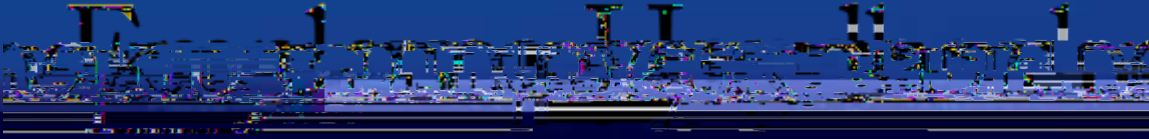




Texas Wesleyan

OFFICE OF HUMAN RESOURCES



[Type here]



▶ [TXWES.EDU/HR](https://txwes.edu/hr)

Table of Contents

We hope that your experience here will be challenging, enjoyable and rewarding. This handbook is designed to assist staff employees with basic information concerning expectations, policies, procedures, practices and benefits related to their employment with the University.

However, the University shall endeavor to effectively inform its employees of any changes through normal communication channels. The University may update or amend this handbook as necessary to address operational, procedural, or routine items, but any substantive changes to this handbook must be approved by the President and Board of Trustees. The Office of Human Resources maintains the handbook. Any questions regarding the handbook or interpretation of any policy within the handbook should be referred to the Office of Human Resources.

To the extent that the handbook contains summaries of employee benefit plans or programs, the provisions or obligations of the actual plan or program document will prevail over summaries.

This is not a legally binding document, nor is it to be considered a contractual agreement. It is however, to serve as a general policy and procedure handbook for staff employees and as a source of general information regarding benefits. If any policy, as stated within, is in direct conflict with state or federal law or a provider's contractual agreement, then the state or federal law or contractual agreement shall prevail.

Faculty policies and procedures that apply only to faculty are not contained in this handbook.

Employees holding faculty status should refer to the Faculty Handbook, Faculty Guide, or contact the Office of the Provost.

Texas Wesleyan University, guided by its deep Methodist heritage, provides transformational learning experiences and research opportunities to a diverse group of students to develop their full potential as individuals and as members of the world community.

The university's faculty and staff engage in scholarship and research that inform teaching and advance knowledge and understanding, as well as innovative teaching skills and delivery modalities to afford each student individual attention to develop critical thinking, analytical reasoning and creative problem-solving skills through a small community approach that allows tailored student experiences in and outside the classroom.

With a belief that a liberal arts and sciences education develops the mental agility and social awareness to

determines general University policy.

The president has the authority to develop the organization necessary to carry out the activities of the University. See Appendix A, the Organizational Chart.

The president is the chief executive officer of the University and is directly responsible to the Board. The president is responsible for overseeing all programs and operations of the University within the guidelines and the policies established by the board. The Provost and vice presidents report to the President and make up the executive staff. The Provost, vice presidents, associate vice presidents/provosts, the controller, the registrar, the chaplain, the chair of the faculty council, the director of grants and research, the Chief Information Officer, the Athletic Director and the President comprise the membership of the senior staff. Both groups meet regularly to consider the policies and administration of the University. In the absence of the president, the provost/senior vice president presides at University meetings and functions. The composition of the executive staff or the senior staff may be changed at the discretion of the president.

Reporting to the President are the Provost and Senior Vice President with the responsibility for all academic matters and institutional research; the Vice President of Finance and Administration with responsibility for finance and budget, administrative services, financial aid, information technology, and human resources; the Vice President for University Advancement with responsibility for development and alumni affairs and Grants and Sponsored Research; the Vice President for Enrollment, Marketing and Communications with responsibilities for enrollment and designing and
264271(2)ing) University) Marketing) School) Education) Operations) Health) and) Dental) Law) and) Business) the
Vice President of Student Affairs and Dean of Students with responsibilities for student engagement, student servi Ä

Failure to provide required information by the third day shall automatically result in the withdrawal of the offer of employment.

Following an offer of employment, employees may be required to furnish protected information for purposes of enrollment in benefit plans. Information of this type shall be kept strictly confidential and will not be used in employment-related decisions.

If an essential function of a position requires the employee to operate University vehicles, it is required that the employee provides verification of a current Texas driver's license and the University acquires a copy of their current driving record (MVR). A good driving record as established by the University's Motor Vehicle and Authorized Driver Policy also may be considered an essential function of the position. See Appendix B.

After issuing a job offer, the University may require, as a condition of employment, potential employees to submit to an examination by a physician selected by the University if the essential functions of the job warrant such an examination or drug

The University also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to their supervisor or to the Office of Human Resources. The individuals concerned will be given the opportunity to decide which one will seek and transfer to another available position. If that decision is not made within 30 calendar days, the department head will decide whether one or both employees will be transferred or, if necessary, terminated from employment.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship must refrain from public workplace displays of affection or excessive personal conversation.

Job descriptions are developed by hiring supervisors or department heads for all positions and are on file in the Office of Human Resources. Such descriptions should outline general duties, responsibilities, essential functions and qualifications for each position. Job descriptions may not be all-inclusive. Supervisors may also assign additional responsibilities essential to conducting the business of the University. Employees must receive, read and sign a copy of their job description when they are hired and when significant changes in responsibility occur.

The appropriate supervisor reviews employees for compliance with performance standards and essential functions of their job at least annually. Although the Office of Human Resources

time employee. Furthermore, a student worker may not simultaneously hold any other permanent or temporary position within the University. An exempt employee must have supervisory approval to hold a second exempt position.

The current supervisor may waive the six-month policy at his or her sole discretion. All internal candidates must submit an application for a vacant position form (Appendix O) to Human Resources with a current resume.

The date of hire or seniority date of previous employees, who are rehired by the University, shall be the first day on the job in their new or most current position, except that a previous employee's seniority date will be bridged by determining the employee's previous length of service and moving the new date of hire by a corresponding period of time, if the following conditions are met: (1) the employee must have worked for the University within the twelve calendar months immediately preceding rehire, (2) the employee's termination must have been due to resignation, layoff or other reason other than poor performance or misconduct and (3) at the time of the employee's termination, adequate notice must have been given to the University. The new seniority date must be noted on the payroll status change form at the time the employee is rehired. If applicable, the new seniority date shall be used to determine benefit eligibility. Employees who are rehired within twelve months of their termination will be eligible immediately for vacation/sick leave accrual at their previous rate and will be eligible for immediate reinstatement into the 401(a) retirement plan at their previous vesting status.

All Texas Wesleyan University volunteers must complete a volunteer application/information sheet, Appendix R (FCRA Disclosure Statement), a residency information form and waiver of liability form.

Background checks must be conducted on all prospective volunteers. The cost for the background check will be charged to the department requesting the volunteer. Under no circumstances shall someone be allowed to volunteer without a background check.

Upon successful completion of the background check, the Human Resources Department will notify the department that the individual may start volunteering. The Human Resources Department will maintain a database of all active volunteers. It will be up to each department to notify the Human Resources Department when someone is no longer volunteering within their department.

All volunteers will be unpaid and will not be eligible for any University sponsored benefits. Volunteering does not guarantee an individual of future employment with Texas Wesleyan University. Volunteers wishing to work for Texas Wesleyan University must complete a volunteer application/information sheet, Appendix R (FCRA Disclosure Statement), a residency information form and waiver of liability form.

can vary depending on the department.

All Texas Wesleyan University interns must complete a volunteer application/information sheet, Appendix R (FCRA Disclosure Statement), a residency information form and waiver of liability form.

The following are common characteristics of an internship:

Typically lasts about three months and occurs during the summer, fall or spring semester

May be paid or unpaid

If unpaid, may require the student to obtain academic credit and must meet certain labor law criteria

Interns should be provided with an on-site supervisor or mentor

Promotes academic and/or career development

Paid vs. Unpaid Interns

If all of the factors listed below are met, an employment relationship under the FLSA, and the Act's minimum wage and overtime provisions do not apply to the intern, therefore the intern can be unpaid:

1. The internship, even though it includes actual operation of the facilities of the employer, is similar to training which would be given in an educational environment;
2. The internship experience is for the benefit of the intern;
3. The intern does not displace regular employees, but works under close supervision of existing staff;
- 4.

University.

The University has established a staff classification system for staff employees. Hiring supervisors shall ensure that the initial rate of pay for a new employee falls within the appropriate range as established by the system. The University may also give consideration to the current wage scale in the local community and in other similarly situated universities; the education, training and experience of the subject employee; the compensation level of current employees of the University; and, the current-budgeted compensation guidelines.

The hiring supervisor submits a completed Position/Posting Request form to the Finance and Administration office for approval signatures. After approved, the

circumstances beyond the employee's control may still be considered excessive

5. Falsification of records, including attendance records
6. Unauthorized disclosure of confidential information
7. Excessive tardiness or absence, or any absence for three (3) consecutive days without proper notification of a supervisor, as defined elsewhere in this handbook
8. Smoking in unauthorized areas
9. Soliciting or circulating information on University property without permission, concerted union organizing activities are allowed during off hours on exterior grounds
10. Reporting for work under the influence of alcohol or drugs, or possessing illegal drugs or alcohol on University property or at University events
11. Abusing University equipment or materials, or misappropriating University funds or other assets
12. Using one's position of employment to gain unauthorized access to secure locations
13. Personal use of University property or assets, or removal of University property or assets from University property without authorization
14. Conducting business for

of 1973 (Section 504), and other applicable laws.

Furthermore, the University strictly forbids retaliation by any member of the University community against anyone who brings a charge of sexual harassment or sexual discrimination.

The Title IX policy, including the Title IX Coordinator's contact information, will be available on the Texas Wesleyan University website, within each University handbook or catalog for all admitted and current students, as well as current and potential employees to access. This also includes guests (i.e., students as part of Early College High School programs, participants in summer camps and conferences) to our campus.

To access the Title IX policy, please visit txwes.edu/titleix.

This policy will be in effect on August 14, 2020, per the regulations from the Department of Education. Any reports made before the above-mentioned date will use the Unified Harassment and Discrimination policy. Any reports made on or after the date of August 14, 2020, will use this Title IX policy. If a report is made with the University after the effective date of this policy and the alleged incident occurred before the effective date, the University is allowed to pursue another University grievance process.

In addition to this policy, the conduct of students, employees, and other Texas Wesleyan University community members may be governed by other University policies, including but not limited to:

[Family Educational Rights and Privacy Act \(FERPA\)](#)

Clery Act and Campus Security Authorities

[Code of Student Conduct](#)

Amnesty Policy (see

[Employee Handbook](#)

Faculty Handbook

Minors on Campus

The Ti

The Title IX Coordinator is designated by the University to coordinate compliance with Title IX responsibilities. The University's Title IX Coordinator is authorized to institute corrective measures on behalf of the University.

Any individual, including a non-University affiliate, may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, via online report form, by mail, by telephone, or by e-mail, using the contact information listed below, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such reports can be made at any time, including outside of normal business hours.

unsubscribe. Each fall, all enrolled students and current employees are automatically registered again, which will require them to unsubscribe.

The Director of Campus Security will issue reminders regarding Texas Wesleyan Alerts, at least once per semester, to faculty, staff, and students. Reminders will include the need to update personal contact information. The Office of Human Resources will also request copies of any opt-out forms from the Registrar each semester.

Texas Wesleyan University complies with the Department of Education's regulations as well as Texas state law as it relates to Mandatory Reporting. Under state law, all employees that are designated as Mandatory Reporters are obligated to report allegations of sexual harassment, sexual assault, dating violence, and stalking to the Title IX Coordinator. A Mandatory Reporter's disclosure to the Title IX Coordinator satisfies state law and the Title IX Coordinator being informed initiates the University's actual knowledge.

As a member of Texas Wesleyan University, employees are expected to participate in the process in the following ways:

- You must facilitate any accommodations determined by the Title IX Coordinator.

- Supportive measures, Remedies, and/or Sanctions from the Title IX Coordinator are to be granted, as necessary.

- Assist with other requests by the Title IX Coordinator.

Notice of sexual harassment or allegations of sexual harassment to the University's Title IX Coordinator or any official of the University who have authority to institute corrective measures on behalf of the University or to any employee of an elementary and secondary school.

At Texas Wesleyan, the Title IX Coordinator (or designated Deputy Coordinator) is the only University employee authorized to institute corrective measures on behalf of the University.

An individual who accompanies a Complainant or Respondent during the investigatory process and/or the Title IX Hearing to serve on behalf of the party to allow for cross-examination. This individual can be an attorney, but is not required to be an attorney. This individual cannot be a party or a witness participating in the grievance process.

Except for conducting cross-examination at a Title IX Hearing, the advisor's role is limited to providing support and guidance to their advisee and the advisor may not speak or otherwise represent their advisee throughout the process.

Each principle party is required to have an advisor for the hearing stage of the Title IX grievance process. If a party does not have an advisor, the University will provide an advisor free of charge. The University's pool of advisors are University employees and are trained to serve in this capacity. The party has the right to select an advisor of their choosing from this pool.

If a party has not retained an advisor, or voluntarily selected an advisor from the respective pool, the University is required to assign an advisor. Assigned advisors are not obligated to avoid conflicts of interest and can fulfill the role regardless of the scope of the advisor's other duties as a University employee.

Where a party does not take the opportunity to select an advisor of the party's choice, that choice falls to the University.

thorough investigation portion of the Title IX grievance process.

The University exercises a two-investigator model to ensure an investigation is neutral and fact-finding. Investigators must be either a Vice President, Associate Vice President, one directly reporting to a Vice President, one employed at the director level, or one specifically designated by a Vice President. If the Respondent is a faculty member, the Title IX Coordinator will consult with the Office of the Provost for recommendations on respective investigators. If the Respondent is a staff member, the Title IX Coordinator will consult with Human Resources for recommendations on respective investigators.

Includes locations, events, or circumstances over which the institution exercises substantial control over both the respondent and the context in which the sexual harassment occurs. This also includes any building owned or controlled by a student organization that is officially recognized by the University. Any university-sanctioned event or function, including employment, athletics, field trips, etc. For the sake of this policy, program or activity does not apply to incidents that happen outside of the United States. In these cases, incidents may be investigated and adjudicated through another process (e.g. student conduct process). For more information, see

proceeding.

The University utilizes the Preponderance of the Evidence standard. Preponderance of the Evidence is met if the proposition is "more likely to be true than not true." In other words, the standard is satisfied if there is a greater weight indicating that the proposition is true.

All persons currently enrolled at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. One who withdraws from the University after allegedly violating the policy, who is not officially enrolled for a particular term but who have a continuing academic relationship with the University, or who has been notified of their acceptance for admission is considered a student.

Non-

of sex, including sexual harassment, is prohibited.

Discriminatory harassment is verbal or physical conduct that denigrates or shows hostility toward an individual because of his or her race, color, gender, national origin, religion, age (40 or over), physical or mental disability, sexual orientation, or because of his or her opposition to discrimination or his or her participation in the discrimination complaint process. In general, harassment is against the law when it creates an intimidating, hostile, or offensive working environment, or when it interferes with an individual's work performance.

Prong 2— Severe, Pervasive, and Objectively Offensive

Sexual Harassment, under this prong, is defined as unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it denies a person access to the institution's education program or activity.

Prong 3—Clery/VAWA Crimes

Included under this prong is sexual assault, dating violence, domestic violence, and stalking as defined under The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA).

Sexual Assault is an umbrella term that encompasses Nonconsensual Sexual Penetration; Nonconsensual Sexual Contact; and conduct that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting program.

Nonconsensual Sexual Penetration: Sexual Penetration, however slight, performed upon another person that occurs without that person's Consent. "Sexual Penetration" means penetration of a vagina or anus by a penis, object, tongue, finger, or other body part; or contact between the mouth of one person and the genitals or anus of another person

Nonconsensual Sexual Contact: Sexual Contact, however slight, performed upon another person that occurs without that person's Consent. "Sexual Contact" means intentional physical contact with another person's breasts, buttocks, groin, or genitals, whether clothed or unclothed; intentional contact with another person using one's breasts, buttocks, groin, or genitals, whether clothed or unclothed; causing another person to physically contact oneself with or on the other person's breasts, buttocks, groin, or genitals, whether clothed or unclothed; or any other type of intentional physical contact done in a sexual

will, when appropriate, identify the primary aggressor in the situation based on the totality of the information gathered, including without limitation: the history of violence between the parties; the relative severity of the injuries inflicted on each person; information gathered from the persons involved in the situation and witnesses to the situation; and whether the acts or threats were done in self-defense. The primary aggressor will be considered the Respondent for purposes of evaluating dating violence or domestic violence.

Domestic Violence

Domestic violence is defined as a felony or misdemeanor crime of violence committed:

By a current or former spouse or intimate partner of the victim;

By a person with whom the victim shares a child in common;

By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;

By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition:

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Retaliation

Retaliation means an action taken because of a person's participation in a protected activity and that would discourage a reasonable person from engaging in protected activity.

"Protected activity" means a person's good faith:

Opposition to Prohibited Conduct or assisting a person who opposes Prohibited Conduct;

Report of Prohibited Conduct to the University, the police, or to a state or federal agency or assisting a person who reports Prohibited Conduct;

Participation (or reasonable expectation of participation) in any manner (e.g., in an investigation, proceeding, or hearing relating to Prohibited Conduct) or requesting a supportive measure under this policy; and/or

Exercise of rights or responsibilities under any provision of the Clery Act. An action is not taken in good faith if done with knowing or reckless disregard for information that would negate the accuracy of the

report or information. Retaliation is a violation of this policy regardless of whether the underlying allegation of a violation of this policy is ultimately found to have merit.

It is prohibited for any University or other person from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

This provision protects any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, any witness, and any other individual who participates or refuses to participate in an investigation, proceeding, or hearing related to the Title IX regulations.

Charging an individual with Code of Student Conduct violations that do not involve sexual harassment but arise out of the same facts or circumstances as a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX constitutes retaliation.

In an effort to prevent incidents of retaliation, the University must keep private the identity of Complainants, Respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding.

The exercise of rights protected under the First Amendment does not constitute retaliation. For more information, see [First Amendment](#).

Charging an individual with a Code of Student Conduct violation for making a materially false statement in bad faith during a Title IX grievance proceeding does not constitute retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

False Claims

The University must inform the parties of any provision in the University's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process. See Falsification within the Code of Student Conduct.

Charging an individual with a Code of Student Conduct violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding does not constitute retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

A Complainant has multiple options for reporting Prohibited Conduct. A Complainant may report

Procedures under the policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. Although the University may delay temporarily the fact-finding portion of its

Faculty Advisors, both academic and advisors to student organizations

An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

Those whose positions with the universities qualify them as Campus Security Authorities should note their obligation to report all criminal activity to Campus Security.

Confidential Resources are University employees who are not obligated to share any personally identifying information about a report of sexual violence (such as the survivor or accused's name) with law enforcement, the Title IX Coordinator, or any other University administrator.

The confidential resources for Texas Wesleyan University are the following individuals:

Director of Health Service

817-531-4948

alewis-hollins@txwes.edu

Counseling Center Director/Counselor

817

Below are resources and support that can be found on campus or off campus.

On-Campus

Community Counseling Center

3110 E Rosedale St, Fort Worth, TX 76105

Phone: 817-531-4859

Fax: 817-531-4213

Texas Wesleyan University cannot institute Protective Orders as they are court-ordered.

If you have been a victim of violence, stalking or sexual abuse, you can apply for a court order to keep your abuser away from you. This order is called a Protective Order ("PO"). There are different kinds of PO's for victims of domestic abuse, dating violence, sexual assault, stalking and human trafficking.

A Protective Order orders an abuser:

Not to hurt, threaten, or harass you or your children, either directly or through another person;

To stay away from you, your family, your home, workplace, and children's day care or school;

Not to carry a gun, even with a license.

The judge can also:

Order payment of child support and medical support,

Set terms and conditions for visitation with the children,

Order the abuser to attend anger management classes,

Order drug testing,

Order the abuser to attend a substance abuse treatment program,

Order the offender out of the home ("kick out order").

There are several ways to apply for a Protective Order:

Contact your local county or district attorney's office,

Contact your local family violence shelter, call 1.800.799.SAFE (7233) to find the nearest one,

Contact your local legal aid office,

Hire a private attorney,

Complete the do-it-yourself PO Kit available from www.texaslawhelp.org. Trying to get a protective order without an attorney should be your last resort.

What must I show to get a PO? What you must show depends on the type of protective order.

For a family violence protective order, you must be able to show that violence has occurred and it is likely that violence will continue in the future.

For stalking, sexual assault, and human trafficking protective orders, you must be able to show the abuser committed either stalking, sexual assault, or trafficking.

Some considerations:

Family violence includes any intimate partner violence, including dating violence and violence between same-sex partners,

Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The institution must maintain as private any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such privacy would not impair the ability of the University to provide the supportive measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

At the conclusion of a Title IX grievance procedure with a determination of responsible, supportive measures evolve into Remedies that are offered to remain in place to the Complainant.

Texas Wesleyan University values all individuals that comprise our campus community and works to support them. The University must comply with obligations under disability laws with respect to students, employees, or participants in a Title IX reporting or grievance process situation: including the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Individuals with Disabilities Education Act (DEA), and other applicable laws.

If a student or employee has a disability caused or exacerbated by, or arising from, sexual harassment, the University must comply with applicable disability laws (including with respect to providing reasonable accommodations) irrespective of whether the sexual harassment that caused or exacerbated the individual's disability constitutes Title IX sexual harassment to which the University must respond under these final regulations.

To the extent that disability accommodations may overlap with supportive measures or remedies required under Title IX, in these instances, the Title IX Coordinator is responsible for the effective implementation of such supportive measures or remedies.

Access to effectively participate in a Title IX reporting or grievance process is important to the University. If there is a need for an interpreter, translator, or other similar service, the University may provide that

process. The University may remove a student Respondent on an emergency basis whether a grievance process is underway or not. Moreover, this section does not impose a temporal restriction on when an emergency removal may be considered and implemented, as risks arising from sexual harassment can occur at any time.

Emergency removal of a student Respondent can happen before an investigation into sexual harassment allegations concludes, or where no grievance process is pending (i.e., at the time of the University receiving of the report). The University is permitted to remove student Respondents in emergency situations that arise out of allegations of conduct that could constitute Prohibited Conduct under this policy.

An emergency removal is not limited to instances where the Complainant has reported an alleged sexual assault or rape, but could also be justified to address alleged severe, pervasive, and objectively offensive verbal or online harassment. The identification of an immediate risk situation is not limited to the details of the alleged sexual harassment incident itself but may also evaluate and respond to a Respondent's related post-incident actions or behaviors.

The University, in accordance with the regulations from the Department of Education, is required to investigate formal complaints in a manner that is consistent and transparent while maintaining equity, timeliness, and support. This can be done through a Formal Resolution or an Informal Resolution.

Equity

The University will treat Complainants and Respondents equitably by recognizing the need for Complainants to receive remedies where a Respondent is determined responsible and for respondents to face disciplinary sanctions only after a fair process determines responsibility. The University presumes the non-responsibility of Respondents until conclusion of the grievance process.

Objective Evaluation of Evidence

The University's grievance procedures require an objective evaluation of all relevant evidence available in a particular case, including both inculpatory and exculpatory evidence, and provide that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness. Principle parties will be able to inspect and review all relevant evidence before a determination of responsibility is made.

The asp

information acquired by the University will be kept private and confidential in accordance with privacy laws.

The University's grievance process must not access, consider, rely on, or disclose information protected under a legally recognized privilege, unless the person holding such privilege has waived it.

Sanctioning and Remedies

If the Title IX Hearing has rendered a determination of responsible, the transcript from the Title IX hearing, the investigation report, and relevant inculpatory and exculpatory evidence will be turned over to the Title IX Coordinator to assess respective sanction(s) and remedies on a case-by-case basis.

Range of Remedies

Remedies can include individualized supportive measures but need not be non-disciplinary and may include, but are not limited to, mutual no-contact order continued.

Range of Sanctions

Sanctions may include, but are not limited to, educational opportunities i.e. online certificate, probation, suspension, or expulsion. The University will s

Right to have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence
Inform the parties of any provision in the University's Code of Student Conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process
The right to be free of retaliation
Sufficient time to prepare a response before any initial interview

Specific date, time, location (including online location), of hearing
Hearing Decorum
Requirement to have an advisor, provide access to pool
Provide Investigative Report
Presumption of Not Responsible
Name of the Decision-Maker with form to request a recusal
Notice of Hearing Outcome and Sanctions/Remedies
Appeal information with link to complete the online Appeal Request Form
For specific information, see Determination of Responsibility
Notice of Dismissal (Mandatory or Discretionary)
Include reasoning for dismissal
Opportunity to challenge the decision to dismiss
Notice of Delay
Dismissal

The University must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined this policy even if proved, did not occur in

hearing;

When the information obtained supports that the Respondent may pose an ongoing risk to the campus community;

Where the University has gathered evidence apart from the Complainant's statements and desires to reach a determination regarding the Respondent's responsibility; or,

When a determination regarding responsibility provides a benefit to the Complainant even where the University lacks control over the Respondent and would be unable to issue disciplinary sanctions, or other reasons.

When the Respondent is no longer enrolled or employed, the University may choose to dismiss the complaint. In cases like this, the University might not have a way to gather evidence sufficient to make a determination.

Finally, the University is allowed to dismiss a formal complaint of sexual harassment when "specific circumstances" exist that prevent the University from "gathering evidence sufficient to reach a determination" as to the formal complaint or allegations. Below are some examples in which the University may present "special circumstances" supporting dismissal:

When no Complainant is identified during the investigation.

Without knowing a Complainant's identity, the University may not be able to gather evidence necessary to establish elements of conduct defined as sexual harassment under this policy, such as whether alleged conduct was unwelcome, or without the consent of the victim.

When a formal complaint contains allegations that are precisely the same as allegations the University has already investigated and adjudicated.

When the length of time elapsed between an incident of alleged sexual harassment, and the filing of a formal complaint, prevent the University from collecting enough evidence to reach a determination.

When the Complainant has stopped participating in the investigation but has not sent a written withdrawal request and the only inculpatory evidence available is the Complainant's statement in the formal complaint or as recorded in an interview by the investigator.

Misconduct Outside of the Scope of this Policy

In instances of an allegation that falls outside of this policy's application or jurisdiction, the University can investigate and adjudicate

Attempt to remedy the effects of Prohibited Conduct through reasonable support services, accommodations, and other assistance

In cases where the allegation is Non-Title IX sexual harassment:

Notification about counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the University and in the community;

Notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures; and

Options to pursue a separate grievance process (e.g., Code of Student Conduct, Title VII).

Subject to a Complainant's request to sign a formal complaint, initiate the investigation and resolution procedures outlined in this policy, based on an initial assessment, the alleged conduct meets the definition of Prohibited Conduct and falls within the scope and applicability of this Policy; and

If the Complainant requests, assist the Complainant in reporting the incident to the police.

The Title IX Coordinator may delegate the authority to take the some or all the steps described above to a Deputy Coordinator for Title IX.

Consolidation of Complaints

The University may consolidate formal complaints arising out of the same factual circumstances in two instances:

Where there is more than one Complainant or Respondent.

Where a cross-complaint has been filed by a Respondent against a Complainant.

Multiple Parties

In instances where there are multiple parties as either the Complainant or the Respondent, the University can utilize a single investigatory and adjudicatory process in a consolidated complaint. In such cases, each party (and their advisor, if elected) would independently receive notices and evidence for review. The University will only create one investigative report in such multi-party cases. All parties to a consolidated complaint will also receive the same written determination.

The determination of responsibility in multi-party cases may be different with respect to each allegation depending on the facts. The written determination must be provided simultaneously to the parties and may not be redacted.

Cross-Complaints

In the event of a cross-complaint, each party is entitled to the rights attached to their respective status. In other words, a Respondent who files a cross-complaint against the Complainant would be entitled to

party's advisor asking cross-examination questions any decision to exclude a question as not relevant. Therefore, once the advisor asks the question, and before the party or witness can respond, the Decision-

The decision to allow delays is at the discretion of the Title IX Coordinator.

Live Hearing with Cross-Examination

The Title IX Hearing is a closed hearing; it is not open to the public. These hearings are conducted live and in real-time. The individuals who may appear before the Title IX Hearing Decision-Maker include: the Complainant, the Respondent, the respective advisor of each principle party, and any individuals appearing as witnesses. The Title IX Coordinator, though not a participant, should be present for all Title IX Hearings.

Due to the sensitive nature of these cases, Texas Wesleyan University will utilize technology to conduct the hearings as the principle parties are to be in separate rooms. The Title IX Hearing will be conducted virtually to maintain distance between parties and allow for private advice from the advisor.

The University recognizes the toll that a Title IX Hearing can take on a person, therefore, the Title IX Coordinator will use discretion when scheduling a Title IX Hearing; potentially limiting hours per day might cause for multiple sessions. The Title IX Coordinator will manage the scheduling and consider conflicting schedules, allow for emergencies or unanticipated events, and keep sessions temporally similar.

Principle parties (the Complainant and the Respondent) can select an advisor of their choice and one (1) advisor is required for the Title IX Hearing. The role of the advisor is to advise their party, participate in cross-examination, and abide by the Hearing Decorum.

If a party does not have an advisor present at the live hearing, the University must provide, without fee or charge to that party, an advisor of the school's choice who may be, but is not required to be, an attorney to conduct cross-examination on behalf of that party.

In cases that the advisor is an attorney and is utilized during the investigation stage of the Title IX grievance process, the student is obligated to provide written notice to the Title IX Coordinator at least three (3)

initial speaker.

If the Respondent declines or begins and needs assistance, the Respondent's Advisor may finish the opening statement.

The advisor of the Complainant calls the Complainant, witnesses, and produces relevant inculpatory and exculpatory evidence and allow for cross-examination by the advisor of the Respondent.

The advisor of the Respondent calls the Respondent, witnesses, and produces relevant inculpatory and exculpatory evidence and allow for cross-examination by the advisor of the Complainant.

The Decision-Maker renders a decision of responsibility to the Respondent.

The University's procedures and permissible bases for the Complainant and Respondent to appeal.

Determination of Sanction(s)

Once the Title IX Hearing is complete and, if the Respondent was determined to be responsible, the Title IX Coordinator will assess sanction(s) and remedies that are fair and consistent with the allegation. The decision of sanction(s) and remedies will be sent to the respective parties via email.

Appeal of Title IX Hearing

Participants are allowed a written submission of questions prior to adjudication, a procedure that benefits the truth-seeking purpose of the process even when the rights of a young student are exercised by a parent or legal guardian.

Education and Prevention

Education and prevention are vital to promote a safe environment for our campus community. Texas Wesleyan University is committed to providing meaningful, effective, and on-going education and prevention programs for its students and employees. This collaborative effort is outlined below and is enforced by the Title IX Coordinator.

Similar information can be found in the University's Annual Security and Fire Safety Report.

Primary and Ongoing

All first-time students at Texas Wesleyan University participate in sexual assault education and prevention as well as alcohol education. Student-emplo

sexual act.

Make your limits known as clearly and early as possible.

Tell a sexual aggressor "no" clearly and firmly.

Try to remove yourself from the physical presence of a sexual aggressor.

Find someone nearby and ask for help.

Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a person who is intoxicated as a sexual opportunity.

Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct: Clearly communicate your intentions to your sexual partner and give them a chance to clearly relay their intentions to you.

Understand and respect personal boundaries.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment. Not all of the training topics listed above are required for all Title IX personnel, but respective of the role that each individual serves as a part of the Title IX personnel.

The University will maintain records and documentation concerning sexual harassment reports, formal complaints, investigations, and adjudications for seven (7) years.

Reports

Under state law, the Title IX Coordinator is required to report certain data to the President of the University. Including:

Date of Incident

Date of Report

Allegation

Finding

Sanction(s), if applicable

Training Materials

The University will publish materials used for training Title IX Coordinators, investigators, Decision-Makers, and persons who facilitate informal resolutions on the University's website or make these materials available upon request for inspection by members of the public.

Data Custodian

The Title IX Coordinator is responsible for maintaining the relevant records on behalf of the University.

Record Retention

To be in compliance with the Department of Education's regulations as well as the Clery Act, the University will maintain records of:

The investigation, including any determination of responsibility, any required audio or audiovisual recording or transcript;

Any supportive measures provided to the Complainant and/or the Respondent;

Any disciplinary sanctions imposed on the Respondent, and any remedies provided to Complainant;

Any appeal and its result;

Any informal resolution and its results;

Documentation for any conclusions made on behalf of A e on behalf A t t

Interpretation and Revision

Final Decision Maker

The Board of Trustees of Texas Wesleyan University is the final decision maker.

Review Process

Any changes or edits made to this policy may proceed through the following review process:

Review by the Executive Staff of the University

Review (and subsequent approval) by the Board of Trustees of Texas Wesleyan University

This policy will be reviewed annually by the Title IX Coordinator and Deputy Coordinators for Title IX. This policy is subject to change as regulations from the Department of Education are released.

Date of Effect

Per the Department of Education Notice

Harassment and discrimination are illegal under federal and state statutes, including but not limited to, Title VII of the Civil Rights Act of 1964, the Texas Commission on Human Rights Act, and is prohibited at Texas Wesleyan University (the "University").

The University prohibits discrimination, including harassment, against any individual(s) on the basis of race, color, religion, national origin, age, veteran status, disability, sex, sexual orientation, gender, to include gender identity and gender expression, or any other basis prohibited by law.

Retaliation against anyone involved in the complaint process is a violation of the University's policy. Retaliation against anyone involved in the complaint process is a violation of the University's policy.

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

Furthermore, the University strictly forbids retaliation by any member of the University community against anyone who brings a charge of discrimination or any other form of harassment. Once the University hgres4.06 Tm0 g0 G[(

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

administrators shall prepare a written report of the investigation, which shall include their initial determination.

Upon completion of the investigation and depending upon its severity, administrators are authorized to resolve the matter to the satisfaction of the University, the complaining party and the accused faculty member. If a resolution satisfactory to the University and both parties is reached through the efforts of the administrators, a written statement, a copy of which shall be attached to the administrators' report, shall indicate the agreement reached by the parties and shall be signed and dated by each party and by the administrators. At that time, all action contemplated under the agreement shall be taken and the investigation shall be closed.

In arriving at a determination of the existence of harassment or discrimination, the administrators shall consider the evidence as a whole, the totality of the circumstances, and the context in which the alleged events occurred. An investigation report will be written on the complaint. The determination of the existence of harassment or discrimination shall be made from the facts on a case-by-case basis.

Upon completion of the investigation, the Office of Human Resources or the administrators are authorized to take the following actions:

- a. Determine that the claim of harassment or discrimination was not substantiated based on a preponderance of the evidence, and provide written notice of such determination to the faculty member, guest, or vendor, and the complainant; or
- b. Determine that the claim of harassment or discrimination was substantiated based on a preponderance of the evidence, and issue appropriate disciplinary action against the employee, guest or vendor with notification to the complainant that appropriate action is being taken against the employee, guest or vendor, without providing details of the nature of such action.

Either party has the right to appeal the determination in writing, within fifteen (15) business days of the date of the notice of dismissal, to the Provost. If no appeal is filed within fifteen business days (15) period, the matter is automatically closed. If a determination of no harassment or discrimination is appealed, the Provost shall make a written recommendation to the President within seven (7) business days. The President shall notify all parties of his or her decision in writing within seven (7) business days after receipt of the Provost's recommendation. The President's decision is final.

If the administrators determine at any stage in the investigation that the evidence of harassment or discrimination is sufficiently clear and severe, and the Provost concurs in

writing, so as to warrant the immediate commencement of proceedings to revoke tenure and/or terminate a tenured faculty member, the case shall be removed from the complaint procedures contained herein and resolved in accordance with the revocation of tenure and termination policies and procedures for faculty members. The faculty member shall be suspended, with pay, pending formal resolution of the matter.

Persons who have complaints alleging harassment or discrimination against a staff employee, guest or vendor are encouraged to raise them either orally or in writing to the Associate Vice President of Human Resources, Director of Purchasing, a supervisor, the department head, Dean, Divisional Vice President or the Provost. It is recommended, although not required, that the complainant follow the chain of command. For example, staff employees are encouraged to lodge complaints within their respective work area. The person receiving the complaint shall

University suspended, or the guest or vendor may be prohibited from having contact with faculty, staff, students, guests or vendors of the University until the complaint is resolved.

Upon completion of the investigation and depending upon its severity, the administrators are authorized to resolve the matter to the satisfaction of the University, the complaining party and the accused faculty member. If a resolution satisfactory to the University and both parties is reached through the efforts of the administrators, a written statement, a copy of which shall be attached to the administrators' report, shall indicate the agreement reached by the parties and shall be signed and dated by each party and by the administrators. At that time, all action contemplated under the agreement shall be taken and the investigation shall be closed.

In arriving at a determination of the existence of harassment or discrimination, the administrators shall consider the evidence as a whole, the totality of the circumstances, and the context in which the alleged events occurred. An investigation report will be written on the complaint. The determination of the existence of harassment or discrimination shall be made from the facts on a case-by-case basis.

Upon completion of the investigation, the Office of Human Resources or the administrators are authorized to take the following actions:

- a. Determine that the claim of harassment or discrimination was not substantiated based on a preponderance of the evidence, and provide written notice of such determination to the employee, guest or vendor, and the complainant; or
- b. Determine that the claim of harassment or discrimination was substantiated based on a preponderance of the evidence, and issue appropriate disciplinary action against the employee, guest or vendor with notification to the complainant that appropriate action is being taken against the employee, guest or vendor, without providing details of the nature of such action.

In arriving at a determination of the existence of harassment or discrimination, the administrators shall consider the evidence as a whole, the totality of the circumstances, and the context in which the alleged events occurred. An investigation report will be written on the complaint. The determination of the existence of harassment or discrimination shall be made from the facts on a case-by-case basis.

Upon completion of the investigation, the Vice President of Student Affairs/Dean of Students or the administrators are authorized to take the following or actions:

- a. Determine that the claim of harassment or discrimination was not substantiated based on a preponderance of the evidence, and provide prompt written notice of such determination to the student and the complainant; or
- b. Determine that the claim of harassment or discrimination was substantiated based on a preponderance of the evidence, and issue appropriate disciplinary action against the student with notification to the complainant that appropriate action is being taken against the student, without providing details of the nature of such action. If the disciplinary action against the student is expulsion, the President must first be notified and approve the expulsion.

Either party may appeal the determination by the investigating administrators in writing within fifteen (15) business days of receipt of notification of the determination to the Vice President for Student Affairs/Dean of Students or, in the event the Vice President for Student Affairs/Dean of Students made the determination, the University President. If the Vice President for Student Affairs/Dean of Students and/or the University President does not act to change the determination within

The University requires that its employees dress in a professional and safe manner. It is the supervisor's responsibility to make sure his or her employees are dressing in a manner that is appropriate for the business setting and that presents a professional image, even though the manner of dress may be casual. Business attire is normally required for administrative personnel.

Friday has been approved as "casual day." For purposes of this policy, casual attire is defined as casual business attire. Denim slacks that are neat and tailored are permitted. However, shorts and warm-up suits are not considered appropriate dress for University office work and should not be worn, even on Fridays. When in doubt, ask your

To ensure University employees are in compliance with state and local motor vehicle laws, staff, faculty and student workers whose essential job duties and responsibilities require them to operate a University vehicle, are required to submit a copy of their driver's license to the Office of Risk Management on an annual basis. No employee will be permitted to drive University-owned or University-leased vehicles unless a current copy of their driver's license is on file each year, meet the driver qualifications and are authorized drivers. Vehicles are defined as motorized equipment, cars, trucks, tractors, pick-ups, vans, golf carts, construction equipment and other moving equipment.

For all new hires whose job duties and responsibilities require them to operate a University vehicle as an essential function of their job, the University will acquire a copy of their motor vehicle report at the University's expense. Further, the University will request new employees to submit a copy of their driver's license prior to operating a University-owned or University-leased vehicle. No new staff or faculty member will be permitted to drive University-owned vehicles unless their driver's license and motor vehicle report is on file, and a driver's motor vehicle record will be checked at least once every two years or sooner if necessary. Texas Wesleyan University will maintain a copy of the motor vehicle record (MVR) in the Office of Risk Management.

All drivers must comply with the following qualifications and obligations:

- Have a valid driver's license in effect for at least two years, and
- Have fewer than two moving violations within the 18 months preceding the occasion of the driver's use of the University's vehicle, and
- Have no arrest or conviction for drunk driving, driving under the influence of drugs or for reckless driving within two years of the occasion of the driver's use of the University's vehicle, and
- Agree not to drink and then drive any University vehicle, and
- Be at least 18 years of age, and
- Meet all qualifications and requirements for the vehicle that they are driving, including licensing requirements, and
- Cannot have a homicide or assault arising out of the use of a vehicle

All employees and student drivers will complete and sign a "Driving History" form (Addendum A). On a case by case basis, the rule may be temporarily over-ridden by specific authorization of the President of Texas Wesleyan University or his or her designee. Such authorization must be in writing and will be maintained in the driver's file. It is the responsibility of the driver to report any changes in the status of their driving record to their immediate supervisor.

Any violation of the vehicle safety and authorized driver policy by an employee may result in a written reprimand by his or her immediate supervisor. Any student found

Driver Du

vehicle to conduct university business where transporting non-university personnel may be warranted.

Driver Duties & Responsibilities

Each driver will agree to each and every one of the following:

Provide a copy of his or her driver's license, upon request. Provide all consents and approvals necessary for the University to obtain a report or other document describing the driver's driving record from any states in which the driver has been licensed.

Use University vehicles only for official business.

Not permit any unauthorized person to drive the vehicle.

Use seat belts and all other available occupant restraints and require all passengers to do likewise in accordance with state laws. The number of passengers should not exceed the number of seat belts.

Operate the vehicle in accordance with University regulations. Know and strictly observe all traffic laws, ordinances and regulations.

Assume responsibility for any and all fines or traffic violations attributable to the driver.

Never drive under the influence of drugs or alcohol.

Not transport unauthorized passengers such as hitchhikers, family members or friends.

Obtain necessary authorization from appropriate source for use of University or privately owned or leased vehicles.

Use safe driving practices at all times.

Turn off the vehicle, remove the keys and lock the vehicle when it is left unattended.

Drive the vehicle at speeds appropriate for road conditions, even if that appropriate speed is below the legal posted speed limit.

All "off road" driving is prohibited.

Inspect the vehicle for safety and mechanical concern d s53(n)3(a384(at)10()-382(spe)12c3(a3.e

Office of Risk Management reserves the right to review and inspect them on a regular basis.

Seat belts are one of the most important pieces of safety

police. The following information should be provided:

below will be followed.

Determination of appropriate action will be made on a case-by-case nondiscriminatory basis depending upon the nature and severity of the occurrence and in consultation with and the approval of the appropriate vice president, and the associate vice president for administrative services and human resources or the director of human resources.

The supervisor or manager may discuss unacceptable performance or behavior with the employee. The discussion will indicate the nature of the problem and the action necessary to correct it. Verbal counseling should be documented on the employee counseling form and retained by the supervisor. See Appendix C.

The supervisor may prepare a written warning regarding an employee's unacceptable performance or behavior, which will be discussed with the employee. The written warning shall clearly state the problem, identify date(s) and example(s) of problem behavior, state the required expectations for change, including a deadline (time periods), provide the employee with suggestions for improving his or her performance and state the consequences if conditions are not met. Some infractions may warrant a written warning without prior verbal counseling. The supervisor and the employee will sign the written warning and the employee will be given a copy. The original shall be sent to the Office of Human Resources. An employee's signature merely acknowledges receipt and understanding of the nature of the warning. If the employee refuses to sign the written warning, another staff member in the department will sign as a witness verifying that the employee received the written warning and refused to sign.

Certain infractions also may warrant immediate termination of employment without prior disciplinary action. Continued unacceptable performance or behavior may result in termination of employment. The appropriate vice president and the associate vice president for administrative services and human resources must be consulted prior to the termination of an individual's employment. If reasonably possible, employees should be advised in person of their termination, and provided written notice stating the effective date and reasons for their termination. Following the termination, all documentation must be forwarded to the Office of Human Resources. Every effort should be made to recover any University property in the employee's possession at the time of termination.

In situations where an infraction is serious enough to warrant an investigation and necessary in order to determine appropriate disciplinary action, employees may be placed on administrative leave with pay until the investigation is complete.

Employees should not be placed on administrative leave without pay without consulting with the associate vice president for administrative services and human resources. Generally, exempt employees may not be placed on administrative leave without pay, unless the leave corresponds to one or more full work-week(s), measured from Sunday, 12:01 a.m. to Saturday 12:00 midnight.

Failure or refusal to cooperate in an investigation or interference with an investigation may be grounds for dismissal, unless a legal exception exists. An employee shall not be subject to retaliation by any other employee for cooperating with an investigation.

No employee shall receive pay in lieu of vacation unless his or her employment with the University has been terminated. Employees with less than six months service are not eligible for vacation termination pay. Furthermore, an employee that does not give proper notice as defined by this policy or who is terminated for misconduct or poor performance shall not be paid for unused vacation time.

The minimum notice an employee must provide to receive pay for unused vacation time is two weeks. Employees providing less than two weeks' notice shall not be paid unless extenuating circumstances (as determined by the employee's supervisor) are such that an undue burden is placed on the employee or the University. If an employee voluntarily resigns, the University reserves the right to accept an employee's notice immediately or at any time during the notice period.

Any monies owed to the University, or reimbursement for equipment or material owned by the University that has not been returned by a departing employee will be deducted from his or her final paycheck in accordance with written authorization obtained from the employee.

Supervisors or managers should seek to obtain a written letter of resignation from employees who voluntarily resign. The original must be sent to the Office of Human Resources immediately upon receipt. The University typically expects two weeks' notice from employees who are voluntarily resigning.

Human resources shall schedule exit interviews for all terminating employees. Interviews are intended to provide employees the opportunity to comment on University matters, their working environment and conditions, and to receive an explanation of benefits. Attendance by the employee is optional.

The University encourages an open, honest atmosphere in which work-related problems, complaints, suggestions or questions may be handled promptly. An employee's claim of unfair or inequitable treatment with respect to the implementation of work-related policies, procedures or practices be considered a grievance. As an employment-at-will employer, termination of employment, for any reason, may be addressed by this policy. Grievances will be processed in the following manner:

- A.** Grievances should be processed with reasonable promptness, both in submission by the employee and by supervisory personnel. Failure of the employee to report the incident within five (5) working days may result in a waiver of the grievance.
- B.** The presentation of the grievance may be made orally to the immediate supervisor, unless the grievance pertains to the supervisor in which case the grievance should be presented to the next level of supervision or directly to human resources. If the supervisor does not resolve the grievance, the aggrieved employee has two working days in which to present his or her grievance in writing to the next level of supervision. That level of supervision will respond to the employee's concern in writing within five working days of receipt of the grievance.
- C.** If the matter is still not resolved to the satisfaction of the employee, the employee may make an oral appeal up the supervisory chain of command to the appropriate vice president.
- D.** If the matter is not resolved to the employee's satisfaction after a decision by the appropriate vice president, the employee may submit a written appeal to the staff

iv. A request for a hearing on the matter

disciplinary action, which may include termination of employment or required participation in a drug free assistance or rehabilitation program approved by the federal, state or local health, law enforcement or other appropriate agency.

The University has an alcohol policy for University-sponsored functions and events. That policy is contained in Appendix N and must be followed by all employees.

Smoking, including all smokeless tobacco products and electronic cigarettes, are not permitted in any University building or any owned or leased University vehicle. This includes academic, administrative, residential, or any other University facility.

Texas Wesleyan University is committed to providing a safe and healthful environment for students, faculty and staff. It is the University's policy that all employees work in a safe manner. Any unsafe work, practice or condition on any University property shall be reported promptly to the employee's immediate supervisor, campus security or human resources.

The following are general safety rules. The list is not intended to be all-inclusive. Additional safety precautions may be warranted in your specific work area. Please ask your supervisor.

1. Report all injuries to your supervisor to Risk Management immediately.
2. Report all unsafe conditions or work practices to your supervisor and Risk

take responsibility for their own safety and the safety of their property.

The University is fully committed to complying with the Americans with Disabilities Act (ADA) and to ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Pre-employment inquiries may be required only regarding an applicant's ability to perform the duties of the position. Post-offer medical examinations may be required for those positions in which there is a job-related physical requirement. If

Employees shall not use University telephones, including cell phones or facsimile machines to make personal toll or long-distance calls unless prior arrangements are made to reimburse the University for the cost. Local personal calls should be kept to a minimum.

The use of University-paid postage for personal correspondence is not permitted.

The University will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the department head.

Employees whose travel plans have been approved should make necessary travel arrangements through the University's designated travel agency. When approved, the actual costs of travel, meals (excluding alcohol), lodging and other reasonable and minor expenses directly related to business travel will be reimbursed.

Expenses that generally will be reimbursed include the following:

- Airfare or train fare for travel in coach or economy class or the lowest available fare.
- Car rental fees, only for compact or mid-sized cars, if required.
- Fares for business

All Texas Wesleyan faculty, students and staff members who wish to establish and maintain an official Texas Wesleyan social media presence, must consult with the Office of Marketing & Communications. Marketing & Communications will then consult with the dean, provost or presiding vice president, and work with all parties to determine whether a new, official social media presence is warranted and can be supported.

If it is determined to create a new official presence, Marketing & Communications will collaborate with you to help you develop a strategy for best results and obtain logos and images for cover pages. If a new, official presence is not warranted or cannot be supported, marketing & communications will work with you to help you reach your social media marketing goals through Texas Wesleyan's existing official social networks. To request a post from an official Texas Wesleyan social media account, contact the Director of Communications (communications@txwes.edu or 817-531-5810).

Faculty, staff or students who wish to establish and maintain an unofficial Texas Wesleyan social media account must gain approval from their supervisor, dean or faculty sponsor. Prior to setting up a new page, Marketing & Communications should be informed of the new presence and will collaborate with the student group or faculty member to help obtain logos and images for cover pages. All unofficial Texas Wesleyan social media pages must adhere to Texas Wesleyan's Social Media Guidelines & Best Practices.

To maintain an official or unofficial Texas Wesleyan social media account, the account and its administrators must comply with Texas Wesleyan's Social Media Guidelines & Best Practices.

Failure to comply may result in the revoking of social media administrator privileges and closing of the account. It is a privilege, not a right, to administrate a Texas Wesleyan social media account.

All social media pages that are administered by Texas Wesleyan University faculty, staff and student organizations must adhere to the following guidelines and best practices. All questions, comments, ideas and feedback regarding this document should be directed to the Office of Marketing & Communications, who maintains the University's primary social media accounts on Facebook, Twitter, Instagram and LinkedIn. Facebook Twitter: @TexasWesleyan, Instagram: @texaswesleyan, LinkedIn: @Texas Wesleyan University

During an emergency or crisis situation, official Texas Wesleyan social media accounts may only share information provided by the main Texas Wesleyan University social media accounts (those which are administered by the Office of Marketing & Communications listed above).

All inquiries during a crisis or emergency should be directed to the main Texas Wesleyan social media accounts or txwes.edu for information.

Sharing information that is not approved by the Office of Marketing & Communications may jeopardize the University's efforts in effectively managing the crisis.

During an emergency or crisis, be sure to stop any previously scheduled posts.

Pay attention to current world, national and local crisis events and do not post content that could be insensitive to current crisis events.

Familiarize yourself with Texas Wesleyan's brand and message platform before posting.

Contact the Office of Marketing and Communications for logos and brand images.
If you are authorized by the Office of Marketing & Communications to create an official Texas Wesleyan social media account, have the Office of Marketing & Communications review your content and engagement strategy before launching (see Social Media Policy above).

Schedule consistent posts with new, relevant and engaging content at least once a week (usually more).

Appoint two (or more) administrators who will monitor posts, messages and notifications daily. Respond to all inquiries and questions in a timely manner. If you don't know the answer, direct the inquiry to the appropriate department.

If you are unsure about whether or not you should respond directly to an inquiry or need approval, ask your supervisor or the Office of Marketing & Communications.

Never hide or falsify your identity when promoting Texas Wesleyan on social websites.

Be honest about your identity, but never disclose personal information that an identity thief could use, like your home address or personal phone number.

Fact-check content before you post. Do not share false information or spread rumors.

Cite your sources and include a link when possible.

If you are not sure if a topic is appropriate to comment on as a Texas Wesleyan employee, ask your supervisor or the Office of Marketing and Communication. Correct errors quickly.

Be respectful of others, even if you don't agree with their ideas or opinions.

If you feel angry or heated about a topic, don't post until you are composed and calm. Never make offensive remarks.

As a faculty or staff member, it is your responsibility to adhere to the policies outlined in the Texas Wesleyan Faculty Handbook and Texas Wesleyan Employee Handbook.

Do not share confidential or proprietary information about Texas Wesleyan or its (o)-5()501B5300030not share co

event of any conflict between this handbook and an underlying benefit plan document, the latter will control.

The University will provide full-time, regular employees with paid vacation time based upon their years of service to the University.

Vacation time shall begin accruing upon the conclusion of the first full month of employment and shall become available for use when the employee has completed six full months of employment. Vacation is accrued on a calendar month basis at the applicable rate listed below. When six months of employment is completed, vacation accrued one month may be used the next month. Eligible employees terminating before the end of a month shall be credited with a pro-rata share of the monthly accrual.

immediate use and to be taken with the approval of the president; (2) An additional 22 days June 1 of each year; (3) Unused vacation time during the fiscal year may be accrued, but shall not exceed 33 days; (4) The president may authorize additional vacation leave based on unusual or exceptional circumstances for the president's staff.

All full-time, regular employees are eligible provided they are on payroll and work

Attending to parental care needs arising from covered active duty or call to duty (arrange for alternative care for a parent of a military member, provide urgent or immediate care, admit or transfer to a care facility, or attend non-routine caregiver meetings with care facility staff)

Other activities arising out of the military member's covered active duty or call to active duty and agreed upon by the University and the employee.

2

counted as part of the leave time and do not constitute additional leave time and are not paid. Insurance benefits continue during a leave; however, the employee will be required to pay all health insurance premiums, including premiums normally paid by the University during the leave of absence. Insurance benefits normally paid by the employee also must be paid by the employee during the leave to maintain coverage. Late payments will result in cancellation. When the circumstances under which a leave of absence is granted are changed, the leave is immediately cancelled and the employee must return to work. Employees failing to return to work by the designated date shall be terminated.

Employees may also be eligible for a reasonable extended leave of absence under ADA with proper documentation.

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) establishes the rights and obligations of employees returning from uniformed service. Those rights and obligations are summarized as follows.

The employee or an appropriate military officer must give the University advanced written or verbal notice of the leave. Upon completion of military service, the employee must report to the University for reemployment not later than the beginning of the first regularly scheduled work period that starts at least eight hours following the employee's return, if the leave is less than 31 days. If the leave is more than 30 days, but less than 181 days, the employee must report for reemployment within 14 days. If the service is for more than 180 days, the employee has 90 days to report.

The University may request documentation from employees on military I-91(r)12(equ)55T0 0 1 170.3 409.39 Tm

within 24-hours. If an employee suffers a non-life threatening work-related injury, the injury must be reported to his/her supervisor and the Human Resources Office within 24 hours. As your employer, the University is required to provide you with coverage information when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

This policy applies to employees, students, University affiliates, visitors, contractors, and applicants for admission to or employment with the University.

This policy should not be read to grant an individual access to University property beyond that to which they would normally be granted.

- A "Service Animal" is any dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. Other animals, whether wild or domestic, trained or untrained, do not qualify as service animals. Examples of work or tasks provided by a service animal include, but are not limited to, guiding a person with impaired vision, alerting a person with a hearing impairment, pulling a wheelchair, and alerting and protecting a person who is having a seizure. Service animals are working animals, not pets. The work or task a service animal has been trained to provide must be directly related to the functional limitations of **the** person's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals.

A dog undergoing training by an approved trainer who is an agent of an organization generally recognized by agencies involved in the rehabilitation of persons who are disabled as reputable and competent to provide training for assistance animals, and/or their handlers.

or mental impairment that substantially limits one or more major life activities, a person who has a history or record of having, such impairment, or a person who is

An employee who has an emotional support animal must notify the Human Resources Department of the request to use an emotional support animal while on University property. The Associate Vice President of Human Resources, or her designee, shall determine the employee's functional limitations imposed by his or her disability and what accommodations, including the option to the emotional support animal on campus, are available to reasonably accommodate the employee. (See Section VII. below.)

A student who has an emotional support animal must notify the Office of Disability Services of the request to bring an emotional support animal on campus while attending classes. Such request shall be documented in writing on a Request for Accommodation form, which is available at the Office of Disability Services. The student shall be assigned to a Disabilities Accommodations Coordinator who shall determine the student's functional limitations imposed by the disability and what accommodations, including the request to bring an emotional support animal on campus, are available to reasonably accommodate the student.

Visitors, including alumni, event attendees, seminar participants, potential students and families on campus tours, vendors and other business visitors of the University, as well as

- A.** A service animal, or emotional support animal that has been authorized to be on University property as part of an accommodation plan (approved emotional support animal), must be personally supervised by the Handler, and the Handler must retain full control of the animal at all times while on property owned or controlled by the University.

- B.** Service animals, or approved emotional support animals, may not be left unattended at any time on property owned or controlled by the University.

- C.** Service animals, or approved emotional support animals, may not be tied or tethered to any property owned or controlled by the University, including but not limited to buildings, railings, bike racks, fire hydrants, fences, sign posts, benches and trees, and may not be allowed to run loose anywhere on

J. All Handlers are responsible for compliance with state and local laws concerning animals

housing.

When the need for a service animal is not readily apparent, Texas Wesleyan University may ask the student two questions for the purpose of determining whether an animal qualifies as a service animal:

1. Whether the animal is needed because of a disability;
2. What work or task the animal has been trained to perform to assist the resident.

Residence Life recommends voluntary registration of Service Animals. In case of emergency situations, this helps emergency staff know to look for these animals during emergency evacuation processes. If a service animal is registered with Residence Life, Residence Life staff will make a reasonable effort to notify the other residents that a service animal will be in the living area. This notice will be limited to information about the animal's presence; there will be no disclosure of the student's disability. Other resident students with medical conditions who are affected by animals (e.g., severe allergies, respiratory diseases), are asked to contact RL if they have a health or safety related concern about exposure to a service animal. Such affected students may be eligible for an accommodation when living in proximity to a service animal. Residence Life staff will collaborate as necessary to resolve conflicts related to a service animal. Staff members will consider the needs and/or accommodations of all resident students involved. Residence Life may relocate the Handler and Approved Animal if necessary to accommodate other students with medical condition(s) who are affected by animals or in other circumstances as deemed appropriate in the sole discretion of Texas Wesleyan University.

Service animals may travel freely with their Handler throughout Texas Wesleyan University housing and other areas of the campus. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

A resident student seeking to keep an emotional support animal in housing must make a formal request to RL. Requests should be submitted as soon as possible before the semester the animal is requested and by the deadlines specified by Texas Wesleyan University. Requests submitted after the deadline or after the student is already placed in housing may take 30 days or more; accordingly, students should submit their requests to RL at least 30 days prior to the date the student would like to bring the animal to housing.

When the need for an emotional support animal is not readily apparent, Texas Wesleyan University may request additional official written documentation from a licensed physician, psychiatrist or other mental health professional, including (1) verification of the student's disability-related need for a assistance animal, (2) a written statement on how the animal serves as an accommodation for the documented disability, and (3) a statement on how the need for the emotional support animal relates to the ability of the student to use and gain benefit from Texas Wesleyan University housing. Any necessary documentation must be dated within the last 12 months.

If the request for an emotional support animal is approved, the requesting student will be asked to acknowledge, in writing, receipt of, and their agreement to comply with, this policy.

Individuals living in University housing will be permitted to have no more than one support animal.

4. The Handler is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to Texas Wesleyan University premises that are assessed after the student and animal vacate the residence. Texas Wesleyan University shall have the right to bill the Handler's account for unmet obligations.
5. The Handler is responsible for ensuring the cleanup of the approved animal's waste and, when appropriate, must toilet the approved

13. The Handler must notify RL in writing if the approved animal is no longer needed or is no longer in residence.
14. The Handler agrees to continue to abide by all other residential policies. A reasonable accommodation which may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.
15. The Handler shall indemnify and hold harmless Texas Wesleyan University from all expenses, injuries, or claims arising out of the Handler's control and/or use of the approved animal.

This policy outlines the requirements of faculty, staff, students, volunteers and others who are assigned to work with minors and informs all members of the University community of their obligation to report any instances of known or suspected abuse or neglect of minors.

Texas Wesleyan University hosts minors on campus in a variety of ways, such as external events held on campus, classes, campus tours, and is dedicated to the welfare and safety of minors who visit campus, participate in University programs, or are entrusted to Texas Wesleyan University's care.

All Texas Wesleyan University faculty, staff, student employees, students that are assigned to work with minors and all volunteers performing services on behalf of Texas Wesleyan University.

Exceptions: This policy and its requirements do not apply to:

1. Single performances or events that are open to the general public and are not intended for minor children.
2. Events or functions that may be attended by minors who are accompanied by their parents/guardians. This exception does not apply if the minors will be separated from their parents/guardians.

- A Camp is defined by SB1414 as involving one or more minors and lasting four or more days, with any part of a day counting toward the four days, which need not be consecutive days. Camps require successful completion of Texas Education Code 51.976 approved Texas Camps Online Training Module and a criminal background check.

- Child abuse exists when there is endangerment of a minor's physical

- Minor is a person under the age of eighteen (18).

- Program is defined by Texas Wesleyan University as a scheduled event that includes minors, but may not constitute a camp as defined by Texas Education Code 51.976. Programs may include, but are not limited to events such as a laboratory observation/experience, internship, workshop, project, lesson, practice, a campus tour, etc. Programs require successful completion of a Protecting Children on Campus Training Module (Juan) and a criminal background check.

- Student is defined as student employees or students that are assigned to work with minors.

- **Texas Education Code 51.976 contains specific**

exerts power over the other. Warning signs differ by the age of the minor. Possible warning signs include:

behavior or language that is not appropriate for the minor's age

Overly compliant behavior

Withdrawal or depression

Unexplained anger

Refusal to be left alone

Finding reasons not to go home

Finding reasons to avoid being with a specific person that the minor used to spend time with

Self-mutilation

Failing grades or a change in school behavior

Bed-wetting or bowel-movement accidents in minors who have previously outgrown them

Physical abuse exists when

be alone with only one adult in any areas.

4. Do not touch minors in a manner that a reasonable person could interpret as inappropriate.
5. Do not tell sexual jokes, make sexual comments, share or view sexually explicit material, or engage in sexual actions with or within the vicinity of minors.
6. Do not engage in abusive behavior of any kind toward or in the presence of a minor, including but not limited to verbal abuse, hitting, punching, poking, or restraining, except as necessary to protect a minor or others from harm. All incidents involving such conduct, whether or not necessary to protect a minor or others from harm, must be documented and disclosed promptly to the camp or program director and the minor's parent/guardian.
7. Do not engage or converse with minors through email, text messages, social networking websites, or other forms of social media unless there is an educational, camp or program purpose and the content of the communication is consistent with the mission of the University.
8. Do not tell minors "just between you and me" or use similar language that encourages minors to keep secrets from their parents/guardians and others.
9. Do not use, possess, or be under the influence of alcohol or illegal drugs while on duty or when responsible for a minor's welfare.
10. Do not shower, bathe, or undress with or in the presence of a minor.

Every person, whether they are assigned to work with minors or not, is required by law to report known or suspected instances of the abuse of, neglect of or inappropriate interactions with minors. Individuals making reports in good faith are protected from criminal and civil penalty for making a report. All types of suspected abuse or neglect should be reported.

Texas law requires every person to make a report when they suspect sexual or physical abuse or neglect of a minor. Failure to report is a Class A misdemeanor. The required report may be made to the Texas Department of Family and Protective Services Abuse, Neglect and Exploitation Reporting System.

Call Texas Wesleyan University Security at 817-531-4911. Texas Abuse Hotline: 1-800-252-5400 Online Reporting for situations that do not require an emergency response or action in less than 24 hours: <https://www.txabusehotline.org/Login/Default.aspx>

Every person has a further obligation to report known or suspected abuse or neglect of a minor on campus or in a camp or program immediately to Texas Wesleyan University. Reports may be made to: Texas Wesleyan University Security at 817-531-4911, Office of Risk Management at 817-531-4286, or Campus Conduct Hotline by calling 866-943-5787 or online at <http://www.campusconduct.com/incident.aspx>

Failure to abide by this policy may result in disciplinary action in accordance with University policy. Texas law requires every person to make a report when they suspect sexual or physical abuse or neglect of a minor. Failure to report is a class A

The University provides full-time, regular employees with a group life insurance policy. Full-time, regular employees become eligible for life insurance after 90 days of continuous employment. The Office of Human Resources will provide online enrollment instructions to new employees on which he or she may designate a beneficiary. In the event of a claim, the Office of Human Resources should be contacted to begin the necessary administrative process. Any questions concerning the group life insurance policy should be referred to human resources.

The University provides health insurance benefits to full-time, regular employees as described in the schedule of benefits for the plan. Full-time, regular employees become eligible for group health insurance on the first day of the month following 30 days of employment. The University may pay a portion or all of the premium for the employee's coverage; however, in the event the University offers more than one health care plan, the University may pay the premium of the lowest cost provider. The employee is responsible for monthly premiums for any eligible dependents enrolled in the program.

Eligible dependents include the lawful spouse of an insured employee; a child under the limiting age; a child of any age who is medically certified as disabled and dependent on the parent; a child of your child who is your Dependent for federal income tax purposes at the time application for coverage of the child is made; any other child included as an eligible Dependent under the health plan contract. Child means a natural child, a stepchild, an eligible foster child, an adopted child, under twenty-six (26) years of age, regardless of presence or absence of a child's financial dependency, residency, student status, employment status, marital status, eligibility for other coverage, or any combinations of those factors.

The Office of Human Resources will provide instructions for online enrollment to new employees. Online enrollment must be completed before coverage can begin. Human resources also will provide information that describes the details of the plan. Employees will receive a group health insurance card from the provider. Employees should contact the health plan representative (member services) or the Office of Human Resources with any questions concerning the policy.

Terminating employees are covered until the last day of the month in which they terminate.

rights and HIPAA certification within 14 days. It is the employee's responsibility to keep the University and the Office of Human Resources informed of the current addresses for all qualified beneficiaries.

The University may deny COBRA coverage for termination due to gross misconduct. Gross misconduct includes any act constituting violence or the threat of violence in the workplace, misappropriation of University funds or assets, the deliberate destruction or abuse of University property, reporting for work under the influence of alcohol or illegal drugs or the possession of illegal drugs in the workplace, and sexual harassment. For additional information, contact the Office of Human Resources.

days of continuous employment. The University will provide 100% compensation to full-time regular employees the first thirty (30) calendar days of continuous disability after notification and documentation by a physician that the employee is disabled. Compensation for the first thirty (30) days of continuous disability includes utilization of all accrued sick days and vacation days, if any.

If an employee has more than 30 days of vacation and sick leave benefits available, he or she may utilize the remainder of those benefits at a rate of 40% per day (3.2 hours per day) in addition to receiving 60% disability income benefits through the University's disability insurance policy. The University pays all premiums for employee disability insurance. Except as stated above, disability insurance will provide 60% of the employee's customary salary beginning on the 31st day of continuous disability. The employee may remain on disability until either the disability is resolved or the employee reaches age 65, whichever occurs first. Employees wishing to take advantage of the disability benefit must submit the appropriate claim forms, including their doctor's verification form, to the Office of Human Resources. Submission of these forms should be done within two weeks of the last day worked, if the employee anticipates being unable to return to work full-time before day 30. The employee also will receive written materials that describe the group disability plan.

The University shall pay the premiums for the employee's group health benefits. However, the employee still must pay additional premiums for optional benefits or for other eligible members. Premium payments that are late by more than 30 days will result in the termination of any insurance benefit specific to that premium. In that event, insurance benefits shall be restored when the employee returns to work. No other benefits shall accrue.

In the event of a claim, the employee should contact the Office of Human Resources as soon as possible in order to process the claim. Records of disability will be maintained in the employee's confidential file in the Office of Human Resources.

7. The EAP is also available to household members and benefit-eligible dependents of Texas Wesleyan University employees because employee work performance and attendance can be affected by the problems of an employee's spouse, children, and/or household members.
8. There is no out-of-pocket cost for a covered member to use the EAP (up to 4 visits), however any costs incurred as a result of a referral made by the EAP for ongoing assistance to mitigate a presenting concern is the responsibility of the employee.

Employees may obtain professional assistance through the EAP in one of the following ways:

- Self-referral;
- Supervisor recommendation;
- Medical referral;
- Family member assistance

Self-referrals and supervisor recommendations to use the EAP are fully funded (up to 4 visits) by Texas Wesleyan University through premiums paid on eligible employees.

A. Self-Referral

1. An employee who desires confidential assistance for a personal problem should call 888-628-4824 and ask to speak to an EAP

C. Medical Referral (" Formal Referral")

1. A medical referral is a formal referral made by authorized internal medical/health services personnel on behalf of the organization and remains voluntary on part of the employee.

The basis of the referral should be:

- a. The identification of a medical symptom or disorder which is commonly associated with a personal problem; or
 - b. A request from the employee for advice or assistance regarding a personal problem.
2. Health Services staff should call the EAP via the 888# to arrange an appointment between an EAP counselor and the employee.
 3. The employee should be advised that the appointment with the EAP counselor constitutes part of the recommended treatment plan and that the referral will be documented in the employee's medical record. The decision to accept assistance through the EAP should be left up to the employee.

D. Dependent or Household Member Assistance

1. An eligible dependent or household member who desires confidential assistance for a personal problem may call 8 8 8 - 6 2 8 - 4 8 2 4 and ask to speak to an EAP representative.

All full-time, regular employees of the University, their spouses and dependent children (per IRS regulations) are eligible for a tuition waiver. Children are defined as natural, adoptive or stepchildren, or individuals under legal guardianship. Eligibility for the tuition waiver benefit begins the semester following the first day of employment for both the employee and their eligible family members. No waiver eligibility will be retroactive to any semester/session enrolled prior to the eligibility date.

Employees, their spouses and dependent children who receive the tuition waiver benefit will not be eligible for any additional merit or talent based institutional aid for tuition. Room grants may be awarded to cover room charges.

If an eligible regular employee dies or becomes disabled while in service to the University, or retires with at least 15 years of service and being over the age of 55, the employee, his or her spouse and children will be eligible for the Educational Assistance/Tuition Waiver as if the employee had remained in full service. This benefit will be extended to employees, spouses and children wishing to enroll in undergraduate glduate

Tuition waiver students shall not count toward the target minimums required to make a class. If a class does not make, it may be cancelled. Tuition paying students shall have placement priority in courses at maximum enrollment capacity.

When there are limited seats available for tuition waiver students, the following criteria shall be used to determine which tuition waiver applicants will be placed in available courses.

These **criteria** are **listed** in order of priority, the University shall apply them sequentially:

1. Employee or employee's spouse or child who have completed 75% or more of their program based on full-time status of the semester/session.
 - a. Years of service
 - b. Date of application submission to the Office of Human Resources
2. Full-time employee
 - a. Years of service
 - b. Date of application submission to the Office of Human Resources
3. Part-time employee
 - a. Years of service
 - b. Date of application submission to the Office of Human Resources
4. Employee's spouse or

approval. Other eligible family members may attend full-time.

Employee Benefit: 100% waiver for undergraduate and master's level courses up to six (6) hours per semester/session.

Spouse's Benefit: 100% waiver for undergraduate and master's level courses.

Children's Benefit: 100% waiver for undergraduate and master's level courses.

Tuition for nurse anesthesia, doctoral, and the MFT programs are waived at 50% for

sole discretion. Under no circumstance shall it constitute a continuing obligation of the University.

The University's retirement plan has two components, The Texas Wesleyan University Retirement Plan and Trust, which is a 401(a) plan, and the Texas Wesleyan University 403(b) plan. Eligible employees may choose to participate in the 403(b) plan immediately upon employment. In this plan, employees may designate a pre-tax deduction amount from each paycheck and designate their investment choices.

Eligible employees may participate in the 401(a) plan once they have completed one full year of service. In this plan, the University may contribute a percentage of gross earnings on the employee's behalf and may contribute matching funds up to six-percent of the employee's contribution to the 403(b) plan. University contributions are not guaranteed and amounts are subject to approval by the board of trustees.

The University previously sponsored a defined benefits plan called the Rebecca Estes Gray

The dining hall, located in Dora Roberts Hall, provides meals at reasonable rates and is open at designated meal times. The University also has a snack bar located in the Baker Building that offers sandwiches and short-order foods and beverages. Both dining facilities

emergencies should be reported by calling 9-911 before notifying security.

Any suspicion of violence, theft, breaking and entering, other illegal or suspicious activity or breach of law should be reported immediately to campus security or the police. A University identification card must be carried at all times while on University property and must be presented to campus security or the police upon request.

Employees are responsible for securing their own work areas and possessions. The University is not responsible for damage, loss or theft of personal property.

The Office of Communications publishes *Wesleyan Flame* via e-mail and a quarterly magazine.

Services and privileges may be cancelled, suspended, modified or revoked by the University at any time.

Committees may be established as necessary (e.g. committees on retirement, benefits and safety). The president typically appoints committees.

The following policy regarding the use of University vehicles, leased vehicles, and privately-owned vehicles shall be followed in all University-related activities, events and work.

To ensure University employees are in compliance with state and local motor vehicle laws, staff, faculty and student workers whose essential job duties and responsibilities require them to operate a University vehicle, are required to submit a copy of their driver's license to the Office of Risk Management on an annual basis. No employee will be permitted to drive University-owned or University-leased vehicles unless a current copy of their driver's license is on file each year, meet the driver qualifications and are authorized drivers.

Vehicles are defined as motorized equipment, cars, trucks, tractors, pick-ups, vans, golf carts, construction equipment and other moving equipment.

For all new hires whose job duties and responsibilities require them to operate a University vehicle as an essential function of their job, the University will acquire a copy of their motor vehicle report at the University's expense. Further, the University will request new employees to submit a copy of their driver's license prior to operating a University-owned or University-leased vehicle. No new staff or faculty member will be permitted to drive University-owned vehicles unless their driver's license and motor vehicle report is on file, and a driver's motor vehicle record will be checked at least once every two years or sooner if necessary. Texas Wesleyan University will maintain a copy of the motor vehicle record (MVR) in the Office of Risk Management.

All drivers must comply with the following qualifications and obligations:

1. Have a valid driver's license in effect for at least two years, and
2. Have fewer than two moving violations within the 18 months preceding the occasion of the driver's use of the University's vehicle, and
3. Have no arrest or conviction for drunk driving, driving under the influence of drugs or for reckless driving within two years of the occasion of the driver's use of the University's vehicle, and
4. Agree not to drink and then drive any University vehicle, and
5. Be at least 18 years of age, and
6. Meet all qualifications and requirements for the vehicle that they are driving, including licensing requirements, and
7. Cannot have a homicide or assault arising out of the use of a vehicle

All employees and student drivers will complete and sign a "Driving History" form . On a case by case basis, the rule may be temporarily over-riden by specific authorization of the President of Texas Wesleyan University or his or her designee. Such authorization must be in writing and will be maintained in the driver's file. It is the responsibility of the driver to report any changes in the status of their driving record to their immediate supervisor.

Any violation of the vehicle safety and authorized driver policy by an employee may result in a written

reprimand by his or her immediate supervisor. Any student found not adhering to the policy may have his driving privileges suspended for the rest of the semester by management...

All department heads will identify the specific driver's available to drive for their department and provide this information to the Office of Risk Management. This certification will be completed in writing annually and will be maintained in the Office of Risk Management.

If there are vehicles which need special certifications to be driven, e.g. CDL, the authorized drivers for those vehicles will be identified.

The Office of Risk Management will maintain a consolidated authorized driver list to maintain control of the ongoing driver authorization process.

Each department's management team will be ultimately responsible for assigning, authorizing use of a vehicle asset and maintaining key control.

Given the historic safety record of 12 and 15-passenger vans in general, these vehicles should only be driven by drivers authorized to drive these vehicles. The use of 12 and 15-passenger vans should only be used when no other vehicle is available to accommodate the required task.

The use of this motorized equipment will be managed by the responsible department and the Office of Risk Management. The department will be responsible for going over the rules governing the use of a golf/utility cart and have the employee sign the "Golf/Utility Cart Driver Training" acknowledgement form. A copy will be kept with the department and a copy sent to the Office of Risk Management. Any additional training will be coordinated with the Office of Risk Management. Any golf/utility carts will be registered with the Office of Risk Management. All departments will be responsible for providing updates to the Office of Risk Management on any additions or deletions to their fleet and providing a list of all departmental employees trained and authorized to drive a golf or utility cart.

Drivers authorized to use personal vehicles on institution business are subject to the same rules as drivers of institution owned, leased, and rented vehicles.

Drivers should be able to provide evidence of auto liability insurance that meets or exceeds the state minimum requirements.

Any student whose duties may require him/her to operate an institution vehicle will meet the same criteria as an employee driver.

Student must be over the age of 18 to be an authorized driver.

Texas Wesleyan University will allow volunteers to drive for University travel but must have an MVR done prior to their travel and complete the Alert driving course. TXWES management will provide the names and email addresses for these drivers so they can be monitored by the Office of Risk Management.

When driving the United States, its territories and possessions, and Canada, do not purchase rental vehicle insurance.

When driving in countries other than the United States, its territories and possessions, and Canada, rental vehicle insurance be purchased.

Driver will not transport people in a university owned vehicle who are not involved in university business. There may be situations that may require the use of a leased vehicle to conduct university business where transporting non-university personnel may be warranted.

Each driver will agree to each and every one of the following:

1. Provide a copy of his or her driver's license, upon request.
2. Provide all consents and approvals necessary for the University to obtain a report or other

are maintained for their intended use.

In order to understand the responsibilities and techniques for driving safely, all drivers must be able to demonstrate their skills in the operation of their assigned vehicles. If they are not able to demonstrate their driving skills, they will be trained in the appropriate techniques. For example, if a driver needs to be able to drive a passenger van or a vehicle with an attached trailer, but has no experience in such a vehicle, he/she must b

should be noted that the use of seat belts is entirely under the control of the driver. All assigned vehicle drivers should follow the procedures listed below as a condition of assignment as a vehicle driver for Texas Wesleyan University.

When going on a trip (even a short trip across town), ensure that there is a seat belt for every passenger. If not, limit the number of passengers to the number of seat belts available.

Before shifting from "Park," the driver must secure his/her seat and shoulder belt and verify that all passengers are appropriately secured by their seat and shoulder belt.

It is important for all drivers to recognize their responsibilities for operating a university vehicle in a safe and sober manner. No driver authorized by the Texas Wesleyan University should be under the influence of alcohol or drugs while operating a university owned vehicle at any time

Cell phones may only be used to make calls through the assistance of Bluetooth or other hands free devices. Headphones that reduce hearing should not be used. For navigation devices, program the destination before starting the vehicle, pull off the road to make changes and rely on the voice directions to guide you.

Items that can become loose during travel should be properly secured and placed in proper storage areas or separated by a cage from the passenger area to prevent injury to passengers or damage to other vehicles. Stowed items should not obstruct the driver's view.

To reduce the potential for theft and vandalism, the vehicle should be locked when left unattended, no valuables should be left in sight and the vehicle should be parked in a well-lit area at night. Texas Wesleyan University is not responsible for personal items left in a vehicle.

To reduce the possibility of fatigue-related accidents on extended trips, when the one-way distance to the destination will take four hours or more, at least two eligible drivers should be assigned to drive the vehicle if possible. The "shot-gun passenger" will stay alert and act as co-pilot. In the event of inclement weather, the driver(s) will consider any weather alerts and utilize sound judgment on whether driving should be attempted.

Vehicle accidents can seriously impact the lives of those involved, both as drivers and as passengers. To minimize the long-term effects of those accidents and to ensure that they do not recur, the following policies and procedures are in effect:

1. If a Texas Wesleyan University vehicle is involved in a collision with another vehicle, object or person or a one-car accident, such as rolling over and going into a ditch, the driver should call the police and, if there are any suspected injuries to driver or passengers, request emergency medical assistance.
2. The Office of Risk Management will be contacted at 214.280.2742
The following information should be provided:
 - a) Driver's name and the vehicle involved
 - b) Location of the accident

- c) Description of any injuries to driver, passenger(s) or occupant(s) of other vehicles
 - d) Indicate whether the police and/or ambulance been notified and
 - e) Indicate the medical facility where injured people have been taken
3. Await further instructions from Campus Security and/or the Office of Risk Management.
 4. Make sure to retrieve the current insurance card from the vehicle. This card shows evidence of insurance to police authorities and also provides the driver with basic information on the insurance company, the claim reporting phone number and the policy number.
 5. The driver should begin to fill out the accident report form located in the vehicle. Be particularly careful to discuss the accident only with the police or the Office of Risk Management. Despite the fact that the driver may feel that he/she was the cause of the accident,
. There may be factors that the driver is unaware of at the time that could mitigate any responsibility.
 - 6.

2. Sharps containers shall be used for disposal of contaminated sharps.
3. Employees shall immediately wash their hands after removal of gloves or other personal protective equipment.
4. Contaminated needles and other contaminated sharps shall not be bent or recapped.
5. Eating, drinking, smoking, applying cosmetics or balms, and handling contact lenses are prohibited in work areas where there is reasonable likelihood of occupational exposure.
6. Food and drink shall not be kept in areas where potentially infectious materials are present.
7. Always wear protective gloves when cleaning bathrooms and handling soiled linen. Examine gloves for damage, prior to use. Do not reuse disposable gloves.
8. Wear face shields, eye protection and aprons when performing cleanup of quantities where splashing or spattering could occur.
9. Always check areas for discarded needles and syringes. Never reach into a wastebasket.
10. If a needle or syringe is found, do not handle. Call your supervisor. Housekeeping supervisors, if available, will remove the item.
11. Housekeeping supervisors will have sharps containers, gloves and tongs available. Supervisors will place the item in the sharps container using gloves and tongs.
12. If a supervisor is not available, contact security. The security shift supervisor will remove the item in the same manner. Sharps containers, gloves and tongs will be available in security vehicles.
13. Once a sharps container is full, it should be returned to the University nurse and a new container obtained.
14. The University nurse will dispose of the container in the appropriate/approved manner.
15. Contaminated waste will be placed in leak-proof containers or bags labeled with the biohazard symbol. Potentially contaminated linen can be laundered in **the** normal manner. Heavily soiled items, which will not be reused, will be disposed of in an approved manner. Contact the University nurse for disposal instructions.
16. Surface areas and equipment used in clean up, such as mop pails, will be disinfected using an approved disinfectant.
17. For cleanup of urine, blood, vomitus, etc. in public areas, housekeeping will use Tmq -0.84 Tc[(16.) T

Health Center Hours: Monday through Friday: 8 a.m. to 5 p.m.

817 Avenue A, Building 1 Room 110.

Concentra Health Centers: 2500 West Freeway (I-30), Fort Worth, (817) 882-8700.

Hours: Monday through Friday, 8 a.m. to 8 p.m. Saturday, 8 a.m. to 5 p.m. A physician is on call 24 hours a day, 7 days a week. The on-call physician can be reached by calling any of the above numbers.

Baylor Scott & White: 1400 8th Ave., Fort Worth

(817) 926-2544

Texas Health Resources Harris Methodist Hospital: 1301 Pennsylvania Ave., Fort Worth (817) 250-2000

John Peter Smith Hospital: 1500 S. Main Street, Fort Worth

(817) 702-3431

☒ Poison Control: 1-800-222-1222

Rape Crisis: (817) 927-2737, Notify dean of students, 4872 and student counseling, 4859.

Occupational safety and health standards, 29 C.F.R. 1910.38, requires employers to provide a written emergency action plan to ensure the safety of its employees from fire or other emergencies.

The following elements are included: emergency escape procedures and escape routes, procedures

In 1985, the 69th Texas Legislature enacted the "Texas Hazard Communication Act" to reduce the incidence of chemically-related occupational illnesses and injuries. This coverage now has been expanded by the addition of the federal laws promulgated by the Occupational Safety and Health Administration (OSHA) "Hazard Communication Act." 29 CFR 1910.1200. 29 CFR 1910.1200. 29 CFR 1910.1200.

communicate this need to the risk manager.

2. Maintaining MSDS so that employees have easy access to them at all times. The following means of

Chemical Lists

There are two (2) types of lists that must be maintained as a part of this program. These will be referred to as the work area list and the bulk hazardous chemical list.

- 1.

- a. existing employees
- b. new employees
- c. transferred employees, and
- d. subcontractor employee

As new chemicals are introduced into the workplace, this training will be required for current employees using those products. Topics to be included are as follows:

1. Operations or tasks, both routine and non-routine, where potential exposure exists
2. First aid procedures as listed on the MSDS
3. Location and availability of MSDS and the related list of hazardous chemicals for that work area
4. The physical and health hazards associated with the hazardous chemicals for that work area, including specific training in the appropriate protection measures needed for the handling of each hazardous chemical
5. Methods and observations to detect the release of a hazardous chemical in the work area and to protect employees from exposure to such chemicals
6. Hazardous chemicals associated with unlabeled pipes located within the work area and other non-routine tasks

The following table represents safe areas in the event of severe weather. Employees and students should use good judgment, depending on the type and severity of weather involved. It is generally recommended that you do not go outside and that you remain clear of windows. If a tornado warning is issued, campus security will attempt notification of all departments.

Oneal-Sells Administration	Basement Hallway
Eunice & James L. West Library	Basement Computer Labs
Armstrong-Mabee Business Center	Interior Hallway (1st floor)
Sid W. Richardson Center	Locker Rooms
Brown-Lupton Campus Center	Locker Rooms
Ella C. McFadden Science Center	Interior Hallway/Stairwell (1st floor)
Fine Arts Building	Far South End of Hallway (1st floor)/*Evacuate to Science/Admin.
Dan Waggoner Hall	Interior (1st floor)/*Evacuate to Law Sone Fine Arts Center
Art Complex	Interior Rooms/*Evacuate to Law Sone Fine Arts Center
Dora Roberts Dining Hall	Basement
Baker-Martin House	First floor interior hallway, away from doors/windows
Law Sone Fine Arts	Basement Hallway
Stella Russell Hall	Basement

Arrangements have been made with Concentra Health Centers for treatment of employees injured on the job. This is primarily intended for minor injuries not requiring 911 assistance. An authorization form is required, and should be completed and sent with the employee. The closest facility is 2500 West Freeway, Fort Worth.

Although employees are free to choose their own physician, Concentra Health Centers is available for those who have no preference. If possible, supervisors should accompany injured employees to the clinic. If possible, the supervisor should determine the employee's limitations for returning to work.

Please report any injuries promptly to the associate vice president for human resources, (817) 531- 4403.

The University is e

As with nearly all other corporations and educational institutions, the rapid emergence of the Internet, the growth of the World Wide Web, the incorporation of electronic mail in various curricula, and the availability of distributed information resources across a common network has caused Texas Wesleyan University to examine the many issues involved in the responsible use of information technology using institutional resources. This policy is the product of that study, and adherence by all Texas Wesleyan University students and staff is necessary. Adherence to this policy will ensure a computing environment that will perpetuate Texas Wesleyan University's academic and service mission. It is imperative that the campus community accepts that technological resources require responsible behavior from all its users. Simply stated, the continued and efficient accessibility of computer resources is the responsibility of the entire campus community.

This policy, in conjunction with the *Policy for the Acceptable Use of Network Resources*, will govern the use of information technology resources at Texas Wesleyan University.

Information technology, including systems, software and data, plays an increasingly important role in education and administration at Texas Wesleyan University. This policy is designed to define

User accounts are designed only 1) to establish a system control mechanism for user identification, and 2) to afford users a physical location where they can store relevant academic and administrative data.

At no time should user accounts be used to execute any computer software or computer programs other than those programs specifically granted and offered for user execution by Texas Wesleyan University. Physical storage in user accounts of any information, data or programs not congruent with the mission of Texas Wesleyan University is prohibited.

All users are responsible for both the protection of their user account password and the data stored in their user account. Users are prohibited from sharing their user account password with anyone at any time, thereby granting unauthorized access to Texas Wesleyan University computer systems. It is required that users change their user account password periodically to help prevent compromise and unauthorized access of their user account. Any suspected unauthorized access of a user account should be reported immediately to the chief information officer or other University authority. User accounts are deactivated and removed from further access and use when the user's affiliation (e.g., employment, matriculation, current enrollment, etc.) is terminated. All data, files or messages are removed from user accounts when account deactivation occurs.

Texas Wesleyan University owns and operates the computers, computer networks, software, data files, messages, connections to external computer networks and subscriptions to external computer services. Users cannot claim ownership of any data stored in Texas Wesleyan University computer systems.

These information technology resources are provided for the use of Texas Wesleyan faculty, staff and students in support of its programs and are to be used for education, research, academic development, administrative functions and public service. Use of these resources is a privilege, not a right. When using these resources, individuals agree to abide by the applicable policies of the University, as well as federal, state and local laws.

User privacy is not

problems as they occur, thereby ensuring the continued stability of the campus-wide computing environment. Even with the right to monitor, users should continue to expect that their data, files and e-mail will remain private. System monitoring is a mechanism for monitoring computer system or user activities, not a method for accessing private information. Texas Wesleyan University reserves the right to monitor any computer action or any system record of any action that a user performs while utilizing the campus network.

Computer labs on the Texas Wesleyan University campus are not available for general use during the periods when the rooms have been reserved for teaching purposes, unless otherwise specified by the professor. It is the responsibility of every user to utilize these facilities in a responsible manner and in accordance with posted computer lab rules and policies. Accidental damage or damage caused by other

Services. Prior to any prolonged denial of access or other disciplinary action, a user shall be provided with such appeal rights as may be recommended by University Legal Counsel.

In

Once a user receives a user ID to be used to access the network and computer systems on that network, he or she is solely responsible for all actions taken while using that user ID. Therefore:

1. Applying for a user ID under false pretenses is a punishable disciplinary offense.
2. Sharing your user ID with any other person is prohibited. In the result that you do share your user ID with another person, you will be solely responsible for the actions that other person appropriated.
- 3.

8. The willful introduction of computer "viruses" or other disruptive/destructive programs into the campus network or into external networks is prohibited.

Whenever you send electronic mail, your name and user ID are included in each mail message. You are responsible for all electronic mail originating from your user ID. Therefore:

- 1.

3. The student organization or group may be fined \$100.
4. The organization or group's president may be fined \$50.

At its sole discretion, the University may disapprove the use of alcohol at any event for any reason.

Texas Wesleyan University has workers' compensation insurance coverage from Travelers Insurance to protect you in the event of work-related injury or illness. This coverage is effective from 7/1/99. Any injuries or illnesses, which occur on or after that date, will be handled by Travelers Insurance. An employee or a person acting on the employee's behalf must notify the employer of an injury or illness not later than the 30th day after the date on which the injury occurs, or the date the employee knew illness

Facilities Operations has responsibility for ensuring that University facilities and grounds are clean, safe and in good repair. It is essential that University facilities and assets are protected not only to ensure day-to-day operating readiness, but also the long-term capability of the institution to provide a quality educational environment for its students, faculty and staff.

This policy statement is applicable to University departments and employees.

The Facilities Operations Department is responsible for any and all acquisitions, maintenance, repair, alteration,

The University is an employment-at-will employer, which means that just as any employee may conclude the employment relationship at any time for any or no reason, the University maintains the same right; the employment relationship continues at-the-will of either party. Since employment is not guaranteed for any definite period of time, no provision in the the University maintains the

Any salaried or hourly employee who is not exempt from the minimum wage, overtime and record keeping provisions of the FLSA. Employees are presumed to be non- exempt unless their job duties exempt them from the FLSA.

Any salaried employee exempt from the minimum wage, overtime and record keeping provisions of the FLSA. Exempt employees typically are in an executive, administrative or professional

I have received the Staff/Employee Handbook and will abide by the policies stated therein. I further understand that the handbook is a guide and is not intended to establish a contractual agreement between the University and its employees. I understand that the University may change the contents, benefits, privileges, practices, policies and procedures of this handbook at its sole discretion, with or without notice.

Finally, I understand that the University is an employment-at-will-employer, that my employment is not for a fixed or definite term, and that either the University or I may terminate my employment relationship at any time with or without notice and for any or no reason.

Employee's Signature: _____

Employee's Name (Print): _____

Date: _____

Witness' Signature: _____