. The Vice President for Academic Affairs will render a decision in the case and recommend appropriate action to the President and notify the parties of his or her decision.
5. Appeal Process: Within three working days, either party may appeal to the President, whose decision will be final.

V. Grievances Procedures

Introduction. This policy provides an avenue for use by staff members for the resolution of differences and misunderstandings in connection with claimed violations of established College policies, handbooks or practices.

A. Definitions

1. A "grievance" shall mean a complaint by an staff member: (1) that there has been as to him a violation of any of the provisions of his employment contract or (2) that he has been treated inequitably by reason of any act or condition which is contrary to established College policy, handbooks or practice governing or affecting staff members; except that the term "grievance" shall not apply to any matter as to which the College is without authority to act and shall not apply to staff member evaluations or discipline or termination of staff members.
2. A "staff member" means all staff members of the College excluding faculty.
3. A "grievant" is the person or persons making the complaint.
4. A "party-in-interest" is the person or persons making the complaint and any person who might be required to take action or against whom action might be taken in order to resolve the complaint.
5. The term "days" when used in this policy shall, except where otherwise indicated, mean working days; thus, weekend or vacation days are excluded.

B. Purpose

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to the problems which may from time to time arise, affecting the welfare or working conditions of staff members. Grievance proceedings will be kept as informal and confidential as may be appropriate at any level of the procedure.

C. Procedures.

1. Any grievance must be filed within ten days of the aggrieved act, or it shall be deemed forever waived by the grievant.
2. In the event a grievance is filed on or after the closing of the school year, which, if left unresolved until the beginning of the following year, could result in irreparable harm to a party-in-interest, the parties agree to make a good faith effort to reduce the time limits set forth herein so that the grievance procedure may be exhausted as soon as is practicable.
3. Nothing herein contained will be construed as limiting the right of any staff member having a grievance to discuss the matter informally and confidentially with any appropriate member of the administration; provided the adjustment is not inconsistent with terms of this grievance procedure.
4. Informal Process: Oral Informal Discussion with Immediate Supervisor. A staff member with a grievance will first discuss it informally with his immediate supervisor or the Office of Human Resources.
5. Formal Process: Written Formal Grievance to a Human Resources Officer. If the aggrieved party is not satisfied with the disposition of his grievance under the informal process, he or she may file a written grievance with the Human Resources Manager within five days of his informal conference. The Human Resources Manager shall communicate a decision in writing to all parties-in-interest within five (5) days after receipt of the grievance. If the grievance is against the Human Resources Manager then the grievant may file a written grievance with the President or his designee.
6. President or his Designee. Within five days of receipt of the decision rendered by the Human Resources Officer, any party-in-interest may appeal that decision to the President or his designee. Within ten days after receipt of the appeal, the President or his designee shall set the grievance hearing and shall forward written notice of the time and place of the hearing to all parties-in-interest. Within fifteen days of hearing the appeal, the President or his designee shall communicate his decision to all parties-in-interest. The decision shall include supporting reasons and shall be final in all aspects and appealable only if the Board votes to hear the appeal. If the grievance is against the President then the hearing shall be before the Board of Regents. Only persons having grievances against the President may file a written grievance with the Board of Regents and seek a hearing from it. The Board of Regents will be the sole judge on whether to grant such a hearing.
7. The first determination to be made for any action is whether the staff member's grievance falls within the definition of "grievance" under the terms of this policy. If the grievance is not a proper grievance under the definition of the term "grievance" then the grievant may challenge that determination in writing to the President or his designee.
8. Failure to communicate in writing the decisions on a grievance within the specified time limits shall permit any party-in-interest to appeal. Failure at any step of this procedure to appeal a grievance decision within the specified time limits shall be deemed to be acceptance of the decision.
9. Any aggrieved person may have present at all stages of the grievance procedure a representative of his choosing. In all communications and hearings, however, the aggrieved person must speak for himself.
10. No reprisals of any kind will be taken by the Board of Regents or by any member of the administration against any party-in-interest, who acted in good faith, or any other party, who acted in good faith, involved directly or indirectly in the grievance procedure.

11. All documents, communications, and records dealing with the processing of a grievance shall be filed separately from the permanent central office files of the participants.
12. Every effort will be made by all parties to avoid interruption of classroom activities and to avoid the involvement of students in all phases of the grievance procedure.
13. All parties-in-interest are required to exhaust the grievance procedure set forth in this article before seeking alternate remedies including any legal proceedings of any nature.
14. If any party-in-interest elects to pursue any legal or statutory remedy for any grievance, such election will bar any further or subsequent proceedings for relief under the provisions of this procedure.

VI. Benefits

The institution offers various benefits to eligible employees and their dependents. Benefits are contingent upon the availability of funds and are subject to change. If benefits do change, the College will notify all employees. Eligible employees are employees employed at least half-time and occupy permanent positions. The institution pays for the cost of the employee's benefits unless otherwise noted below. The institution does not pay for the cost of any dependent's elected benefit. Detailed information concerning all benefits is available in the Human Resources Office. A brief synopsis of the major benefits is listed below:

A. Health/Dental/Basic Life Insurance

Group medical, dental, and basic life insurance is provided to all eligible employees.

B. Life Insurance

Group life insurance is provided to all eligible employees.

C. Long Term Disability Insurance

Long term disability insurance is provided to all exempt eligible employees.

D. Workers Compensation Insurance

All employees and volunteers are covered by workers' compensation insurance.

E. Unemployment Insurance

All employees are covered by unemployment insurance.

F. Comprehensive Automobile Liability Insurance

College employees are covered for liability while operating a College vehicle or while operating their personal vehicle on official College business.

G. Retirement Program

1. All eligible employees become members of the Teachers' Retirement System of Oklahoma.
2. Complete information concerning the Teachers' Retirement System of Oklahoma can be obtained from the Human Resources Office or by contacting the Teacher's Retirement System in Oklahoma City (1-877-738-6365) or (www.state.ok.us/~okteachers/).
3. Employees should contact the human resources office three to six months prior to a planned date for retirement.

4. Eastern participates in the Federal Social Security Program and Medicare for their employees. Individual contributions are deducted from the employee's salary and Eastern provides the required employer's match.

H. Optional Pay Related Benefits

Employees may also elect to pay for additional, optional benefits to be deducted from the employee's pay. Details of these benefits are available in the human resources office.

I. Holiday Leave

The College observes certain holidays and closed days as determined by the President. Employees on leave without pay the day before or after a holiday or closed day will not receive pay for the holiday or closed day.

J. Leave for Inclement Weather

The Director of Public Information is responsible for contacting the news media if the President makes the decision to close any part of the College due to inclement weather conditions. Employees should assume offices are open unless they are specifically mentioned as being closed. When offices are closed due to inclement weather no leave will be charged for the approved closed hours. If the offices are not closed during inclement weather, employees will be charged annual leave for any absences so related.

K. Annual Leave

1. Eligible administrative and professional (exempt) employees earn annual leave at the rate of 10 hours per month (120 hours per year) for the first five years of service and 12 hours per month thereafter. Eligible support staff (non-exempt) employees earn annual leave at the rate of 4.61538 hours bi-weekly for the first five years of service and 5.5384 hours thereafter, but only if work is performed (or on paid leave) during that two week period (120 hours per year for the first five years and 144 hours thereafter).
2. Annual leave may be accumulated up to 240 hours. Leave should be scheduled in a timely manner with the appropriate supervisor. Annual accumulations in excess of 240 hours will be forfeited.
3. Employees may not take annual leave beyond that which is already accumulated.
4. Annual leave accumulations, up to the maximum accumulation amount, will be paid only on separation from employment and for no other reason.

[September 9, 2006, Eastern Regents changed VI. K. 4. p. 18, "Annual leave accumulations, up to the maximum accumulation amount, will be paid on separation," to "Annual leave accumulations, up to the maximum accumulation amount, will be paid only on separation from employment and for no other reason."]

5. Support Staff (non-exempt) do not earn annual leave for the first 90 days of employment.

L. Overtime and Compensatory Leave

The Vice President for Administrative Affairs shall determine and specify, subject to the provisions of the Fair Labor Standards Act, those jobs which are exempt. All jobs not specifically determined to be exempt classifications shall be considered non-exempt classification.

1. Exempt jobs are those jobs which shall be neither entitled to the earning of, accrual of, nor credit for overtime and / or compensatory time.
2. Non-exempt jobs are those classifications which shall be entitled to the earning of, accrual of, or credit for overtime and / or compensatory time. These employees, whose work must be documented and maintained according to federal regulations, must maintain detailed records reflecting actual work time. The departmental supervisor has the discretionary authority to arrange the work schedule of non-exempt employees. Non-exempt employees who work more than 40 hours in one week will be compensated at the rate of one and one-half times the rate, either in pay as overtime or compensatory leave. Non-worked hours paid do not count towards the hours for premium rates. The employee's supervisor and the Vice President for Administrative Services must approve overtime work in advance, except in cases of emergency. These actions will be in accordance with federal and state law. Supervisors may approve the use of compensatory time as a management tool to attain work objectives. Employees may accumulate up to 240 hours of compensatory leave within a fiscal year.

[On August 18, 2005, Eastern Regents amended the Staff Handbook on Overtime and Compensatory Leave (VI. L. 2, p. 18) to remove the phrase "but they must use those hours by the end of the fiscal year in which earned or lose them."]

M. Sick Leave

1. Full-time staff members are entitled to accrue sick leave with pay at the rate of one and one-fourth days per month (10 hours). There is no limit to the number of days/hours that may be accumulated. However, a maximum of 120 days or 960 hours may be utilized during an academic year. Members of the Oklahoma Teachers' Retirement System shall be entitled to have their accumulated days of sick leave credited toward the years of service. A retiring staff member will be granted 120 days/960 hours of sick leave to use as a year toward retirement if he or she has or would have accumulated such leave, OTRS Rules: 715:10-5-28 and 715:10-5-29. A maximum of five (5) days annually (not cumulative) may be charged against sick leave as personal leave for full-time faculty only.

[November 3, 2006, Eastern Regents deleted VI (M) (1), which read: "Unused sick days may be accumulated up to 960 hours. Sick leave transfers with the employee when transferred to another department. There is no monetary compensation for unused accumulated sick leave but may be reinstated for an employee who returns to work," and replaced it with the above.]

2. Any employee who misses work because of illness or injury must be sure the appropriate office/supervisor is notified as soon as possible. Scheduled medical appointments and the like should be reported in advance. The corresponding leave sheets must be given to the supervisor upon return to work or, when possible, in advance. Supervisors must submit all leave sheets with time cards. Appropriate forms are provided for this purpose.
3. A doctor's verification is not required each time an employee is ill. However, the supervisor has the option to require a doctor's release if the supervisor believes that such is necessary.

4. When an employee exhausts their sick leave and their annual leave, they may be eligible for leave without pay at the discretion of their supervisor.
5. Employees may donate sick leave to a fellow employee who has exhausted available sick leave. The criteria for donating sick leave are:
 - Donated sick leave must be voluntary and a donation form ([See Procedures Manual](#)) must be sent to the Human Resources Manager stating the recipient and the amount of sick leave to be donated. Donating employees may remain anonymous. The Vice President of Administrative Services will notify the recipient of the amount of sick leave being donated.
 - Employees may donate a maximum of 15 days/120 hours of sick leave annually.
 - Donating employees cannot cause their sick leave balances to fall below 90 days/720 hours.
 - Unused donated sick leave will be forfeited by the donor and the recipient.
 - Over his or her lifetime, an employee may receive a maximum of 45 days/360 hours of donated sick leave.
 - The college may require a medical affidavit from the recipient employee.

[November 3, 2006, the Eastern Regents deleted VI (M) (5), which read: "Sick leave may be donated to another employee in extraordinary circumstances. Employees may donate up to 120 hours in a fiscal year but cannot fall below 720 hours of accrual. Unused sick leave of the employee receiving donated leave will be forfeited and may not be returned to the donor. An employee may not receive more than 360 hours of donated leave during employment," and replaced it with the above.]

6. Sick leave cannot be used as vacation leave.

N. Compassionate Leave (Special Sick Leave/Deducted from Sick/Annual Leave)

1. An employee will be granted a maximum of three (5) days of leave for compassion purposes each year, i.e. funerals or family illnesses. Five (5) additional days is available for immediate family (spouse, children, or parents) crises or emergencies.
2. Compassionate leave is normally deducted from the employee's accumulated sick leave. If sick leave is not available annual leave may be used then any balance is charged to leave without pay. Family medical leave may also be available as explained below.

O. Maternity Leave

Leave for the birth of a child or placement of a child for adoption or foster care is handled in the same manner as ordinary sick leave. Family Medical Leave is also available.

P. Family and Medical Leave Act

Employees may use the provisions of the Family and Medical Leave Act of 1993 (FMLA), which gives certain job protections to employees when balancing work responsibilities with the demands of personal illness or injury or in caring for family members. For details on the current law, consult the human resources office.

Q. Leave for Jury and Witness Duty

Employees called to serve as a member of a jury or subpoenaed as a witness shall be granted leave of absence with pay for such duty. This policy does not include court attendance when an employee is the defendant or engaged in personal litigation unless such actions are the result of an act performed by the employee as part of his/her official duties.

R. Disability Leave

In the event of a disability or a condition that renders an employee unable to perform assigned duties, an employee may utilize accrued sick leave, annual leave or a combination of both until the balances are expended. A medical statement must be provided before an employee may qualify or return to work. If additional leave is needed, the employee can be placed on leave without pay and may qualify for FMLA based upon the disability plan in effect.

S. Military Leave

1. Employees who are members of a reserve component of the United States Armed Forces shall, when ordered to active duty, be entitled to a leave of absence for the period of such active duty without loss of status, seniority, or efficiency rating.
2. Military leave shall be without loss of pay during the first 20 calendar days of said leave of a year beginning anew each October 1. Prior approval must be obtained by submitting a copy of the duty orders to the supervisor.

T. Voting Leave

Pursuant to Oklahoma statutes, Eastern provides two hours off with pay for the purpose of voting in national, state, and local elections.

U. Tuition Reduction

Regular, full-time Eastern employees, their spouses, and their children are entitled to receive a 100% **tuition-only** waiver benefit. **This benefit applies to tuition charges only; all fees must be paid by the student.** Employees are responsible for notifying the Scholarship Coordinator in the Financial Aid Office and providing a copy of the tuition charges to the Scholarship Coordinator.

1. Employees

The **tuition-only** waiver is granted with the understanding that class and study hours will not conflict with regular work schedules. If it is necessary to take classes during regular working hours, the immediate supervisor must approve. During working hours, a maximum of one course or four hours may be taken. Courses taken during working hours should benefit both the College and the employee. Newly hired employees will be eligible for the full benefit for the semester provided they begin work no later than the end of the second week of classes during each semester. Employees hired after those dates will not be eligible until the following semester.

2. Spouse and Dependents

Spouse and dependents are eligible. Dependents may receive the 100% **tuition-only** waiver for any year in which an employee claimed them as dependents on federal income tax forms. Dependents must notify the

Scholarship Coordinator and provide a copy of the employees income tax form with the copy of tuition charges for the semester.

3. Retirees and Dependents

Under the conditions listed below, retirees and their spouses and dependents will receive a 50% **tuition-only** waiver. Waivers for retirees are limited to those persons who had five years of service at Eastern and who retired from employment at Eastern under the Oklahoma Teacher's Retirement Plan. Waivers for spouses and dependents of these retirees are limited to any year in which an employee claimed them as dependents on federal income tax forms. Dependents must notify the Scholarship Coordinator and provide a copy of the employees income tax form with the copy of tuition charges for the semester.

4. Condition of Benefit

All applicants who are eligible for this benefit must apply through the Financial Aid office for other appropriate scholarship or grant funds. All applicants will be required to follow the normal Financial Aid Office procedures. Tuition waivers from other programs will be utilized first and the employee waiver will then be applied. All federal, state, and other money designated specifically for tuition will be applied before the employee tuition waiver. The Scholarship Coordinator in the Financial Aid Office should be contacted for questions concerning the application of tuition waivers.

5. Condition of Courses at No Cost to Employee

Employees, as well as all Oklahoma residents, who are 65 years of age or older may audit classes without charge. Enrollment is contingent upon available space.

*[November 3, 2006, the Eastern Regents deleted the following and replaced it with the wording above. "U. Tuition Reduction (1) Regular, full-time Eastern employees and their spouses and dependents are entitled to receive a 100% **tuition-only** waiver benefit. **This benefit applies to tuition charges only; all fees must be paid by the student.** Employees are responsible for notifying the Scholarship Coordinator in the Financial Aid Office and providing a copy of the tuition charges to the Scholarship Coordinator. (2) Employees: The **tuition-only** waiver is granted with the understanding that class and study hours will not conflict with regular work schedules. If it is necessary to take classes during regular working hours, the immediate supervisor must approve. During working hours, a maximum of one course of no more than four credit hours may be taken. Courses taken during working hours should benefit both the College and the employee. Newly hired employees will be eligible for the full benefit for the semester provided they begin work no later than the end of the second week of classes during each semester. Employees hired after those dates will not be eligible until the following semester. (3) Spouse and Dependents: Spouse and dependents are eligible. Spouse and dependents may receive the 100% **tuition-only** waiver for any year in which an employee claimed them as dependents on federal income tax forms. Dependents must notify the Scholarship Coordinator and provide a copy of the employees income tax form with the copy of tuition charges for the semester. (4) Retirees and Their Spouses and Dependents: Under the conditions listed below, retirees and their spouses and dependents will receive a 50% **tuition-only** waiver. Waivers for retirees are limited to those persons who had five years of service at*

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1. All applicants who are eligible for this benefit must apply through the Financial Aid Office for other appropriate scholarship or grant funds. All applicants will be required to follow the normal Financial Aid Office procedures. Tuition waivers from other programs will be utilized first and then the employee waiver will be applied. All federal, state, and other money designated specifically for tuition will be applied before the employee tuition waiver. For questions, contact the Scholarship Coordinator in the Financial Aid Office.
2. Employees, as well as all Oklahoma residents, who are 65 years of age or older may audit classes without charge. Enrollment is contingent upon available space.

V. Use of Fitness Center

All employees may use the exercise facilities provided by the College at no cost at the convenience of the College.

W. Admission to Sporting Events

Employees may attend all regular season, home sporting events free of charge. Courtesy passes are issued at the beginning of the academic year. Passes are also available upon request for part-time employees.

X. Safety

All employees must attend safety training at least semi-annually as provided by the College. All employees have a responsibility for the safety and well-being of the campus community. Safety practices will be a part of the evaluation process.

Y. On-the-Job-Injuries

On the job injuries are governed by the Worker's Compensation Act. Employees should contact the human resources office for their rights under this act. An employee injured on the job must report the incident immediately to his/her supervisor. The supervisor must immediately contact the human resources office and provide information concerning the nature of the injury and to receive further instructions. For detailed information regarding worker's compensation benefits contact the Human Resources Manager.

VII. Drug-Free Workplace Policy

Eastern maintains a Drug-Free Workplace Policy in compliance with the 1988 Federal Drug-Free Workplace Act. The Human Resources Office will provide each employee with a copy of this policy. Each employee must sign it, and return it to that office.

VIII. Computer Use Policy

Eastern maintains a Computer Use Policy. The Human Resources Office will provide each employee with a copy of this policy. Each employee must sign it, and return it to that office.

IX. Loyalty Oath

The State of Oklahoma requires a loyalty oath of its employees. The Human Resources Office will provide each employee with a copy of this policy. Each employee must sign it, and return it to that office.

X. Financial Exigency Policy

This policy statement establishes the procedures and guidelines for addressing a state of financial exigency at Eastern Oklahoma State College. It will supercede other College policies and procedures, including all grievance procedures, if the President of the College declares a state of financial exigency. These policies will yield in any cases of conflict between these policies and those required by law or by the Oklahoma State Regents for Higher Education.

A. Definitions

1. Financial exigency shall mean that state of financial crisis brought about by an Educational and General Part I budget allocation to the College and/or a significant shortfall in total College funding, which would:
 - a. Necessitate the elimination or reduction of existing instructional programs; or
 - b. Necessitate the termination of employment or reduction of compensation for permanently employed faculty or staff prior to the normal expiration of their contract or appointment; or,
 - c. Seriously erode the quality of any existing program.
4. Financial Exigency Committee shall be composed of the President, who shall serve as Chair, the Vice Presidents, and other designees as may be deemed appropriate at the time. At the time of this Handbook adoption, the committee shall include the incumbents of the following described positions. Thereafter, the President may adjust the membership.

Vice President for Academic Affairs
Vice President for Administrative Services
Provost of the McAlester Campus
Director of Enrollment Management
Director of Development
Director of Human Resources
Director of the Physical Plant
President of Faculty Senate
One (1) elected representative of the Division Chairpersons
Athletic Director

In addition, the President may appoint to the committee such other faculty, Administrative Staff, staff, or students to assure appropriate representation of all groups within the College community.

The purpose of the Financial Exigency Committee is to recommend budget alterations, including those involving personnel, to the President.

5. Termination Review Committee shall be composed of a chair and six members, three of whom shall be faculty members and three of whom shall be Administrative Staff or Staff. The Vice President for Academic Affairs shall determine two of the faculty members of the committee by random selection from among faculty with three years or more of service, and one faculty member of the committee from among other faculty. Any faculty member so chosen may decline to serve. When the committee considers the appeal of a faculty member whose termination is proposed, the Vice President for Academic Affairs shall chair the proceedings; when the committee considers the appeal of a staff member whose termination is proposed, the Vice President for Administrative Services shall chair the proceedings. All members shall be voting members.

The purpose of the Termination Review Committee is to review terminations under exigency and make recommendations to the President as to their justification.

B. Policy and Procedures

1. Declaration. When, in his opinion, a state of financial exigency is impending, the President, in consultation with the Executive Council and the Chair of the Board of Regents, shall declare the College to be in a state of financial exigency.
2. Preliminary Action Plan. Following the declaration, the President shall convene the Financial Exigency Committee and charge it with the responsibility of conducting appropriate studies and reviews to determine the nature and extent of the crisis and developing a Preliminary Action Plan to return the College to a stable financial state. Upon completion of its evaluation, the Task Force shall prepare and recommend its Preliminary Action Plan to the President.
3. Exigency Action Plan. The President shall review and consider the Preliminary Action Plan and seek such other advice and counsel from faculty, students, and other interested parties, as he shall deem appropriate. Any advice and counsel shall be advisory only, and it shall remain the sole responsibility of the President to make final decisions regarding recommendations to the Board of Regents concerning the financial exigency. Following such deliberation, the President shall prepare and submit to the Board of Regents an Exigency Action Plan for alleviating the financial crisis at the College.
4. Action by Board of Regents. The Board of Regents has ultimate responsibility for the financial integrity of the College. It will review the Action Plan submitted by the President and may consider such other factors as it deems appropriate in determining what actions should be taken to restore the College to a stable financial state. Any Action Plan adopted by the Board of Regents will not identify specific faculty or staff for termination, but may identify budgetary goals and areas and units for reductions.
5. Action Plan Implementation. Following adoption by the Board of Regents, the President shall direct the executive officers to implement the provisions of the approved Action Plan. If the plan entails the reduction of programs, activities of services, or the termination of faculty or staff, then the following appropriate provisions of this policy shall apply.

C. Guidelines

1. Termination of Employment. In reviewing programs and activities for reorientation, reorganization, realignment, reduction, or termination, the mission of the College and the fulfillment of its obligations as a higher education institution shall remain paramount. As the Financial Exigency Committee and other units develop their respective plans, they should consider such factors as centrality to the College's mission, productivity, support of productive programs, cost-benefit relationship, program achievement and / or income generating ability. This may, in some cases, necessitate the retention of programs, services, and activities which are not strong, but which are central to the concept of the College and to the mission of Eastern Oklahoma State College.
2. Program Deletions. If an academic program at the College is discontinued, students in the program shall be notified and every effort shall be made to allow them to finish their academic work. If it is not possible for students to complete the program, the College will explore making special allowances for such students. Special allowances might include such actions as permitting students to complete programs by taking work in related

departments, assisting them to locate the same program at other institutions, or other means of meeting the academic needs of affected students.

3. Personnel Reduction. Anyone terminated may appeal in writing to the Termination Review Committee to reverse its decision. Such an appellant does not have a right to a hearing before the committee. As such a review, the Termination Review Committee will recommend either termination or continuance of the person to the President. The President's decision will be final.

XI. Handbook Revision Process

The Board of Regents, the President, the Executive Council, the President's Advisory Council, or the Staff Council may initiate changes in the Staff Handbook.

We hereby verify that the Board of Regents for Eastern Oklahoma State College approved this Staff Handbook as an addition to the policies of the Board on November 19, 2004.

Dr. Richard M. Bernard, President

Date

Mr. Dale Covington, Board Chair

Date

Mr. Ken Bass, Board Secretary

Date

As an employee of Eastern Oklahoma State College I have received a copy of this Handbook and understand its contents, and I agree to work under its provisions.

Employee Name (Printed)

Employee Name (Signed)

Date