



**ILISAQVIK
COLLEGE**

EMPLOYEE HANDBOOK

FY25



CONTENTS

Mission and Vision	1
Code of Ethics	2
Management and Employee Supervision	3
Introduction	4
1. Scope of Policies	4
2. Employment Status	4
3. Recruiting and Selection	5
4. Introductory Period And Performance Evaluation	8
5. Personnel Records And Information	9
6. Work Schedules	10
7. Compensation And Payroll Practices	13
8. Holidays	16
9. Employee Benefits	17
10. Leave Policies	20
11. Business Travel, Expenses And Vehicle Use	31
12. Training, Education And Professional Development	33
13. Employee Conduct, Business Standards And Ethics.	35
14. Harassment And Discrimination	48
15. Performance Management	52
16. Employee Separation	54
17. Dispute Resolution	56
18. Health and Safety	57
19. Faculty	63
20. Honors and Awards	71
21. Miscellaneous	72
APPENDIX 1 - TITLE IX POLICY AND GRIEVANCE PROCEDURES	74
APPENDIX 2 - CLERY ACT	89
APPENDIX 3 - DEFINITIONS	91

MISSION AND VISION

Sivunig

Iḷisaḡvik College iḷisalluataḡviqaqtitchirug, savaaqallasiñiaḡniḡmun sulī suna sivuniḡivlugu iḷisaksraumman iḷisaḡviqaqhutiḡ sivunmun sulī suaḡḡaktaallavlugu Iḡupiat iḡuuniḡusiat, Iḡupiuraḡnikun, piqpagiraḡich sulī piraḡausiḡich. Naparuḡ ikayuḡsaḡḡugich iḷisaḡtuat sulī inillaksaḡḡugulu iḷitchilluataḡaruḡanik savaktiksranik savagumiḡaḡtuani North Slope-mi Alaska-miḷu.

Mission

Iḷisaḡvik College provides quality post-secondary academic, career and technical education in a learning environment that perpetuates and strengthens Iḡupiat culture, language, values and traditions. It is dedicated to serving its students and developing a well-educated and trained workforce who meet the human resource needs of North Slope employers and the state of Alaska.

Tikisaksraḡ

Ikayuutauluta Nunaḡaqiḡun Suaḡḡaktaḡḡugit Iḷisaḡnikunlu Surḡallasiñikunlu.

Vision

To Help Build Strong Communities through Education and Training.

Iḡupiaḡatiḡiḡiḡiḡ: Traditional Iḡupiat Values

- ❖ **Qiksiksrautiḡaḡniḡ Iḡuuniḡvigmun** – *Respect for Nature*
- ❖ **Aviktuaḡatiḡiḡiḡiḡ** – *Sharing*
- ❖ **Iḡupiuraallaniḡ** – *Knowledge of Language*
- ❖ **Paammaaḡiḡiḡiḡ** – *Cooperation*
- ❖ **Iḡaḡiḡiḡiḡ** – *Family and Kinship*
- ❖ **Piqpakḡutiḡaḡniḡ sulī Qiksiksrautiḡaḡniḡ Utuḡḡanaanun Allanullu** – *Love and Respect for Our Elders and One Another*
- ❖ **Quviaḡḡuniḡ** – *Humor*
- ❖ **Aḡuniḡallaniḡ** – *Hunting Traditions*
- ❖ **Nagliḡḡutiḡaḡniḡ** – *Compassion*
- ❖ **Qiḡuiḡiḡiḡ** – *Humility*
- ❖ **Paaḡḡakḡutiḡiḡiḡ** – *Resolution of Conflict*
- ❖ **Ukpiḡḡutiḡaḡniḡ** – *Spirituality*

CODE OF ETHICS

Iḷisaḡvik College employees are expected to conduct themselves in a manner that will support Iḷisaḡvik College and its mission and comply with generally accepted standards of behavior and the College's Code of Ethics. Violation of the Code of Ethics may be grounds for discipline, up to and including dismissal from employment.

You are responsible for following the guidelines that Iḷisaḡvik deems necessary to promote efficiency, productivity, and cooperation among employees. It is important for you to familiarize yourself with the guidelines in this Handbook, in your job description, and other guidelines otherwise communicated by the organization or your supervisor.

Examples of types of conduct that are impermissible and may lead to corrective action up to and including immediate termination include those listed below. **This list is not all inclusive, and other actions may warrant corrective action depending upon the circumstances.**

1. Possession of drugs or alcohol or appearing to be under their influence during work hours or any violation of the Drug Free Workplace policy.
2. Release of confidential information about the organization, other employees, or students.
3. Theft or unauthorized removal of property.
4. Absence without notice to the supervisor.
5. Falsifying or making a material omission on an employment application, on a timesheet, or on any record including student files.
6. Actual or threatened physical violence, verbal abuse, sexual harassment, or sexual misconduct of organization-related personnel.
7. Insubordination, including improper conduct toward the supervisor or refusal to perform tasks in the manner assigned.

Remember, nothing in this or any other policy, procedure, practice or benefit is intended to create an express or implied contract, guarantee, promise, or covenant of any type, and this list, as noted above, is not all inclusive, but a guide of our Code of Ethics.

MANAGEMENT AND EMPLOYEE SUPERVISION

The College retains sole discretion to exercise all managerial functions, including the right to:

- Assign, supervise, discipline and dismiss employees;
- Determine and change work schedules and shifts;
- Transfer employees within departments or into other departments or classifications;
- Determine and change the size and qualifications of the workforce;
- Determine and change methods by which operations are to be carried out;
- Determine and change the nature, location, services rendered, and continued operation of the College; and
- Assign duties to employees in accordance with the College's needs and to carry out all ordinary administrative and management functions.

The work of all employees will be assigned, directed and reviewed by supervisory personnel. A primary role of each supervisor is to provide a link between management and non-management employees. Accordingly, supervisors are expected to communicate management goals and policies to the employees they supervise. Supervisors are also expected to communicate to management the concerns, suggestions and complaints of employees under their supervision.

Supervisors should be able to lead and motivate their employees to do their best work and should attempt to:

- Recognize employees for good performance and provide guidance where improvement is needed;
- Explain when and why decisions are made or changes are necessary, to the extent such explanation is consistent with the institution's needs to maintain confidentiality or comply with other matters;
- Set work goals and standards for employees;
- Create a feeling of teamwork among employees;
- Set good examples by holding themselves to the same standards of conduct and performance that they demand of the employees under their supervision; and
- Ensure that goals for employee conduct and performance are achieved and that personnel policies are implemented and consistently applied.

Supervisors' duties include:

- Recommending the hiring of personnel and overseeing job orientation and training;
- Keeping employees informed about their work assignments;
- Evaluating employee performance in a timely manner;
- Recommending salary adjustments, promotions, transfers, discipline and termination;
- Scheduling leave, lunch and rest breaks;
- Approval of reimbursement of employee expenses;
- Controlling absenteeism and tardiness and approving leave requests;
- Verifying employee timesheets and scheduling overtime when necessary;
- Complying with applicable federal, state and local laws and regulations, including those concerning discrimination, harassment and employee safety;
- Maintaining neat and orderly work areas; and
- Ensuring that all employees observe all rules and regulations.

IĻISAĖVIK COLLEGE EMPLOYEE HANDBOOK

INTRODUCTION

We have prepared this Employee Handbook as a reference guide concerning the core policies and procedures applicable to your employment with IĻisaĖvik College. Please take the time to review and understand this Handbook when you receive it and refer to it when you have questions or need specific information.

IĻisaĖvik College provides a variety of group benefits. To review eligibility for and details of group benefits, refer to the specific summary plan description or brochure. Some group benefits and leave policies do not apply to all employees. Benefits may change periodically. The Human Resources office can provide the most current information.

This Handbook is not permanent in nature, and it is not a contract. Nothing in this Handbook is intended to create (nor shall be construed as creating) an express or implied contract. Statements in this Handbook do not vest any rights by describing a particular employee benefit or procedure. This Handbook is our effort to state current procedures and policies at the time of publication. Amendments and supplements may be adopted and put into effect before we amend or republish this Handbook. IĻisaĖvik College will endeavor to communicate changes to this Handbook in a timely fashion. References to Board of Trustees Policies are included where appropriate.

This Handbook does not cover every topic or question that might arise. If you have questions about this Employee Handbook or any employment policies, practices or procedures, please contact your supervisor or the Human Resources office. Your input and comments will help us effectively update this Handbook and provide accurate and clear information for everyone's reference.

Position titles and responsibilities at IĻisaĖvik College are subject to change. If you have questions regarding position titles, please see the current organizational chart of the College or consult with the Human Resources office for information regarding equivalent positions.

1. SCOPE OF POLICIES

These policies apply to all employees of IĻisaĖvik College, including faculty, except to the extent that an employee may have a written contract which provides different terms and conditions of employment.

2. EMPLOYMENT STATUS

Employment classifications are defined in the Definitions section contained in the Appendix to this Handbook and set forth in job descriptions. Positions are classified as exempt or nonexempt as determined by the particular duties of the position and applicable law.

2.1 AT-WILL EMPLOYMENT. Unless otherwise indicated in an employment contract separate from this Handbook, your employment with Iḷisaḡvik College is on an “at-will” basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the Iḷisaḡvik College at any time, with or without notice and with or without cause.

As previously noted, nothing in this Handbook should be understood as creating a contract, guaranteed or continued employment, a right to termination only “for cause,” or any other guarantee of continued benefits or employment. Only the President has the authority to make promises or negotiate with regard to guaranteed or continued employment, and any such promises are only effective if placed in writing and signed by the President.

Nothing in this Handbook is intended to interfere with, restrain, or coerce (nor shall be construed as interfering with, restraining, or coercing) employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

3. RECRUITING AND SELECTION

3.1 EQUAL EMPLOYMENT OPPORTUNITY. In accordance with federal, state, and local law, and consistent with the College’s employment preference policy, it is the College’s policy to provide equal opportunity in employment to all employees and applicants for employment. No person will be discriminated against in employment because of race, color, religion, national origin, age, sex, gender, genetic information, veteran status, physical or mental disability, marital status, pregnancy or parenthood, or any other basis protected by law. Complaints of discrimination will be handled and investigated under the College’s dispute resolution procedure, unless special procedures are considered appropriate. The College prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about discrimination. (BP 6.01)

3.2 EMPLOYMENT PREFERENCE. Iḷisaḡvik College strives to hire the best-qualified applicant for a position vacancy. All other qualifications being equal, the College gives employment preference to candidates in the following order: (a) current employees; (b) former employees on lay-off or recall status; (c) graduates of Iḷisaḡvik College; and (d) residents of the North Slope Borough. For purposes of this policy, a “resident” is defined as a person who has been physically present and who has maintained a principal residence within the North Slope Borough for at least thirty (30) days at the time of hire. (BP 6.01)

3.3 VACANCIES. Applications are accepted only for specific positions. Vacancy notices will be posted internally for a minimum of three (3) working days and “on-Slope” by television, radio, and print media, as appropriate. Position vacancies may also be recruited “off-Slope” as deemed appropriate by the department executive-level supervisor. Internal applicants shall be considered first, followed by qualified residents, then all other applicants. (BP 6.01)

3.4 ELIGIBILITY, QUALIFICATIONS AND SELECTION. Iḷisaḡvik College complies with all state and federal laws governing eligibility for employment. Federal law requires the College to verify employment eligibility of all individuals on a form approved by the government, which must be completed at the time of hire. All job offers are contingent upon the receipt of documentation required by the U.S. Citizenship and Immigration Services. If your employment eligibility status changes during your employment, inform your supervisor.

Iḷisaḡvik College seeks to hire, train, and promote individuals based on qualifications and demonstrated ability to perform the job. Selection of personnel is based on merit, including skills, experience, passing

background checks and for some positions, possessing certifications or licensing. After hire, employees must continuously maintain qualifications, absent an affirmative waiver or modification by management. Employees are responsible for maintaining required qualifications and for providing evidence thereof to the Human Resources office. Post-hire misconduct, including civil or criminal violations, on or off the job, that may potentially impact or impair the employee's position, performance, or the College's relationships or reputation, may result in demotion, release or other adverse action, as deemed appropriate by management. (BP 6.01)

3.5 PROMOTION; INTERNAL JOB POSTINGS. Iḷisaḡvik College provides employees opportunities to advance within the organization according to their skills, performance and experience. To retain and encourage employees to strive toward promotion, Iḷisaḡvik College has adopted a "promotion from within" policy, in which the College will strive to provide an environment that will develop regular full-time and part-time employees for higher-level positions. Prior to advertising such positions externally, qualified regular employees may be considered for transfer, promotion, training, and advanced development based upon new work responsibilities, increased skill level and, where appropriate, educational achievement. Regular employees applying for internal open positions must have completed a minimum of six (6) months in their current position. This requirement may be waived for promotions and/or with approval of the employee's current supervisor and the Human Resources office. If a current employee's qualifications and skills are equal to or greater than all other candidates, the College's preference is to promote an internal candidate. When a current employee transfers or promotes into a new role, their evaluation date realigns to the start date of their new position. (BP 6.01, 6.16)

3.6 TEMPORARY HIRE. Iḷisaḡvik College reserves the right to deviate from standard hiring procedures to fill temporary positions. Temporary hire is subject to the general policies set forth in this Section 3, including without limitation, employment preference, and is subject to approval of the supervisor, the department's executive-level supervisor and the Human Resources Executive Director. Temporary employees may work a maximum of 37.5 hours a week and schedules may vary based on departmental need. Any exception requires the approval of the Human Resources Executive Director and the President.

Temporary employees may be hired for a term of 120-days or four months initially. Temporary employment may be extended one-time for an additional 120-day period upon the President's approval.

Temporary employees retain the option, as does Iḷisaḡvik College, to end employment with Iḷisaḡvik College at any time, with or without notice and with or without cause. As such, employment with Iḷisaḡvik College is at will.

3.7 EMPLOYMENT OF RELATIVES. Relatives of current employees or members of the Board of Trustees may be considered for employment. However, the College may decline to hire or place an applicant or employee based on their relationship to existing employees, in order to avoid actual or potential problems in supervision, safety, security and morale, including an actual or apparent conflict of interest. For the purpose of this policy, relatives are considered to be individuals who are related by blood, marriage, adoption, fostering, those who reside in the same household, or who are involved in romantic relationships.

Two degrees of relatives have been established for this policy:

SECOND DEGREE OF KINDRED is defined as a grandparent, sibling(s), aunt or uncle whether a full, half, step, in-law relationship as well as an individual living in the same dwelling as an employee.

Immediate family is considered a spouse, a person in a conjugal relationship that is not legally married, a child or a parent.

An employee may not directly supervise their relative whether second degree of kindred or an immediate family member, or participate in employment, grievance, evaluation, corrective action, retention, promotions, salary, leave or other personnel decisions concerning their relative. If co-workers become related, or if reorganization creates a conflict which places relatives in positions that would otherwise violate this policy, the College will transfer one relative, if a position is available, or provide a specific period of time for the affected employees to voluntarily resolve the matter. If the matter cannot be resolved voluntarily or by transfer, the College may terminate the employment of one of the affected employees, at management's discretion. Given the nature of the positions, immediate family members of individuals in the Executive Director of Human Resources, CHRO, Executive Director of Finance or CFO positions at the College are not eligible for employment while their relative is serving in that capacity. Any exception to this policy requires the prior written approval of the President, who shall advise the Board of Trustees of all such exceptions and the reasons therefore. (BP 6.03)

3.8 APPLICATIONS, SCREENING AND APPROVALS FOR HIRE. The College reserves the right to perform background checks on all job applicants. The Human Resources office is responsible for supplying forms for application, job descriptions, background checks and personnel actions, conducting initial applicant screening, reference checking, and coordinating hiring committees and the hiring process.

3.9 ASSIGNMENT AND TRANSFER. Iḷisaḡvik College reserves the right to assign and transfer employees to any position for which they are qualified.

3.10 EXCEPTIONS IN MANAGEMENT DISCRETION. When business reasons call for variance from the priorities and procedures in Section 3, management may elect to: (a) hire an individual without posting a position vacancy; (b) advertise despite internal in-house applicants; and (c) hire outside the normal employment priority (as judged solely by management to be in the College's best interests). The College may, in its discretion and upon critical business need as determined by the President, fill any position by transfer, promotion or outside hire without utilizing standard procedures. At the College's option, external recruiting sources may be used in lieu of, or in addition to, public advertisement.

3.11 EMPLOYMENT OF MINORS. Iḷisaḡvik College reserves the right to employ individuals under the age of 18 who have not graduated high school, with appropriate work permits and other required documents completed and approved before hire. Hiring Managers and HR will confirm that the minor being hired is not being hired under a program or grant that does not allow for the hiring of minors. Minor employees are subject to restrictions on when they can work and how many hours they can work to ensure work does not interfere with schooling.

3.12 INITIAL SALARY PLACEMENT. ÷ Initial salary placement shall be determined based on the new hire's education, certification, experience, etc. No initial placement shall be beyond 14% except for under unusual circumstances and only with the approval from the President. The Human Resources Department shall determine initial salary placement with input from the hiring manager.

Qualifiers: In order for a new hire to be granted additional qualifiers, they must first meet all of the requirements of the job based on the job description that they were hired for.

Additional Degree: A new hire may qualify for a 5% increase if they bring in an additional relevant advanced degree beyond the requirement of the job.

i.e. the Job Description requires an AA and the individual is hired with a BA

2nd applicable degree: A new hire may qualify for an additional 2% increase if they bring in a 2nd additional relevant degree beyond the requirement of the job

i.e. the Job Description requires an AA and the individual is hired with an MA

5+ years: A new hire may qualify for a 2% increase if they bring in 5+ years of experience beyond the requirements of the job.

i.e. the Job Description requires 3 years of experience in Accounting and the new hire brings in 8+ years

Difficult to Fill: A new hire may qualify for a 5% increase if the position has been designated as difficult to fill by the President. Eligibility for this increase depends on the justification provided for the challenges in filling the position.

13.3 SALARY PLACEMENT ERROR REVIEW. If a new hire believes there is an error in their salary placement, the new hire may submit additional information to support their claimed placement within 90 days of hire to the Human Resources Department. If the additional information is sufficient, an adjustment will be made retroactive to the new hire's start date.

4. INTRODUCTORY PERIOD AND PERFORMANCE EVALUATION

4.1 MINIMUM DURATION OF INTRODUCTORY PERIOD. All new, transferred, promoted or rehired non-faculty employees placed in regular positions are subject to an Introductory period designed to assess the employee's performance, skills, training, experience, teamwork, qualifications, and overall suitability for the position. The Introductory period for newly hired and rehired employees is one hundred and eighty (180) days following hire, and ninety (90) days following transfer or promotion. The Introductory period may be extended upon written recommendation of the employee's supervisor. Upon completion of the Introductory period, the employee achieves "regular" status. (BP 6.04)

4.2 LIMITATIONS DURING INTRODUCTORY PERIOD. More frequent feedback and evaluations may occur during the Introductory period, and rights to use the College's dispute resolution procedure are limited. Introductory employees may be dismissed, with or without cause, at any time before completion of the Introductory period. During the Introductory period, newly hired employees accrue leave, but are not eligible to use accrued personal leave until completion of ninety (90) days of employment. Leave is not paid if separation occurs during the first ninety (90) days of employment (Section 10.5.6). Transferred or promoted employees retain all previously earned benefits, continue to accrue personal leave, and may use accrued personal leave days during the Introductory period with the supervisor's prior written approval. Eligibility for group benefits is defined in plan documents and contracts, with waiting periods that may be longer or shorter than the Introductory period, depending on the plan. For coverage issues, consult the Human Resources office or the applicable plan document.

4.3 PERFORMANCE EVALUATIONS. A performance evaluation will be periodically completed for each employee by the employee's supervisor. The purpose of an evaluation is to monitor employee performance and progress, encourage exceptional job performance, and identify areas of improvement. (BP 6.10)

4.3.1 CONTENTS OF EVALUATION. The performance evaluation is a written assessment of the employee's job performance. Evaluations are based on the employee's self-evaluation, the job description, and other job-related expectations. It may include the supervisor's comments and recommendations, an action plan for both the employee and supervisor, performance goals for the next evaluation period, mandatory training verification, and an Unapologetically Inupiaq section. Employees are required to participate in the evaluation process, to review the written evaluation with the employee's supervisor, and to sign the evaluation. The employee may attach written comments to supplement the evaluation. A copy of each performance evaluation will be maintained in the employee's personnel file.

4.3.2 WHEN EVALUATIONS ARE PERFORMED. Iqisaġvik College will endeavor to complete and provide evaluations in a timely manner at the end of an employee's Introductory period, at the end of their first year of employment and annually thereafter, and at other times in the discretion of the employee's supervisor. Evaluations of regular faculty will be completed prior to the expiration of the contract term, as outlined in Section 19.5 of this Handbook. Nothing in this policy is intended to prohibit or discourage supervisors and employees discussing an employee's job performance on an informal basis at any time.

Supervisors that fail to complete employee performance evaluations in a timely and satisfactory manner may be subject to disciplinary actions, including ineligibility for wage increases.

4.3.3 USE OF EVALUATIONS. Information derived from performance evaluation may be considered when making decisions affecting an employee including, but not limited to, decisions concerning training needs and opportunities, discipline, pay increases, promotion, transfer, layoff, and continued employment. Employees will be eligible for a merit increase of up to three % of their salary. Completion of an evaluation and discussion of employment objectives and goals are not guarantees of continued employment with the College, and does not entitle employees to a wage adjustment.

5. PERSONNEL RECORDS AND INFORMATION

5.1 APPLICATION DOCUMENTS. The application and supporting documents of a successful applicant will be maintained as an employment record. The applicant/employee is exclusively responsible for ensuring the accuracy of information contained in the application and presented through the hiring process. Any misrepresentation, falsification, material omission, or error permits the College to exclude the individual from further consideration for employment, or, if the person has been hired, to terminate employment.

5.2 PERSONNEL FILES. A confidential personnel file for each employee is maintained in the Human Resources office. If an employee believes that personnel records maintained in the file are objectionable for any reason, the employee may prepare a concise, signed, written statement of disagreement for inclusion in the file.

5.3 ACCESS TO PERSONNEL FILES. An employee may inspect and make copies of his/her personnel file as provided by law, upon written advance request, at a reasonable time during normal business hours or as may be mutually agreed. Employees may be charged a fee for copying charges. The College restricts disclosure of confidential personnel file material to those positions within the College on a bona fide need to know basis. Employee medical information will be maintained in separate files, with restricted access, as required by law. The College will cooperate with subpoenas, as well as requests consistent with Section 5.4 from law enforcement or

local, state or federal agencies conducting official investigations, and with other entities having legal authority to review personnel data.

5.4 EMPLOYMENT REFERENCES. All requests for employment references must be referred to the Human Resources Executive Director. The following information may be verified or confirmed by the Human Resources office without a written release or authorization from the former or current employee: date of hire, date of separation, and most recent job title. The College may release other information as authorized in writing by the employee. Nothing in this section is intended to waive any right or defense available under Alaska Statute 09.65.160, which immunizes employers for providing good faith disclosures of job performance. The President, Human Resources Executive Director or former employee's supervisor may at any time in his/her discretion provide a formal or informal reference without a written release of information.

5.5 UPDATING PERSONNEL INFORMATION. Correct data in the personnel file enables us to reach you in an emergency, forward your mail, properly maintain your benefits and your dependents' benefit rights, meet any child support requirements, compute your payroll deductions correctly, and address similar matters. Employees are required to disclose the following information accurately at the time of employment, and to promptly notify the Human Resources office of changes to any of the following: (1) employee's name; (2) employee's mailing address; (3) employee's physical address; (4) employee's telephone number; (5) employee's number of dependents for withholding purposes; (6) beneficiary or dependents for insurance purposes; (7) marital status; (8) individuals to be notified in case of emergency; (9) data change or restriction on drivers' license; (10) citizenship or authorization to work; and (11) social security number.

6. WORK SCHEDULES

6.1 ATTENDANCE. Regular, on-time attendance is essential to acceptable performance and smooth operations of the College. The operating hours of the administrative offices are 8:30 am - 5:00 pm, Monday through Friday. Employees are expected to report for work during scheduled hours as established by their supervisors.

6.2 REGULAR WORKING SCHEDULE; BREAKS. The standard workweek for regular full-time non-faculty employees consists of 37.5 hours. The normal workday varies by position, but generally is 7.5 hours. The employee's daily schedule shall be designated by the supervisor. Two fifteen-minute break periods are allowed during each full-time shift, as designated by the supervisor. Lunch periods may be staggered to ensure coverage. Work schedules may be modified for designated employees in order to meet the needs of the College. Faculty work schedules are determined consistent with the faculty member's workload and teaching duties.

6.2.1 ADDITIONAL CONTRACTS. Employees who wish to complete additional duties that include additional compensation from their regular work duties, such as adjunct contracts, tutoring contracts, special projects coordinator, affiliate instructor, etc., should seek supervisor approval before pursuing additional work loads. Human Resources will be sure to keep record of supervisor approval before processing any contracts.

6.2.2 ACCOMMODATIONS FOR NURSING MOTHERS. The College will provide nursing mothers reasonable unpaid break time to express milk for their infant child(ren) for up to one year following the child's birth. If you are nursing, you will be provided with a space, other than a restroom, that is shielded

from view and free from intrusion from co-workers and the public. Expressed milk can be stored in office refrigerators. Sufficiently mark or label your milk to avoid confusion for other employees who may share the refrigerator.

Non-exempt employees should, to the extent possible, use their normally scheduled, paid break time to express milk. Non-exempt employees should clock out for any time taken to express milk that does not run concurrently with normally scheduled, paid break time. You must make reasonable efforts to not disrupt College operations. You are encouraged to discuss the length and frequency of these breaks with your supervisor.

6.3 POSITIONS IN ACTING CAPACITY. There are times when employees may be needed to serve in a temporary capacity resulting from a temporary absence of another employee, the existence of a position vacancy, or the temporary assignment of higher-level duties in general. Only one person in any given pay period will be paid for acting in capacity.

6.3.1 ELIGIBILITY. Request for acting in capacity must meet one of the following criteria:

- Temporary absence of another employee
- Existence of a vacant position
- Temporary assignment of higher-level responsibilities
- The employee must perform all the essential duties of the position. There must be a fifteen (15) continuous workday minimum time frame that the employee be designated in acting capacity prior to being paid additional compensation. Acceptance of acting capacity positions is voluntary. Employees who choose not to accept an acting capacity position may do so without retaliation. When an employee is additionally compensated for serving in acting capacity, it must be approved by the employee's supervisor, Human Resources Executive Director, Chief Financial Officer, and the President. This record must be maintained in the employee's personnel file.

6.3.2 COMPENSATION. Employees assigned to serve in an acting capacity may receive up to 20% additional compensation on top of their current salary, depending on the specific role they are fulfilling. This additional compensation is determined exclusively by the College's established job classifications. Additional compensation is only effective for days worked beyond the fifteen (15) workday minimum and payment is not retroactive to the start of the assignment. Any exception requires the approval of the President. Questions relating to job classification may be directed to the employee's supervisor or the Human Resources Executive Director. Additional compensation must be approved by the employee's supervisor, the Human Resources Executive Director, the Chief Financial Officer, and the President. This record must be maintained in the employee's personnel file.

6.4 ABSENCES AND TARDINESS. Employees are expected to be punctual. Employees must give advance notice of absences or tardiness, where possible, and should seek pre-approval for leave as soon as possible.

We understand that unforeseen circumstances may arise that prevent employees from providing advance notice of tardiness or absences. In such cases, employees are expected to notify their supervisor as soon as possible. Frequent tardiness or absences without prior notice may result in disciplinary action.

6.4.1 ABSENCES. Employees are expected to provide advance notice of absences to their supervisor, preferably 24 hours in advance. If advance notice is not possible, employees should notify their supervisor at least 1 hour before their scheduled start time.

6.4.2 TARDINESS. Employees are expected to notify their supervisor that they will be tardy at least 30 minutes before their scheduled start time, unless otherwise specified by their supervisor.

6.5 TIME OFF DURING THE WORKDAY. In order to avoid disruption, employees are encouraged, when possible, to schedule personal and medical appointments outside of working hours. Non-exempt employees must obtain prior approval from the employee's supervisor prior to being absent from the office (other than during a lunch or break period) during a scheduled workday. Full and partial day absences for exempt employees are addressed in Section 6.7.1. All employees are expected to reserve their personal business, including personal telephone calls and Internet use, to lunch and break times.

6.6 PARTIAL DAY ABSENCES OF NON-EXEMPT EMPLOYEES. Part-day absences must be accurately documented. Most employees work 7.5 hours a day, Monday through Friday, with an unpaid lunch break. The standard workweek for regular full-time employees consists of 37.5 hours. Schedules may vary and supervisors will communicate work schedules and expectations to those they supervise. Employees must accurately record and report all hours from the beginning to the end of the scheduled workday. For example, if the employee is scheduled to work 7.5 hours in a workday and works the morning and then takes the afternoon off, the employee would document three and a half (3.5) hours worked and four (4) hours off. Another example, if the employee worked two (2) hours in the morning and two (2) hours in the afternoon and took the middle of the day off, the employee would document four (4) hours worked and three and one-half (3½) hours of leave. For scheduled workdays, the College deducts part-day absences from a non-exempt employee's salary or leave accrual if available and as authorized by federal and state law. For a regular full-time employee, time worked and leave hours should total a minimum of 37.5 hours in a workweek. If total hours for a given pay period equal 75, LWOP is not needed for a week totaling less than 37.5 hours. Any use of overtime hours does not apply to accumulating 75 hours in a pay period. The College deducts part-day absences from a non-exempt employee's salary, or leave accrual if available, as authorized by federal and state law.

6.7 SCHEDULE VARIATIONS AND ABSENCES OF EXEMPT EMPLOYEES AND FACULTY. Exempt employees and faculty are expected to complete their functions and assignments regardless of the number of hours required to be worked and are not eligible for overtime pay. These positions are assigned projects, goals and responsibilities to be accomplished in return for regular salary and are granted more scheduling flexibility than non-exempt positions. Work hours of exempt personnel are not fixed hours, unless required by worksite rules. Work hours for faculty are determined consistent with the faculty member's workload and teaching duties. However, effectively completing position responsibilities usually requires the employee's attention and presence in the office during the regular business day, unless travel or other work demands call the employee off-site. Taking unscheduled time off when the employee's performance goals are not fully met is discouraged.

6.7.1 PARTIAL DAY ABSENCES OF EXEMPT EMPLOYEES. All absences require prior approval by the direct supervisor. If an exempt employee works any time during a regular business day, the employee will receive

full compensation for the day, but the employee's accrued leave balance may be adjusted if absences become excessive.

Exempt employees should immediately report an improper salary deduction to the Executive Director of Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction occurred, the employee will be reimbursed.

6.8 EMERGENCY CLOSURES. For the safety of employees and students, the President may close the College to respond to emergency, health, safety or catastrophic conditions. Emergency closures during scheduled work hours are communicated by email, through supervisors, instructors and emergency broadcast channels and the Iḷisaḡvik College website. Employees shall be compensated at their regular rate of pay for the time period of any emergency closures. Employees scheduled to be on leave during the emergency closure will remain on leave. (BP 4.02)

6.9 WORK RELEASE. The President may authorize a "Work Release," which allows all or certain employee's time off from work. Work Release time is not considered a holiday, and, at management's discretion, employees may be required to work on such days at their regular pay rates. To qualify for Work Release time, employees must be scheduled to work the day(s), which the President declares as Work Release.

7. COMPENSATION AND PAYROLL PRACTICES

7.1 COMPENSATION GENERALLY. Iḷisaḡvik College's policy is to pay compensation that is nondiscriminatory and appropriate to an employee's job duties, responsibilities, performance, and length of service, and in consideration of employee benefits, and the fiscal integrity of the institution. Questions about the College's salary administration should be directed to your supervisor or the Human Resources office. (BP 6.10)

7.2 RECORDING TIME WORKED. In order to support consistent application of the College's leave policies and payroll administration, employees are asked to adhere to certain basic principles in reporting work time and time off. Accurately documenting time worked and absences is critical to legal compliance and compensation. All exempt and non-exempt employees are required to complete a timesheet, on the schedule established by administration. The College prohibits illegal practices that circumvent overtime laws (such as "flex" or "comp" time). At the same time, not all variable schedules are improper. The College reserves the right to vary individual schedules, provided that: overtime and wage laws are followed; negative patterns are not developing; management and staff are effectively communicating; leave and payroll procedures are followed; and the College's business and staffing needs are met.

Time worked is all the time actually spent on the job performing assigned duties, and employees should only perform assigned duties during their scheduled shift. Non-exempt employees should arrive no more than fifteen (15) minutes prior to the scheduled start time and remain no later than fifteen (15) minutes after their scheduled stop time, except with prior approval from the supervisor.

Employees are responsible for having their timesheets complete, accurate, and submitted on time to their supervisor. Inaccurate timesheets may delay processing and payments. Falsifying any time record is prohibited and may be grounds for discipline, including termination.

If an employee's timesheet is not received by 5 p.m. on the last Friday of the pay period, the employee's supervisor will make a good-faith effort to contact the employee to complete a timesheet by 9 a.m. on the following Monday. If an employee is unresponsive, on leave or absent, the supervisor may write "employee unavailable for signature" on the employee signature line and submit their timesheet "as is" for processing. Upon return, the employee will review the timesheet for completeness. The amended timesheet with appropriate signatures and any necessary changes should be submitted to the Business Office as soon as possible, and any compensation corrections will be processed on the next payroll cycle.

7.3 WORKWEEK AND WORKDAY. A work "day" is a 24-hour period, beginning at 12:01 a.m. and ending at midnight. A work "week" is seven consecutive days, beginning Saturday at 12:01 a.m. and ending at midnight the following Friday.

7.4 TRAVEL TIME. Non-exempt employees are entitled to compensation for all time worked and time spent attending training while on business travel. Time spent traveling during the employee's scheduled working hours whether on scheduled working or non-working days is considered time worked.

7.5 DATE, TIME, AND LOCATION OF PAYMENT. Employees are paid every two weeks. Payroll occurs on the Friday following the end of a two-week pay period. (For example, if the pay period ended on Friday, November 8, payroll is deposited on Friday, November 15.)

7.6 DIRECT DEPOSIT AND OTHER PAY METHODS. The College strongly encourages direct deposit for all employees, which is cost effective, timely, and reliable for both management and our employees. Forms to enroll in direct deposit are included in the employee orientation packet and available from the Human Resources office. For employees who decline direct deposit, a paycheck will be delivered to the employee at their workstation or mailed to the employee's home address. Please note that payroll administration requirements limit our ability to mail a check to a temporary location or change payroll arrangements without sufficient advance notice.

7.7 PAYROLL DEDUCTIONS AND WAGE GARNISHMENT. Wages paid by Iñisaġvik College are subject to deductions for required state and federal taxes and benefits programs including deductions for federal income tax, Social Security and Medicare (FICA) taxes, and any other deductions required under law or by court order for wage garnishments. The amount of federal income and other withholding is calculated from your earnings and the filing status and number of exemptions claimed on the employee's W-4 form. Employees are responsible for keeping W-4 information current. Each year, employees will receive a W-2 statement showing total earnings for the year and the amount of taxes withheld.

All deductions from an employee's wages shall be in accordance with applicable law and, when required, the employee's consent. Employees are expected to report to the Human Resources Executive Director any questions and/or violations of this policy. Payroll deductions may cover:

- Amounts paid by the employer on employee's behalf (e.g., travel); or any debt owed to the College at the time of termination;
- Optional insurance or flexible benefits programs;
- Employee contribution for eligible dependent enrollment into group health insurance plan;
- Academic tuition and fees;

- Overpayment of wages, advance against salary, or other funds;
- Repayment of purchases made on credit from the College;
- Returned checks;
- Monthly rent payments (e.g., house, dorm room); and
- Market value of all items issued to employees (e.g., tools, computer) damaged or not returned by employee.

No deduction from employee's wages for any period shall cause employee's wages for any such period to be less than the wage required to be paid by the Employer pursuant to applicable law. The deductions not taken for such period may be carried over to succeeding pay periods and deducted from the wages due in succeeding pay periods to the extent allowed by law.

Employees will be reimbursed for any erroneous deductions as required by law. If you believe there has been an error on your paycheck, contact your supervisor immediately. If a paycheck error is identified and confirmed by the College, you will receive the amount owed, which will be paid no later than your next regularly scheduled payday.

Certain wage deductions may occur without employee consent, such as wage garnishments and attachments required by court or administrative agency order. (BP 6.10, 6.12)

The College will not retaliate against employees who report erroneous deductions in accordance with this policy.

7.8 SALARY ADVANCES. Wages are generally not paid in advance of time worked absent extraordinary circumstances. Regular full-time, regular part-time and regular faculty employees may be eligible for a salary advance at management's discretion and on satisfaction of each of the following conditions:

- The employee demonstrates a bona fide reason for the advance (i.e., family emergency, economic hardship, or an unexpected financial burden);
- The advance does not exceed 80% of employee's net expected pay for the next pay period;
- The advance has been approved in advance by the employee's supervisor, in the supervisor's reasonable discretion and subject to reasonable business office processing requirements;
- The employee has successfully completed the Introductory period; and
- The employee must utilize the cash out leave policy before requesting a salary advance.

Requests may be submitted up to four (4) times during a calendar year. Repayment of salary advances may not exceed two pay periods. Repayment of an advance will be made the first pay period following the advance. (BP 6.11)

7.9 OVERTIME PAY FOR NON-EXEMPT, OVERTIME ELIGIBLE POSITIONS. Before working overtime or working on a holiday, weekend or after business hours, employees must obtain their supervisor's advance authorization, unless a genuine emergency exists. In cases of emergency, the employee shall notify their supervisor at the first opportunity of the amount of and reasons for the overtime. Employees who believe that the functions of their position cannot be performed during regular working hours should consult the supervisor.

Employees eligible for overtime will receive overtime pay as and when required by law. Unless an exception applies, current law provides that overtime is payable to non-exempt employees for hours worked in excess of 40 hours per week and for hours worked in excess of 8 hours per day. In calculating overtime, non-working time (such as holidays, paid and unpaid leave) does not count toward the overtime threshold.

The College prohibits non-exempt employees from working extra hours and then taking time off later to “make up” for the extra time worked or as a substitute for overtime pay. Similarly, employees may not take extra time off and then work additional hours to make up for the absence.

The College compensates overtime by paying wages, not by giving additional time off. Absences must be documented on the timesheet, whether leave benefits have been accrued or not. Informal practices called “flex time” or “comp time” are prohibited. (BP 6.10)

7.10 ON-CALL PAY FOR NON-EXEMPT, OVERTIME ELIGIBLE POSITIONS. An employee is considered to be in on-call status only when assigned by the supervisor. On-call will not be considered hours worked when employees are free to engage in activities for their own purposes but are required to inform the employer how they can be reached.

Regular non-exempt employees who are required to respond to on-call work after normal working hours shall be paid a minimum of two hours or for the actual time worked if the on-call assignment lasts longer than two hours. If a second call occurs after the initial call and following the first two-hour timeframe, a second two-hour on-call compensation period will begin. Employees are not required to work the remainder of the two hours if the call-out work is completed prior to the end of the initial two hours of compensation. The employee must note on their timesheet each on-call period worked. Payroll will calculate the per hour rate and apply that rate to the total compensation paid to the employee.

7.11 EMERGENCY RELIEF STIPEND. In the event of a National, State or Local Emergency Iñisagvik College may issue relief stipends to active, full-time, permanent employees at the discretion of Senior Leadership. The Emergency Relief Stipends are in alignment with IRS Code Section 139. The payment would not qualify as taxable income for an employee receiving it. The amount and terms of payment are at the discretion of Senior Leadership.

8. HOLIDAYS

8.1 RECOGNIZED HOLIDAYS. Iñisagvik College provides certain paid holidays and encourages employees to take these opportunities to rest, relax and engage in personal activities. A holiday that occurs on a Saturday will normally be observed on Friday and a holiday that occurs on a Sunday will normally be observed on Monday. The College recognizes the following holidays: (BP 6.07)

HOLIDAYS OBSERVED

New Year’s Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
President’s Day	Third Monday in February
Seward’s Day	Last Monday in March
Iñisagvik College Alumni Day	First Monday Following Commencement
Memorial Day	Last Monday in May
Juneteenth	June 19

Founder's Day	July 2
Independence Day	July 4
Labor Day	First Monday in September
Alaska Day	October 18
Iñuit Day	November 7
Veteran's Day	November 11
Thanksgiving Day and day after	Fourth Thursday and Friday in November
Christmas Day	December 25

Exempt employees who are **required** to work on a holiday are provided with one paid "floating holiday," which may be scheduled with supervisor approval. When possible, employees must receive prior approval from their supervisor before working a holiday. Supervisors will ensure that employees are allowed to use their floating holiday within a reasonable time following the accrual.

8.2 ELIGIBILITY FOR HOLIDAY PAY. Regular full-time and regular part-time employees (including faculty and those in their Introductory period) are eligible for paid holidays from their date of hire. Employees who are temporary, suspended, or on unpaid leave are not eligible to receive holiday pay. Faculty, regular full-time and regular part-time employees who work a minimum of 15 hours per week will receive time off with up to eight (8) hours pay for holidays that fall on scheduled workdays. Part-time employees will be paid the number of holiday hours equivalent to their regular scheduled hours for that day. Part-time employees will not be paid for a holiday that is not part of the employee's normally scheduled workweek. An employee must work or be on authorized paid leave, on the last regularly scheduled workday preceding the holiday, and the next scheduled workday following the holiday, to receive the holiday pay. This does not include College closures.

8.3 HOLIDAYS WORKED AND OVERTIME. Holiday pay is not considered as hours worked in computation of overtime. Non-exempt employees who actually work on a holiday receive both their regular wage and holiday pay for each hour actually worked.

9. EMPLOYEE BENEFITS

9.1 GENERAL POLICY. As part of its commitment to its employees, Iñsaḡvik College selects various group carriers to provide employees such benefits as health, dental, life insurance and retirement. Benefit plans and costs are subject to change, with or without notice. Administration of benefits is governed by the applicable plan document. Copies of written materials describing available benefits will be provided upon hire and when a plan carrier is changed. The applicable plan document addressing the benefit is controlling and will prevail over any contrary statement in this Handbook or elsewhere. Any questions concerning specific benefits, eligibility or costs should be directed to the Human Resources office. (BP 6.07)

9.2 GROUP BENEFITS. The standard benefits offered to regular full-time and regular faculty employees, at the time of publication of this Handbook are:

- **Group Health Insurance.** Comprehensive medical insurance is provided to eligible employees to cover hospitalization, surgical, routine procedures, and major medical. Eligible dependents may participate, at

the employee's expense, which is deducted from payroll. If you are interested in enrolling your dependent, contact your supervisor or the Human Resources office for the most current cost for dependent coverage.

- Group Dental Insurance. Dental insurance covers major, preventive and routine service for employees who participate in the College's group health insurance plan.
- Group Vision Insurance. Vision insurance covers major, preventive and routine services for employees who participate in the College's group health insurance plan.
- Life Insurance. Life insurance provides a defined benefit payable to the employee's designated beneficiaries if the employee dies while covered under the plan.
- Accidental Death and Dismemberment Insurance. Accidental death and dismemberment insurance provides a defined benefit payable to the employee's designated beneficiaries if the employee dies or is dismembered as a result of an accident while covered under the plan.
- Retirement Plan (PERS). (See Section 9.4.)

9.3 CONTINUATION OF HEALTH CARE COVERAGE. The Consolidated Omnibus Reconciliation Act of 1993 (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance covered under the College's health insurance plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements. Under COBRA, the employee or beneficiary pays certain costs of coverage at the College's group rates. COBRA information is provided to an eligible employee by the College's benefits administrator when the employee becomes eligible for coverage.

9.4 PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS). Iḷisaḡvik College participates in the Public Employees Retirement System (PERS) administered by the State of Alaska. All regular employees who work at least 15 hours each week are required to participate in PERS, which requires a contribution from the employee (deducted from the employee's paycheck) and from the College at a rate set by state law. For information concerning your PERS benefits, contact the Alaska Public Employees' Retirement System, which can provide you with information concerning your contributions and potential benefits. The Human Resources office can provide you with a summary and contact information.

9.5 EMPLOYEE HOUSING. Iḷisaḡvik College does not provide and/or guarantee housing for all employees; however, the College does have a limited number of rental units that periodically become available as existing units are vacated and/or new rental units are added. Employees interested in housing assignments will place their names on the waiting list that is maintained by the Dean of Administration. An employee's position on the waiting list is determined by the date of their request and is used on a first come, first-served basis when filling vacancies.

In addition to rental units, the College may provide temporary housing (dorm rooms) to employees for a specified period of time, based upon availability and with prior approval from the employee's supervisor and the President. The employee will be required to sign a housing contract and comply with all rules set forth in the Residential Staff Housing Policy. As an alcohol and drug free campus, Iḷisaḡvik College reserves the right to search employee dorm rooms based on reasonable suspicion. If the employee is found to be in violation of the College's alcohol and drug free policy, they will be required to vacate such housing immediately. (BP 6.13)

9.6 RECREATION CENTER. In an ongoing effort to provide recreational opportunities to its employees, Iḷisaḡvik College encourages use of the College's Recreation Center. The Recreation Center is open to all Iḷisaḡvik College employees and students and is subject to reasonable rules and restrictions as posted. Hours of operation vary. The College Recreation Center is operated at management's discretion.

9.7 RELOCATION REIMBURSEMENT. The President or executive-level supervisor may approve reimbursement of all or a portion of an employee's reasonable moving or relocation costs for newly hired or transferred employees, or employees who are required by the College to relocate. Reimbursement is contingent upon the terms of a written employment offer, availability of funds, and submission of valid receipts. Reimbursement must be submitted within six (6) months of incurring a relocation or moving expense and will be reimbursed according to IRS regulations. Eligible costs include moving typical household goods, temporary housing expenses, furniture storage, moving a personal vehicle, one-way airfare (coach class) for members of the employee's immediate family who will live in the new residence, and miscellaneous relocation expenses. If an employee resigns within one (1) year of the relocation, the amount of relocation reimbursement must be repaid up to 100%. If an employee resigns before their two (2) year anniversary, the amount of relocation reimbursement must be repaid at 50%. (BP 6.02)

9.8 EDUCATIONAL ADVANCEMENT PROGRAM. The completion of a degree beyond the highest level already earned, while permanently employed with Iḷisaḡvik College, will result in a 3% pay increase for all eligible staff and a step increase for faculty. This increase is subject to the availability of funds. Pay increases are effective the pay period following the receipt of an official transcript to the Human Resources office.

9.9 WORKERS COMPENSATION INSURANCE. The College provides workers' compensation insurance coverage for employees in case of work-related injury, in accordance with state law. Workers' compensation benefits vary and may include: medical care, cash benefits to replace lost wages, and vocational rehabilitation to help qualified injured employees return to suitable employment. Injuries occurring during or attributable to voluntary College-sponsored recreational or athletic activities may be covered under the College's health care plan, but usually do not qualify under workers' compensation coverage. To ensure that you receive any workers' compensation benefits to which you may be entitled, you must:

- Immediately report any work-related injury, no matter how minor, to your supervisor;
- Seek medical treatment and follow-up care if required;
- Complete a written accident claim form and return it to Human Resources. You may be required to obtain a medical assessment.

If you have been or will be absent due to a work-related illness or injury, contact your supervisor promptly. You will be required to provide the College with a certification from a health care provider regarding the need for workers' compensation leave and your ability to return to work from the leave. The leave may qualify as personal leave, FMLA leave, or leave without pay. Standard leave notice and procedures apply.

9.10 DISABILITY ACCOMMODATION. The College complies with the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, and all other applicable federal, state and local employment laws. The College is committed to providing equal employment opportunities to qualified individuals with disabilities as required by law. The College provides reasonable accommodations to applicants and employees as required by law.

If you require an accommodation because of your disability, please notify your supervisor and Human Resources. Generally, the College will need the following information in order to review and consider any requested accommodations:

- A description of the proposed accommodation.
- The reason you need accommodation.
- How the accommodation will help you perform the essential functions of your job.

The College will evaluate and consider your request and potential accommodations as required by law. Where appropriate, the College may need your permission to obtain additional information from your medical provider. All medical information received by the College in connection with a request for accommodation will be treated as confidential.

The College encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the College is not necessarily required to provide the specific accommodation requested by you; the College may provide an alternative reasonable accommodation, as permitted by law. The College is not required to provide any accommodation that would impose an undue hardship on the College.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave provided under the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

The College will not discriminate or retaliate against an employee for requesting an accommodation.

10. LEAVE POLICIES

10.1 GENERAL. Iñisaġvik College provides for paid and unpaid time off from the regular work week or working day, and complies with all laws regarding leave, including without limitation, the Family and Medical Leave Act and Alaska Family Leave Act. Paid leave that is earned as part of working for the College is known as personal leave. Other leave (which may be paid or unpaid) is permitted due to particular circumstances or events. Employees are required to give advance notice of leave whenever possible, in order to allow coordination of work and substitute personnel, as appropriate. Employees should seek pre-approval for foreseeable absences of one or more days by submitting a leave request to their supervisor.

All leave, whether paid or unpaid, must be approved by management. Every effort will be made to grant discretionary personal leave at the time requested by the employee. Leave is not approved until the leave request is approved by the Supervisor. Notice of leave is covered in Section 10.3 of this Employee Handbook. Supervisors are responsible for determining staffing requirements and may rescind or reschedule approved leave in case of unexpected or extreme staffing shortages or critical business needs.

In administering payroll for non-exempt staff, the College may treat late arrivals, early departures and other short workdays as paid or unpaid leave. In administering payroll for exempt employees, the College may treat absences as detailed in Section 6.7.1. (BP 6.07, 6.08)

10.2 APPLICATION OF LEAVE POLICIES TO FACULTY. Personal leave accrual and eligibility for all faculty employees are outlined in Section 19.9 of this Handbook and are governed by the terms of the faculty member's employment contract. Faculty are also eligible for paid or unpaid military leave and family medical leave. Faculty

are subject to processing requirements for leave usage, including advance notification, completion of appropriate leave forms, recording use of leave, and receiving prior approval from their supervisor. (BP 7.11)

10.3 NOTICE OF LEAVE. All employees must complete a leave request form in advance of, or upon return from, any absence of one or more days. If an employee is absent from work due to a work-related accident or injury, the employee must also complete a report of injury form within three (3) working days of the accident or injury. If an absence is indefinite in duration and exceeds one day, the employee shall contact the supervisor each day of the absence and maintain communication, unless the supervisor determines that a medical provider's note or less frequent communication is acceptable. If a medical provider's note is required, it must be sent to the Human Resources Office.

Employees are expected to seek pre-approval for all leave. However, the College recognizes there are some circumstances where the need for personal leave is unexpected. If advance notice is not possible, the employee must notify the supervisor or designee by phone at the earliest possible time. Notice may be given by leaving a voice mail prior to work hours, or by talking directly to the employee's supervisor. Notification must be made by the start of the employee's assigned shift. If notification is left on voicemail before working hours, the employee is required to contact their supervisor during working hours at their earliest convenience. Personnel are required to give the earliest feasible absence notice. Giving notice to the switchboard operator or another employee is not sufficient. Notification shall be made by the employee, not a family member or friend, unless a verifiable emergency exists. The employee shall immediately notify the supervisor of any change in the employee's estimated return date or time.

Employees who are requesting extended leave, or leave that extends more than 15 work days, must provide at least two (2) months' notice of leave to their supervisor to identify coverage prior to departure. Leave that extends more than 20 work days, must be submitted three (3) months in advance. One week prior to departure, a written summary of outlined tasks, SOPs, and the identified position/employee who will be covering during the leave must be submitted to the employee's supervisor and the identified employee assisting with coverage. Leave extending more than 20 work days requires Presidential approval.

10.4 FAILURE TO NOTIFY. Failure to follow absence and notification requirements or excessive absence or tardiness are grounds for discipline, up to and including termination of employment. An employee's failure to timely advise their supervisor of an absence or to maintain contact as directed shall be considered job abandonment. Three (3) consecutive workdays of absence without leave or three (3) days of absence without leave in thirty (30) days is grounds for automatic termination of employment, which will be effective without advance notice to the employee. For non-exempt personnel, an unexcused absence or tardiness will be designated leave without pay. For exempt personnel and faculty, unexcused absences, failure to provide notice and lack of productivity will be addressed in a manner consistent with the employee's status. (BP 6.08)

10.5 PERSONAL LEAVE. Personal leave is designed to give eligible employees paid time off for relaxation, travel, illness and personal needs of the employee or the employee's family. In order to ensure the physical and mental wellbeing of its employees, Iñsaḡvik College requires employees to use at least 112.5 hours of personal leave during the calendar year. Supervisors are responsible for ensuring that each eligible employee is given the opportunity to meet this minimum usage requirement. (BP 6.08)

If an employee is absent for three (3) days or more for injury or illness, they must provide the Human Resources Department with a doctor's note upon request.

10.5.1 ELIGIBILITY FOR PERSONAL LEAVE. Personal leave does accrue during the Introductory period, but employees are not eligible to use personal leave until they have completed three (3) months (90 calendar days) of continuous employment. Regular full-time employees who work at least 30 hours per week are eligible for paid leave according to the years of service and related accrual rates as described in this Section. Regular part-time employees who work less than 15 hours per week are not eligible for any type of paid leave. Regular part-time employees who work at least 15 hours per week but less than 30 hours per week, are eligible for five (5) days of personal leave in a calendar year. (BP 6.07, 6.08).

10.5.2 RATE OF ACCRUAL. Leave accrual is based on length of service. Leave accrues at the rate set out in the following table. For exempt employees, leave accrues at a set rate, regardless of the actual hours worked in the week (which may be more or less than 37.5 hours). Non-exempt employees accrue personal leave based on actual hours worked, up to 40 hours per week. Accrual is not based on overtime hours worked. Leave does not accrue during periods of leave without pay. Increases in the rate of accrual are effective on the employee's anniversary date. If a full-time employee leaves Iñisaġvik College and returns to full time employment within 24 months, the employee will be granted the same accrual rate as when they left. This can be utilized one time.

Years of Service	Leave Accrual Rates
0-2	.1385 per regular hour (about 36 days per year)
2-5	.1654 per regular hour (about 43 days per year)
5-10	.1769 per regular hour (about 46 days per year)
10+	.1846 per regular hour (about 48 days per year)

10.5.3 LIMITATION ON ACCRUAL. To encourage employees to periodically use their leave, accruals are capped at a maximum of 495 hours at any given time. Once the cap is reached, the employee accrues no more leave until the accrual drops below the cap. In management's discretion, an employee may be allowed a specific time period in which to take leave. (BP 6.08)

10.5.4 LEAVE CASH-OUT. Utilizing the Leave Cash-Out Request form, an employee may request to be paid the value of a certain amount of accrued leave in lieu of time taken off work as personal leave. The employee must maintain a minimum leave balance of 112.5 accrued hours. Requests may be submitted up to four times during the calendar year. On approval, the cash-out of personal leave will be included in the next pay period's payroll run. Cash-out of personal leave must be used before a salary advance will be considered. Forms for such requests are available from the Business office. An employee is not eligible for cash out of personal leave before completion of 180 days of employment. Leave cash-out does not change the obligation of the employee to take at least 112.5 hours of time off during the calendar year.

10.5.5 DONATION OF PERSONAL LEAVE. Personal leave donations can provide some assistance to employees who may experience an unexpected family crisis that requires an employee's absence from the workplace. Upon approval of the President, employees may donate personal leave for use in emergency situations by other employees whose leave has been exhausted. Regular employees are eligible to receive donated personal leave, hour for hour, only (1) when all of their available personal leave has been exhausted, (2) they are not eligible for paid leave from any other source (e.g., short- or long-term disability), and (3) when additional leave is required for one of the following reasons: serious illness of the employee or the employee's spouse; serious illness of the employee's immediate family member; or other extraordinary circumstance that is health related. An employee who is donating personal leave must maintain the minimum leave balance of 112.5 accrued hours. An employee

may not use donated leave for vacation time. For leave donation or application forms, contact the Human Resources office. (BP 6.08). Donated leave is to be used only for medical emergencies, which should be restricted to a major illness or medical condition of the employee or family member of the employee that requires a prolonged absence. Any exception to this policy requires the President's approval. The IRS has also approved plans that include extended time off following the death of a parent, child, or spouse.

10.5.6 PAYMENT OF ACCRUED LEAVE AT SEPARATION. A non-Introductory employee's unused personal leave shall be paid to that employee upon termination of employment and confirmation that all Iñisaḡvik College's property has been received in original condition, less normal wear and tear. The cash value of unused personal leave of an Introductory employee who has not completed the first ninety (90) days of employment shall not be paid to that employee upon termination.

10.6 MILITARY LEAVE. Iñisaḡvik College is proud to support non-temporary employees in the United States uniformed service, and fully complies with the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), which details the rights and responsibilities of such service members, and with any applicable state laws.

10.6.1 ELIGIBILITY. A regular employee who works at least 15 hours per week and is a member of the United States uniformed service is eligible for paid military leave to fulfill military training and service obligations. Uniformed service includes: the United States Army, Navy, Marine Corps, Air Force or Coast Guard, and reserve forces in the foregoing; Army National Guard or Air National Guard; Commissioned Corps of the Public Health Service; other categories of persons designated by the President in time of war or emergency; the Alaska National Guard and other categories of persons designated by the Governor of the State of Alaska in time of emergency; and appointees of the National Disaster Medical System when federally activated or attending authorized training.

10.6.2 REQUEST FOR AND NOTICE OF LEAVE. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. An employee needing military leave should complete a leave request form. The employee has the choice of using accrued personal leave or leave without pay. The time off will be unpaid if the employee has no accrued personal leave. If reporting to regular active duty, the employee or an official member of the Service must notify the College in advance whenever reasonably possible. Employees leaving for training (active or inactive duty) must notify the College in advance. Leave will be granted so long as USERRA's cumulative 5-year limit on absences has not been reached.

10.6.3 PAYMENT. Employees are eligible to receive the difference between their regular wages and what was actually received from the military if less than their regular wages. Employees must submit their military pay stub to facilitate the calculation of the amount due the employee while on leave for two-week training assignments and shorter absences. The portion of any military leave of absence in excess of two weeks will be unpaid. However, employees may use any available accrued personal leave to continue their pay during the absence.

10.6.4 BENEFITS. During the first 30 days of military service, employees may continue health insurance coverage. The College will pay its portion of medical and life insurance premiums for employees for up to thirty days, with the employees' regular co-payment. After the initial 30-day period, the College will offer employees on military leave up to 24 months of continued (COBRA) coverage, for which the employee may be required to pay up to 102% of the full premium under the plan. If the employee previously elected employee-paid dependent coverage, the College will maintain the coverage for up to 30 days, and co-payments will continue to

be deducted from the employee's paycheck. Upon return to work, all benefits will be reinstated without a waiting period.

10.6.5 RETURNING TO WORK. If honorably discharged, the employee must apply for reemployment within the time periods provided by USERRA, which currently are as follows:

- For service up to 30 consecutive days, the employee must report back for the first regularly scheduled full work period after (i) completing service, (ii) traveling safely home, and (iii) taking a one-day rest period.
- For service of 31-180 days, within 15 days after completing the service.
- For service exceeding 180 days, within 90 days after completion of service.
- If a returning employee is hospitalized as a result of his or her military service, he or she can wait until the end of his or her recovery period (up to two years) to reapply or report back to work.

10.6.6 REINSTATEMENT. Employees returning from military leave will, to the extent possible, be returned to the position of employment they would have held if their employment with the College had not been interrupted, or to a position of like seniority, status and pay. The College will provide training to the extent necessary to qualify the employee for the position to which the employee is entitled. The College also will make all reasonable efforts to accommodate disabilities incurred during military service.

10.6.7 NO RETALIATION. The College prohibits discrimination or retaliation against any employee or prospective employee with regard to hiring, retention, promotion or reemployment because of past, present or future membership, or performance of ordered military duty, in any of the uniformed services.

10.7 JURY DUTY/WITNESS LEAVE. Iñisagvik College supports jury service and continues regular compensation during an employee's jury duty or service as a subpoenaed witness as provided below. All regular full-time and part-time employees, including faculty, called for jury duty, or who receive a subpoena to testify as a witness in a court or administrative proceeding, are eligible to receive up to 15 days of jury duty/witness leave, at the employee's regular compensation. If the period of leave exceeds 15 business days, the employee may use accrued personal leave, and once that is exhausted, leave without pay will be granted. An employee is ineligible for jury duty/witness leave if the employee is a party to the litigation or proceeding, or if the employee or a member of the employee's family or household holds a stake or interest in the litigation or proceeding, as determined by the College.

Employees must notify their supervisor as soon as they become aware of the need for jury duty/witness leave and must provide documentation certifying the dates of service and rate of compensation to be paid to the employee in connection with such service. Employees will be paid the difference between their regular wages and amounts paid to the employee in connection with the jury duty/witness service, or may, at their option, reimburse the College or sign over any payments made to the employee in exchange for their regular pay. Non-exempt employees who are excused from jury service, or whose witness time concludes before the end of the regular workday are required to report to work, unless authorized by the supervisor to take personal leave for the remainder of the workday. Exempt employees are expected to maintain communication with their direct supervisor to the extent feasible, and to provide any essential services needed by the College during hours that are not jury service.

10.8 ADMINISTRATIVE LEAVE. Management may authorize a specified period of administrative leave, with or without pay, for absences that do not fit into other categories and are authorized for reasons as deemed necessary by the department Dean or executive-level supervisor, with approval of the President. (BP 6.08)

10.9 SUBSISTENCE LEAVE. The College will grant leave to regular employees to participate in subsistence hunting, fishing, berry-picking or other subsistence activities, up to 10 working days per calendar year. Employees may use accrued personal leave or leave without pay will be granted.

10.10 LEAVE WITHOUT PAY. In certain situations, not covered elsewhere in this Handbook, the College may authorize an employee to take leave without pay. In general, all accrued leave must be exhausted before an employee takes unpaid leave. Review of requests for leave without pay will be made on a case-by-case basis, taking into account the nature of the employee's request and the institutional needs of the College. Leave without pay is granted solely at the College's discretion.

10.10.1 APPROVAL. All requests for leave without pay must be submitted in writing for approval by the supervisor. Any leave without pay that does not require the employee to first exhaust personal leave, must be approved by the supervisor and the Human Resources Executive Director.

10.10.2 EFFECT OF APPROVED LEAVE WITHOUT PAY. A period of authorized leave without pay gives the employee the following benefits: (1) continuation of group benefits for up to 30 days without additional cost to the employee; and if the employee pays the continuation cost, up to the full period of leave; and (2) the right to request reinstatement at the end of the leave. Approved leave without pay does not guarantee reinstatement at the end of leave, that a job will be held open for the absent employee, or that the position will not be eliminated.

10.10.3 GROUNDS FOR REQUESTING LEAVE WITHOUT PAY. In general, unless the employee's department is undergoing a very reduced workload, leave without pay will not be approved unless the employee submits serious reasons for the absence, such as: (1) statutorily required leave, including leave for medical conditions, illness or disability, including pregnancy or childbirth; (2) necessary childcare or parental leave; (3) leave to care for a disabled relative; (4) funerals or bereavement following the death of a close relative; (5) public service activities; and similar circumstances. Generally, chronic financial problems, visiting friends or relatives, recreational travel, seeking other work, incarceration or defending criminal prosecutions are not considered grounds for leave without pay. Under FMLA, certain "key" personnel may be denied reinstatement due to the difficulty of covering their position during an extended absence.

10.10.4 GROUNDS FOR DENYING LEAVE WITHOUT PAY. Leave without pay may be denied or limited due to business needs, staffing requirements, prior absences, or where the grounds for requesting leave without pay are not satisfied.

10.10.5 TIME PERIODS OF LEAVE. Leave without pay may not exceed ten (10) days in a calendar year, unless an exception (such as family and medical leave) applies. Where federal FMLA does not apply, and the employee cannot provide sufficient assurances that they will return to work at the end of the authorized leave, leave may be shortened, denied, or disallowed. Extensions must be requested in writing not less than one business week before the date scheduled for return. Generally, time extensions will be granted only in situations of extended medical disability. Any request for more than 10 days of non-FMLA/non-military LWOP in a calendar

year must be approved by the immediate supervisor, and any absence that has not been so approved is deemed to be unauthorized and subject to disciplinary action.

10.10.6 EFFECT ON BENEFITS. For authorized leave without pay of 30 days or less, group benefits will continue in effect, if permitted under the applicable plan.

10.10.7 EFFECT ON ACCRUAL OF ADDITIONAL LEAVE. Personal leave does not accrue during periods of leave without pay. Other paid absences from work, including paid holidays, are not available during periods of leave without pay.

10.10.8 LIMITATIONS. While on leave without pay, the employee may not obtain other employment and may not apply for unemployment insurance. Noncompliance with this requirement is grounds for termination of employment and reinstatement rights. For non-FMLA leave, an employee who takes action that is not fully consistent with an intent to return to work will be deemed automatically terminated and ineligible for return to work.

10.10.9 DISCIPLINARY LEAVE WITHOUT PAY. Leave without pay may be implemented for disciplinary reasons, such as a disciplinary suspension from work, unexcused absenteeism or tardiness, or to respond to the employee's noncompliance with procedures for taking paid leave. For exempt employees, disciplinary leave without pay will normally apply only for periods of one or more full workweeks in which the employee is fully released from work. Such decisions shall be made by the department Dean or executive-level supervisor, with approval of the President. (BP 6.15)

10.11 FAMILY AND MEDICAL LEAVE. The College provides all leave required by law, including, where applicable, leave under the federal Family and Medical Leave Act of 1993 ("FMLA") and Alaska Family Leave Act ("AFLA") (collectively "FMLA" *for convenience only* in this Handbook. These are two separate laws, and the details may differ in application). Family and medical leave provides eligible employees with a certain amount of leave, which may be paid or unpaid, where needed for certain family and medical reasons. Family and medical leave issues are complex, and this Handbook cannot cover every type of family and medical leave situation, nor can it cover every legal distinction between AFLA and FMLA. Employees should direct questions regarding their leave eligibility to the Human Resources office.

10.11.1 ELIGIBILITY. To be eligible for family and medical leave, the employee must have been employed by Iñisagvik College for at least 35 hours per week for at least six (6) consecutive months or 17.5 hours per week for at least 12 consecutive months immediately preceding the leave, and must work at a worksite where the College maintains at least 50 part- or full-time employees on the payroll within 75 road miles of the worksite where the employee requesting the leave is employed. If the worksite does not meet these size thresholds, the employee may use accrued personal leave and request additional unpaid leave (not governed by FMLA) as provided in this Handbook. Periods of leave, holidays and non-working days do not count towards eligibility.

10.11.2 ELIGIBLE REASONS FOR TAKING FAMILY AND MEDICAL LEAVE. To qualify as FMLA leave, the leave must be requested:

- For the employee's own serious health condition;
- To care for the employee's spouse, child or parent due to their serious health condition;

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for a covered service member who is recovering from a serious injury or illness incurred in the line of duty while on active duty; or
- Because of any qualifying exigency arising out of the fact that the employee's spouse, parent or child is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.

10.11.3 SERIOUS HEALTH CONDITION; VERIFICATION. The term "serious health condition" is defined by applicable state and federal laws, and generally requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider. A "serious health condition" qualifies with certification by a physician/health care provider within 15 calendar days of the College's request. The certification may be provided on forms approved by the U.S. Department of Labor and should state:

- The date on which the serious health condition commenced;
- The probable duration of the condition;
- An estimate of the time required by the employee for family care;
- That the serious health condition of the spouse, parent or child requires the participation of the employee during this period, or in the case of an employee's own serious health condition, the employee is unable to perform one or more of the essential functions of the position; and
- In the case of a request for an intermittent or reduced leave schedule, if medically necessary, the probable duration of such schedule.
- In addition, the certification may, at the employee's option, identify the nature of the serious health condition involved.

In the event of the serious health condition of an employee, the College reserves the option to require, at its expense, a second and/or third independent examination, and prior to approval of FMLA leave. If the employee is on leave for an extended period of time, or takes leave intermittently or on a reduced schedule, the College may require the employee to provide periodic medical recertification by a physician/health care provider on a reasonably frequent basis.

10.11.4 MILITARY CAREGIVER LEAVE. An employee is eligible for military caregiver leave if the employee is the spouse, child, parent or next of kin of a covered service member. Unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave, "next of kin" means the nearest blood relative (other than the covered service member's spouse, child or parent), in the following order of priority: blood relatives who have been granted legal custody of the covered service member by court order or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins.

A "covered service member" for purposes of military caregiver leave is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness that was incurred in the line of duty on active duty, as designated by the Department of Defense, that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.

10.11.5 QUALIFYING EXIGENCY LEAVE. For purposes of FMLA leave for a qualifying exigency, a "covered service member" is a member of the National Guard and Reserves on active duty in support of a

contingency operation. Eligible employees may use this leave for any qualifying exigency arising out of the fact that the covered military member is on active duty or is called to active duty status in support of a contingency operation. Qualifying exigencies include:

- Issues arising from the covered military member's short-notice deployment (i.e., deployment on seven (7) or less days of notice) for a period of seven (7) calendar days from the date of notification;
- Attendance at military events and related activities, such as official ceremonies, programs or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Certain childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, enrolling or transferring a child in a new school or day care facility and attending certain meetings at a school or day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence;
- Attending counseling provided by someone other than a health care provider for the employee, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;
- Taking up to five (5) days of leave to spend time with a covered military member who is on short-term temporary rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member; and
- Any other event that the employee and the College agree is a qualifying exigency.

10.11.6 CERTIFICATION OF MILITARY CAREGIVER AND QUALIFYING EXIGENCY LEAVES. FMLA leave for a military caregiver or a qualifying exigency must be supported by appropriate certification provided within fifteen (15) days of the College's request.

Military caregiver leave may be supported by a certification completed by an authorized health care provider on forms approved by the U.S. Department of Labor, or by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family. For purposes of confirming family relationships, the College may require the employee to provide reasonable documentation or a statement of family relationship.

Qualifying exigency leave may be supported by a certification from the employee on forms approved by the U.S. Department of Labor. In addition, the College may require the employee to provide a copy of the covered military member's active duty orders or other documentation issued by the military, which indicates the covered military member's active duty, or call to active duty status and the dates of such service.

The College may use a health care provider, a human resource professional, a leave administrator or a management official (but not the employee's direct supervisor) to authenticate or clarify an ITO, ITA or a medical certification of a serious injury or illness for military caregiver leave. Additionally, the College may contact the individual or entity named in a certification of qualifying exigency leave for purposes of verifying the existence and nature of the meeting, and may contact the Department of Defense to verify that a covered military member is on active duty or call to active duty status. The College will not require second or third opinions or recertification of a covered service member's serious injury or illness or of a qualifying exigency.

10.11.7 DURATION AND NOTICE. FMLA leave may include up to 18 workweeks during a 24-month period (AFLA) or up to twenty-six (26) workweeks of leave within a single 12-month period to care for a covered service member who is recovering from a serious injury or illness incurred in the line of duty while on active duty (FMLA). If FMLA leave is taken for the birth, foster placement or adoption of the employee's child, it must be completed within 12 months following the birth, adoption or placement. Employees who foresee taking FMLA leave should provide at least thirty (30) days advance notice, as in the case of birth of a child or a planned medical treatment. For events which are unforeseeable, notify the College informally as soon as you learn of the need for leave. Paperwork can be completed as soon as time allows.

10.11.8 PLANNING. Employees requiring foreseeable, planned, medical treatment or supervision must make every effort to schedule such treatment or supervision to avoid disruption to their work schedules. Employees who have been granted medical leave of an unspecified duration must report to or call their supervisor once each week to inform the College of their medical status, or on such schedule as the employee and supervisor agree.

10.11.9 INTERMITTENT LEAVE – SERIOUS HEALTH CONDITION, MEDICAL CAREGIVER AND QUALIFYING EXIGENCY. FMLA leave for the employee's own serious health condition, or for the serious health condition of the employee's spouse, parent or child, or to a covered service member with a serious injury or illness, may be taken intermittently or on a reduced schedule where medically necessary. FMLA leave due to a qualifying exigency may be taken intermittently or on a reduced schedule. If leave is taken intermittently or on a reduced schedule, the College retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits that better accommodates the employee's leave schedule.

10.11.10 INTERMITTENT LEAVE – NEWBORNS AND CHILD PLACEMENT. An employee may request that FMLA leave taken for the birth, adoption, or foster care placement of a child be taken intermittently, however, if intermittent leave is granted, the College typically requires that leave time be taken in full week blocks of not less than 2 weeks' duration. Employees are never required to take more leave than the condition or situation requires. FMLA leave taken for the birth, adoption, or foster care placement of a child must be concluded within one year of the birth, adoption, or placement.

10.11.11 FITNESS FOR DUTY CERTIFICATION. Iñsaḡvik College requires that employees returning from FMLA leave for their own medical needs to provide certification from a health care provider certifying the employee's fitness to return to duty, stating any work restrictions or necessary accommodations for the employee to perform the essential functions of the employee's job. Refusal to provide required medical certification will prevent return to work and may result in termination.

10.11.12 REINSTATEMENT ON RETURN TO WORK. Reinstatement upon conclusion of family and medical leave is governed by applicable law, which provides that the College will reinstate the employee to the

same or a substantially similar position, with the same or substantially similar benefits, pay and other terms and conditions of employment, except as permitted by law (for example, when the employee is defined as holding a “key” position). During the time the employee is on leave, each position continues to be subject to modification or other employment action based on the changing needs of the College.

10.11.13 PAY STATUS DURING FMLA LEAVE. Approved FMLA leave includes periods of both paid and unpaid leave. If the employee has no accrued personal leave, FMLA leave is unpaid. The employee must use and exhaust all personal leave prior to taking leave without pay. Paid leave does not extend the duration of FMLA leave: all or part of the FMLA period may be unpaid. For example, if an employee has four weeks of personal leave accrued, and needs 12 full weeks of FMLA, the first four weeks of FMLA leave would be paid, but the remaining 8 weeks of FMLA would be unpaid. No personal leave accrues, and holidays are not paid during unpaid leave. An application for FMLA leave is automatically deemed to be an application to use personal leave to the extent it is available, and to request unpaid leave for the remaining period of eligibility.

10.11.14 CO-WORKERS REQUIRING LEAVE FOR THE SAME PARENT/CHILD. Where both husband and wife work for the College, their combined leave to care for a child after birth, or after placement, or to care for a parent with a serious health condition, or for a qualifying exigency, is limited to 12 workweeks under federal FMLA, and their combined leave to care for a covered service member with a serious injury or illness is limited to twenty-six (26) workweeks. Under AFLA, if a parent or child of two employees has a serious health condition, the College is not required to grant family leave to both employees simultaneously. AFLA provides up to 18 weeks of leave.

10.11.15 CONTINUED HEALTH PLAN COVERAGE. During approved FMLA leave, the College continues the employee’s participation in the College’s group health plans, on the same terms as if the employee were still actively working. Within the first two weeks, the employee should contact Human Resources to make arrangements for paying the employee’s portion of the employee’s or dependent’s coverage. Under certain circumstances, if the employee fails to return from the leave, the College may recover any health premiums paid by the College on the employee’s behalf during the unpaid period of the leave. The reason for failure to return must be other than the recurrence or continuation of the health condition that brought about the leave or other circumstances beyond the employee’s control.

10.12 SPECIAL LEAVES OF ABSENCE. Special leaves of absence for professional development may be made available to executive or administrative staff in extraordinary circumstances, when it is determined that the interests of the institution would be best served by such a leave. Special leaves may be granted for study, formal education, or other experience of professional value to the College. Applicants must have completed at least five consecutive years of service within the College.

Special leaves may be granted for up to one academic year, which may be paid or unpaid. The granting of a special leave request and the terms and conditions of such leave is in the College’s sole discretion, on the determinative factor of the value added to the College from such leave, as well as the ability of the institution to cover the individual’s job responsibilities during the leave. If special leave is granted, the employee shall enter into a written agreement with the College outlining the terms and conditions of such special leave. Such agreement shall require the employee to return to work for the College for at least one full fiscal year following the leave, or to repay any and all monies provided to the employee or expended on the employee’s behalf in connection with such leave, including the cost of benefits, if any. (BP 6.08)

11. BUSINESS TRAVEL, EXPENSES AND VEHICLE USE

11.1 GENERAL. Iḷisaḡvik College reimburses employees for reasonable and necessary costs incurred in the course of employment, consistent with the College's business purposes and practices. In general, employees must obtain written authorization from their supervisor before incurring an expense on behalf of the College. No expenses will be reimbursed without receipts documenting the expense. The employee shall be responsible for timely advising the supervisor and relevant co-workers of the absence, and of the employee's contact numbers, in order to facilitate coverage and to coordinate work. (BP 6.05)

11.2 PER DIEM; REASONABLE TRAVEL EXPENSES. The College provides employees with per diem payments to cover meals and travel incidentals. Other reasonable travel expenses that are necessary to and directly associated with College business shall be reimbursable. The most direct, economical and practical route to the approved destination shall be used. Personal travel, layovers, and side trips are not eligible for reimbursement. All travel expenses must be supported by a receipt. Reasonable and customary tips for eligible travel-related services are eligible for reimbursement. Please note that travel that is authorized pursuant to a grant or other restricted funds may be subject to additional restrictions. Employees should check with their supervisor before scheduling any travel in this circumstance.

11.2.1 AIR TRAVEL. The College will reimburse or pay for employee air travel in coach or economy class. First-class or luxury class air travel paid by the College may be approved only by the President, however, employees may use any certificates, promotions or coupons to which they are entitled to upgrade a coach class ticket to business or first class. Fares and tickets shall be arranged through authorized College employees. Individuals may not charge expenses or fares to the College unless authorized in writing.

11.2.2 RENTAL CARS. When employees elect to drive while on College business travel, a rental car or other College-authorized vehicle must be used. The use of rental cars for authorized travel must be approved in advance by the employee's supervisor. Employees shall not be reimbursed for additional insurance purchased by the employee, such as the rental company's collision damage insurance. When employees are on trips that combine Iḷisaḡvik College business and personal travel, employees will not be reimbursed for car rental during the personal travel portion of their trip. Traffic violations and parking tickets are the employee's responsibility.

11.2.3 EXAMPLES OF EXPENSES ELIGIBLE FOR REIMBURSEMENT: Ground transportation (rental car, taxi, airport shuttle, parking); lodging; meals; baggage handling; essential valet; and business facsimile, internet and telephone. Customary payments for food and lodging to individuals or noncommercial entities are reimbursable when the travel is to a village lacking commercial facilities. Grocery expenses, in lieu of meals expenses, are reimbursable when renting a room with cooking facilities. The following are generally ineligible for reimbursement, unless approved by the President: entertainment; spouse travel; penalties (e.g., parking tickets and late fees); and personal services or recreation costs. Iḷisaḡvik College does not reimburse for personal vehicle use & mileage but does for fuel expenses incurred while otherwise working. Reimbursement is for official travel only.

11.3 USE OF COLLEGE VEHICLES. The College maintains a fleet of vehicles assigned to various College departments for daily business activities. Only College employees or persons authorized by the College may drive College vehicles. College vehicles are to be used for authorized College business only and parked at an appropriate College facility when not in use, unless otherwise approved by the department supervisor. Under no

circumstances may employees use College vehicles to commute to work or to leave College facilities for non-work purposes. Notwithstanding the foregoing, employees who are on an emergency 24-hour on-call status may remain in possession of the College vehicle assigned to them during non-working hours. (BP 6.06)

11.3.1 SAFETY REQUIREMENTS. All persons driving College vehicles must possess a valid driver's license and abide by all state and federal driving regulations and ensure that all passengers comply with this policy. Traffic violations and parking tickets are the employee's responsibility. In addition to generally accepted safety rules, the following rules must be observed at all times:

- Employees will operate College vehicles used for company business in a safe and lawful manner.
- All employees who drive as part of their duties will have a current, valid motor vehicle license at all times. All commercial drivers and heavy-duty equipment operators will maintain a current and valid license required to operate such vehicles.
- Seatbelts must be worn by the driver and all passengers.
- Appropriate safety seats must be used when transporting children;
- Smoking in College vehicles is not permitted.
- All use of College vehicles must comply with the Iḷisaḡvik College Code of Ethics.
- Employees will not use headphones or earphones while driving.
- All employees will be physically and mentally fit for the safe operation of any vehicle on company business.
- Employees will not drive when fatigued.
- Employees taking a prescription or over-the-counter medication that may affect their ability to drive will not drive on company business and will promptly notify their supervisor if they are taking any substance that may cause drowsiness or otherwise impair their ability to operate a vehicle.
- Employees are not to use handheld cell phones while driving and are not to send text messages or enter information into electronic devices while driving. Employees are to pull off traffic lanes to a safe area to use handheld cell phones unless an exception is approved by the President.
- Any traffic accidents or traffic citations will be reported immediately by the employee to his/her supervisor within 24 hours, unless the employee is physically or mentally unable to do so. A complete, accurate, written accident report will be submitted by the employee to his/her supervisor within 24 hours of any accident or traffic citation.
- All employees operating a vehicle on company business or rented on behalf of the company are to immediately report any moving violations, insurance violations, or inspection violations to the human resources office.

Driving an Iḷisaḡvik College vehicle is a privilege. Employees who misuse vehicles or violate this policy will be subject to discipline, including loss of driving privileges or termination.

Any traffic accidents or citations must be reported to your direct supervisor or the Dean of Administration within 24 hours. Comply with all laws, including contacting 911 if injury to property or person has occurred. Try to stay as calm and collected as possible. Carefully observe any damage to vehicles or property and take photos if possible. Provide insurance information to others and obtain their insurance information and names even if they don't appear to have been at fault. Timely and accurately complete all paperwork (including

a clear, accurate written internal report) related to the accident, using your best direct knowledge and information.

11.4 PERSONAL VEHICLE USE. The use of personal vehicles for College business is highly discouraged and only to be used when there are no other alternatives. Employees are required to use insured vehicles only and comply with the College's safety policies while on College-related business.

12. TRAINING, EDUCATION AND PROFESSIONAL DEVELOPMENT

12.1 GENERAL. Iḷisaḡvik College encourages and supports professional development and training which presents eligible employees with the opportunity to improve their knowledge and skills in order to achieve greater personal and professional goals.

12.2 ELIGIBILITY FOR PROFESSIONAL DEVELOPMENT OPPORTUNITIES: Professional development opportunities are available for regular faculty, regular full-time, and regular part-time employees. Temporary and Introductory employees are not eligible to participate in professional development opportunities at the College's expense, except with written permission from the employee's supervisor, executive-level supervisor, and the President. Employees must perform their jobs in a satisfactory manner throughout the training/education period. Employees who attend a professional development conference or training will be asked to prepare and present information that they learned via Lunch n' Learn or a presentation to their department. Professional development categories are listed below:

- **Training:** New hire. Little or no experience or education for the job. Non-career specific. Provide in-house instruction to bring person up to speed in order to do their job. Bring in a trainer or send out for training for specialized needs. Periodically send out to keep up with changes in processes or regulations. Development guided by supervisor. Learns from their training.
- **Professional Development:** New hire or promotion from within. Some education and experience in general, but not necessarily for the position. Possibly career path specific. Periodically send out to keep up with changes in processes or regulations. Attends professional association meetings annually to keep abreast of developments in their new field. Takes some responsibility for own development. Learns from their profession.
- **Career Development:** Has degree in field of expertise. Has experience in field of expertise. Career specific. May be required to maintain licensure. Attends professional association meetings annually to keep abreast of developments in field of expertise. Actively participates in professional associations as committee member, chair or officer. Gives presentations to others in area of expertise. Reads publications in area of expertise. Writes articles for publication. Corresponds with others outside the institution in similar careers. Plays a leadership role outside the home institution and is recognized as an expert in his or her field. Represents the college statewide, nationally or internationally. Takes major responsibility for own development. Contributes to their profession.
- **Continuing Education:** Continuing on an educational path for advanced degree or certification. This category includes support of permanent employees paid release

12.2.1 MANDATORY TRAINING: Mandatory Training: All employees are required to complete any mandatory trainings assigned by the Human Resources Department in compliance with state and federal requirements. Employees will receive mandatory trainings by email. New Hires must complete all mandatory

trainings during their first week of employment. Mandatory Trainings will be assigned annually in August during the Fall Orientation. The Human Resources Department will verify that mandatory trainings have been completed prior to issuing any merit increases upon completion of a satisfactory performance evaluation.

12.3 PROFESSIONAL DEVELOPMENT AND TRAINING ASSISTANCE: In certain circumstances and as funds permit, Iḷisaḡvik College may reimburse or otherwise fund eligible employees to attend job-related training or education when such training serves the best interest of the College, as determined by management. Eligible employees may apply for consideration for tuition assistance through the Iḷisaḡvik College Employee Scholarship Program. Approval of education and training reimbursement is solely within the College's discretion. (BP 6.07, 6.09)

12.3.1 COVERED EXPENSES: Eligible employees may apply for assistance up to \$2,000/semester (Fall and Spring). Requests for summer tuition are to be submitted using the Fall deadline.

12.3.2 GRADE REQUIREMENTS: The employee must successfully complete the class with a grade of "C" or better in coursework. For Pass/Fail trainings or courses, the employee must pass the course. Upon successful completion of the course or training, a copy of the final grade transcript should be presented to the Human Resources Department. Additional conditions may be applied in the administration's discretion.

12.4 REQUEST FOR EDUCATION/TRAINING. Employees may apply in writing in advance of the training by completing the Request for Professional Development/Training form. The completed form must be submitted to the supervisor describing the professional development or training opportunity, the expected cost of the course (tuition, books, travel, enrollment fees), dates, and why the employee believes it is in the College's interest for the employee to complete the course or training. The request shall be submitted for written approval to the following: (1) supervisor, (2) executive-level supervisor, (3) Human Resources Executive Director, and (4) President.

12.4.1 PROCEDURE FOR FACULTY. Professional development for faculty is covered under Section 19.10 of this Employee Handbook.

12.5 REPAYMENT OF FUNDS UPON SEPARATION. Iḷisaḡvik College invests funds for employee education and professional development in the good faith belief that employees who receive this benefit will continue their employment with the College for a certain length of time or otherwise fulfill the terms of their employment contract with Iḷisaḡvik College. Study and attendance at approved professional development training does not excuse an employee from maintaining satisfactory job performance.

If an employee resigns or if employment with Iḷisaḡvik College is otherwise terminated voluntarily within twelve (12) months of the date of completion of the professional development or training requested, the employee will reimburse the College 100% of the amount of funds expended on their behalf, including without limitation tuition, fees, and travel costs. Any amounts owed by the employee to Iḷisaḡvik College under these programs will be withheld from their final paycheck and the College may institute proceedings to collect any deficiency. If an employee's employment is mutually terminated, terminated by Iḷisaḡvik College, or Iḷisaḡvik College declines to offer an employment contract extending beyond the 12-months described above, agreements under these programs may be waived at the College's discretion.

If an employee does not successfully complete their semester of study (e.g., withdrawing from classes, failing classes, nonattendance, receiving less than a "C" for each course/class), the employee will agree in writing

to reimburse the College for the entire amount of the scholarship via payroll deductions or via close out payments if employment with Iḷisaḡvik College ends. The College reserves the right to specify further restrictions as a condition of accepting professional development funds in a written agreement between the College and the employee.

12.6 WORKING TIME DISTINGUISHED. Employees who wish to attend training during their regular work hours may request release time from work at a maximum of three (3) work hours each week to accomplish coursework or work-related classes. Participation in continuing education during the workweek requires prior written approval from the supervisor and the executive-level supervisor on a form supplied by Human Resources. Courses must be directly related to the employee's current position, an advanced position within the company, or an identifiable career path within the organization.

12.7 DOCUMENTATION. The employee shall retain proof of all allowable expenses, to be submitted to the Business Office upon completing the course. The employee's written request for education/training shall be maintained in the employee's personnel file.

12.8 TUITION WAIVERS. Iḷisaḡvik College waives tuition for regular non-Introductory College employees, their spouses and dependents who are enrolled in Iḷisaḡvik College courses. The employee, spouse or dependent must register and enroll in the class and must pay any applicable fees. The College reserves the right to limit the number of classes in which a tuition waiver is granted each semester. To enroll in a class scheduled during work hours, an employee must obtain the prior written approval of his/her supervisor. Course work must be successfully completed with a grade of "C" or better. Employees will apply in writing and agree to reimburse the College tuition for courses not successfully completed. If the employee separates from employment before the course work is completed, tuition will be deducted through payroll. (BP 6.07)

12.9 IŃU HOUR. Iḷisaḡvik College encourages participation in all cultural activities to include IŃu Hour, Qargi Events, IŃupiaq Fine Arts Festivals and Cultural Celebrations on campus and in the community. Employees are encouraged to participate and attend all regularly scheduled IŃu Hour events hosted by the IŃupiaq Studies Department, and are expected to attend at least one (1) minimum per month during the academic year. Supervisors and Managers should refrain from scheduling other meetings during scheduled IŃu Hours.

13. EMPLOYEE CONDUCT, BUSINESS STANDARDS AND ETHICS.

13.1 GUIDING PRINCIPLES. Employees are expected to devote their best efforts to the interests of the College and to the successful conduct of the College's affairs. The College expects all employees to conduct themselves with the highest degree of business ethics and integrity and, at a minimum, comply with all applicable federal, state, and local laws. In addition to legal compliance, employees are expected to demonstrate trustworthiness, integrity, and fairness in dealing with students, co-workers, vendors, business partners, and the public.

13.2 COMPLIANCE WITH LAWS. Iḷisaḡvik College expects diligent and consistent compliance with all federal, state, and local laws and ethical requirements applicable to the College's mission, educational and business efforts, operations, personnel, projects and other obligations. To accomplish this goal, all employees are required to comply with applicable laws, ethical and business standards. If you become aware of violations with

the College, report your concerns to your supervisor or the Human Resources office. If you believe you may have violated policy or law, even inadvertently, you are responsible for self-reporting the potential violation or conflict.

13.3 OUTSIDE EMPLOYMENT. Regular full-time employees shall devote their full attention to the duties of their position. An employee may not engage in employment outside Iñisaḡvik College without the prior written approval of their executive-level supervisor. To obtain approval, employees will submit a Disclosure of Secondary Employment form to their direct supervisor. Outside employment may not adversely affect the employee's work performance for the College.

13.4 PARTICIPATION IN COMMUNITY AFFAIRS. All employees are encouraged to participate in civic affairs, to practice good citizenship, and to take an active interest in community activities of a charitable, religious, fraternal, or civic nature. However, employee participation in community affairs must not adversely affect the employee's job performance or be detrimental to the College's interests. Time spent in such activities normally should be outside of the employee's working hours and will not be considered hours worked for pay purposes, except with the written approval of the President. Leave for public service requires supervisor's approval and must be reported on the employee's timesheet.

13.5 POLITICAL ACTIVITIES. In general, employees may not support or promote any political activities or interests during work hours or with any College resources or make decisions on the basis of any political consideration.

13.6 ACCEPTANCE OF GIFTS AND GRATUITIES. Employees and members of the employee's immediate family are prohibited from accepting gifts or gratuities (including meals and gift certificates) from vendors or any person or entity performing services under contract with the College, except for gifts that have a nominal value, such as hats with logos. Employees should report all gifts they receive from such persons to their immediate supervisor. (BP 6.15)

13.7 CONFLICTS OF INTEREST. Employees shall be responsible for disclosing any personal interest, business interest, or interest of a family member, which may potentially conflict with the interests of the College. Disclosures shall be made to their supervisor. The employee shall provide all factual information that is necessary for management to determine whether an actual or potential conflict, or an appearance of impropriety, exists. The College may relieve the employee from certain functions or responsibilities, and take any other appropriate action, in order to avoid the appearance of impropriety as well as any actual or potential conflict of interest. In addition, all employees must comply with the conflicts of interest provisions set forth in Board of Trustees Policy 5.02 (Procurement).

13.7.1 FAMILY MEMBER: For purposes of this policy, "family member" means the employee's current spouse, child, sister, brother, son-in-law, daughter-in-law, brother-in-law, sister-in-law, parent, grandparent, or grandchild. In the judgment of management, "spouse" may include a former spouse, girlfriend, boyfriend, life partner, or member of the same household where the relationship bears characteristics normally associated with marriage.

13.7.2 BUSINESS INTEREST: "Business interest" includes any significant interest in a venture, business or enterprise, such as ownership, employment, or investment in a business, joint venture, corporation, partnership, or other entity which engages in business, or which may in any way expect to benefit directly or indirectly from a transaction with the College, or which competes with Iñisaḡvik College. Shareholder status with

any corporation which is not publicly traded constitutes a “business interest”, excluding ANCSA corporations, when the employee is not an officer or director. A business interest of an employee’s family member (defined above) is also a business interest of the employee.

13.8 CONFIDENTIALITY. Employees understand that in the course of working for Iñsaḡvik College (“College”) they may learn of or have access to protected information that must be protected from disclosure.

“Protected Information” includes confidential, proprietary or personal information regarding faculty, staff, students, parents, trustees, alumni, vendors, the College and/or any minor enrolled in a College program. Such information may be informally known, orally stated, on paper, in electronic/digital form, vision on-screen displays, in computer-readable form, or otherwise may include, but not limited to, medical/health, financial, employment, contractual or institutional data.

“Personal information” includes information that can be used to identify a person and from which judgments can be made about a person’s character, habits, avocations, finances, occupation, general reputation, credit health, or other personal characteristics.

“Proprietary information” includes commercial or intellectual property belonging to the College, consultants, contractors, and/or stakeholders that if released may allow others to gain a competitive and/or financial advantage over the owner of the commercial or intellectual property released or may cause damage/adversely impact the legal owner of the commercial or intellectual property. For illustrative purposes, examples of proprietary information include, but are not limited to, bids for purchase received by the college; various reports pertaining to finances, the College’s performance, student performance, etc. For example, the Peer Evaluation Reports from NWCCU, would fall under this provision. Similarly, reports that are shared with committees and faculty, are considered proprietary and cannot be shared outside of the organization. Grant information, external performance evaluations on grants (such as Achieving the Dream and Holistic Student Support Initiative) are additional examples of information that is proprietary and confidential.

The products of academic work created by employees of the College do not fall under the “Proprietary information” provision. “Academic products” are the joint property of the College and the employee(s) who created the product (tangible or intellectual). For illustrative purposes, examples of academic work include, but are not limited to, syllabi, instructional materials, learning management system products, assignments, and assessments/evaluations. The College retains the right to use and share academic products while the employee has equal rights to use, share, and distribute academic products created by the employee. Exceptions to the use of academic products are understood in the case of publishers who may retain copyright over such products. In these instances, the College will be informed and provide approval for ownership to be transferred to the publisher; acknowledgement of the College as employer and funded must be safeguarded.

- Employees shall affirm via disclosure form that they will not in any way access, use, remove, disclose, copy, release, sell, loan, alter or destroy any protected information except as authorized by the College within the scope of their duties for the College.
- Employees must comply with applicable local, state and federal laws and College policies.
- Employees agree that they will not search the College’s data for personal reasons or for reasons not directly related to and authorized by their position.
- Employees understand that they have a duty to safeguard and protect confidentiality and to avoid and prevent misuse of confidential information. These duties continue after the employee no longer works or

volunteers for the College. In addition, upon termination of employees affiliation with Iḷisaḡvik College, or earlier as instructed by the College, employees will affirmatively cooperate in returning all information in hardcopy form or shared on their devices.

- Employees understand that if they remove, receive, or possess protected information while off duty or away from the college, they remain responsible for protecting against data breaches, hacking, ransomware, theft and other misuse of data to the best of their ability.
- Employees will promptly notify the College of any breach of security, loss or suspended loss of data, or violation of policy.
- Employees understand that any questions or concerns about information security should be directed to their supervisor.

Employees understand that any access and release of any student educational records must be in full accordance with federal law (FERPA) and College procedures. Access and release of any health records must be in accordance with HIPAA and other personal privacy protections. Any personal information viewed or accessed by an employee through College systems or records will not be shared or released to others unless there is a legally permissible purpose for doing so.

Employees understand that they will be directly and personally responsible for any misuse or unauthorized disclosure of confidential information, including failure to safeguard their access codes, passwords, or devices.

Violation of law or policy will result in discipline, which may include, without limitation, discharge from employment, and expulsion from the College and/or criminal prosecution under appropriate state and federal laws.

The employee's obligations under this Agreement are effective during and after their affiliation with Iḷisaḡvik College.

Employees understand that if they are uncertain about what constitutes an appropriate release or lawful use of protected information, they must err on the side of confidentiality and refer to questions about requests for personal information from College systems or records to their supervisor, before disclosure or release.

13.9 COMPETITION. No employee may compete with Iḷisaḡvik College, its subsidiaries, or affiliates. Competitive activities such as misappropriation of corporate opportunities, disclosing or using information for improper purposes, soliciting clients or customers, and soliciting co-workers shall constitute grounds for termination.

13.10 PUBLIC STATEMENTS AND APPEARANCES. Employees may not speak on behalf of the College to any representative of the media, except with prior approval from the President. Inquiries from the media should be directed to the President. Employees asked by an outside agency or organization to appear in public forums on behalf of the College, or to speak about the College as guest speakers or program presenters, must obtain prior approval from the President.

13.11 CHAIN OF COMMAND. The chain of command is established by the Iḷisaḡvik College Organizational Chart, which identifies departments and management for lines of authority and communication. Organizational capacity and the College's Strategic Plan must be considered during the planning and decision making process. To

achieve desired results for the organization, the management structure must be followed for these processes. Employees are responsible for communicating with their direct supervisor and following the chain of command for resolving workplace issues and matters of importance. See Section 14.4 regarding filing complaints of discrimination or harassment. Examples of matters of importance are listed below:

- Soliciting services, goods, materials, funds, or equipment;
- Entering into agreements with outside organizations;
- Communicating sensitive information;
- Providing recommendations for department-wide changes; and
- Filing complaints.

13.12 USE OF EQUIPMENT OR RESOURCES. The resources and equipment at work are intended for business use. The College reserves the right to search or monitor its own property, including College premises, furniture, and equipment, whether or not the property is assigned to a particular employee for his or her sole use. Employees who choose to use College equipment or resources for personal activities should familiarize themselves with the College's policies regarding communications, social media, and electronic equipment (see Section 13.12 of this Handbook). The College reserves the right to inquire about the employee's use of any equipment or facilities. Employees who have used College equipment for personal activities may be required to account for and reimburse the College for such use. Excessive or inappropriate personal use will be disciplined.

13.12.1 REIMBURSEMENT TO COLLEGE FOR EQUIPMENT DAMAGE OR PERSONAL USE. Iḷisaḡvik College reserves the right to seek compensation for damage to College equipment if it appears that the equipment was damaged through abuse, misuse, or neglect. Employees who have used College equipment for personal activities may be required to account for and reimburse the College for such use, including personal charges that exceed plan limits. Excessive or inappropriate use may be disciplined.

13.12.2 OTHER LIMITATIONS. The use of College equipment or property may be subject to other conditions set forth in a specific use agreement between the College and the employee.

13.13 COMMUNICATIONS, SOCIAL MEDIA AND ELECTRONIC EQUIPMENT. This policy establishes a Code of Ethics and responsibility for Iḷisaḡvik College's communication systems and equipment, including electronic equipment, internet, email, telephones, and cell phones. Electronic equipment and software are the property of Iḷisaḡvik College, and may be used by employees for business purposes. The College maintains these systems as a privilege for the purpose of improving individual productivity, facilitating communication and the decision-making process, and promoting continuous education and research. Cell phone numbers belong to the College.

13.13.1 LIMITATIONS ON USE. Certain positions within the College require a cell phone to fulfill job responsibilities. Employees in these positions are expected to carry a cell phone on their person and answer College-related calls at all times for the College's convenience and benefit. Employees have the option of using a cell phone and services plan paid for and provided by the College. Alternatively, employees have the option of using their personal cell phones and service plans, eliminating the need to carry two cell phones. Employees who choose this option must provide the College with their current cell phone number and immediately notify the College if the number changes. They will not be reimbursed for any college-related costs and expenses incurred on their personal service plans.

Employees are advised that they have no expectation of privacy in their College-provided cell phones, and limited privacy in their personal cell phones as they pertain to College-related business. The College is considered a public entity and state public records laws and the Freedom of Information Act may apply to communication records and data (such as details of calls, emails, texts, and photographs) relating to College business. Personal cell phones and the data therein may be subject to public disclosure and are discoverable in litigation and other government proceedings.

Employees may not place long distance telephone communications for personal use at College expense or receive personal calls on the incoming 1-800 line. Reasonable personal use of e-mail, social media, and the internet is permitted on non-working time (breaks, lunchtime). Use of College equipment and resources may not interfere with an employee's job performance.

13.13.2 EMPLOYEE USE OF E-MAIL, CELL PHONES, SOCIAL MEDIA, THE INTERNET AND OTHER COMMUNICATIONS IS NOT PRIVATE. The College reserves the right to monitor, review, audit, intercept, access, and disclose all matters related to its communication systems at any time, with or without employee notice. Employees waive any right to privacy pertaining to messages or content, and consent to give access to and disclose messages or content as directed by the college. Iñisaġvik College reserves the right to read and disclose the contents of messages or documents for any purpose consistent with the business or educational interests of the institution. All communications should be business-related, professional, and courteous, with the expectation that the communication could be made public at any time. There is no guarantee of privacy, confidentiality, or security when using these systems. Any monitoring of communication will be at the direction or approval of the President, or Presidential designee. All official college business conducted via email shall utilize the official college email system. The President may authorize use of additional highly secure communication systems to protect confidentiality or as required by law.

13.13.3 CERTAIN USES PROHIBITED. Due to the pervasive nature of social media (including any application for online publication or commentary, texting, social networking sites such as Facebook, LinkedIn, Twitter, Flickr and YouTube), problems or confusion can result when others are unable to distinguish between an employee's personal life and their role at the College. Other than an incidental mention of the employee's position at Iñisaġvik College, any publication or commentary that suggests affiliation with the College must be authorized by the supervisor, in advance, in writing. Use of the College's logo is prohibited unless used with prior approval. Publications and commentary must strictly comply with the College's confidentiality and business ethics policies. Employees must be honest and fair in all their dealings with regard to publication and social media commentary, and must not disparage students, co-workers, or the College's vendors. Employees shall not direct family, friends or third parties to publish or comment on social media anything prohibited by this policy.

Certain uses of electronic communication are strictly prohibited including, but not limited to, usage that:

- Can be considered offensive, abusive, discriminatory, profane or harassing;
- Can be considered disruptive to normal business activity and other employees;
- Promotes personal business ventures, including online stock trading;
- Supports participation in and solicitation of non-job related activities;
- The transmission and distribution of unauthorized confidential business information, copyrighted material, or material protected by trade secret is prohibited;
- The downloading of any unauthorized or pirated software for business or personal use is prohibited; and

- Installation of computer software and hardware is prohibited without the prior approval of the Information Systems department.

Definitions:

"Social Media" includes any form of electronic communication through which users create online communities to share information, ideas, personal messages, videos, and other content. Social media includes, but is not limited to, websites such as Facebook, Twitter, Skype, LinkedIn, YouTube, Instagram, and Pinterest.

"Employees" include Iḷisaḡvik College employees, faculty, students, and volunteers.

I. Employees' Use of Social Media as an Individual

Employees may not use Social Media during their scheduled work hours unless work-related.

Supervisors should not use Social Media to communicate policies or workplace issues to employees.

Your online presence may reflect on Iḷisaḡvik College. Be respectful of others, employees, students, contractors, and the public.

Be respectful to the institution, other employees, customers, partners, competitors, and the public at large.

Employees should never represent themselves or the College in a false or misleading way. All statements must be true and not misleading; all claims must be substantiated.

Do not disclose, post or share proprietary College information, data, or communications. This includes, but is not limited to, intellectual property, operating plans, vendor communications, financial data, internal presentations, and correspondence.

Do not post a person's photograph or video image without first obtaining permission from anyone depicted in the photograph or video.

All media taken with Iḷisaḡvik equipment during official work hours is owned by the college. All media stored on the Iḷisaḡvik servers such as the U:Drive, media drive, etc. are property of Iḷisaḡvik College. Therefore, media should not be disseminated on any social media accounts without the permission of the Marketing Division. Employees may not redistribute or share photos to other organizations or third-party users without the permission of the Marketing Division with final approval from the College President.

Do not attempt to mask your identity or attribute your comments to another person (real or fictitious).

Do not insult, disparage, disrespect or defame the College or members of the Iḷisaḡvik community.

Employees may post or display comments on Social Media about working conditions,, hours, or terms of employment with the following limitations:

1. Employees may not use Social Media to communicate personal complaints or gripes about co-workers or supervisors that are demeaning, offensive, abusive, vulgar, obscene, defamatory, threatening, intimidating, violent, pornographic, or unethical; and
2. Employees may not use Social Media to post or display comments or images that violate Iḷisaḡvik College's policies against discrimination or harassment based on age, race, religion, sex, sexual orientation, ethnicity, national origin, physical or mental disability, parenthood, marital status, or other protected class, status, or characteristic.

Subject to applicable law, online activity that violates the College's policies may subject an employee to disciplinary action, including dismissal.

II. Official Social Media Platforms Administered by Iḷisaḡvik College

Iḷisaḡvik College Marketing Division manages the website and social media sites which are the primary methods of social media presence. The Marketing Division will be the originator of all social media sites/accounts. Institutional sites that represent Iḷisaḡvik College as a whole must be authorized in advance through the Marketing Division and with final approval from the President of Iḷisaḡvik College.

As an employee of Iḷisaḡvik College you grant Iḷisaḡvik College authority to: (i) record any employees' likeness and/or voice on a video, audio, photographic, digital, electronic or any other medium; (ii) use any employees' name and biographical material in connection with such recordings; and (iii) use, reproduce, exhibit, and/or distribute any employees', biographical material, and such recordings in any medium (e.g., print publications, video, internet, etc.) for promotional, advertising, educational, and/or other lawful purposes. Any employee releases and waive any claims or rights of compensation or ownership regarding the above uses and understand that all such materials shall remain the property of Iḷisaḡvik College.

Any employee may elect to sign a Media Non-Release Form. Forms will be completed upon hire as well as upon the employees request thereafter. Employee information will not be published in any promotional, advertising, educational, and/or other lawful purposes.

Employees should seek guidance before participating in social media when the topic under discussion may be considered sensitive (e.g. a crisis situation, intellectual property, issues which may impact on the College's reputation, commercially sensitive material). Social media activity around sensitive topics should be referred to the Marketing Division.

Strive to be accountable to Iḷisaḡvik audiences via regular updates and prompt responses when appropriate.

Each authorized Iḷisaḡvik College social media site will have the option to have a designated administrator to assist with keeping the sites up to date. The Marketing Division must be notified of any changes or additions to designated administrators. Changes will be made and managed based on the employment status of the individual.

Any questions regarding site administration or Usage Guidelines may be addressed to the Marketing Division. Questions regarding copyright, privacy, advertising, and other legal requirements may be addressed to the Human Resources department.

13.13.4 RESPONSIBILITY OF ALL EMPLOYEES. Any employee who witnesses, discovers or has knowledge of another employee using electronic communication systems in violation of this policy, or federal, state, and/or local laws or regulations should notify their supervisor or the Human Resources Executive Director.

All employees are required to sign a written acknowledgement of receiving and reading the College's social media policy. The acknowledgement form will be kept in the employee's HR file.

13.14 PERSONAL ITEMS IN THE WORKPLACE. Employees are expected to keep their workspace clean, organized and professional, however, it is anticipated that employees will bring personal items to the workplace in the normal course of employment, and that such items will be removed by the employee at separation. Employees are discouraged from bringing items of significant monetary or other value to the workplace. Iḷisaḡvik is not responsible for employees' personal items. The College may restrict the employee's access to the worksite, and supervise the employee's removal of personal items, at separation of employment and at other times deemed appropriate, to safeguard the College's confidential and trade information, as well as the College's equipment.

13.14.1 SERVICE ANIMALS. In compliance with applicable law, the College generally allows *service animals* (term defined below) in its buildings, classrooms, residence center, cafeteria, recreational center, activities and events when the animal is accompanied by an individual with a disability who indicates the service animal is trained to provide, and does provide, a specific service to them which is directly related to their disability. The College may not permit service animals when the animal poses a substantial and direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. The College will make those determinations on a case-by-case basis.

Definition: A service animal is defined as any animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability, and meets the definition of "service animal" under the Americans with Disabilities Act - 28 CFR 35.104. The work or tasks performed by the animal must be directly related to the individual's disability.

Conflicting Disabilities: Some people may have allergic reactions to animals which are substantial enough to qualify as disabilities. The College will consider the needs of all persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact the Educational Access Coordinator. Employees who have allergies should promptly contact their supervisor or human resources.

13.14.2 OFFICE CLEANLINESS. Iḷisaḡvik College establishes this provision on office appearance in accordance with its values of safety and professionalism. Iḷisaḡvik College requires employees to organize their areas, secure work materials, and to present an orderly and professional image. Employees should keep all common areas and their individual work areas neat and orderly and ensure floors are clear of tripping hazards

Employees should leave public areas, such as the lobby, kitchen, copy machine areas, coffee stations, conference rooms, and restrooms in a clean and orderly condition for guests and other employees.

13.15 WORK PRODUCT. Iḷisaḡvik College retains all rights related to or arising out of employee work product where such work product, or any part thereof, is developed or otherwise derived as part of the employee's responsibilities to the College, on College time, or with College resources or the assistance of College faculty, staff or students. Work product includes, but is not limited to, materials, curriculum, and instructional

materials, including those materials developed with the use of software or non-traditional methods of delivery, devices, research discoveries, software, electronic or paper documents, media, images, reports or publications, and other intellectual property of the College.

13.16 CHILDREN IN THE WORKPLACE. Employees with dependent children are expected to make arrangements for the proper care of their children while at work, as the workplace is not an appropriate environment for minors on a regular basis in lieu of other childcare arrangements. The College recognizes that occasionally an emergency situation may arise that leaves an employee with no alternative but to bring a child to work. Under appropriate circumstances, permission may be granted if safety issues (e.g., stairs, stairwells, windows, office machines, hazardous materials) have been addressed.

Prior to bringing a child to work, the employee must contact their supervisor to discuss the situation and to obtain permission. Supervisors and employees will consider the age of the children, safety issues, how long the children need to be present, any possible disruptions, confidentiality factors, appropriateness, and any liability created by the presence of children in the workplace. Taking into account guidelines listed below, exceptions may be granted for brief, unanticipated circumstances or emergencies.

With prior permission, an infant who is six (6) months of age or younger may remain with the parent in the workplace for a limited time. Supervisor approval may be rescinded if the infant's presence becomes disruptive to the employee's or co-workers' work environment or if the supervisor determines that the infant is or may be at risk in the workplace.

Children in the workplace are subject to the following guidelines:

- No child may be allowed into an area that is potentially hazardous. Appropriate precautionary measures should be taken, and direct parent supervision is required at all times.
- Exceptions do not apply to sick children.
- Children brought to the workplace will be the responsibility of the employee parent and must be under the direct supervision of the employee parent at all times.
- An exception, if granted, may be rescinded at any time by the supervisor, Dean, Director, and/or Human Resources Executive Director.
- Employees must sign a waiver and release of liability form.

13.17 ISSUANCE AND USE OF CREDIT CARDS. The College issues credit cards to certain employees to facilitate business expenses and purchases that are authorized by Iñiaḡvik College policies, pre-approved, and allowable by law. Only allowable reasonable business charges may be incurred through use of the College credit card. No personal charges of any kind are allowed.

It is the cardholder's responsibility to establish to the College's satisfaction that all charges to the credit card are proper and allowable. The cardholder is responsible for submitting receipts, itineraries, invoices and other documentation required by policies. The cardholder is also responsible for protecting the card and card number against misuse, identity theft, and for immediately reporting loss, theft, improper charges, unauthorized use, loss of identification or PIN numbers to the proper authorities, including the credit card issuer and the College's Business Office. Please note the following:

- The Approving Official and Cardholder must complete required training on the proper use of the card before the card is disseminated for use.
- All Cardholders must agree as a condition of acceptance to reimburse the College for any and all unauthorized or ineligible charges.

- All Cardholders must sign an Agreement of Cardholder Accepting Conditions of Credit Card Issuance.
- Cardholders are responsible for the proper use and safeguarding of the card(s) issued in their name.
- The Cardholder must approve all transactions.
- Employees are to sign their own name when making a purchase with a credit card.
- Stolen, lost or illegal activity **must** be immediately reported to the Business Office and direct supervisor.
- Cardholders are responsible for reconciling transactions and providing supporting receipts to the Business Office each month.

Failure to comply with this Policy will result in cancellation of the credit card and collection action. In addition to financial responsibility and liability for improper or ineligible charges, additional sanctions for employees are subject to disciplinary action, up to and including termination of employment, depending upon the severity and nature of the offense.

13.18 GROOMING AND PERSONAL APPEARANCE. Employees are expected to be well-groomed, clean, and neat. Work attire should complement an environment that reflects a professional organization. Every Tuesday has been designated as Traditional Tuesday encouraging the wearing of traditional Iñupiaq clothing. Friday has been designated as Iḷisaḡvik College Day and wearing clothing with the College logo is encouraged. Proper work attire includes clothing that covers the back and midriff.

Based on working conditions, the Occupational Safety and Health Act may require employees to wear certain items such as a hard hat, safety glasses, breathing device, a mask, or not wear certain items such as long skirts or scarves.

Employees representing Iḷisaḡvik College on work trips to provide instruction, hold informational meetings, or attend recruiting events should wear professional work attire, traditional Iñupiaq clothing or clothing with the College logo.

13.19 EDUCATION RECORDS. An education record is any record that is directly related to a student and maintained by Iḷisaḡvik College or by a party acting for the College. In certain circumstances, the following records are not considered education records covered by FERPA:

- A faculty or staff member's personal notes about a student for use as a memory aid that are not shared with others (***Please Note:*** these notes must be kept separate from the student's education records and files in order to meet the exception);
- Law enforcement records;
- Employment records;
- Medical records relating to treatment; and
- Post-enrollment records.

*Consult the Registrar's Office before releasing any of the above records.

13.20 DISCLOSURE OF EDUCATION RECORDS. Except under certain specified circumstances, you may not disclose personally identifiable information from a student's education records unless the student has provided a

signed and dated written consent that specifies the records that may be disclosed, the purpose of the disclosure, and the party to whom the disclosure may be made.

13.20.1 Exceptions to the Consent Requirement:

- **The Student:** You may disclose personally identifiable information from a student's education records to that student.
- **Other College Officials:** You may disclose personally identifiable information from a student's education records to another College Official who has a legitimate educational interest in reading the record. A "College Official" includes any person employed by the College in an administrative, supervisory, academic, research or support staff position, and any person contracted by the College to perform services.
- **Please Note:** You do not have permission to read a student's education records unless you have a "legitimate educational interest" in the record. You have a legitimate educational interest in a record if you need the record in order to fulfill your professional responsibilities for Iñsaḡvik College. *Curiosity does not qualify as a legitimate educational interest.*
- **Health or Safety Emergencies:** If, in light of the totality of the circumstances, you determine that there is an articulable and significant threat to the health or safety of a student or other individuals, you may disclose personally identifiable information from a student's education records to anyone who may need the records to respond to the threat. In addition, under the "Other College Officials" exception, you may discuss health or safety concerns about a student with another College Official who has a legitimate educational interest in the information.
- **Directory Information:** You may disclose personally identifiable information from a student's education records when such information has been appropriately designated as directory information, unless the student has advised otherwise in accordance with College procedures. "Directory information" is information contained in a student's education records that would not generally be considered harmful or an invasion of privacy if disclosed.
- **Please Note:** Students are permitted to opt out of the disclosure of directory information. For this reason, before you disclose directory information, you must consult the Registrar's Office to see whether the student has submitted an Opt-Out Form.
- **Other Exceptions:** FERPA includes a number of other exceptions to the student consent requirement. Please consult the Registrar's Office before disclosing personally identifiable information from a student's education records to anyone other than the student, a College Official with a legitimate educational interest, or someone who can assist with an urgent health or safety concern.

Important Reminders

- **Posting Grades:** Under FERPA, the College may not disclose a student's grades to another student without the first student's prior written consent. Do not post or display grades publicly or to other students if grades are linked to a student's name, student ID number, or other personal identifier. Instructors are required to use a unique ID or number known only to the instructor and the individual student when publicly posting grades.
- **Letters of Recommendation:** If a letter of recommendation will include your personal observations only, you do not need to obtain the student's written consent. However, if the letter will refer to the student's grades or other education records, the student will need to provide written consent. Also, please be advised that a recommendation for a student will become an education record that the student is entitled to review. However, you may ask students to waive their right to review letters of recommendation. The waiver must be in writing.

- **13.5 HIPAA:** HIPAA Health Insurance Portability and Accountability Act, 1996. The goal of HIPAA is to protect privacy of personal health care information while also permitting the flow of health information needed to provide and promote high quality health care and to protect the public. HIPAA strikes a balance by allowing necessary and appropriate use of health information, while protecting the privacy of individuals seeking care, healing and health protection. The Rule provides detailed provisions to address those uses and disclosures that are appropriate and customary, and those that must have prior consent of the individual affected. Employees of the College are expected to maintain the highest protection for individual health care information, to be alert to potential disclosures, and to seek guidance when questions arise.

13.21 FERPA. The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the confidentiality of student education records. Information about student rights under FERPA is published annually in the College's Student Handbook. Faculty and staff members of Iḷisaḡvik College share the legal responsibility for upholding the privacy protections in FERPA.

Our students expect the College to be fully compliant with FERPA at all times. We describe and publish the students' FERPA rights each year in the Student Handbook. The law defines protected student education records and identifies prohibited and permitted disclosures. It regulates which employees have the authority to access a student record. FERPA also contains exceptions to protect public safety when emergencies occur.

Most records directly related or personally identifiable to a student are "education records" to which FERPA applies. As a faculty or staff member, you are an agent of the College. Thus, for the most part, other than a personal record maintained by you, that is kept in your sole possession, that is used only as a memory aid, and that is not accessible or revealed to any other person (except a temporary substitute for you), any document or information that you create or that is provided to you that contains information that is personally identifiable to one or more students, is an education record and is subject to FERPA's confidentiality, non-disclosure, and student (and often parent) access requirements.

You may not disclose to anyone, other than to the student or to others at the College with a legitimate educational interest, any record or information directly related or personally identifiable to a student, unless it is directory information as defined above or unless you have the written consent of the student. Faculty members from whom students request a letter of recommendation should feel free to discuss the student's performance in class and any "directory information." Without the written consent of the student, however, the faculty member should not disclose any information beyond the foregoing. If you receive a request to provide information about a student, you should consult with the Registrar's Office.

If more than one student is referred to in a given record, any information not applicable to the requesting student must be redacted. That is, you may not share information regarding a student with other students (unless it is directory information as defined above).

You should also understand that your students, and oftentimes their parents, may request access to their education records at any time.

14. HARASSMENT AND DISCRIMINATION

14.1 PROHIBITION OF DISCRIMINATION, HARASSMENT AND SEXUAL MISCONDUCT. Iḷisaḡvik College strives to maintain a learning and working environment in which individuals are treated with dignity and respect. Unlawful harassment and discrimination based on characteristics such as gender, race, national origin, religion, age, disability, sexual orientation, veteran status, genetic information, marital status, pregnancy or parenthood is prohibited conduct. Iḷisaḡvik College will not permit or tolerate discrimination or harassment that creates an intimidating, hostile or offensive working environment, or that interferes with an individual's performance. These procedures are not limited to harassment and discrimination that is sexual or gender-based. The College will take corrective and/or disciplinary action for violations of this policy, up to and including termination.

Nothing in this policy shall be construed or applied to limit or abridge any person's constitutional right to freedom of expression or to infringe upon the legitimate academic freedom or right of due process of any member of the College community. However, ideas and opinions must be expressed in a manner that does not create an intimidating, hostile or offensive working environment, or unreasonably interfere with an individual's performance. (BP 6.01)

14.2 DEFINITIONS. For purposes of this policy, "discrimination" refers to being adversely treated or affected, either intentionally or unintentionally, in a manner that unlawfully differentiates or makes distinctions on the basis of the individual's legally protected status or on some basis other than an individual's qualifications, abilities and past performance, as appropriate. It is also conduct that deprives an individual of employment or educational opportunity on the basis of race, color, national origin, sex, age, disability, religion, sexual orientation, genetic information, or veteran status.

For purposes of this policy, "sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct or communication of a sexual nature when:

- Submission to that conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- Submission to or rejection of that conduct by an individual is used as the basis of decisions affecting that individual's education or employment; or
- That conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive educational or working environment.

Examples of sexual harassment include, but are not limited to, sexual touching, advances or propositions, use of sexually explicit language, and displaying sexually suggestive objects or pictures, including nude photographs or drawings.

For the purposes of this policy, "harassment" includes any offensive or unwelcome conduct whether verbal or physical related to an employee's race, color, religion, sex, national origin, age, disability, or other protected characteristic. The College prohibits harassment of its employees in any form by supervisors, co-workers, customers, or suppliers. Harassing conduct in the workplace is prohibited and includes, but is not limited to the following:

- Intimidating behavior;

- Slurs, jokes, or degrading comments concerning sex, age, race, national origin, religion, sexual orientation, marital status, or memberships in other protected groups;
- Repeated offensive sexual flirtation, advances, or propositions; continual or repeated abuse of a sexual nature; graphic verbal comments about an individual's body;
- The display in the workplace of sexually suggestive objects or pictures; or
- Other offensive conduct that severely impairs an employee's ability to perform the job.

For the purposes of this policy, "sexual misconduct" includes a wide range of behaviors such as unwanted sexual contact by means of force, intimidation, or victim incapacity. Sexual misconduct also may include, but is not limited to: sexual harassment, sexual violence, domestic violence, dating violence, and stalking. The College prohibits sexual misconduct in any form.

14.3 UNPROFESSIONAL CONDUCT SIMILAR TO HARASSMENT. The College reserves the right to discipline employees who engage in inappropriate or unprofessional conduct regarding status, physical appearance or characteristics, sexual activity, attractiveness or any legally protected status. Off-duty-hours conduct or activities that potentially impact any employee's performance or reasonably cause discomfort for co-workers will also justify personnel action.

14.4 COMPLAINTS OF DISCRIMINATION, HARASSMENT, OR SEXUAL MISCONDUCT. Individuals who believe they have experienced any sexual discrimination, harassment, or misconduct are encouraged to report the incident and to seek support or medical care as soon as possible. For emergencies, the College encourages individuals to call 911 for immediate assistance. Employees who believe that they have been subjected to sex discrimination, sexual harassment, sexual misconduct, or other forms of discrimination should report the conduct immediately to their supervisor, the Human Resources Executive Director, Title IX Coordinator, or other person who is in a position to address the concern. The College employee who receives a complaint under this section must contact the Human Resources Executive Director as soon as possible, and within 24 hours of receiving the complaint, and prepare a written report or outline summarizing the complaint if requested or if the Human Resources Executive Director is not immediately available. If the complaint is against the Human Resources Executive Director, forward the complaint directly to the President within 24 hours.

Sex discrimination complaints by employees arising from or out of the employment relationship should be brought under this section initially, through Human Resources or a frontline supervisor. An employee alleged to be the victim of sex discrimination is not required to notify the Title IX Coordinator.¹

- Employees subjected to *quid pro quo* harassment, as defined in the Title IX Policy in Appendix 1 have the option of filing an informal complaint under this Section 14.4 or a formal complaint under Appendix 1 via the Title IX Coordinator.
- Employees who believe that they have been subjected to employment-related discrimination in the form of criminal behavior, including dating violence, stalking, sexual assault, or domestic violence, have the option of filing a complaint under this Section, filing a formal complaint under Appendix 1, and reporting criminal misconduct to law enforcement.

¹ Note: The Department of Education has proposed regulations that may affect the grievance procedures used for allegations of sex discrimination by or against an employee. See generally 87 Fed. Reg. 41,390, 41,459 (July 12, 2022). The College will enforce this Policy in accordance with applicable law.

- Nonstudent employees who believe they may have experienced other forms of sexual harassment by their coworkers, such as a hostile work environment are covered by this policy, but not by Appendix 1 (Appendix 1 is available when a student is involved, when the student is an employee or when a student accuses College employee of sexual harassment).

If the Title IX Coordinator receives a complaint of hostile work environment or similar harassment by one employee against another employee, the Coordinator will report the incident to Human Resources. The College will work to ensure that all rights of an employee aggrieved by sex discrimination are both recognize and clearly understood. The College believes that the process stated in this Section 14.4 is more appropriate than the alternate complaint process in Appendix 1 available for *quid pro quo* harassment or criminal misconduct. Please review Appendix 1 for details and comparison. The College fully disclaims any claim or right of employees who have been alleged to have committed sex discrimination to expect or receive a hearing under Title IX (Appendix 1), except in the case of educational programs, activities, and complaints in which a student accuses an employee of harassment.

The College adheres to all federal, state and local requirements for intervention, crime reporting and privacy provisions. A prompt and equitable response to all complaints of harassment, discrimination, sexual harassment, or sexual misconduct will occur. At each step, the College is committed to providing a fair and adequate investigation and resolution process.

14.5 TITLE IX POLICY SUMMARY. Title IX prohibits sex discrimination in all programs and activities of Iḷisaḡvik College. Under the Department of Education’s Office of Civil Rights, the Equal Employment Opportunity Commission, and the State of Alaska, sexual harassment is considered a form of sex/gender discrimination and, therefore, an unlawful discriminatory practice. Although two of the most common applications of Title IX are athletics and sexual harassment, Title IX also prohibits sex discrimination in admissions, financial aid, academic matters, career services, employment counseling and all other programs, events and activities available to students at Iḷisaḡvik. Iḷisaḡvik College does not discriminate on the basis of sex in any of its education programs or activities.

The Title IX Policy can be found in Appendix 2 of the Student Handbook and Appendix 1 of this Handbook. The Title IX Policy explains the definition of sex discrimination, sexual harassment and the definitions of sexual assault, dating violence, domestic violence, *quid pro quo* harassment, and stalking. Examples are provided to help students and employees fully understand what constitutes inappropriate discriminatory behavior. The Title IX Policy also outlines the process and procedures used to investigate and remedy any alleged sex discrimination, including sexual harassment. All students and employees are strongly encouraged to read the Title IX Policy and become familiar with the expectations of behavior while affiliated with Iḷisaḡvik College. The College reserves the right to discipline employees for harassment, misconduct, and unprofessional conduct that does not constitute sexual discrimination or sexual harassment under Title IX but still violates the College’s anti-discrimination and anti-harassment policy, as permitted by law.

Visit the Iḷisaḡvik College website for Title IX information regarding reporting sex discrimination. <https://www.iliisagvik.edu/about-us/title-ix/>. Inquiries about Title IX and its applicability may be directed to the Title IX Coordinator or the Assistant Secretary of the Department of Education.

For complete Title IX information, see Appendix 1.

14.6 CONFIDENTIALITY. Although the College cannot guarantee confidentiality in connection with complaints alleging discrimination, harassment, sexual harassment or sexual misconduct, the College will use reasonable efforts to investigate complaints in confidence, to the degree consistent with a fair investigation. Employees who are involved in the investigation of a complaint will be asked to maintain confidentiality, to avoid any interference in the investigation and to encourage fairness for all who are involved. Supervisors who violate these requirements may be disciplined, up to and including termination.

14.7 NON-RETALIATION. No person shall be penalized or subjected to retaliation for filing a complaint or good faith report of discrimination, harassment, sexual harassment or sexual misconduct or for cooperating in the investigation of such a complaint. Instances of retaliation should be reported in the manner explained above in Section 14.4.

Any employee who retaliates against an individual who has filed a report or complaint may be disciplined, up to and including termination. Employees need to be aware that a finding of retaliation can be based on behaviors that -- in other contexts -- might not be treated as serious misconduct; joking, gossiping, intimidating others, shunning others, negative comments, and other adverse reactions to a co-worker because of their protected action may constitute retaliation and will be disciplined. Employees who believe they are being retaliated against should report the retaliation to Human Resources.

14.8 DISCRETION TO TAKE ACTION. The College reserves the right to discipline, transfer, demote or terminate employees who have committed inappropriate or unprofessional actions that may be construed or interpreted as harassment, discrimination, or retaliation, whether or not the conduct rises to the level of legally cognizable discrimination or prohibited activity

14.9 RESPONSIBILITY OF ALL EMPLOYEES. Employees who witness harassment or other forms of discrimination should report their observations to their supervisor, appropriate manager, or Executive Director of Human Resources. All supervisors **are responsible for reporting and responding** to inappropriate conduct and may be disciplined or terminated for failure to respond promptly and seriously to the actions of co-workers. Supervisors are **required** to report potential breaches of this policy, even if the affected co-worker refuses to submit a complaint or asks that no action be taken.

Determining whether sexual harassment or discrimination has occurred can be a difficult question. Accordingly, employees are not expected to determine in advance whether conduct is or is not “harassment”. If particular conduct is inappropriate, unprofessional, objectionable, or makes any coworker uncomfortable, especially if the conduct is repeated, it should be brought promptly to the attention of your supervisor or the Human Resources Executive Director. In order to protect the College from charges of harassment, and to enforce the nepotism policy and the conflict of interest policy, the College reserves the right to inquire about relationships among co-workers and to take any action the College deems appropriate.

14.10 POLICY EXPECTATIONS WITH RESPECT TO CONSENSUAL RELATIONSHIPS. There are inherent risks in any romantic or sexual relationship between individuals in unequal positions of power (such as faculty and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of this policy. The College does not wish to interfere with private choices regarding personal relationships when

these relationships do not interfere with the goals and policies of the College. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student) are generally discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must promptly bring those relationships to the timely attention of their supervisor, which will likely result in removing the employee from the supervisory or evaluative responsibilities, or assigning a party a new supervisor or evaluator with whom they have not established a consensual relationship. This policy includes relationships between RAs and students over whom they have direct responsibility. While no relationships are prohibited by this policy, failure to timely self-report such relationships to a supervisor as required can result in disciplinary action for an employee. Employees must be aware that faculty-student relationships may increase the possibility of *quid pro quo* harassment, which is a form of sexual harassment that is prohibited by the College's Title IX policy. Employees engaging in *quid pro quo* harassment are subject to disciplinary sanctions, including dismissal.

15. PERFORMANCE MANAGEMENT

15.1 GENERAL. Iḷisaḡvik College values its employees and strives to enhance employee performance or behavior through performance management techniques, including but not limited to, suggestions, verbal warnings, and/or written reprimands. The College may discipline employees for failure to comply with College policies and procedures, any violation of the terms of this Employee Handbook, the Iḷisaḡvik College Code of Ethics, other College rules, policies, directives, health, safety and welfare regulations, federal state or local law, insubordination, or any other grounds deemed appropriate by the College. Discipline and the grounds for discipline listed in this policy are not an exclusive remedy and do not in any way limit or modify other available remedies. (BP 6.15) Any disciplinary letter, performance improvement plan, or similar document intended for an employee must be reviewed and approved by the Executive Director of Human Resources prior to implementation. This review ensures that all actions are consistent with organizational policies and procedures.

15.2 PERSONNEL ACTIONS OR DISCIPLINE. Employees who violate policies, procedures or standards of performance or conduct will be subject to disciplinary action. Iḷisaḡvik College does not require any particular type of disciplinary action be taken in response to specific types of conduct or non-performance, or any requirement that any particular or lesser form of discipline be imposed before a more serious form of discipline is used. Employees having relatively greater responsibilities or managerial authority may be disciplined more severely than other employees committing similar acts. Discipline, up to and including termination from employment, also may be imposed where the conduct cannot be remedied or where the violation is of a particularly serious nature. In taking personnel action, management will consider such factors as: the College's business needs, employee performance history, the nature of the violation or matter, current productivity and effectiveness, the employee's overall capacity and willingness to improve, the likelihood of recurrence of a problem or issue, and the risks to the College, including impacts on the College's relationships.

The College reserves the right to document any personnel or disciplinary actions, and to place such documentation in the employee's personnel file. However, discipline (including counseling or warnings) is still effective and valid, whether or not it is documented in the personnel file. The following general list of possible disciplinary actions is for information only and does not limit the College's discretion in imposing discipline, or in any way restrict other remedies: informal corrective counseling; transfer; oral or written warning; demotion; oral

or written reprimand; dismissal (involuntary termination of employment); suspension with pay; or suspension without pay. (BP 6.15)

Non-exempt employees may be suspended without pay in increments of one hour or more, at the supervisor's discretion. Depending on the severity of the violation, exempt employees may be suspended without pay for a full workday, workweek or longer, in which the employee is completely released from performing any work.

A decision to involuntarily terminate employment shall be made on the recommendation of the employee's supervisor, with the approval of the appropriate executive-level supervisor and the Executive Director of Human Resources.

15.3 VOLUNTARY DEMOTION: An employee may request a voluntary demotion to an unfilled position within their current department. Prior to the effective date of demotion, the employee shall meet with the Human Resources Department to sign a Request of Voluntary Demotion and to acknowledge that a voluntary demotion may result in a salary reduction. The request shall be submitted for written approval to the following: (1) supervisor, (2) executive-level supervisor, (3) Human Resources Executive Director, and (4) President.

15.4 VIOLATIONS. Examples of conduct that may justify disciplinary action are listed below. The list is not exclusive and is provided for information only.

- Falsifying records, including but not limited to, employment records, timesheets or leave requests. Destroying or negligently destroying College records. Dishonesty, including lying or falsification of documents, as it relates to employment.
- Misuse, negligent use, misappropriation or unauthorized use of College property, equipment, funds, information or resources, including misuse of electronic equipment and internet access.
- Fraud, gambling, violation of law while working or while on College premises, criminal activity of any kind, whether or not associated with work.
- Threatening, intimidating, or abusing co-workers.
- Disorderly conduct, horseplay or joking that interferes with safety or performance of others.
- Wasting time, distracting other employees, disruptive activities, excessive gossip or visiting.
- Bringing weapons to the workplace, fighting.
- Habitual or excessive absenteeism or tardiness; failure to communicate in a timely way concerning absences or lateness, excessive unplanned absence; job abandonment (three (3) consecutive days of absence without notice or three (3) absences without notice within a 30-day period); improper use of leave.
- Unauthorized disclosure of confidential information from official records.
- Conduct that reflects adversely on the College, the employee, or others, including rudeness to students or visitors, arguing with co-workers in front of students or visitors, and similar unprofessional conduct.
- Violation of law or of the Iḷisaḡvik College Code of Ethics, College rules, regulations or policies, including safety rules and the College's Drug-Free Workplace policy.
- Insubordination, nonperformance, inefficiency or negligence in the performance of duties, or failure or refusal to carry out a supervisor's reasonable assignment or directive.
- Lack of cooperation, inability to get along with co-workers or management.

15.5 NO LIMITATION ON COLLEGE. The College at all times reserves the right to terminate positions or personnel, and to modify assignments, for reasons other than individual performance or conduct. Such reasons include, without limitation, business reorganization, reduction in force, combining or adding positions and duties, change in institutional direction or new business, and similar reasons.

16. EMPLOYEE SEPARATION

16.1 RESIGNATION OR VOLUNTARY SEPARATION. VOLUNTARY RESIGNATION AUTOMATICALLY OCCURS OR IS DEEMED TO OCCUR WHEN:

- The employee is absent without prior notice of supervisor approval for three consecutive (3) working days or three (3) days within a thirty (30)-day period;
- The employee fails to report to work on the scheduled date of return, following the end of authorized leave; or
- The employee resigns or retires.

16.2 NOTICE OF RESIGNATION. The College requests at least two weeks' notice of resignation whenever feasible. Exempt non-faculty employees are encouraged to give at least one month's notice of resignation. Faculty employees who do not wish to be offered a contract for the following academic year are required to give such notice to the department Dean before March 1 of the current contract year. Resignations, whether oral or written, are effective upon receipt and no action is required by the College to accept a resignation. An employee's unexcused failure to provide two weeks' notice will be reflected in the personnel file, may disqualify the employee from rehire for at least six months, and may be considered in future employment decisions. Whether or not the employee provides the full notice period, the employee will be paid for time actually worked, plus any accrued, unused leave time, minus required withholding and outstanding amounts owed to the College. At the option of management, payment in lieu of service may be provided (not to exceed two weeks), and the employee released earlier than his/her scheduled date of resignation. When this discretion is exercised, the action is not intended to reflect adversely on the employee, and it is not disciplinary in nature or grievable under the College's dispute resolution procedure. The last day of work performed at the work site will be considered the last day worked. Leave may not be used on the date of separation.

16.3 INVOLUNTARY SEPARATION. Involuntary separation occurs whenever management terminates the employment relationship, with or without fault of the employee. Causes for termination of employment include, but are not limited to:

- Reductions in force, lack of work, lay-off;
- Reorganization, change or elimination of position;
- Termination without cause during the Introductory period or as provided in a written employment contract;
- Inability to perform the position for reasons not the fault of the employee, including physical or mental incapacity to perform assigned duties, disability, illness or other inability to perform;
- Ineffectiveness in the position, nonperformance or failure to satisfactorily perform the duties and carry out the obligations assigned to his or her employment position;
- Inefficiency, incompetence or negligence in the performance of duties;

- Refusal to accept a reasonable and proper assignment from supervisor;
- Insubordination, conduct unbecoming a College employee, or conduct detrimental to good order and discipline in his or her department;
- Intoxication or impairment while on duty, or a violation of the Drug Free Workplace policy;
- Careless, negligent or improper use or unlawful conversion of College property, equipment or funds;
- Conviction of any felony, official misconduct in office, or crime involving moral turpitude;
- Habitual pattern of failure to report for duty at assigned time and place;
- Habitual improper use of personal leave privileges;
- Absence without leave or job abandonment (three consecutive days absent without notice, or three days absent without notice in any 30-day period);
- Unauthorized disclosure of confidential information from official records;
- Misstatement or deception in application for employment; and
- Violation of College policies or rules, misconduct or disciplinary reasons.

A decision to terminate employment shall be made by the department Dean or executive-level supervisor, Human Resources, and with the approval of the President. (BP 6.19)

When a termination is “for cause” (nonperformance or misconduct of a regular employee who is not governed by a written contract), the employee shall be provided a written statement of the reason(s) supporting termination and notice of the employee’s options under the dispute resolution policy (section 17 and BP 6.19).

The immediate supervisor initiates a Personnel Action Form (PAF), which must be finalized and approved by the Human Resources Executive Director before it becomes a permanent personnel record. The Payroll Office shall determine the amount of the final paycheck, and the payment of any unused accrued personal leave (if applicable) in consultation with Human Resources. The final paycheck will be paid within three (3) business days of termination. The insurance processor shall notify the employee of any continuation benefits authorized by the group health plan.

16.4 REDUCTION IN FORCE. Employees may be laid off in the event of a work shortage, reduction in funding, or as determined necessary by management. Employees will be laid off in an order determined by the business needs of the College. Affected employees will be given notice of lay-off at least thirty (30) days prior to the effective date of involuntary termination. Severance may be granted with the approval of the President. (BP 6.18)

16.4.1 RE-EMPLOYMENT PREFERENCE. A regular employee who applies for an employment vacancy for which they are qualified will be given preferential hiring rights for the period of one (1) year from the last day the employee worked at the College.

16.4.2 RESOLVING PREFERENCE CONFLICTS. When more than one candidate is found to be equally qualified for re-employment, and each candidate qualifies for preference, usually the employee with the highest seniority will be hired first.

16.5 POSITION ELIMINATION. In its sole discretion, Iḷisaḡvik College may eliminate positions where the work is no longer required, due to restructuring, or other reasons. The College shall provide affected employees with at least thirty (30) days written notice in advance of the employee’s termination based on position elimination. Employees whose positions are eliminated are encouraged to apply for vacant positions for which

they are qualified. If the employee accepts an offer of another position within the College prior to expiration of the thirty-day notice period, no break in service will occur. Re-hired employees are subject to an Introductory period as described in this Handbook. (BP 6.18)

16.6 EXIT INTERVIEW. All employees are encouraged to participate in an optional exit interview conducted by the Human Resources Office prior to the employee's last day of work. The purpose of the interview is to review the terms and conditions of employment, as viewed by the departing employee, and to solicit constructive comments. Either the employee or the College may opt not to convene an exit interview, and a short appointment to discuss closing paperwork and return of property may be scheduled instead.

16.7 RETURN OF PROPERTY. College-owned property (vehicles, keys, uniforms, credit cards, cell phones, mobile devices, computers, passwords, documents, etc.) must be returned on the last day of service, or at such earlier time as the College may request. Failure to cooperate in returning property constitutes grounds for immediate release from service and/or termination of eligibility for any previously approved pay in lieu of service.

17. DISPUTE RESOLUTION

17.1 GENERAL. Iḷisaḡvik College strives to treat its employees fairly and equitably on matters affecting their employment. The purpose of this dispute resolution process is to secure at the lowest administrative level a fair, equitable, and speedy resolution to a perceived violation of a provision of this Handbook or Board of Trustees policies or a provision contained in a written employment agreement. (BP 6.17)

17.2 ELIGIBILITY. The dispute resolution process may be used by all regular full-time and part-time employees and regular faculty employees. While temporary, Introductory, and adjunct faculty employees are encouraged to bring work-related issues to their immediate supervisor, they are not eligible to use this process. This process does not apply to the President, or where specified in a written employment contract. Complaints of unlawful discrimination may still be processed under this Section 17 by employees who are otherwise not eligible to use this process.

17.3 SCOPE OF POLICY. This procedure covers complaints about the individual employee's terms and conditions of employment, including but not limited to: violations or misapplication of personnel policies and other College policies claims of unlawful discriminatory treatment or harassment; employee classification, personal leave, termination of employment after completion of the Introductory period; involuntary transfer; promotions and demotions. Reports or complaints of sexual harassment as defined in Appendix 1 involving students or that are otherwise subject to the rules and processes explained in Appendix 1 are not subject to this procedure. The following shall not constitute grounds for complaint: the employee's compensation, except as to alleged inequities within the department; termination of employment prior to satisfactory completion of the Introductory period; and objection to a lawful policy or practice adopted by the College, unless the policy is alleged to be applied in an unlawful manner.

17.4 INFORMAL RESOLUTION. Employees are encouraged to try to resolve complaints as early as possible by direct, informal communication with their supervisor. Supervisors are responsible for handling complaints at the lowest level, whenever a sound resolution can be reached, consistent with College policies and business demands. Where the supervisor and the employee fail to resolve the matter, or when the employee

believes the supervisor has committed an alleged unlawful action, crime or a serious violation of policy, the employee may bypass this step.

17.5 DISPUTE RESOLUTION PROCEDURE. At any step in this dispute resolution process, except informal discussions with the supervisor, the employee may be represented by a person of his/her own choosing.

17.5.1 WRITTEN COMPLAINT. A written complaint must be filed with your supervisor or the Human Resources Executive Director within ten (10) working days after the action complained of, or, if the employee and supervisor have tried to resolve the problem informally, 10 working days after they fail to reach resolution. The written complaint must state the problem clearly and identify the policy violation(s) complained of. Where available, dates of the violation(s) should be stated. Employees must include copies of all pertinent documentation and identify the specific provisions of this Handbook, Board policy or the employment contract alleged to have been violated. Employees must state what relief they are seeking, as specifically as possible. The written complaint must be signed and dated by the employee.

17.5.2 REVIEW AND DECISION. The written complaint shall be reviewed to verify that it meets the criteria of this procedure (i.e., timeliness and eligibility). The person reviewing the complaint shall make reasonable efforts to investigate the allegations made by the complainant and allow the complainant a reasonable opportunity to present evidence or argument. This may involve, but does not require, a hearing or other oral presentation. In his/her discretion, the supervisor may hold a meeting with the employee, the Human Resources Executive Director, and any other pertinent personnel to attempt to resolve the concerns. The supervisor shall issue a written response within twenty (20) working days after receipt of the written complaint. Complaints made by executive-level supervisors shall be determined by the President, whose decision shall be final.

17.5.3 APPEAL. If the complaint is not resolved, or if the employee is not satisfied with the supervisor's written response, the employee may appeal in writing to the employee's executive-level supervisor within five (5) working days after the supervisor's written response to the employee. The appeal must contain all pertinent documentation, including the documentation submitted with the complaint and the supervisor's written response. The executive-level supervisor may, but is not required to, request additional information. The executive-level supervisor shall issue a written response within ten (10) working days after receipt of the appeal. The decision of the executive-level supervisor shall be final.

17.5.4 MANAGEMENT OPTIONS. Management may at any time institute an investigation, research documents, require the employee or other individuals to answer questions and identify supporting evidence, or opt to submit the complaint to mediation or third-party investigation.

17.5.5 RECORDS. All records of the complaint shall be maintained in a confidential file separate from the employee's personnel file. At the conclusion of the process, a brief summary of the complaint and its resolution may be placed in the personnel file.

18. HEALTH AND SAFETY

18.1 WORKPLACE SECURITY AND VIOLENCE PREVENTION. Iñisagvik College strives to maintain sound operating practices and to provide a safe and clean workplace. Concentrated efforts will promote safe working conditions and efficient, productive operations. Although some kinds of violence result from societal problems

that are beyond our control, the College believes that measures can be adopted to increase protection for employees and students and to provide a secure workplace. In keeping with this commitment, administration prohibits any employee, student, customer, vendor, visitor, or anyone else on College premises or engaging in a College-related activity from threatening or committing any act of violence in the workplace, while on duty, while on College-related business or while operating any vehicle or equipment owned or leased by the College. This policy applies to all employees, including faculty, staff, and administration.

Workplace violence includes threats of any kind, threatening, physically aggressive or violent behavior, such as intimidation or attempts to instill fear in others, and other behavior that suggests a propensity toward violence. This may include belligerent speech, excessive arguing or swearing, sabotage or threats of sabotage of College property, or a demonstrated pattern of refusal to follow College policies or procedures, defacing College property, or causing physical damage to College facilities.

18.1.1 FIREARMS AND WEAPONS. Iḷisaḡvik College is committed to maintaining a safe and secure environment in which to conduct educational activities for its students, faculty, employees, visitors, and contractors. This policy applies to all employees, visitors, and contractors. It is one step toward reducing risk.

All faculty, staff, students, and visitors to Iḷisaḡvik College are strictly prohibited from possessing firearms, ammunition for any caliber of firearm, explosives, or weapons as defined below (hereafter referred to as “weapons”) on the premises of the college or during a college event without the explicit advance authorization of the College. A federal or state license to possess weapons by itself is not authorization from the College. The only exceptions to this policy are as follows:

- Commissioned law enforcement officers to the extent they are legally permitted to possess weapons in the jurisdiction in which the college premises are located may do so on the premises of the college in such jurisdiction.
- Persons in the military in performance of their official duties to the extent they are legally permitted to possess weapons in the jurisdiction in which they are located may do so on the premises of the College in such jurisdiction. Written notification must be made by the individual carrying the firearm to the President’s Office and the Dean of Administration’s Office.
- College-sanctioned classes or events where a particular weapon(s) is a required part of the curriculum or activity. Persons subject to this exemption must obtain the explicit advance authorization of the College by making a written or emailed request through their direct supervisor to the President’s Office and the Dean of Administration’s Office.

Anyone possessing, manufacturing, transferring, selling, or using a weapon other than those in the exception categories above will be asked to immediately cease and desist and remove that weapon from college premises or the college event.

Employees who violate this policy may be subject to corrective action, up to and including separation from employment. Arrest by law enforcement and prosecution by authorities may be requested.

18.1.2 WEAPONS DEFINITION. Weapons are defined as all firearms (including BB guns), ammunition, gunpowder, swords, brass knuckles, nunchucks, fireworks, knives larger than pocket knives, spears, slingshots, and any incendiary devices. Knives used for traditional and/or cultural activities are allowed.

18.1.3 REPORTING WEAPONS ON CAMPUS. Any employee who is aware of a weapon (other than excluded or authorized weapons) within any college building has an obligation to report this information immediately to his/her direct supervisor, Human Resources, or the Dean of Administration's Office. It is the responsibility of Human Resources and the Dean of Administration's Office to take appropriate action to protect the safety of all individuals on college premises.

Anyone possessing a weapon (other than excluded or authorized weapons) will be asked to remove it from college premises immediately. They may also be subject to arrest and/or disciplinary action.

18.1.4 QUESTIONS. Questions about the applicability of this policy to specific items may also be directed to the Dean of Administration's Office. Any student, faculty or staff member violating this policy shall be subject to the disciplinary policies and procedures applicable to students, faculty, or staff.

18.2 RESPONSIBILITY OF ALL EMPLOYEES. Maintaining a safe workplace is everyone's responsibility. Department managers and supervisors at all levels shall be responsible for continuous efforts directed toward workplace safety and the prevention of accidents. Employees are responsible for performing their jobs in a safe manner. Any safety concerns, accidents, violence, or threats of violence should be reported immediately to your supervisor or the Human Resources office. The observance of safe and clean work practices, coupled with ongoing compliance with all established safety standards and codes, will make Iñisagvik College a better place to work. Employees are required to report violations of this policy and may do so without fear of retaliation of any kind.

18.3 MANDATORY REPORTING OF MINORS (0-17 YEARS OF AGE). All employees complete State of Alaska Mandatory Child Abuse Reporter Training. State law requires that certain professionals and positions formally report child abuse and neglect. Mandatory reporters include "teachers & administrative staff". A child is defined as a person under the age of 18. Iñisagvik College interacts with minors in the dual credit, summer camp, Glimpse, and occasionally in regular adult programs. Reportable abuse and neglect may include (1) physical injury that harms or threatens a child's health or welfare; (2) failure to care for a child, including neglect; (3) sexual abuse, including molestation or incest; (4) sexual exploitation, including permitting or encouraging prostitution; (5) mental injury; or (6) maltreatment. Remember that a good faith report made under state law is protected, but a knowing failure to make a report can be charged as a misdemeanor offense. Communicating an issue through Iñisagvik's chain of command will not excuse a mandatory reporter from submitting a State report when a report is required. Reports should be filed immediately upon suspicion and no later than 24 hours. Reports can be made by phone to the State of Alaska Office of Children Services at 1-800-478-4444, Fax 907-269-3939, or the Report of Harm can be emailed to ReportChildAbuse@alaska.gov.

18.4 WORKPLACE SAFETY, WORK-RELATED INJURY OR ILLNESS. The College has established a workplace safety program and provides information to employees about workplace safety and health issues. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate manager. Employees who violate safety standards, cause hazardous or dangerous situations, or who fail to report or remedy such situations, may be subject to disciplinary action. All work-related injuries and illnesses, regardless of severity, must be reported immediately to your supervisor, but no later than 30 days after your injury occurred or illness began in order for it to be eligible for coverage by Worker's Compensation .

18.5 SMOKING IN THE WORKPLACE. Iḷisaḡvik College is a smoke-free environment. Smoking is permitted only in locations that have been designated as smoking areas.

18.6 DRUG-FREE WORKPLACE. Iḷisaḡvik College is committed to providing a drug and alcohol-free workplace. The use and misuse of alcohol, marijuana, and other drugs pose a threat to Iḷisaḡvik College, its employees, and its students. Employees may not engage in the use, distribution, dispensation, possession, or manufacture of a controlled substance, and may not be under the influence of alcoholic beverages, marijuana, inhalants, intoxicants, or illegal drugs, while on College premises, or operating College equipment or vehicles. Employees are to conduct themselves in a professional manner and may not be impaired by alcohol, marijuana, or drug use while traveling on College business. Employees may not report to work under the influence of a controlled substance used unlawfully. The misuse of any legal drugs, including marijuana that may impair an employee during work time is prohibited. Employees are required to promptly notify their supervisor if they are taking any substance that may affect their ability to perform their job duties. Employees shall not consume any alcoholic beverage or use drugs including marijuana in the workplace or during work hours and may not report to work under the influence of alcohol, marijuana, or drugs. Employees shall immediately notify their supervisor or the Human Resources Executive Director upon discovery of any suspicious substance-related activities or items and must also avoid touching these items. (BP 6.14)

18.6.1 DRUG-FREE AWARENESS PROGRAM. Iḷisaḡvik College maintains a drug-free awareness program to inform employees about the dangers of drug and alcohol abuse in the workplace, the College's Drug-Free Workplace policy, and the availability of substance abuse counseling, rehabilitation, and employee assistance programs.

18.6.2 DRUG TESTING. Iḷisaḡvik College conducts drug testing of employees and prospective employees, at the College's expense, and consistent with the College's business purpose and the terms of this policy. Employees whose job descriptions require a Commercial Driver License or who operate heavy equipment in the course of employment are also subject to the terms of state and federal Department of Transportation (DOT) drug testing regulations. Iḷisaḡvik College may test employees and prospective employees for the presence of the following drugs or their metabolites: amphetamines, cocaine, marijuana, opiates, and methamphetamine. An employee's consent to submit to testing is required as a condition of employment. Employees and prospective employees may be tested in the following circumstances:

- After an offer of employment has been made, but before a new employee actually starts working (pre-employment testing) for safety-sensitive and other designated positions;
- After an accident or serious injury at work;
- With reasonable suspicion that the employee has violated this policy; or,
- Random testing for safety-sensitive positions or other designated positions.

18.6.3 RELEASE FROM DUTY OR TESTING ON REASONABLE SUSPICION OF IMPAIRMENT. Employees may be released from duty and sent home or tested for drugs upon reasonable suspicion that the employee may be impaired by the use of drugs or alcohol and that the use may adversely affect the employee's job performance or the work environment. A determination that reasonable suspicion exists is based on a reasonable belief that the individual is under the influence of drugs or alcohol based on direct observation of specific, contemporaneous, physical, behavioral, or performance indicators of probable use. Third party observation and reports do not constitute reasonable cause and are thus not the sole basis for testing.

18.6.4 RANDOM TESTING. Pursuant to state and federal regulations, Iḷisaḡvik College reserves the right to conduct random urinalysis drug screens for all employees in positions designated as safety-sensitive, including drivers and those who are required to operate heavy equipment in the course of their employment.

18.6.5 POST-ACCIDENT TESTING. Any employee involved in or who may reasonably be believed to have contributed to an accident in the performance of their work duties is subject to post-accident testing as soon as practicable. An employee involved in such an accident must remain available for testing for up to eight (8) hours following the accident. If testing is not administered within eight (8) hours following the accident, the employee's supervisor shall prepare a written report to the Human Resources Executive Director stating the reasons why notification of the accident was not appropriately delivered to the Human Resources Executive Director within the eight-hour timeframe. For purposes of this section, an "accident" is:

- A casualty or accident that results in loss of human life;
- An injury that requires medical treatment beyond first aid or treatment away from the scene;
- An accident causing damage to property in excess of \$1,500, or an incident in which the employee is deemed or perceived to be at fault; or
- An incident that requires a vehicle to be towed from the scene.

The ability of the College to require post-accident testing following the above-stated provisions, does not limit the College's authority to require testing based on reasonable suspicion.

18.6.6 RETURN TO DUTY TESTING. If an employee has been removed from duty or suspended based on a positive drug test result, that employee may be subject to testing before returning to duty and/or on a follow-up basis.

18.6.7 TESTING METHODS AND COLLECTION PROCEDURES. Iḷisaḡvik College conducts on-site drug tests of employees and prospective employees using products approved by the Food and Drug Administration for on-site testing. The College may require an employee or prospective employee to provide a sample of the individual's breath or urine and to present reliable identification to the person collecting the sample. Sample collection shall be performed in a manner that assures the individual's privacy to the maximum extent consistent with ensuring that the sample is not contaminated, adulterated or misidentified.

18.6.8 TEST RESULTS. A positive test result is established at the following levels:

- Drugs for which the United States Department of Health and Human Services (USDHHS) has established a cutoff level: presence of the drug at levels equal to or greater than the cutoff level; or,
- Drugs for which USDHHS has not established a cutoff level: presence of the drug at levels equal to or greater than the level indicated by the test manufacturer as a positive result.

18.6.9 CONFIRMATORY TESTING. After an initial positive drug test result, an employee or prospective employee has the right, at the employee's expense, to a confirmatory drug test using a gas chromatography mass spectrometry test and a different analytical process than was used in the initial screening. Within 48 hours after receipt of confirmatory test results, the physician or osteopath will contact the employee or prospective employee to discuss the confirming test result.

18.6.10 RIGHT TO EXPLANATION OF TEST RESULTS. An employee or prospective employee may request in writing an opportunity to discuss a positive test result in a confidential setting if the request is made to the Human Resources Executive Director within ten (10) days after the positive result. Administration will schedule the meeting within 72 hours after receiving the written request.

18.6.11 CONSEQUENCES OF REFUSAL TO PARTICIPATE IN TESTING. Refusal to comply with the testing requirements of this policy is considered as a positive test result, as well as insubordination. An employee who refuses to submit to testing according to this policy shall be removed from duty immediately, pending further disciplinary action. A prospective employee who refuses to comply with the testing requirements of this policy shall not be hired for the position for which that person applied. A single instance of failing to provide an adequate sample for pre-employment testing will typically not be considered “refusal.” Refusal to comply with this testing policy includes: failure to participate in testing; failure to sign a consent to testing form; failure to remain available for post-accident testing; submitting fake or altered samples, and engaging in conduct that obstructs the testing process, including refusal to comply with testing directions and/or procedures.

18.6.12 RIGHT TO OBTAIN WRITTEN TEST RESULTS. An employee or prospective employee may obtain the written test results upon a written request made to the Human Resources Executive Director within six (6) months after the test. Iñisaġvik College shall provide the written test results within five (5) working days after the written request is received.

18.6.13 CONFIDENTIALITY OF TEST RESULTS. Test results are confidential and shall not be disclosed without the written consent of the employee or prospective employee or an order of a court or governmental agency. Iñisaġvik College may designate individuals to receive and evaluate test results or hear the explanation of the employee or prospective employee. If the employee submits a dispute over testing results to the dispute resolution process, that submission waives the confidentiality of the testing process and results as to all individuals who are reasonably involved in the dispute resolution process. Records pertaining to tests performed under this policy or testing procedures shall be retained by Iñisaġvik College in accordance with law.

18.6.14 OBLIGATION TO DISCLOSE DRUG OR ALCOHOL-RELATED CONVICTIONS. As an ongoing condition of employment, employees are required to notify, in writing and within forty-eight (48) hours of the violation, their supervisor and the Human Resources Executive Director of any criminal drug or alcohol-related conviction.

18.6.15 SELF-REPORTING. An employee who self-reports alcohol misuse or controlled substance use to his/her supervisor or the Human Resources Executive Director and requests College assistance will be directed by the Human Resources Executive Director to a substance abuse counseling or rehabilitation program for assessment screening, at the employee’s expense. The program may or may not be covered by the College’s health plan or policies. Within ten (10) working days, the employee must provide written documentation to the Human Resources Executive Director that the employee participated in assessment screening. The documentation must contain treatment recommendations (if any). The employee will be required to provide documentation on a monthly basis to the Human Resources Executive Director of continuing participation in the recommended treatment program until the employee provides certification to the Human Resources Executive Director that the employee has satisfactorily completed the program. Self-reporting does not insulate the employee from any of the provisions of this policy.

18.6.16 SELF-REFERRAL. The College encourages employees concerned with any personal substance abuse issues to seek assistance from a qualified substance abuse counseling or rehabilitation program, which may or may not be covered by the College's health plan or policies. Self-referring employees are under no obligation to report this assistance to their supervisors or the Human Resources Executive Director.

18.6.17 VIOLATION OF POLICY. A prospective employee who renders a positive drug test result will not be employed in the position for which the individual applied and received an offer. A positive drug test result does not bar a prospective employee from applying for future vacancies. A violation of this policy by a current employee is grounds for immediate disciplinary action, up to and including termination of employment. In the College's discretion, other appropriate action may be taken or offered to the employee. Where the employee has been terminated under this policy, rehire may be conditioned upon the employee providing evidence that the employee has completed drug or alcohol treatment and is continuing with appropriate aftercare.

18.6.18 TREATMENT IN LIEU OF DISCIPLINARY ACTION. As an alternative to disciplinary action for a violation of this policy, with the written authorization of the President, the employee may be placed on unpaid leave for a specific period, in order to complete a substance abuse/alcohol treatment program at the employee's expense. Prior to returning to work, the employee must submit a certificate of successful completion of the program to the Human Resources Executive Director. The employee's return to work will be conditioned upon not violating this policy in the future. The employee may be required to participate in continuing treatment or a testing program as a condition of return. The costs of participating in the program may or may not be covered by the College's health plan or policies.

18.7 SEX OFFENDERS. In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Iñisaḡvik College is providing a link to the Alaska State Sex Offender Registry. All sex offenders are required to register in the state of Alaska and to provide notice of each institution of higher education in Alaska at which the person is employed, carries out a vocation, or is a student. <https://dps.alaska.gov/SORWeb/>

In addition to the above notice to the State of Alaska, all sex offenders are required to deliver written notice of their status as a sex offender to Iñisaḡvik College's Human Resources Department no later than three (3) business days prior to their enrollment in, employment with, volunteering at, or residence at the College. Such notification may be disseminated by the College to, and for the safety and well-being of, the College community, and may be considered by the College for enrollment and discipline purposes.

19. FACULTY

19.1 APPLICATION OF HANDBOOK TO FACULTY. The Board of Trustees of Iñisaḡvik College recognizes its faculty as an integral and essential part of the College community. Except as otherwise noted in this Handbook, or as specifically included in a written contract for employment, faculty are employees of Iñisaḡvik College and are subject to College policies, procedures and the terms and provisions of this Employee Handbook. The following section contains provisions that are applicable only to Iñisaḡvik College faculty. (BP 7.01)

19.2 FACULTY APPOINTMENTS. Faculty may be appointed according to the terms of a written employment contract in the following categories: (BP 7.04)

- Regular Faculty: To be eligible for appointment to the regular faculty, a faculty member shall be either full time, teaching or teaching related duties; or part-time, teaching at least 16 credits or more per nine-month academic year. Members of the regular faculty shall be appointed to the ranks of Instructor, Assistant Professor, Associate Professor, or Professor as appropriate. Individuals holding regular faculty appointments shall be eligible for consideration for promotion.
- Term: To be eligible for a term appointment, a faculty member may be teaching full-time for a period of one academic year or less. Appointments shall be on an “as needed” basis. Such positions may not convert to regular faculty positions and shall not be eligible for consideration for promotion. When the situation warrants, term appointments may be renewed for an additional academic year or less upon the approval of the President.
- Adjunct Faculty: An employee who delivers no more than 7.5 credit hours of academic or vocational instruction per semester. Adjunct faculty shall be appointed to the position of Lecturer and shall not be eligible for employment benefits. Appointments shall be on an “as needed” basis for a specific semester and may be renewed on a semester-by-semester basis. Lecturers shall not be eligible for promotion.
- Affiliate: Individuals who are employed by agencies, colleges, or universities that are not associated with Iñisuk College may be appointed Affiliate faculty to provide teaching or research activities for the College. Individuals holding affiliate appointments may be appointed to rank but are not employees of the College and are not eligible for compensation or employment benefits.

19.3 FACULTY CONTRACTS; NO TENURE. All faculty members are employed by Iñisuk College pursuant to the terms of a written employment contract for a specified term of employment not to exceed one year in duration. The contract shall define professional responsibilities during the specified term of employment. Faculty contracts for the upcoming academic year will be issued by February 1st of the current academic year. Faculty who do not wish to be offered a contract for the following academic year are required to give notice to the department Dean before March 1 of the current contract year. If a faculty member fails to provide notice by March 1st, the administrative leave payable under the current contract will be forfeited. The College reserves the right to transfer or reassign faculty in the best interests of the College. Faculty are not tenured and have no expectation of continued employment beyond expiration of a contract term. (BP 7.05)

19.4 CANDIDATE SCREENING. In order to assure high-quality instruction, the President and department dean may appoint members of the faculty to participate in the screening of candidates for regular full-time faculty positions. In its discretion, the Board of Trustees may solicit faculty input in the screening of candidates for President of the College. (BP 7.02)

19.5 FACULTY EVALUATION. All full-time faculty members will be evaluated during the spring semester of their first year by the appropriate department dean. After the first year, evaluations will occur every other year. Each evaluation shall consist of: student evaluation of instruction; faculty self-evaluation; the dean’s evaluation; and final review by the President. Peer evaluations may be requested by the faculty at the faculty member’s option and submitted along with the self-evaluation. Additional formal or informal evaluations of faculty may be conducted at other times during the year at the department dean’s discretion. The faculty member and department dean will coordinate the scheduling of in-class observations for timely evaluations. (BP 7.12)

19.6 PLACEMENT IN RANK BY DISCIPLINE. All faculty are expected to possess a high level of academic, professional, and/or experiential preparation appropriate to their discipline and shall be appointed to an academic

rank and status commensurate with their preparation and credentials (see “Placement in Rank by Discipline” Table). Academic rank or status is for the purpose of placement on the rank and salary schedule only; it is in no way a guarantee of continuing employment or wages. Placement in rank will be guided by the following criteria:

- In cases where the advanced degree in the discipline or a related discipline is deemed the most important criteria and where such an advanced degree is available, individuals will be placed according to the Academic track.
- In cases where journeyman certification in the trade or comparable certificates is considered the most important criteria, placement will be made according to the Vocational/Technical track.
- In Cultural Studies, advanced degrees are not currently available in the disciplines listed and recognized expert status is the only way to recognize one’s knowledge and abilities in this area. Recognized expert status is determined by the President and appropriate department Dean.
- In all cases, continuing advanced education is built into advancement in rank to encourage continuing education for all faculty. (BP 7.03)

Placement in Rank by Discipline

Academic/Business *

Humanities
Social Sciences
Natural Sciences
Business
Computer Information &

Business Systems
Mathematics
Office Systems
Accounting
English/Communications
Fine Arts
Education/ECE
Health Sciences
Human Services
Journalism
Justice
Social Work
Developmental Studies
Library Science
ESL

Vocational/Technical **

Automotive Technology
Aviation
Construction Trades
Diesel Technology
Emergency Medical
Technology

Fire Science
Mechanics
Industrial Mechanics
Heavy Equipment Operations
Industrial Safety
Water/Wastewater
Welding Technology

Cultural Studies *

Alaska Native Language
Alaska Native Studies
Iñupiat Language
Iñupiat Cultural Studies
Iñupiat Language & Culture

* Rank is granted in one of the disciplines listed or in an appropriate sub-discipline (e.g., English, Mathematics, Biology, Iñupiat Language, etc.).

** Rank is granted in Vocational Trades.

19.7 PROMOTION IN RANK. The College provides regular faculty an opportunity to be promoted to the next higher rank, based on a consistent, demonstrated record of exemplary and meritorious performance as shown in the prior three performance evaluations. To be eligible for faculty promotion, an individual must be engaged in teaching or faculty duties at least 50% of the time. Faculty-related activities include administration of Instructional departments when the individuals holding those positions are appointed to those positions from the faculty ranks. To be eligible for promotion in rank, the individual shall have completed at least three consecutive years of service at Iḷisaḡvik College and met the minimum criteria for the next rank as outlined in the Faculty Rank and Promotion System criteria. Time spent in rank is insufficient as a sole criterion to qualify for promotion. Meritorious performance is evaluated according to the following criteria:

- Teaching effectiveness;
- Remaining current with and disseminating knowledge in his or her discipline;
- Maintaining professional standards and optimizing educational qualifications;
- Service on committees or other work done in support of the College's development and activities; and,
- Initiative and productivity.

Promotion consideration takes place in the spring of each year, and is subject to administrative procedures. The President makes the final decision on promotions. (BP 7.06)

Rank and Promotion System

	<u>Academic/Business*</u>	<u>Vocational/Technical**</u>	<u>Cultural Studies*</u>
Instructor	Master's degree in the appropriate field.	Journeyman status in the trade or technical field or other comparable credential.	Recognized expert status in Iñupiat language or culture.
Assistant Professor	Master's degree in discipline and two years post-secondary teaching experience at an accredited institution, or doctorate in appropriate field.	Journeyman status in the trade or technical field or other comparable credential. Associate's degree or equivalent education or experience. Two years post-secondary teaching experience at an accredited institution or equivalent.	Recognized expert status, Associate's degree in appropriate discipline, plus two years post-secondary teaching experience at an accredited institution.
Associate Professor	Master's degree plus 30 graduate credits in the discipline or doctorate in the discipline and a minimum of 5 years in rank as an Assistant Professor at Iḷisaḡvik College.	Journeyman status in the trade or technical field or other comparable credential, a Bachelor's degree and a minimum of 5 years in rank as an Assistant Professor at Iḷisaḡvik College.	Recognized expert status, a Bachelor's degree in appropriate discipline, and a minimum of 5 years in rank as an Assistant Professor at Iḷisaḡvik College.

Professor	Doctoral degree in appropriate discipline and a minimum of 5 years in rank as an Associate Professor at Iñisaġvik College.	Journeyman status in the trade or technical field or other comparable credential, a Master's degree in appropriate discipline and a minimum of 5 years in rank as an Associate Professor at Iñisaġvik College.	Recognized expert status, a Master's degree in appropriate discipline and a minimum of 5 years in rank as an Associate Professor at Iñisaġvik College.
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* Rank is granted in the specific discipline (e.g., English, math, social science, Iñupiat, etc.).

** Rank is granted in vocational/technical trades.

Please note that, in all cases, continuing advanced education is built into advancement in rank to encourage continuing education for all faculty.

In cases where the advanced degree in the discipline or a related discipline is deemed the most important criteria and where such an advanced degree is available, individuals will be placed according to the academic track.

In cases where journeyman certification in the trade or comparable certificates is considered the most important criteria, placement will be made according to the vocational/technical track.

In cultural studies, advanced degrees are not currently available in the disciplines listed and frequently recognized expert status is the only way to recognize one's knowledge and abilities in this area. (BP 7.03)

19.8 SALARY SCHEDULE. The College strives to provide faculty with a well-planned program of benefits and a competitive salary schedule designed to attract and retain competent faculty members. The following salary schedule is provided for salary administration purposes only and is not a guarantee of salary or raise in salary. Employment of faculty is determined on a yearly basis and salaries are subject to budgetary considerations. Placement on the salary schedule is not a guarantee of continuing employment or a guarantee of salary for any future employment contract. (BP 7.09)

FACULTY SALARY SCHEDULE
(Effective July 2024)

Rank	Instructor	Instructor + \$5,175 Admin	Assistant Professor	Assistant Professor + \$5,175 Admin	Associate Professor	Associate Professor + Admin	Professor	Professor + Admin
Grade								
Prior Meritorious Service in Rank								
A. Minimum	\$ 63,158.10	\$ 68,333.10	\$ 67,579.16	\$ 72,754.16	\$ 74,479.13	\$ 79,654.13	\$ 81,239.99	\$ 86,414.99
B. 1 Year (+3.5%)	\$ 65,368.63	\$ 70,543.63	\$ 69,944.43	\$ 75,119.43	\$ 77,085.90	\$ 82,260.90	\$ 84,083.39	\$ 89,258.39
C. 2 Years (+3.5%)	\$ 67,656.54	\$ 72,831.54	\$ 72,392.49	\$ 77,567.49	\$ 79,783.91	\$ 84,958.91	\$ 87,026.31	\$ 92,201.31
D. 3 Years (+3.5%)	\$ 70,024.51	\$ 75,199.51	\$ 74,926.22	\$ 80,101.22	\$ 82,576.34	\$ 87,751.34	\$ 90,072.23	\$ 95,247.23
E. 4 Years (+3.5%)	\$ 72,475.37	\$ 77,650.37	\$ 77,548.64	\$ 82,723.64	\$ 85,466.51	\$ 90,641.51	\$ 93,224.76	\$ 98,399.76
F. 5 Years (+3.5%)	\$ 75,012.01	\$ 80,187.01	\$ 80,262.84	\$ 85,437.84	\$ 88,457.84	\$ 93,632.84	\$ 96,487.62	\$ 101,662.62
G. 6 Years (+3%)	\$ 77,262.37	\$ 82,437.37	\$ 82,670.73	\$ 87,845.73	\$ 91,111.58	\$ 96,286.58	\$ 99,382.25	\$ 104,557.25
H. 7 Years (+3%)	\$ 79,580.24	\$ 84,755.24	\$ 85,150.85	\$ 90,325.85	\$ 93,844.93	\$ 99,019.93	\$ 102,363.72	\$ 107,538.72
I. 8 Years (+3%)	\$ 81,967.65	\$ 87,142.65	\$ 87,705.38	\$ 92,880.38	\$ 96,660.27	\$ 101,835.27	\$ 105,434.63	\$ 110,609.63
J. 9 Years (+3%)	\$ 84,426.68	\$ 89,601.68	\$ 90,336.54	\$ 95,511.54	\$ 99,560.08	\$ 104,735.08	\$ 108,597.67	\$ 113,772.67
K. 10 Years (+3%)	\$ 86,959.48	\$ 92,134.48	\$ 93,046.63	\$ 98,221.63	\$ 102,546.88	\$ 107,721.88	\$ 111,855.60	\$ 117,030.60
L. 11 Years (+2.5%)	\$ 89,133.47	\$ 94,308.47	\$ 95,372.80	\$ 100,547.80	\$ 105,110.56	\$ 110,285.56	\$ 114,651.99	\$ 119,826.99
M. 12 Years (+2.5%)			\$ 97,757.12	\$ 102,932.12	\$ 107,738.32	\$ 112,913.32	\$ 117,518.29	\$ 122,693.29
N. 13 Years (+2.5%)					\$ 110,431.78	\$ 115,606.78	\$ 120,456.25	\$ 125,631.25
O. 14 Years (+2.5%)							\$ 123,467.65	\$ 128,642.65

Initial Placement: Initial placement shall be based upon faculty rank criteria but no initial placement shall be beyond Step H. Initial placement at the rank of Professor shall be made only in unusual circumstances and only with the advance approval of the President.

After initial placement, movement is based on meritorious service time, with returning faculty members advancing one step in the appropriate rank after each year of meritorious service, subject to budget availability.

Promotion in Rank – Promotion shall be to that step in the next rank above the salary the individual would have earned with a service step increase, and move laterally to the next classification.

Equivalent experiences:

Post-secondary teaching	1 year post-secondary	= 1 equivalent year
Secondary teaching	2 years secondary	= 1 equivalent year
Other related industrial experience	3 years	= 1 equivalent year

19.9 LEAVE. Iñisaġvik College provides faculty with paid or unpaid time off, as detailed in this section. Faculty leave has no cash value and does not accrue from year to year. All leave taken for medical reasons after three days is subject to verification by a healthcare provider, certifying the employee's fitness to return to work and noting any work restrictions. Iñisaġvik College complies with all laws governing leave, including without limitation, the Family and Medical Leave Act and Alaska Family Leave Act. (BP 7.11)

19.9.1 SICK LEAVE. All regular full-time faculty members are eligible for up to six (6) days of sick leave per academic year. Sick leave may be taken because of the employee's own illness or serious health condition, to obtain medical treatment for the employee or for an immediate family member residing with the employee, or for other eligible reasons in accordance with law.

19.9.2 PERSONAL LEAVE. All regular full-time faculty members are eligible for up to two (2) days of personal leave per academic year. Personal leave must be approved in advance by the department Dean, and

faculty members requesting leave must take appropriate steps to ensure that the leave does not adversely affect the delivery of instruction in their classes or their other duties and obligations.

19.9.3 OTHER PAID LEAVE PERIODS. The College designates certain time periods between the fall and spring semesters and between the spring and fall semesters as paid administrative leave. Faculty are eligible to take this leave provided that grades have been submitted and required tasks are completed, as determined by administration. Faculty are responsible for checking emails regularly and responding to student needs during leave. If a Faculty member will be unavailable for a period of time, Faculty will set out of office automatic email replies to redirect students to an alternate employee or Department that is available to ensure we are responsive to student needs.

19.9.4 EMERGENCY LEAVE. All regular full-time faculty members are eligible for up to five (5) days of paid emergency leave for each instance during the academic year of any of the following: (a) off-Slope treatment of the faculty member's serious health condition that must be treated immediately and that cannot be treated locally, as verified by a healthcare provider; (b) required off-Slope medical treatment of the faculty member's immediate family (spouse, children, parents and parents-in-law); (c) to attend off-Slope funerals of the faculty member's spouse, children, siblings, siblings-in-law, parents or parents-in-law; and (d) for other extraordinary occasions as approved by the department Dean and the President.

19.9.5 LEAVE OF ABSENCE WITHOUT PAY. It is the policy of Iḷisaḡvik College that, after three (3) years of continuous service, faculty members shall be eligible to apply for a leave of absence without pay, for a period not less than one (1) academic semester nor more than one (1) year. During a leave of absence, the faculty member remains an employee of Iḷisaḡvik College, and shall not accept any other employment without the College's prior written consent. Faculty on a leave of absence may not be eligible for group benefits. Eligibility for benefits is determined by the terms of the plan. If group health insurance is permitted, the faculty member shall pay the employer's and employee's respective portion of the premium during the leave of absence.

Requests for leaves of absence without pay shall be submitted in writing to the President by March 1 for the following academic year, and shall include a plan of the project or endeavor which the applicant intends to pursue while on leave. Satisfactory programs or projects for such leave may include research, education, travel or related work in other institutions, private or business organizations, or other activities which the President agrees will improve the faculty member professionally or will directly or indirectly benefit the College. A faculty member on a leave of absence must inform the President's Office in writing by February 1 (if a full year's leave of absence), or sixty (60) days prior to the end of the semester in which the faculty member is on a leave of absence, of the proposed date of return from leave, or request an extension of the leave. Failure to do so may result in the loss of employment. Prior to any loss of employment, administration will deliver written notice of its intention to the faculty member, by certified mail. The faculty member shall have fifteen (15) calendar days to respond to the administration's letter and confirm the date of return from leave in order to retain employment.

19.9.6 SABBATICAL LEAVE. Iḷisaḡvik College provides eligible faculty with the opportunity for sabbatical leave, as outlined in Section 19.11.

19.10 PROFESSIONAL DEVELOPMENT. Within the constraints of its budget, subject to the availability of funds, and in its discretion, Iḷisaḡvik College may provide regular faculty with opportunities for professional development. (BP 7.07)

Appropriate professional development programs are those that will enhance the individual's teaching performance or will improve the faculty member professionally, such as instructional programs, continuing education, conferences or seminars in their area of teaching responsibility. Reimbursement may be contingent upon satisfactory completion of the program by the faculty member. The College reserves the right to specify further restrictions as a condition of accepting professional development funds in a written agreement between the College and the individual.

All requests for professional development are subject to approval by the department head and President. Eligible faculty may submit a written request to the department no later than six weeks prior to the desired professional development program. Faculty who attend a professional development conference or training will be asked to prepare and present information that they learned via Lunch n' Learn or a presentation to their department. Individuals must submit a Professional Development Training Request Form, the following areas will be included:

- A description outlining in what area the program will improve the faculty member.
- How the faculty member's attendance at the program will benefit the College.
- An itemized schedule of expenses.
- Registration materials and any other information that supports the request.

In regards to faculty member's travel, it is agreed that if the faculty member voluntarily separates from employment within the amount of time itemized below, the employee will reimburse Iñisaġvik College for the training expenses in accordance with the following schedule:

100% if separation occurs before completing 6 months

50% if separation occurs after 6 months and before 12 months

If the contract or employment is terminated (mutually or otherwise) the fees may be waived. Grant required travel is excluded. If miles are used to purchase airfare, the rate will be at \$0.03 per mile.

19.11 SABBATICAL LEAVE. It is the policy of Iñisaġvik College that, at the discretion of the administration, paid sabbatical leave for professional development will be available to regular faculty members who meet the requirements established by the College. The objective of such leave is to increase faculty members' value to the College and thereby improve and enrich the College's programs. Grants of sabbatical are subject to the availability of funding and are awarded solely within the President's discretion. (BP 7.11)

19.11.1 NO GUARANTEE OF CONTINUING EMPLOYMENT. Faculty members are hired pursuant to the terms of a one-year employment contract. This policy is in no way a guarantee of continuing employment, or a grant of employment rights.

19.11.2 ELIGIBILITY. Any regular faculty member whose service totals five (5) or more years is eligible to apply for sabbatical leave. Upon completion of a period of sabbatical leave, the faculty member will be eligible to apply for another sabbatical leave after a period of five (5) years.

19.11.3 PROCEDURE. All applications for sabbatical leave shall be submitted in writing to the President by December 31 of the year that precedes the year for which the leave is being requested.

19.11.4 CRITERIA FOR GRANT OF SABBATICAL. In assessing sabbatical assignment applications, administration will consider academic rank, total length of service at the College, and the type and quality of the proposed sabbatical program.

19.11.5 REASONS FOR SABBATICAL. Sabbaticals may be granted for projects or programs, which contribute to the faculty member's expertise in her/his field of teaching. Satisfactory programs or projects for sabbatical periods include research, educational travel related to the individual's teaching assignment, unpaid related work in other institutions or private or business organizations which might enhance the individual's teaching performance, or other activities which will improve the faculty member professionally, or will directly or indirectly benefit the College, in the President's discretion.

19.11.6 TERM. Sabbatical leave shall be for a period of not less than one academic semester or more than one academic year.

19.11.7 SABBATICAL LEAVE SALARY AND BENEFITS. The salary paid during an assignment shall be one-half the regular salary for those taking a full academic year's sabbatical leave and three-fourths salary for those granted one semester's sabbatical leave. Faculty on sabbatical leave may not be eligible for group benefits. Eligibility for benefits is determined by the terms of the plan. If group health insurance is permitted, the faculty member shall pay the employer's and employee's respective portion of the premium.

19.11.8 PROHIBITION OF OTHER EMPLOYMENT WHILE ON SABBATICAL. Faculty on sabbatical leave remain employees of Iḷisaḡvik College while on sabbatical leave, and shall not accept any other employment without the College's prior written consent.

19.11.9 FUTURE EMPLOYMENT WITH THE COLLEGE OR REPAYMENT. Acceptance of paid sabbatical leave may be conditioned upon agreement of the faculty member to return to work at the College for at least one academic year following the sabbatical leave or to repay all money received from or expended by the College on the faculty member's behalf while on sabbatical leave (including the cost of benefits), except that the faculty member shall have no such obligation in the event that an employment contract is not offered to the faculty member following the sabbatical.

19.12 FACULTY ASSOCIATION. Iḷisaḡvik College recognizes the Faculty Association as a professional organization within the College that provides a forum for discussion. The Faculty Association presents at regular meetings of the Iḷisaḡvik College Board of Trustees. (BP 7.08)

20. HONORS AND AWARDS

20.1 EMERITUS STATUS. In recognition of their contributions to the College, Emeritus status is an honor that may be awarded to faculty members and professional staff who retire after a distinguished service of ten or more years. Eligibility of verification will be conducted by the Office of Human Resources as requested by the President. This honor is granted by the Board of Trustees upon recommendation of the President. Following Board approval, the President's office will prepare a letter of notification to the awardee. Faculty or professional staff who attain the rank of Emeritus may be entitled to certain benefits and privileges as resources permit such as:

- Receive a congratulatory letter from the President
- Emeritus listing in the College Catalog
- Lifetime library privileges
- Serve as a guest lecturer and participate on committees and/or task forces

21. MISCELLANEOUS

21.1 EMAILS AND TEXT MESSAGING.

Employees should exercise caution when using email and text messages to communicate with a student and/or with someone else about a student. Employees are advised that such emails and text messages are not necessarily private and may be subject to discovery in connection with litigation.

When sending an email to a group of students, always copy them into the “BCC” field (by emailing yourself and blind copying the students) or create a distribution list. This will ensure that student email addresses remain private. Never include personally identifiable information about students in a group email.

21.2 EMAILS POLICY

This college email policy provides guidelines regarding the following aspects:

- Out of Office emails
- College-wide emails
- FERPA

Out of Office (OOO) Emails:

- If an employee is expected to be out of the office for more than 24 hours, OOO emails should be sent college-wide. This will be helpful for our institution to know who is out of the office and for ease of communication.
- If an employee is planning to be out of the office, employees should set up the Outlook Exchange automatic replies with the noted time frame you will be out of the office and alternate employee contact information while you are out.

College-wide Emails:

- Upcoming events, news for Iñisagvik College: (information such as external events, news, and resources) Email the marketing team at marketing@ilisagvik.edu.
- Other (non-business, Unapologetically Iñupiaq events/news, messages from the President’s Office, External Affairs related information): E-mail the Marketing Department at marketing@ilisagvik.edu.

All other college-wide emails:

- Contact your supervisor or the Department head for approval to send college-wide emails.
- If students wish to send department/large group/college-wide emails, they must first send it to the Student Services Department for review and distribution.
- It is strongly encouraged that staff do not reply-all to college-wide emails.

Family Educational Rights and Privacy Act (FERPA)

All use of email will be consistent with local, state, and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA). All use of email, including use for sensitive or confidential information, will be consistent with FERPA.

APPENDIX 1 - TITLE IX POLICY AND GRIEVANCE PROCEDURES

Sex Discrimination is misconduct that undermines the integrity of the academic environment. Iñisagvik College does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX. All members of the College community, especially officers, faculty, and other individuals who exercise supervisory authority, have an obligation to promote an environment that is free of sexual harassment.

Allegations of sexual harassment that occur on campus or at an off-campus College sponsored activity may be subject to this Title IX Policy.

REQUIRED APPROVALS	NAME	DATE
Originator(s) Name(s)	Hal Haynes - Title IX Coordinator	2-22

A. INFORMATION FOR VICTIMS

If you are the victim of sex discrimination, sexual misconduct or harassment, gender-based violence, or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact emergency Student Success on-call phone at (907) 319-8762 if you are on campus or call 911 if you are off campus.
2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to the College's Title IX Coordinator for support and guidance. This is a non-confidential resource, meaning that while personal information will be protected, an official report will be filed.

Title IX Coordinator: Hal H. Haynes Jr.
P.O. Box 749, Utqiagvik (Barrow), AK 99723
907-852-1766
Hal.haynes@ilisagvik.edu

After regular business hours, or in any situation where a victim wishes, local resources are also available and may be able to provide confidential assistance.

North Slope Borough Arctic Women in Crisis (confidential)
5125 Herman St. Barrow, AK 99723
24-hour crisis number: 1-800-478-0267 or (907) 852-0261

North Slope Borough Police Department
1068 Ahkovak St. Barrow, AK 99723
9-1-1 or (907) 852-6111

4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement.
 - ☐ To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
 - ☐ Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent articles that may be used for evidence. It is best

to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean **paper** bag or clean sheet to avoid contamination.

- ☐ If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
 - ☐ Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.
 - ☐ Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.
 - ☐ If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify Public Safety or the campus Title IX Coordinator so that those orders can be observed on campus.
5. Even after the immediate crisis has passed, consider seeking support from campus counseling services, off-campus counseling, a victim's advocate, clergy/chaplain, and/or the Arctic Women in Crisis Center.
 6. Contact the campus Title IX Coordinator if you need assistance with Iñisaḡvik College-related concerns, such as no-contact orders or other protective measures. The Title IX Coordinator will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities. The College is able to offer reasonable academic support, changes to living arrangements, transportation resources or modifications, escorts, no contact orders, counseling services access, and other support and resources as needed by a victim. The College is able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for victims.

B. DEFINITIONS

SEXUAL HARASSMENT DEFINED²

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation and/or gender identity of those involved. For purposes of Title IX, sexual harassment is defined as any of the following types of conduct:

- Any instance of *quid pro quo* harassment by an employee of the College;
- Any instance of sexual assault, dating violence, domestic violence, or stalking as defined below; and
- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access.

Quid Pro Quo Sexual Harassment: Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a person having power or authority over another, such as a professor over a student,

² Note: The Department of Education has proposed changes to the definition of Sexual Harassment. See 87 Fed. Reg. 41390, 41569-70 (July 12, 2022). The College will enforce this Policy in accordance with applicable law.

constitutes *quid pro quo* harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational development or performance.

For example: A professor insists that a student have sex with the professor in exchange for a good grade. This is harassment regardless of whether the student accedes to the request and irrespective of whether a good grade is promised or a bad grade is threatened.

Sexual Assault: Sexual assault is defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. The sexual acts that constitute the basis for sexual assault include:

- Rape (Non-consensual sexual intercourse)
- Statutory rape (Sexual intercourse with a person under the age of 16)
- Sodomy (Non-consensual oral or anal intercourse)
- Sexual assault with an object (Non-consensual penetration of another's genitals or anus with an object, no matter how slight the penetration); and
- Fondling (Touching of another's private body parts without consent for sexual gratification).

Sexual assault includes unconsented to vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation (mouth to genital contact) no matter how slight the penetration or contact.

Dating Violence: Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on a consideration of the following factors:

- The length of the relationship,
- The type of relationship, and
- The frequency of interaction between the persons involved in the relationship.

Domestic Violence: Domestic violence is felony or misdemeanor crimes of violence committed by:

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of Alaska; or
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of Alaska.

Stalking: Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to either

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress.

Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another. Sexual exploitation constitutes sexual harassment under this Policy when the conduct is severe, pervasive, and objectively offensive such that it effectively denies a person equal access to an educational program. Sexual exploitation includes:

- Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed);
- Invasion of sexual privacy;
- Taking pictures, video, or an audio recording of another in a sexual act or in any other private activity without the consent of all involved in the activity or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity or disseminating sexual pictures without the photographed person's consent);
- Prostitution;
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV), a sexually transmitted disease (STD) or infection (STI) without informing the other person of the infection;
- Administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent (assuming the sexual act is not completed);
- Exposing one's genitals in nonconsensual circumstances; and
- Sexually based stalking and/or bullying.

EXAMPLES OF SEXUAL HARASSMENT

- A student repeatedly sends sexually oriented jokes to an email list the student created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- Explicit sexual pictures are displayed in a professor's office or on the exterior of a residence hall door for many months, even though individuals have requested the pictures be removed.
- Two supervisors frequently 'rate' several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor repeatedly engages students in discussions about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. The professor probes for explicit details, and demands that students answer, though they are clearly uncomfortable and hesitant.
- Students take to calling a particular brunette student "Monica" due to a surface resemblance to Monica Lewinsky. Soon, everyone adopts this nickname, and the student is the target of relentless and continuous remarks about cigars, the president, "sexual relations" and Weight Watchers.
- A student grabs another student by the hair, deliberately touches the victim's chest area and then the student puts their mouth on the victim's chest area.

FORCE, CONSENT, COERCION, & INCAPACITATION DEFINED

Consent: Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent can be withdrawn at any time, but the withdrawal must be expressed by word or an outward demonstration.

Consent to some sexual contact (such as kissing or fondling) does not establish consent for other sexual activity (such as intercourse). A current or previous dating relationship is insufficient to establish consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Consent cannot be obtained by force or coercion. An incapacitated person cannot consent to sexual activity.

Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent ("Have sex with me or I'll hit you." "Okay, don't hit me, I'll do what you want.").

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

NOTE: Silence or the absence of resistance alone is not consent. There is no requirement on a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The absence of resistance does not necessarily establish the presence of consent. Forced sexual activity is always nonconsensual, but not all nonconsensual sexual activity involves force.

Incapacitation: Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction). This Policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from the taking of incapacitating drugs.

In Alaska, a minor (meaning a person under the age of **16** years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than **16** years old may be a crime and is a violation of this Policy, even if the minor agreed or wanted to engage in the act.

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including conditions caused by alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this Policy.

It is not an excuse that the responding party was intoxicated and, therefore, did not realize the incapacity of the reporting party.

EXAMPLES OF LACK OF CONSENT:

- Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00 p.m. until 3:00 a.m., Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. He keeps at her, and begins to question her religious convictions, and accuses her of being "a prude." Finally, it seems to Bill that her resolve is weakening, and he convinces her to give him a "hand job" (hand to genital contact). Amanda would never have done it but for Bill's incessant advances. He feels that he successfully seduced her, and that she wanted to do it all along, but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn't want it, she could have left. Bill is responsible for violating the university Nonconsensual Sexual Contact policy. It is likely that campus decision-makers

would find that the degree and duration of the pressure Bill applied to Amanda are unreasonable. Bill coerced Amanda into performing unwanted sexual touching upon him. Where sexual activity is coerced, it is forced. Consent is not valid when forced. Sex without consent is sexual misconduct.

- Jiang is a junior at the university. Beth is a sophomore. Jiang comes to Beth's residence hall room with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, and are soon becoming more intimate. They start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a baby-sitter when she was five, and has not had any sexual relations since, is shocked at how quickly things are progressing. As Jiang takes her by the wrist over to the bed, lays her down, undresses her, and begins to have intercourse with her, Beth has a severe flashback to her childhood trauma. She wants to tell Jiang to stop, but cannot. Beth is stiff and unresponsive during the intercourse. Is this a policy violation? Jiang would be held responsible in this scenario for Nonconsensual Sexual Intercourse. It is the duty of the sexual initiator, Jiang, to make sure that he has mutually understandable consent to engage in sex. Though consent need not be verbal, it is the clearest form of consent. Here, Jiang had no verbal or non-verbal mutually understandable indication from Beth that she consented to sexual intercourse. Of course, wherever possible, it is important to be as clear as possible as to whether or not sexual contact is desired, and to be aware that for psychological reasons, or because of alcohol or drug use, one's partner may not be in a position to provide as clear an indication as the policy requires. As the policy makes clear, consent must be actively, not passively, given.
- Kevin and John are at a party. Kevin is not sure how much John has been drinking, but he is pretty sure it's a lot. After the party, he walks John to his room, and John comes on to Kevin, initiating sexual activity. Kevin asks him if he is really up to this, and John says yes. Clothes go flying, and they end up in John's bed. Suddenly, John runs for the bathroom. When he returns, his face is pale, and Kevin thinks he may have thrown up. John gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can't help but notice that John seems pretty groggy and passive, and he thinks John may have even passed out briefly during the sex, but he does not let that stop him. When Kevin runs into John the next day, he thanks him for the wild night. John remembers nothing, and decides to make a report to the Dean. This is a violation of the Nonconsensual Sexual Intercourse Policy. Kevin should have known that John was incapable of making a rational, reasonable decision about sex. Even if John seemed to consent, Kevin was well aware that John had consumed a large amount of alcohol, and Kevin thought John was physically ill, and that he passed out during sex. Kevin should be held accountable for taking advantage of John in his condition. This is not the level of respectful conduct the university expects.

C. TRAINING PROGRAMS & WHISTLEBLOWER POLICY

It is the policy of the College to offer annual programming regarding the College's obligation to address sex discrimination, and the prevention of domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking. Educational programs are designed to raise awareness for all incoming students and employees. These programs are often administered during new student and new employee orientation and throughout an incoming student's first semester.

The College offers programs and other campaigns throughout the year that inform students and employees of other Title IX related issues. Students and employees are taught methods of primary prevention, including normative messaging, environmental management, and bystander intervention. These programs also inform students and employees of the College's institutional policies on sexual misconduct as well as the Alaska

definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity. Students and employees are provided with information regarding risk reduction techniques, such as how to recognize warning signals and how to avoid potential attacks. These programs are informed by evidence-based research and/or are assessed for their effectiveness. Copies of these training materials are available on the College's website.

The College encourages bystander engagement through safe and positive intervention techniques. Bystanders can help to prevent sexual assault by calling for help, using intervention-based apps, and/or creating distractions. Bystanders who choose to intervene should always ensure their own safety before deploying an intervention technique.

Both Title IX and the Clery Act provide protections for whistleblowers who bring allegations of noncompliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. The College does not retaliate against those who raise concerns of noncompliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator and/or to officials of the U.S. Department of Education.

D. PROCEDURES FOR REPORTING AND RESPONDING TO SEX DISCRIMINATION ALLEGATIONS (INCLUDING SEXUAL HARASSMENT)

The College will promptly and equitably investigate and resolve all complaints of sex discrimination as required by law. Sex discrimination includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy, sexual orientation, and gender identity. Sexual harassment is just one type of sex discrimination. The procedures below will be used to respond to complaints of sex discrimination. As explained in detail below, additional or different procedures may apply when the type of sex discrimination complained of is sexual harassment.³

As used in this Policy, "complainant" refers to the individual alleged to have been subjected to conduct that constitutes sex discrimination, and "respondent" refers to the individual alleged to have committed such conduct.

Any deadlines contained in these grievance procedures may be extended upon good cause shown.

Upon receiving a report of sex discrimination, the Title IX Coordinator will:

- Promptly and confidentially contact the complainant;
- Inform the complainant of the grievance procedures available under this Policy and Title IX;
- If a complaint is made, notify the respondent of the grievance procedures available under this Policy and Title IX, and notify the parties of available informal resolution processes, if any;
- Offer and coordinate supportive measures, as appropriate and permitted by law, to the complainant and respondent, which may include reasonable academic accommodations, transportation resources or modifications, escorts, counseling services, and other appropriate support services and resources. The supportive measures offered will be kept confidential, meaning only those who need to know for the purpose of providing the supportive measure will know of the supportive measure. A complainant or respondent may seek modification or reversal of the College's decision to offer a supportive measure as described in this Policy and permitted by law.

³ Note: The Department of Education has proposed changes to the grievance procedures for complaints of sexual harassment. 87 Fed. Reg. 41390, 41575-78 (July 12, 2022). The College will enforce this Policy in accordance with applicable law.

- Initiate grievance procedures or informal resolution procedures, as appropriate and required by law. In the absence of a complaint or informal resolution process, the Title IX Coordinator may choose to initiate a complaint of sex discrimination.
- Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the College.

The College will not reveal the details of Title IX complaints or investigations, including the identity of any party, witness or participant, except as necessary to implement this Policy and permitted by law. It is not the policy of the College to notify local/campus law enforcement when sexual misconduct occurs, unless a victim agrees to notification or there is an emergency threat to health or safety. Victims have the option to notify law enforcement directly, or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to campus or local law enforcement but may also respect a victim's request not to do so.

The College may, in its discretion and as permitted by law, offer informal resolution processes to resolve complaints of sex discrimination, provided that both parties voluntarily consent to the use of an informal resolution process. Informal resolution will not be used for allegations that an employee of the College engaged in sex discrimination against a student.⁴

GRIEVANCE PROCEDURES

1. COMPLAINTS.

Generally. Except for complaints alleging sexual harassment, complaints may be filed by the victim of the alleged sex discrimination, the Title IX Coordinator, or any student, employee or third party participating or attempting to participate in the College's education program when the alleged sex discrimination occurred. These complaints may be oral or written, and need not be signed by the complainant.

Complaints of Sexual Harassment.⁵ In order to initiate the grievance procedures described in this Policy in response to a complaint of sexual harassment, the complainant must file a formal complaint – meaning a complaint that is in writing and signed by the complainant. Additionally, If the Title IX Coordinator determines that it is necessary to file a formal complaint despite the wishes of the complainant, the Title IX Coordinator may do so. Supportive measures will be made available to all complainants, regardless of whether the complainant chooses to file a formal complaint.

Location and Methods of Reporting. During regular business hours, students may report sex discrimination in person by going to the offices of the College's Title IX Coordinator or by mail, email, or telephone. After regular business hours, students may report sexual harassment to the Title IX Coordinator via mail, email, or telephone. These are non-confidential resources--while personal information will be protected, a complaint, investigation, and hearing based on the allegations may be conducted (regardless of the wishes of the victim or complainant) if the Title IX Coordinator determines it is necessary to do so.

⁴ Note: The Department of Education has proposed changes that may impact the availability of informal dispute processes. See 87 Fed. Reg. 41390, 41574 (July 12, 2022). The College will enforce this Policy in accordance with applicable law.

⁵ Note: The Department of Education has proposed changes that may impact the requirements for complaints regarding sexual harassment. See 87 Fed. Reg. 41390, 41574 (July 12, 2022). The College will enforce this Policy in accordance with applicable law.

Information about Mandatory Reporting. Except for confidential employees, employees of the College that learn of behavior that may constitute sex discrimination under Title IX may be required to report such behavior to the Title IX Coordinator. Confidential employees are not subject to any mandatory reporting requirements under Title IX. Confidential employees will inform the disclosing party of their status as a confidential employee and provide the disclosing party with the Title IX Coordinator's contact information. Student employees may also have mandatory reporting requirements – whether a student employee has mandatory reporting requirements under Title IX will be determined on a case-by-case basis. Individuals may wish to ask College employees about their mandatory reporting obligations, if any, before discussing sensitive issues.

2. INVESTIGATION; DISMISSAL.

Investigation. No later than three (3) business days after a complaint is filed, written notice of the complaint will be sent to both parties. The notice will include information about the grievance procedure outlined in this Policy, information about the allegations including the identity of the parties, the conduct alleged, and the time and location of the incident, if known, a statement that the College will not retaliate against either party in violation of Title IX, a statement that the respondent is presumed not responsible for the alleged conduct until a determination has been made at the conclusion of applicable grievance procedures, and the parties' right to obtain an advisor, if applicable. The College will not prevent either party from discussing the allegations.

The Title IX Investigator will complete a thorough and impartial investigation. The investigation must begin no later than five (5) days after the complaint is filed. Although the College will encourage the complainant and respondent to participate in the process, they may decline to participate, and the College may continue the process without their participation. Both parties will be given written notice of any investigative interviews, meetings, or hearings conducted as part of the investigation that they are permitted to attend; notice will be given with sufficient time to allow the parties to prepare to participate.

For complaints alleging sexual harassment, the complainant and respondent are entitled to select a support person or advisor of their choice to be present at any meeting, conference, review or other procedural action.

The College will be responsible for gathering evidence and proving that the conduct occurred. Each party will also be given an equal opportunity to present witnesses and other evidence, as appropriate and required by law. Only relevant and permissible evidence will be gathered and considered. Evidence is relevant if it is related to the allegations of sex discrimination under investigation. The following evidence is irrelevant and/or may not be considered:

- evidence protected by a legal privilege, unless the privilege has been waived;
- evidence of a complainant's prior sexual history (except as relevant to show the respondent was not the individual responsible for the alleged conduct or to show consent); and
- any party's medical, psychological, or similar records (unless that party gives voluntary, written consent.)

The respondent will be presumed to have not committed the alleged conduct until the conclusion of the investigation and grievance process, however, in emergency situations, the College may impose interim measures or disciplinary actions such as interim suspensions and/or no contact orders in any case where a student's behavior represents a serious risk of violence or predation. Other than to the parties, the College will reveal information about its investigation, hearing, and disciplinary proceedings only to those who need to know in order to carry out their duties and responsibilities.

Once the evidence is gathered, the Investigator will send the parties and their advisors, if applicable, all evidence directly related to the allegations.⁶ The parties will have 10 days to inspect, review, and respond to the evidence. Parties must keep evidence related to the allegations confidential; no person shall share, post, disclose, or otherwise make available the evidence or the information contained therein to any person not party to the investigation. The College may impose disciplinary sanctions, as appropriate and permitted by law, on individuals who disclose confidential information in violation of the foregoing sentence. The Title IX Investigator will draft an investigative report summarizing the evidence. The Investigator will send the preliminary report to both parties and their advisors, if applicable. The parties will have 10 days to respond in writing to the report, and the Investigator will consider the written response prior to finalizing the report. At the conclusion of the report, the Investigator will determine whether the complaint should or must be dismissed.

Mandatory Dismissal. If during its investigation the College determines that the allegations of conduct do not meet the definition of sexual harassment, the complaint will be dismissed from consideration as a violation of this Title IX Policy.

Discretionary Dismissal. The College may, in its discretion, dismiss the complaint if any of the following occur:

- The complainant informs the Title IX Coordinator in writing that the complainant wishes to withdraw the complaint;
- The respondent is no longer enrolled or employed by the school; or
- Specific circumstances prevent the College from gathering sufficient evidence to reach a determination.

The College will give both parties written notice of a dismissal, the reasons for the dismissal, and any rights to appeal the decision. If a complaint is dismissed, the College will offer supportive measures to the complainant and the respondent, as appropriate.

3. ASSESSMENT OF ALLEGATIONS; HEARING. If the complaint is not dismissed, then no later than five (5) business days after the investigative report is finalized, the College shall appoint an unbiased decision maker, who is a person other than the Title IX Coordinator, who shall commence the following actions:

For Complaints other than Sexual Harassment.⁷ The decision maker shall evaluate the allegations in light of the evidence to determine whether the allegations have been proven by a preponderance of the evidence. The decision maker will allow both parties to submit written arguments as to why the evidence does or does not prove the allegations by a preponderance of the evidence. The decision maker will evaluate the credibility of any witnesses and the parties, as necessary and appropriate.

⁶ Note: Note: The Department of Education has proposed changes that may affect the regulations regarding collection, review, and dissemination of evidence. See 87 Fed. Reg. 41390, 41575 (July 12, 2022). The College will enforce this Policy in accordance with applicable law.

⁷ The College may, but is not required to, initiate the live hearing procedures described below for complaints of sex discrimination other than sexual harassment.

For Complaints of Sexual Harassment.⁸ The College shall select a date for a live hearing for the purpose of determining whether the allegations have been proven by a preponderance of the evidence. The College will select a hearing date that is between five (5) and fifteen (15) business days after the investigative report is finalized. The College must give both parties written notice of the hearing date no later than five (5) business days before the hearing. The College will conduct a live hearing before any disciplinary actions are taken against a respondent. A party may request that the entire live hearing occur with the parties in separate rooms with technology enabling them to see and hear each other.

The decisionmaker will attend and oversee the hearing. Both parties will have an equal opportunity to present their own evidence and witnesses, so long as the evidence and testimony is relevant. The following evidence is irrelevant and/or may not be considered: evidence protected by a legal privilege; evidence of a complainant's prior sexual history (except as relevant to show the respondent was not the individual responsible for the alleged conduct or to show consent); and any party's medical, psychological, or similar records (unless that party gives voluntary, written consent.)

Each party's advisor may ask the other party and any witness relevant questions and follow-up questions. Parties may never conduct such questioning themselves. Before a party answers a question, the decisionmaker must determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a party does not have an advisor present at the live hearing, the College will provide, without cost to the party, an advisor of the College's choice to conduct cross-examination on behalf of that party. The College-selected advisor may be, but need not be, an attorney.

If a party or witness does not respond to questions related to their credibility, the decisionmaker will not rely on any statement of that party or witness that supports that party's or witnesses' position when reaching a determination regarding the allegations. However, the decisionmaker will not draw an inference regarding the allegations based on a party's or witness's absence from the hearing or refusal to participate in questioning regarding credibility. The College will create an audio recording of the live hearing.

4. DETERMINATION. At the conclusion of the evaluation of the evidence or the live hearing, as applicable, the decisionmaker will determine whether the allegations have been proven by a preponderance of the evidence. The decisionmaker will issue a written determination that includes findings of fact, conclusions about whether the alleged conduct occurred, the reasoning with regard to each allegation, any disciplinary sanctions against the respondent, any remedies afforded to the complainant, and any rights to appeal. For allegations assessed without a live hearing, the written determination will be issued no later than five (5) days after the parties' written arguments regarding the allegations are due. For allegations assessed with a live hearing, the written determination will be issued no later than five (5) days after the conclusion of the hearing. The written determination will be sent simultaneously to both parties, and both parties will be informed of how to file an appeal.

⁸ Note: The Department of Education has proposed changes that may impact the requirements for grievance procedures for complaints of sexual harassment. See 87 Fed. Reg. 41390, 41574-78 (July 12, 2022). The College will enforce this Policy in accordance with applicable law.

5. REMEDIES & DISCIPLINE.

Student Disciplinary Sanctions. Students who violate this Policy are subject to discipline ranging from warnings up to and including expulsion. Generally speaking, Iḷisaḡvik College considers rape to be the most serious of these offenses, and therefore typically imposes the most severe sanctions, including suspension or expulsion. However, Iḷisaḡvik College reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any act of sex discrimination.

Personnel and Employee Disciplinary Sanctions. Employees who violate this Policy are subject to disciplinary actions ranging from warnings to dismissal. The appropriate disciplinary actions for employees or personnel will be decided on a case by case basis. The College does not require that any particular or lesser form of discipline be imposed before a more serious form of discipline is used. Employees having relatively greater responsibilities or managerial authority may be disciplined more severely than other employees committing similar acts. Discipline, up to and including dismissal from employment, also may be imposed where the conduct cannot be remedied or where the violation is of a particularly serious nature.

In taking personnel action, management will consider a variety of factors, including the following: the College's business needs, employee performance history, the nature of the violation or matter, current productivity and effectiveness, the employee's overall capacity and willingness to improve, the likelihood of recurrence of a problem or issue, and the risks to the College, including impacts on the College's relationships.

The College reserves the right to document any personnel or disciplinary actions, and to place such documentation in the employee's personnel file. However, discipline (including counseling or warnings) is still effective and valid, whether or not it is documented in the personnel file. The following general list of possible disciplinary actions. It is for information only and does not limit the College's discretion in imposing discipline, or in any way restrict other remedies:

- informal corrective counseling;
- transfer;
- oral or written warning;
- demotion;
- oral or written reprimand;
- dismissal (involuntary termination of employment);
- suspension with pay; or
- suspension without pay.

Nonexempt employees may be suspended without pay in increments of one hour or more at the supervisor's discretion. Depending on the severity of the violation, exempt employees may be suspended without pay for a full workday, workweek, or longer, in which the employee is completely released from performing any work.

Appeals

Either party may appeal a determination regarding sexual harassment or misconduct for any reason, including the following⁹:

⁹ Note: The Department of Education has proposed changes that may impact the regulations regarding grounds for appeal. See 87 Fed. Reg. 41390, 41578 (July 12, 2022). The College will enforce this Policy in accordance with applicable law.

- procedural irregularity that affected the outcome of the matter;
- newly discovered evidence that could affect the outcome of the matter;
- Title IX personnel had a conflict of interest or bias that affected the outcome of the matter; and
- the sanction(s) imposed are disproportionate to the severity of the violation.

A party seeking an appeal must file written notice of their intent to appeal no later than five (5) business days after the written determination is distributed to the parties. No later than ten (10) business days after the written determination was distributed, the appealing party must submit a written appeal memorandum detailing the reasons for the appeal.

The non-appealing party will be notified of the appeal and sent a copy of the appeal memorandum. The non-appealing party may submit a written memorandum in opposition of the appeal, provided that the party submits the memorandum within ten (10) business days of their receipt of the appealing party's memorandum. A different decisionmaker will review the appeal, and issue a written statement describing the result of the appeal and the rationale for their decision. Notwithstanding anything to the contrary in this Policy, the Student Handbook, or the Employee Handbook, the outcome of the appeal is final and may not be further appealed or reviewed.

Privacy of Information

The records relating to Title IX complaints at the College are maintained confidentially. Information is shared internally only between administrators who need to know. Where information must be shared to permit the investigation to move forward, the person complainant and the respondent will be informed. Records are maintained in accordance with Title IX, Alaska law and the Family Education Rights and Privacy Act. Any information released in accordance with the Clery Act will not include the names of victim or information that could easily lead to a victim's identification. Additionally, the College maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty members or administrators are asked to provide accommodations for a specific student, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident or what kind of incident it is.

E. FAMILIAL STATUS, MARITAL STATUS, PREGNANCY AND PREGNANCY RELATED CONDITIONS

Statement of Nondiscrimination. Discrimination on the basis of familial status, marital status, and pregnancy or pregnancy related conditions is a form of sex discrimination and is prohibited by Title IX. The College will not unlawfully discriminate against an individual based on the individual's familial status, marital status, or current, potential, or past pregnancy or related conditions.

Accommodations/Modifications. Employees who are pregnant or are experiencing pregnancy related conditions will receive leave in accordance with the Employee Handbook and as required by law. The Title IX Coordinator will offer reasonable modifications to individuals that are pregnant or experiencing pregnancy related conditions, as required by Title IX and other applicable law.

Lactation Space. Lactating employees and students will be provided with a lactation space to express breast milk or breast feed; the lactation space will be a space other than a bathroom, and it will be clean, shielded from view and free from intrusion by others.

Resources. Individuals that are pregnant or experiencing pregnancy related conditions should contact the Title IX Coordinator and/or Human Resources, as appropriate, to discuss leave, possible accommodations, and lactation spaces. Any employee that learns of a student's pregnancy or pregnancy related condition will provide the student with the contact information of the Title IX Coordinator.

APPENDIX 2 - CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of, also known as the Clery Act, is a federal mandate that requires higher education institutions receiving federal aid to provide their campus and communities with an annual report about crime statistics and policies. All crime statistics are to be collected, reported, and dispersed throughout the campus community, the Department of Education, and made available to potential students and employees. The Clery Act also requires that the institutions provide timely warnings of crimes that represent a threat to the campus community.

The Clery Act is enforced by the U.S. Department of Education. Failure to comply with the requirements brought forth in this act may result in large fines and suspension of participation from federal financial aid program.

Reporting of statistics under the Clery Act uses federal offenses definitions that allow comparability across campuses, regardless of the state in which the campus is located. These definitions are as follows:

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Domestic Violence: 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.

Stalking: 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.

APPENDIX 3 - DEFINITIONS

Adjunct faculty: An employee who delivers a specified number of credit hours of instruction per semester (generally, no more than 7.5 credit hours per semester) and is hired on an as-needed basis. Adjunct faculty are generally not entitled to College benefits, unless specifically noted in an employment contract.

Administration: Persons charged with administration and management of Iḷisaḡvik College. May also be referred to as “management.”

Board: The Board of Trustees of Iḷisaḡvik College.

College: Iḷisaḡvik College.

Dean: The Dean for a designated department or area.

Dispute Resolution Procedure: The procedures available to certain employees to address complaints and resolve differences regarding that employee’s terms and conditions of employment.

Employee: An individual employed by Iḷisaḡvik College. Employees are classified according to the duties of the position performed. Unless specified in this Handbook or in a written contract that specifies different terms and conditions of service, the term “employee” in this Handbook includes faculty.

Exempt employee: Employee performing a position which is exempt from minimum wage and overtime laws. Generally, exempt positions are executive, administrative, or professional, or a combination of one or more of these exempt classifications, as defined by law.

Executive-level supervisor: The supervisor at the highest level of the organizational chart for a designated department or area. Generally, executive-level supervisors are at the “Dean” level or above.

Faculty: An employee who delivers academic or vocational instruction for the College. Faculty are subject to general employment policies and procedures, except where different terms or conditions are specified in a written employment contract. Faculty may be classified as “regular” or “adjunct”.

Leave: An authorized absence from work. Leave may be paid or unpaid.

Non-exempt employee: An employee who is entitled to receive minimum wage and overtime pay. Non-exempt positions may be paid on either a salaried or hourly basis.

PERS: Public Employee Retirement System.

President: The President of Iḷisaḡvik College. As used in this Handbook, the term “President” includes the authorized designee of the President.

Introductory employee: An employee whose Introductory period is not completed.

Introductory period: The first 180 days of employment following initial hire or transfer, or the first ninety (90) days following transfer to another job within the College. Limitations on the annual and use of certain benefits apply during the Introductory period.

Regular employee: An employee who has completed the Introductory period, excluding temporary employees

Regular full-time employee: A non-faculty employee who is regularly scheduled to work 30 or more hours per week. Regular full-time employees are eligible to participate in PERS and other benefits afforded regular full-time employees, including leave accrual and group benefits.

Regular part-time employee: A regular non-faculty employee who is regularly scheduled to work 15 or more hours, but fewer than 30 hours per week. Regular part-time employees are not eligible for most College benefits. Regular part-time employees who work at least 15 hours per week are eligible for PERS and a limited amount of personal leave.

Regular faculty: An employee who delivers full- or part-time academic or vocational instruction in excess of 7.5 hours pursuant to the terms of a written employment contract. Regular faculty contracts are for a period not exceeding one year. Regular faculty are not tenured and have no rights to continuous employment with the College.

Relative: A relative means the employee's current spouse, child, son-in-law, daughter-in-law, brother, sister, brother-in-law, sister-in-law, parent, grandparent or grandchild. In the judgment of management, "spouse" may include a former spouse, girlfriend, boyfriend, life partner or member of the same household where the relationship bears characteristics normally associated with marriage.

Supervisor: The employee's direct supervisor, unless otherwise defined.

Temporary or "on-call" employees: A non-faculty employee hired for a definite period, for a particular project, to cover peak workloads, to provide relief for absent employees or on an as-needed basis. Temporary and temporary "on-call" employees are not eligible for group benefits.