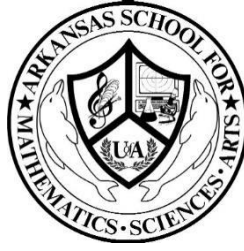


2024-25 EMPLOYEE HANDBOOK



**ARKANSAS
SCHOOL**

FOR MATH,
SCIENCES,
+ THE ARTS



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Hot Springs, AR 71901

Res Life Office hours: 12:00-10:00 (M-F) 10:00-7:00 ()

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TABLE OF CONTENTS

1.	Introduction	
1.1	ASMSA Mission and Philosophy	8
1.2	Shared Governance	8
1.3	Organizational Chart	9
2.	General Employment Policies and Procedures	10
2.1	Equal Employment Opportunity and Affirmative Action	10
2.2	Non-Discrimination and Equal Opportunity Provisions	10
2.3	Disability Accommodations	10
2.4	Sexual Harassment Policy	11
2.5	Consensual Relationships	12
2.6	Drug-Free Workplace Policy	12
2.7	Alcohol Use Policy	14
2.8	Tobacco Use Policy	15
2.9	Weapons Policy	16
2.10	Violence Policy	16
2.11	Nepotism	18
2.12	Conflicts of Interest and Commitment	18
2.13	Concurrent Employment	18
2.14	Outside Employment	19
3.	Employment Policies and Procedures	20
3.1	Eligibility for Employment	21
3.2	Recruitment and Selection	21
3.3	Background Checks	21
3.4	Mandated Reporters	21
3.5	Onboarding	22
3.6	Probationary Period	22
3.7	Performance Reviews	23
3.8	Performance Improvement Plan	24
3.9	Personnel Records	25
4.	Compensation and Scheduling Policies	25
4.1	Classification and Compensation	25
4.2	Exempt and Non-Exempt Employees	25
4.3	Appointed and Extra Help Employees	25
4.4	Employment Periods	26
4.5	Work Hours	26
4.6	Pay Periods	26
4.7	Overtime/Compensatory Time	26
4.8	Merit Pay	27
4.9	Career Service Recognition	27
4.10	Extra Compensation	28
4.11	Workers Compensation	29
4.12	Garnishments	29
4.13	Employee Debts/Overpayment	29
5.	Leave Policies and Procedures	30
5.1	Absence from Work	30

5.2	Holidays and Campus Closures	31
5.3	Inclement Weather	32
5.4	Annual Leave	33
5.5	Sick Leave	35
5.6	Family and Medical Leave Act	36
5.7	Parental Leave	37
5.7	Military Leave	38
5.8	Court and Jury Leave	39
5.9	Bereavement Leave	40
5.10	Children’s Educational Activities Leave	40
5.11	Educational Leave	41
5.12	Voting Time Off	41
5.13	Catastrophic Leave	42
5.14	Workers Compensation	42
5.15	Leave of Absence Without Pay	43
6.	Employee Benefits	44
6.1	Social Security	44
6.2	Health Insurance	44
6.3	Dental Insurance	45
6.4	Vision Insurance	45
6.5	Life Insurance/Accidental Death and Dismemberment	45
6.6	Long Term Disability Insurance	46
6.7	Retirement	46
6.8	Wellness Program and Leave Time	48
6.9	Optional Benefits	48
6.10	Tuition Assistance	48
6.11	Employee Assistance Program	50
6.12	Unemployment Benefits	51
6.13	Continuation of Benefits	51
7.	Employee Responsibilities, Services, and Conduct	51
7.1	Use of School Name, Seal, and Logo	51
7.2	Use of School Property and Facilities	51
7.3	Confidential Information	52
7.4	Arkansas Freedom of Information Act	52
7.5	Political Activities	53
7.6	Whistleblower Policy	57
7.7	Computers and the Internet	55
7.8	Social Media Policy	56
7.9	Fundraising and Private Support	57
7.10	Public Relations/Media Requests	57
7.11	Official Correspondence	58
7.12	Patent and Copyright Ownership	58
7.13	Ethics Policy	58
7.14	Fraud Policy	59
7.15	Professionalism/Decorum Policy	62
7.16	Dress Code	62

7.17	Campus Service Requests	63
7.18	Visitors on Campus	63
7.19	Parking	63
7.20	Driving ASMSA and Private Vehicles	63
7.21	Commencement	64
8.	Disciplinary Action and Complaint Resolution	64
8.1	Disciplinary Action	64
8.2	Informal Dispute Resolution	65
8.3	Formal Grievance Procedure	66
9.	Termination of Employment	69
9.1	Retirement	69
9.2	Resignation	69
9.3	Termination	70
9.4	Termination Pay	70
10.	Workplace Health & Safety	71
10.1	Accidents/Injuries	71
10.2	Crisis Plan	71
10.3	Emergency Communication	73
10.4	Safety Training	73
11.	Constitution	73
12.	Faculty Handbook	80
12.1	Overview	80
12.2	Professionalism & Integrity	80
12.3	Scientific and Scholarly Misconduct	80
12.4	Non-Discrimination Statement	81
12.5	Workload	81
12.6	Working/Office Hours	82
12.7	Sick Leave Requests	82
12.8	Extended Weekends and Campus Closures	82
12.9	Overloads and Extra Compensation	83
12.10	Syllabi and Course Content	83
12.11	Textbooks and Course Materials	84
12.12	Grades and Exams	84
12.13	Academic Honesty and Classroom Discipline	84
12.14	Student Suspension	85
12.15	504 Plans	85
12.16	Field Trips and Student Competitions	85
12.17	Teaching and Learning Committee	86
12.18	New Course Proposals	86
12.19	Faculty Performance Reviews	86
12.20	Faculty Advancement Plan	88
12.21	Professional Development	89
12.22	Attendance at Commencement, Campus, Assemblies, and Student Events	89

ABOUT THIS HANDBOOK

The purpose of this Employee Handbook is to outline in summary form a general description of basic policies, procedures, benefits, and expectations as they currently exist. Policies which apply to the entire University of Arkansas System are included as well as those specific to Arkansas School for Mathematics, Sciences, and the Arts (ASMSA). This Handbook replaces and supersedes all previous Employee Handbooks and all other policies or communications that may have been issued in the past on the subjects covered in this Handbook.

This Employee Handbook is not all-inclusive and should only serve as a guide to help answer general questions concerning ASMSA policies and procedures. This Employee Handbook nor the policies or procedures it summarizes constitutes a contract between the ASMSA and members of its faculty and staff.

Although ASMSA expects to continue the various policies and benefit programs described in this Handbook, circumstances may require that policies and programs be changed in the future. ASMSA therefore reserves the right to amend, modify, interpret, or discontinue any of the benefit programs or conditions described in this Employee Handbook. ASMSA also reserves the right to determine the applicability of any policy to a particular situation and to depart from the guidelines contained herein in a given case.

Review and modifications to the Employee Handbook occur on an annual basis, unless otherwise needed. When policy changes are made, the Employee Handbook will be updated by Human Resources and notification will be provided to the campus community within 30 days. Request for policy review and/or changes can be initiated from any member of campus through proper governance procedures outlined in this handbook.

This Employee Handbook will be maintained in an electronic format and will be available to all employees via the ASMSA website.

1. INTRODUCTION

1.1 ASMSA MISSION AND PHILOSOPHY

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

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

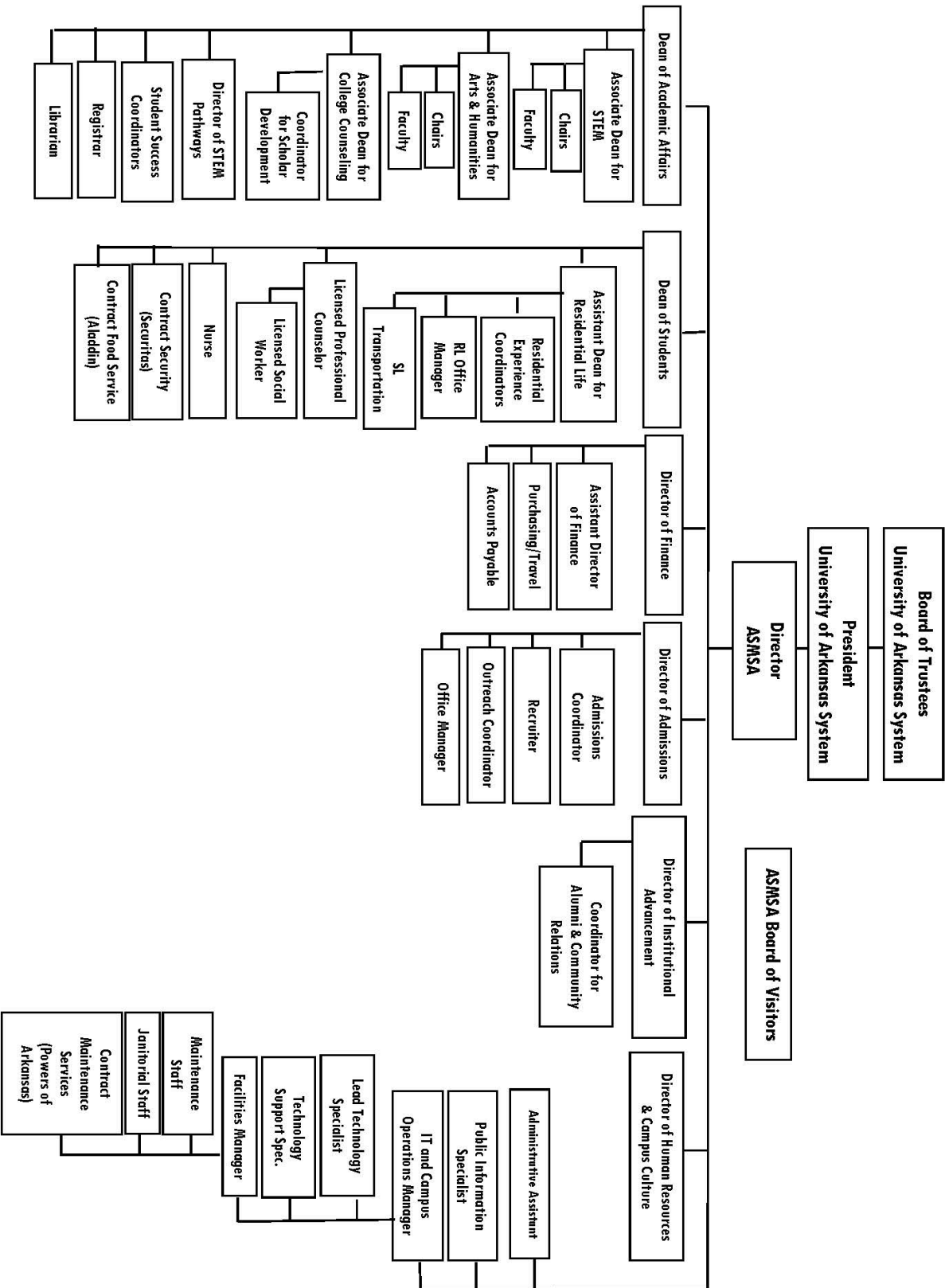
ASMSA's philosophy additionally includes a residential and social development program that is integral to its success. Programs and activities in the residence hall provide purposeful experiences that enable students to develop independence and self-discipline in an environment that promotes educational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

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

1.2 SHARED GOVERNANCE

The faculty, staff, and administration of ASMSA believe the school is best served through a shared decision-making model that utilizes the knowledge, skills, and values of its collective members to advance recommendations to the Executive Director and UA System leadership. Our shared governance structure exists to maximize communication across campus and advance the mission, values, and goals of ASMSA. The ASMSA Governing Council is made up of representatives across different areas of campus and serves as the voice of colleagues for suggestions, issues, and concerns. The ASMSA Constitution is in Section 11.

1.3 ORGANIZATIONAL CHART



2. GENERAL EMPLOYMENT POLICIES

2.1 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

It is the policy of ASMSA to provide equal employment opportunities and prohibits discrimination against any employee or applicant for employment on the basis of race, color, ancestry, creed, national origin, age, sexual orientation, religion, sex/gender, individuals with disabilities, protected veterans, marital status, genetic information, or any other protected category under the applicable State and Federal law.

The policy relates to all phases of employment including, but not limited to, recruiting, employment, placement, promotion, demotion, transfer, termination, layoff, recall, rates of pay or other forms of compensation, selection for training, use of all facilities and participation in all school sponsored employee activities.

It is the responsibility of all departments and all personnel, supervisory and non-supervisory, to apply this policy in an equitable manner through ASMSA.

2.2 NON-DISCRIMINATION AND EQUAL OPPORTUNITY PROVISIONS

ASMSA ensures that the following laws and regulations will be conducted as they pertain to students, employees, applicants for employment, and other interested parties:

- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination based on race, color, and national origin.
- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination based on sex in education programs.
- Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against qualified individuals with disabilities.
- The Age Discrimination Act of 1975, as amended, prohibits discrimination based on age.
- Title II of the Americans with Disabilities Act of 1990; and Uniform Services Employment & Reemployment Rights Act

Questions regarding ASMSA's efforts to comply with its responsibilities under these laws should be directed to Human Resources.

2.3 DISABILITY ACCOMMODATIONS

ASMSA prohibits discrimination based on disability in all aspects of the application process and employment relationship and is committed to providing equal access and opportunity to qualified persons with disabilities in compliance with Section 503 and 504 of the Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act (ADA) of 1990; and the ADA Amendments Act (ADAAA) of 2008.

This policy applies to all applicants seeking employment with ASMSA and ASMSA employees. All policies and procedures concerning accommodations for a disability, including disabilities or conditions related to pregnancy or childbirth, are coordinated by Human Resources.

An employee seeking Reasonable Accommodation for a disability should submit the Accommodation Request Form and the Medical Statement Form (if applicable) to Human Resources.

The complete Disability Accommodation Policy, Accommodations Pertaining to Pregnancy, Childbirth, or Related Medical Condition Policy, and Animals on Campus Policy and related forms are located at <https://www.asmsa.org/human-resources/>.

2.4 SEXUAL HARASSMENT

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

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

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

Sexual harassment includes any unwanted or unsolicited sexual gesture, physical contact, or statement which, when viewed from the perspective of a reasonable person similarly situated, is offensive, threatening, humiliating, or interferes with a person's ability to perform

his or her job, educational pursuit, or participation in campus life.

Sexual harassment is particularly serious when it threatens relationships between teacher and student, or supervisor and subordinate, because of the potential to exploit the power inherent in these relationships and to undermine the ability of ASMSA to carry out its mission. ASMSA strongly encourages all community members to report incidents of sexual harassment. To the extent possible, reporting and investigating procedures are supportive of and sensitive to the alleged victim, while safeguarding the rights of the alleged offender.

ASMSA will take appropriate actions within the scope of its legal authority to prevent, correct, and discipline behavior that violates this policy. For more information on Sexual Harassment and the policy, visit <https://www.asmsa.org/human-resources/hr-forms-and-general-information/>.

2.5 CONSENSUAL RELATIONSHIPS

ASMSA believes that an environment where employees maintain clear boundaries between personal and professional interactions is the most effective in the workplace.

Consensual romantic and/or sexual relationships between supervisors and subordinates are inappropriate, are strongly advised against, and are inherently suspect in the event of a dispute. The difference in power between a supervisor and subordinate increases the opportunity for abuse of power, thus endangering the professional environment and creating the potential to diminish a subordinate's freedom of choice. It is incumbent upon those with authority not to abuse, or appear to abuse, the power with which they have been entrusted. Employees involved in a consenting relationship in the actual or equivalent context of employment supervision and evaluation should be and are deemed to be aware of the possible costs of a consenting relationship, including the possible difficulty in defending a future sexual harassment charge on the grounds of mutual consent.

Employees with direct supervisory or evaluative responsibilities who engage in such relationships with a subordinate must bring those relationships to the timely attention of both their immediate supervisor and Human Resources. This will result in the necessity to remove the employee from the supervisory or evaluative responsibilities or may shift the employee out of being supervised or evaluated by someone with whom he or she has established a consensual relationship. Failure to self-report such relationships to a supervisor as required may result in disciplinary action for an employee, up to and including termination.

All ASMSA employees are prohibited from initiating or acquiescing in a romantic and/or sexual relationship with a student. This applies even if both parties appear to have consented to the relationship. Such conduct is a serious breach of professional ethics and will result in disciplinary action, up to, and including termination.

2.6 DRUG FREE WORKPLACE POLICY

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

State agencies, boards, commissions, and institutions must certify that they follow the U.S. Drug Free Workplace Act of 1988. All new hires are required to read ASMSA's drug-free

workplace policy and acknowledge in the Workday Learning system review and understanding of said policy.

To promote a healthy, safe, and productive work and learning environment, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (including being under the influence of a controlled substance), in ASMSA's workplace or while on duty is prohibited. Any employees violating this policy will be subject to discipline up to and including termination. The specifics of this policy are as follows:

Any employee who uses, possesses, gives or in any way transfers a controlled substance, or is determined to be under the influence of a controlled substance, while on duty or on ASMSA premises will be subject to discipline up to and including termination.

The term "controlled substance" means any drug listed in 21 U.S.C. Section 812 and 21 CFR Section 1308.11-1308.18. Generally, there are drugs which have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, and "crack." They also include legal drugs which are not prescribed for the individual using them by a licensed physician.

All employees must report to their supervisor and/or Human Resources, within 24 hours or at the earliest possible opportunity thereafter, any criminal arrests, criminal charges, criminal convictions, or other dispositions, excluding misdemeanor traffic offenses punishable only by fine.

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

ASMSA reserves the right to require employees to submit to a drug test for specific positions and/or suspicion-based testing. Refusal to submit to drug screening, or screening results that indicate abuse of drugs or alcohol, is cause for termination or withdrawal of an offer for employment.

Medical Marijuana Statement

The Arkansas Medical Marijuana Amendment of 2016 ("MMA") legalized medical use of marijuana under State law for individuals who have a written certification of a qualifying medical condition from a physician and have registered with the Arkansas Department of Health ("qualifying patients"). Marijuana remains illegal under Federal law. In addition, there are limits on the use and possession of medical marijuana by qualifying patients under State law.

- a. Notwithstanding any state constitutional or statutory provisions permitting the use of medical marijuana, ASMSA is subject to and will continue to comply with the federal

- Drug Free Workplace Act of 1988 and Drug Free Schools and Communities Act Amendments of 1989. ASMSA will also comply with applicable state laws and regulations.
- b. Medical marijuana in any form shall not be possessed or used on the ASMSA campus or in ASMSA-owned or leased space, including housing, or at any school-sponsored events or activities.
 - c. All employees remain prohibited from possessing, smoking, ingesting, or otherwise engaging in the use of, or being under the influence of, marijuana or other controlled substances on school property, during working hours, or while operating a vehicle or equipment owned or leased by ASMSA. Employees who violate the drug-free workplace policy remain subject to disciplinary action, up to and including termination of employment.
 - d. Any employee may be required to submit to drug testing if there is a reasonable suspicion the employee is impaired from marijuana or other substances while on duty.
 - e. In the event an employee tests positive for marijuana and is a qualifying patient, the Office of General Counsel will be consulted before action is taken.
 - f. ASMSA shall not discriminate against an applicant or employee in hiring, termination, or any condition of employment based on past or present status as a qualifying patient. For specified positions, a pre-employment substance abuse test may be required for employment.

2.7 ALCOHOL USE POLICY ([Board of Trustees Policy 705.2](#))

(Governor's Policy Directive #5)

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

Alcohol Policy for ASMSA Special Events

The purchase, service, possession, distribution, and consumption of alcoholic beverages, (i.e. wine, beer, and distilled spirits/liquor), in facilities and on campus grounds of the Arkansas School for Mathematics, Sciences, and the Arts (ASMSA) shall, in all respects, comply with all applicable state and federal laws in addition to all ASMSA and UA system policies. The conditions described below are applicable to all events held on campus.

- All events sponsored by any entity of ASMSA that involve service of alcoholic beverages and occur on ASMSA property must be registered with the Office of Institutional Advancement and approved by the Director at least 2 weeks prior to the date of the event. (A registration form is located on ASMSA website).
- Alcoholic beverages are not permitted to be sold or served at any event held on ASMSA property by a non-school entity.
- A guest list is required to be kept on file for events involving alcoholic beverages.

Alcoholic Beverage Service Guidelines

- No person under the age of 21 may serve, distribute, purchase, possess, or consume any alcoholic beverages anywhere on the ASMSA campus.
- Any attendee under the age of 21 must wear an identifier (provided by ASMSA) to ensure denial of service.
- Alcoholic beverages must be served by an insured caterer with an Arkansas Alcohol Beverage Control (ABC) license.
- All bartenders are required to sign and have on file with the vendor the ABC- issued Alcoholic Beverage Server Awareness Form prior to serving alcoholic beverages.
- Alcoholic beverage service must take place after 4:30 p.m. on weekdays and after 12:00p.m. on weekends.
- Alcoholic beverage service should begin no more than two hours before and should cease 30 minutes prior to the end of the scheduled event.
- Non-alcoholic beverages and non-salty foods must be available and displayed when serving alcoholic beverages. The food must be available before the alcoholic beverage distribution begins and replenished throughout the event as needed. Water must be one of the non-alcoholic beverages provided.
- There can be no self-service stations for alcoholic beverages.
- Notification of the legal drinking age must be posted at any event where alcoholic beverages are present.
- Events involving alcoholic beverages must be private events and not open to the public.
- Access to events containing alcoholic beverages must be controlled throughout the event.
- Alcoholic beverages may not be purchased with state or federally appropriated funds. Expenditures for the purchase of alcoholic beverages may not be charged to general institutional funds.

2.8 TOBACCO USE POLICY

(Ark. Code Ann. §§ 6-60-801 to -807)

ASMSA is a tobacco-free campus. ASMSA promotes the health, well-being and safety of students, faculty, staff, and visitors while they are on the campus. Tobacco use and second-hand smoke have been identified by the Surgeon General to be the cause of preventable diseases. Each year, approximately 440,000 people die prematurely of diseases caused by smoking, accounting for one out of five deaths in the United States (CDC 2003). Use of cigarettes, smokeless tobacco, cigars, pipes, and other tobacco products lead to disease and death. In addition to causing direct health hazards, smoking and smokeless tobacco use contribute to institutional costs in other ways, including fire damage, cleaning and maintenance costs, and costs associated with employee and student absenteeism, healthcare, and medical insurance.

Accordingly, ASMSA actively seeks to create a campus environment that is completely free of tobacco use and second-hand smoke. Furthermore, the Arkansas Clean Air on Campus Act prohibits smoking on each campus of state-supported institutions of higher education.

You are prohibited from smoking or using other tobacco products (including cigarettes, vapes, cigars, pipes, smokeless tobacco, and other tobacco products), as well as the use of electronic cigarettes, always on property owned and operated by ASMSA, including on and within

vehicles on school property. If you are on or within a school vehicle, you are prohibited from smoking or using other tobacco products at any location.

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

2.9 WEAPONS POLICY ([UA Systemwide Policy 290.1](#))

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

Definitions

A weapon is any object designed or used for inflicting bodily harm or physical damage. Weapons include, but are not limited to firearms, air pistols, air rifles, fireworks, incendiary devices, knives with a blade length of four inches or greater, blackjacks, metal knuckles, bows, arrows, nun chucks, Tasers, or other electrical stun devices, or any other such objects. Ark. Code Ann. § 5-73-309 defines a handgun as "any firearm, other than a fully automatic firearm, with a barrel length of less than twelve inches (12") that is designed, made, or adapted to be fired with one (1) hand." A concealed handgun must be covered from observation to prevent public view.

Exceptions

Carrying a concealed weapon at the following locations and events is prohibited, whether a person obtains enhanced licensure:

- a. A public K-12 school, prekindergarten, or daycare facility.
- b. Grievance or disciplinary meetings conducted in accordance with certain specifications of Act 562

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

2.10 VIOLENCE POLICY

ASMSA is committed to providing a safe and healthy campus for all members of the campus community. Any form of violence by a member of the campus community is unacceptable and will be cause for disciplinary action up to and including termination consistent with the applicable school policies and may also result in criminal prosecution, if federal, state, or local laws are violated.

Prohibited acts of campus violence include, but are not limited to threats, intimidation, physical attack, property damage and domestic/relationship violence which occur either on campus, or which may potentially affect a member of the campus community while he/she is

on campus. Violent or threatening behavior may consist of physical acts, oral or written statements, harassing email messages, harassing telephone calls, gestures or behaviors that are threatening to either the physical or psychological well-being of an individual. Such behavior includes self-directed as well as other-directed violence or threats of violence.

For purposes of this Policy, the following definitions apply:

- **Threats:** A "threat" is the expression of intent to cause physical or mental harm. Such an expression constitutes a threat without regard to whether the person communicating the threat can carry it out, and without regard to whether the threat is made on a present, conditional, or future basis. In determining whether the conduct constitutes a threat, including whether the action caused a reasonable apprehension of harm, the school will consider the totality of the circumstances on a case-by-case basis.
- **Intimidation:** "Intimidation" includes but is not limited to stalking or engaging in actions, either verbal or physical, which are intended to frighten or coerce.
- **Physical Attack:** A "physical attack" is, without limitation, unwanted or hostile physical contact such as hitting, pushing, kicking, shoving, throwing of objects, or fighting.
- **Property Damage:** "Property damage" is intentional damage to or destruction of property owned or used by the school or its students, employees, vendors, or visitors.
- **Domestic or Relationship Violence:** "Domestic or Relationship Violence" is the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate or familial relationship. This could include people who are, or were, married, live together or date.
- **Disturbing Behavior:** "Disturbing Behavior" is behavior that causes the observer to feel concerned, afraid, or alarmed. An example would be overhearing an employee joking about killing himself/herself or another. While this behavior may not be a violation of the Campus Violence Policy, it is requested that such behavior be reported so that action can be taken to prevent future violence to oneself or to others.
- **Disruptive Behavior:** "Disruptive Behavior" is behavior which interferes with the workplace or classroom and the ability of others to get their work done. While this behavior may not be a violation of the Campus Violence Policy, it is requested that such behavior be reported so that action can be taken to prevent future violence to oneself or to others.

Workplace violence training will be conducted annually (virtually or in person). The goal of training should be to define workplace violence, encourage staff to report incidents, instruct staff how to defuse hostility and prevent violence, instruct staff on reporting mechanisms, emphasize the important of timely reporting and detail what immediate measure should be taken, and to review what happens administratively in the workplace when noticed of violence is received.

All members of the campus community and visitors are encouraged to be alert to the possibility of violence by anyone on campus. They should place safety as a basic concern, and

should report all acts of violence, threats of violence and disruptive or disturbing behavior to Human Resources or appropriate supervisor immediately.

ASMSA prohibits individuals from making deliberately false or misleading reports of violence or threats of violence under this Policy. Individuals who make such reports will be subject to disciplinary action up to and including termination.

ASMSA prohibits retaliation against or harassment of individuals who act in good faith by reporting real or perceived violent behavior or violations of this Policy. Any member of the campus community who is found to have retaliated against another in violation of this Policy is subject to appropriate disciplinary action, including termination.

All reports made under this Policy will be managed in a confidential manner, with information released to the appropriate personnel only on a need-to-know basis.

2.11 NEPOTISM ([Board of Trustees Policy 410.1](#))

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

2.12 CONFLICTS OF INTEREST AND COMMITMENT ([Board of Trustees Policy 330.1](#))

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

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

There may be rare occasions when conflicts of interest and commitment are unavoidable; however, the failure to disclose situations that have the potential for or involve actual conflicts of interest or commitment is a violation of policy. Situations that have the appearance of potential for or involve actual conflicts of interest or commitment must be reported, in writing, to the employee's immediate supervisor.

Written disclosure of conflicts of interest and commitment are required annually and are completed in the Workday system. In the event a conflict occurs during the year, the employee should report the conflict before any arrangements, whether verbal or written, are made concerning the conflict. Any modification to existing arrangements should be reported as they occur. In disclosing these situations, the employee shall indicate all steps that will be taken to avoid or minimize any conflict of interest or commitment.

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

There may be activities or situations that have the appearance, potential for or involve actual conflicts that should be disclosed. The following are examples of situations that may involve conflicts of interest or commitment, and consequently should be disclosed.

- Use of ASMSA resources (employee time or space, equipment, or supplies) to benefit oneself and/or an external entity.
- Employee or immediate family member having a financial interest in business decisions.
- Disclosing information obtained through employment for personal profit or gain or for profit or gain of a family member.
- Appointment, promotion, supervision, or management of an immediate family member.
- Accepting benefits, gratuities or special favors from external entities either currently doing business or seeking to do business with ASMSA.
- Having a financial interest with a vendor doing business or seeking to do business with ASMSA.
- Immediate family members supervising or participating in decisions to hire, retain, promote, evaluate, or determine the salary of the other. For the purposes of this policy, immediate family members shall be defined as a husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepdaughter, stepson, daughter in-law, son-in-law, uncle, aunt, first cousin, nephew, niece, employee's domestic partner, a person with whom an employee is in a romantic relationship, children of an employee's domestic partner, and/or relatives of an employees' spouse or domestic partner.

2.13 CONCURRENT EMPLOYMENT ([Board of Trustees Policy 450.1](#))

(Arkansas Code Ann. § 19-4-1604 and Arkansas Code Ann. § 6-63-307)

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

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

2.14 OUTSIDE EMPLOYMENT ([Board of Trustees Policy 450.1](#))

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

Written approval from department head and/or Dean shall be obtained in advance of such outside employment. Human Resources shall keep records of outside employment by personnel and shall prepare an annual report on such outside employment. The report should include the actual time spent during the reporting period.

It is the employee's responsibility to make clear that, with respect to the outside employment, he/she is not acting as an agent or representative of the school. School facilities or property shall not be used except with permission of the supervisor and/or Human Resources, considering the best interests of the school. Prior approval is also required for concurrent employment with another school unit or state agency, pursuant to Arkansas Code Ann. § 19-4-1604 & Arkansas Code Ann. § 6-63-307.

3. EMPLOYMENT POLICIES AND PROCEDURES

3.1 ELIGIBILITY FOR EMPLOYMENT

(Immigration Reform and Control Act of 1986)

Employers are required by federal law to verify that every person hired after November 6, 1986, is authorized to work in the United States, using the Employment Eligibility Verification Form (Form I-9). If you are a new employee, you will be required to complete an I-9 as part of the onboarding process in the Workday system and present documents that identify you and that verify your eligibility to work in this country.

3.2 RECRUITMENT AND SELECTION

ASMSA posts all regular, benefits eligible positions on the ASMSA website Employment Opportunities page and the University of Arkansas Careers website (for external applicants) and on the Workday internal job board (for internal applicants), unless a waiver to post has been permitted for exceptional circumstances. Human Resources manages the advertisements on the University of Arkansas Careers website to ensure positions are advertised to foster a successful search in accordance with the school's affirmative action plan.

Applicants will be prompted to create a profile to apply for open position(s). Current employees of the University of Arkansas System, current student employees and current graduate assistants will need to log into Workday to apply for open positions through the internal job board.

Applicants may log into their account at any time to monitor the status of their applications. All applicants must meet the minimum qualifications stated in the position announcements and must upload the required document(s) at the time of application. Applicants not meeting the minimum qualifications will be disqualified from consideration.

Human Resources, along with the hiring department, will be responsible for reviewing applicants, scheduling interviews, checking references, and following proper hiring procedures.

3.3 BACKGROUND CHECKS ([UA Systemwide Policy 470.1](#))

ASMSA requires background checks on new employees consistent with Arkansas law and University of Arkansas System policies. Federal and state criminal background checks, Sex Offender Registry checks, and driver control checks are processed by HireRight. Federal FBI/fingerprinting checks are processed by the Arkansas State Police. Arkansas Child Maltreatment checks are processed by the Arkansas Department of Human Services.

3.4 MANDATED REPORTERS ([Arkansas Code §12-18-402\(a\)](#))

Arkansas code requires certain public officials, including “school officials,” to report instances of suspected child maltreatment. Specifically, Arkansas law requires such “mandated reporters” to report if they “(1) have reasonable cause to suspect that a child has been subjected to child maltreatment or has died because of child maltreatment, or (2) observe a child being subjected to conditions or circumstances that would result in child maltreatment. Arkansas Code §12-18-103(6) defines “child maltreatment” as “abuse, sexual abuse, neglect, sexual exploitation, or abandonment.”

A regulation issued by the Arkansas Department of Human Services indicates that “school officials” required to report maltreatment includes “any person authorized by a school to exercise administrative or supervisory authority over employees, students, or agents of the school,” and includes “a volunteer exercising administrative or supervisory authority in a program conducted by a school.” Furthermore, under the regulation, the definition of “school” includes any two-year or four-year school.”

Failure to report child maltreatment by a mandated reporter may have civil or criminal consequences. Aside from persons that are required to report, the Arkansas Code provides that any person who has reasonable cause to suspect or observe child maltreatment may make a report.

If any ASMSA employee or volunteer suspects or observes child maltreatment, he or she should immediately do the following (and must do the following as a mandated reporter):

1. Report, as required by state law, the suspected maltreatment to the state’s Child Abuse Hotline at 800.482.5964 or you can submit a report through a secure online portal at <https://mandatedreporter.arkansas.gov/>.
2. Report the suspected maltreatment to the Dean of Students, Dean of Academic Affairs, and/or Executive Director immediately after the report is made. Arkansas law prohibits any person from prohibiting or requiring prior permission for any mandated reporter to make a report of suspected maltreatment. A person, acting in good faith, who makes a report of suspected maltreatment, is immune to suit and to civil or criminal liability for making the report. Likewise, ASMSA policy prohibits retaliation against any person who makes a good-faith report of child maltreatment.

Professional development for Mandated Reporters and public-school personnel required under § 6-61-133 shall be completed upon hire and a refresher course provided at least every four years. The training is available online, at no cost to the employee.

3.5 ONBOARDING

Multiple onboarding tasks are assigned in the Workday system prior to beginning employment. All ASMSA new hires or former employees rehired will participate in an orientation session with Human Resources on the first day of employment. Departmental orientation will occur within the first few days of employment and will be conducted by the department supervisor.

3.6 PROBATIONARY PERIOD

New employees have a probationary period of ninety (90) days. Within 30 days of the beginning of their employment, employees will, with their supervisor, review and discuss the employee’s job description, progress thus far, and discuss performance expectations, performance criteria and the evaluation cycle.

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

3.7 PERFORMANCE REVIEWS

(Arkansas Code Ann. §21-5-1001)

Performance review is a process that should take place continuously. While day-to-day review is usually informal, Arkansas law requires that the performance of all state employees be evaluated formally at least once per year.

The performance review is the basis for any salary increase. Employees who receive a written performance-based or conduct-based reprimand during the 12-month rating period covered by their performance review are not eligible for a merit increase.

The performance review process is designed to help you understand what is expected of you in your position, give you information about what you need to do to improve your performance, determine your eligibility for salary increases, and help develop your career goals and opportunities. You and your supervisor should discuss your performance throughout the review period so there are no surprises in the performance review conference. The communication process that performance review requires provides an opportunity for you and your supervisor to work out misunderstandings and disagreements as they occur and before they become more serious.

Performance Review and Rating

All non-instructional employees participate in an annual review process in the Workday system. Annual reviews are conducted by the immediate supervisor in the unit and cover a calendar year (January-December).

An employee's supervisor will compile the observations of your performance during that period and will provide a performance rating. The rating uses five performance categories: unsatisfactory, needs improvement, satisfactory, above average and exceeds standards. The supervisor will review and explain the employee's rating in a performance review conference. Employees may use the conference as a time to discuss performance achievements as well as challenges they may have encountered during the rating period.

At the end of the performance review conference, employees will have the option to make comments about the performance review on the acknowledgment form produced in Workday. Employees may use this opportunity to state their agreement or disagreement with the performance review and the reasons for the response. An acknowledgment does not indicate that they accept or agree with the rating, only that the supervisor has discussed it with you.

The development of goals for the coming year is a part of this process. The evaluation process is to allow each supervisor and staff member to clearly identify goals and strategies for achieving those goals.

Faculty Supervision and Evaluations

Annual performance reviews of instructional staff will be conducted by the appropriate Associate Dean and Chair outside of the Workday system. Performance reviews and ratings will be entered into the Workday system to track performance and goals. Procedures regarding

faculty evaluation can be found in the faculty handbook section. Copies of evaluations will be maintained in the employee's personnel file. More information regarding faculty evaluations can be found in the faculty handbook section 12.19.

Appeal Process

Employees may utilize the performance review appeals process if they feel the review does not adequately represent their performance during the review period.

Employees may appeal your performance review in accordance with the following procedures.

1. Ask the supervisor to reconsider the review. The request for reconsideration must be made in writing within ten calendar days of the performance review conference and must state the reasons you think the review is inaccurate, providing evidence or documentation, as appropriate.
2. The supervisor will review the reasons for disagreeing with the performance review and respond in writing within ten calendar days of receiving the request.
3. If the employee and supervisor cannot reach agreement, the employee may submit a written request for review, within five calendar days, to the next supervisor in the line of authority and/or Human Resources.
4. That authority will review the request for reconsideration and the supervisor's response and may ask either or both to provide additional documentation or explanation. Within ten calendar days of receiving the request for review, the official will respond to the employee and the supervisor in writing, proposing a resolution of the disagreement.
5. If the employee is not satisfied with the recommendation, they may submit a request for review, along with documentation, to Human Resources, which will forward it, within five calendar days, to the Executive Director. The Executive Director will review all pertinent documentation concerning the disagreement with the supervisor's performance rating, and, within ten calendar days, will make a determination. The decision of the Executive Director is final and binding.

3.9 PERFORMANCE IMPROVEMENT PLAN

If, at any time during the evaluation period, an employee's supervisor determines that an employee's performance has fallen below the performance expectations for the position, they may be placed on a performance improvement plan. The supervisor must document the below-acceptable performance, inform the employee that they have been placed on a performance improvement plan and counsel about ways they can improve. The length of the performance improvement plan for unacceptable performance is to be no less than 30 and no more than 90 days. During the performance improvement plan period, the supervisor will counsel the employee about their progress or lack of progress.

At the end of the performance improvement plan period, the supervisor will conduct a formal evaluation. If the employee has met the performance expectations of the position (completely satisfactory), the supervisor will remove them from the performance improvement plan. If the employee fails to meet the performance expectations of the position, the supervisor may

extend the performance improvement plan period and give the employee additional counseling or may terminate employment.

3.10 PERSONNEL RECORDS

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

4. COMPENSATION AND SCHEDULING POLICIES

4.1 CLASSIFICATION AND COMPENSATION

All positions at ASMSA are non-classified positions. Non-classified positions are not assigned to a pay grade, but each non-classified title has a maximum salary for each year of the biennium, called a line-item maximum, which is specified in the campus appropriations act. The actual pay for each non-classified position is determined by the institutional and department budget and by the employee's qualifications.

4.2 EXEMPT AND NON-EXEMPT EMPLOYEES

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

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

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

Non-exempt positions refer to jobs that are covered by the Fair Labor Standards Act and thus are eligible for overtime compensation (in the form of compensatory time) for hours worked more than 40 hours in any work week. Such overtime hours must be approved in advance by the person authorized for the department.

4.3 APPOINTED AND EXTRA HELP EMPLOYEES

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

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

4.4 EMPLOYMENT PERIODS ([Board of Trustees Policy 405.4](#))

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

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

4.5 WORK HOURS

(Governor's Policy Directive #5)

A governor's policy directive requires all state offices to be open for business between 8 a.m. and 4:30 p.m., Monday through Friday. However, department administrators may establish alternative working hours, so long as all full-time employees work a 40-hour work week. At ASMSA, work hours for most full-time employees are from 8 a.m. to 4:30 p.m., with one-half hours for lunch. Some departments may change the working hours for employees based on after-hours or weekend events.

4.6 PAY PERIODS

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

4.7 OVERTIME/COMPENSATORY TIME ([UA Systemwide Policy 440.8](#))

(Fair Labor Standards Act (29 U.S.C. § 201 et seq.); (Arkansas Code Ann. § 19-4-1612)

Any non-exempt employee who works more than 40 hours in any work week will accrue compensatory time at a rate of one and one-half hours for every hour of work performed over 40 hours. The request to work overtime should be discussed with the supervisor prior to the event. Employees who work overtime without obtaining express, advance approval may be subject to disciplinary action.

Workday will track any hours more than forty that you work in each work week (Sunday-Saturday) as overtime or compensatory time, and you will be paid or earn compensatory time at one and one-half hours for every hour over 40 that you actually work. Annual leave, sick leave, and holiday leave will not count towards your 40 hours to qualify for overtime or compensatory time. You may use accrued compensatory hours as leave at a time when it is convenient for your department. You may also use your compensatory time in lieu of sick leave.

Overtime pay is discouraged. Arkansas law states: "It is hereby declared to be the policy of the state of Arkansas that overtime pay for state employees is the least desirable method of compensation for overtime work." When overtime is unavoidable, it is to be managed in the most efficient and economic manner possible.

4.8 MERIT PAY

All merit pay increases for non-classified employees are based on the performance review and earned at the beginning of the next fiscal year (July 1). Employees who receive an overall rating of satisfactory, above average, or exceed standards are eligible for a merit increase.

Employees who have received a written performance-based, disciplinary reprimand, or placed on a Performance Improvement Plan during the previous 12-month rating period may not be eligible for a merit increase. Employees who have received an overall rating of "unsatisfactory" or "needs improvement" are not eligible for a merit increase.

Because the availability of funds varies from year to year, merit pay may not be funded every fiscal year and merit increase amounts may vary. In lieu of merit pay, the Executive Director may recommend Cost of Living Adjustments (COLA) as a one-time bonus payment.

4.9 CAREER SERVICE RECOGNITION PAYMENTS

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

Career Service	Annual Payment
10 through 14 years of state service	\$800
15 through 19 years of state service	\$1,000
20 through 24 years of state service	\$1,200
25 or more years of state service	\$1,500

Payments are made on the last payroll of the employee's anniversary month. Career Service Recognition payments are subject to federal income tax withholding, regular social security,

and state income tax withholdings. Withholdings such as retirement contributions or any miscellaneous deductions do not apply. Payments do not affect or become a part of an employee's base salary.

4.10 EXTRA COMPENSATION ([UA Systemwide Policy 440.2](#))

The salary or other regular compensation of a full-time employee of ASMSA is intended as compensation for all regularly assigned activities performed for or in the name of the school. However, an employee may be called upon from time to time to perform additional tasks over and above regularly assigned duties for which he or she may receive extra compensation.

Faculty and non-classified exempt employees are eligible for extra compensation, except for those employees serving as senior administrators on their campus. An employee's dean or supervisor must certify that the employee is working full time, or 100%, during the activity period for which extra compensation is being recommended.

The work for extra compensation shall not interfere with the regular duties of the individual, as certified by the supervisor. Unless specifically authorized by the Executive Director, no employee shall receive extra compensation, unless the duties are performed outside the normal work schedule or annual leave is taken for preparing and conducting said activities. For example, but not by way of limitation, full-time employees may teach for extra compensation provided preparation for and time in class fall outside their regular work schedules. The request for extra compensation must be approved prior to performance of the work. Stipends for extra compensation must be authorized to be paid at the regular payroll period for the period in which it is earned.

State grant funds or federal funds may not be used to pay extra compensation unless specifically authorized by the sponsoring agency.

Extra compensation for an employee must be consistent with any applicable state and federal laws and regulations and with any applicable accreditation standards or criteria. Extra compensation must not result in a conflict of interest.

ASMSA funds will not be used for extra compensation for such scholarly activities as research, research consultation and collaboration, or creative works considered part of normal faculty duties.

An employee's total compensation, for a year or for a month, including extra compensation, shall not exceed the line-item maximum (LIM) salary for the position, subject to the exceptions set forth in Ark. Code Ann. § 6-63-303 (for overload teaching), § 6-63-309, § 664-305, and subject to the provision below regarding private funds. Further, the maximum amount which may be paid to an employee as extra compensation is twenty (20) percent of his/her annual salary, unless authorized by the Executive Director. A change of title will not be approved to pay an individual above his/her existing line-item maximum.

To the extent an employee exceeds 125% of annual LIM with extra compensation, then the compensation must be paid through private funds and the request for exemption must be approved by the Executive Director, the President of the University of Arkansas System, and the Board of Trustees.

Unless authorized by the President, senior administrators, as defined by the chancellor or chief executive officer for each campus, division, or unit, shall not be eligible for extra compensation for teaching a class or performing other duties for the school.

4.11 WORKERS COMPENSATION

(Arkansas Code Ann. §11-9-514, 529, 701)

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

4.12 GARNISHMENTS

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

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

4.13 EMPLOYEE DEBTS AND OVER PAYMENT ([Board of Trustees Policy 405.2](#))

(Arkansas Code Annotated §26-36-303)

ASMSA shall have the right to set off against any amounts due and payable to an employee those liquidated amounts due and payable to the employee to ASMSA for any reason.

In the case of involuntary set off ASMSA may apply the offset, and then pay the net amount

remaining to the employee in full satisfaction of his or her wages or other amount due as follows:

- If the amounts owed by the employee were the result of money advanced to the employee or misappropriation by the employee of money or personal property belonging to ASMSA, the amounts owed may be set off against all wages or other money owed to the employee.
- In all other cases of offsets against an employee's wages, ASMSA may only set off amounts owed against those wages which are above the statutory minimum hourly wage.
- ASMSA may also set off amounts owed to the school against any other sums owed to an employee.

It is the responsibility of employees to notify Human Resources immediately of any salary payment errors, including overpayments. Pay slips are posted in advance of payroll in Workday to help you identify such errors before the erroneous salary payments are made. If a salary overpayment is made while you continue to be employed at ASMSA, the overpayment will be deducted from your next pay deposit or check. Subject to the above limitations, the Executive Director, in conjunction with the Finance office, may develop a repayment plan to prevent an involuntary payroll deduction.

If the employee is no longer employed at ASMSA, the final settlement with the school will be for the entire amount owed.

For any overpayments or debts left unpaid, the Office of Personnel Services of the Arkansas Department of Finance and Administration may submit a claim for overpaid wages against your state income tax refunds.

5. LEAVE POLICIES AND PROCEDURES

5.1 ABSENCES FROM WORK

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

Faculty members are required to contact their Chair, Dean of Academic Affairs, Registrar, and email students at least 30 minutes before the class is scheduled to begin. Staff members are to notify their immediate supervisor.

5.2 HOLIDAY AND CAMPUS CLOSURES

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

Holidays currently granted by the State are the following:

New Year's Day	January 1
Martin Luther King, Jr. Birthday	Third Monday in January
George Washington Birthday	Used during winter break**
Employee Birthday	Used during winter break**
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	Used during winter break**
Thanksgiving Day	Fourth Thursday in November
Christmas Eve	December 24
Christmas	December 25

- If the Governor proclaims any other holiday for State employees, ASMSA will grant that day or another day off.
- Due to the nature of some positions, if an employee is assigned a work schedule that requires work on a regularly scheduled holiday, the employee will be granted time off on another day following the holiday.
- An employee who works one-half time or greater will receive holiday pay proportionate to the time worked.
- To receive holiday pay, an employee must be in paid status (not on leave without pay) the workday prior to the holiday and the workday after the holiday.

Campus Closures (ex: Fall Break, Extended Weekends, etc.): As often as possible, it is the goal of ASMSA for employees to work a consistent schedule. When a campus closure is scheduled, employees are expected to work a designated number of hours in that week. Since the number of hours expected to work will vary based on the reason for closure, supervisors will be responsible for modifying schedules as needed.

For scheduled non-instructional days, non-exempt employees (10-month & 12-month) are expected to be on campus. Exempt employees are expected to work those hours either on-campus or off-campus.

Spring Break: 10-month employees will not be required to work during the week of Spring Break. The campus will be closed on Thursday and Friday the week of Spring Break.

5.3 INCLEMENT WEATHER

In the event of inclement weather, ASMSA recognizes the need to address how such conditions may affect the overall operations of the institution and the need to exercise caution for our faculty, students, and staff. Although ASMSA expects all employees to make every reasonable effort to come to work on occasions when we are open during inclement weather, this general expectation is subject to each employee's personal safety under the circumstances and weather conditions.

Employees are responsible for notifying their supervisor in accordance with ASMSA policy and guidelines if they do not plan to come to work due to inclement weather. Faculty members are to promptly notify their Associate Dean and the Academic Affairs office. Staff are to notify their supervisor. In the event an employee cannot work on campus due to weather/road conditions, the employee may either elect to work remotely, with their supervisor's approval, or use annual leave.

When there is an inclement weather event, the Executive Director, along with campus leadership, will make the determination as to whether a change from routine schedules is needed and will communicate the decision to employees via email and/or text message. Campus closures will be communicated the evening before or by 6:00 a.m. the day of closure, whenever possible. Employees should check their email for information as well as the text alert system.

In general, inclement weather may affect the operating status of ASMSA in three ways as detailed below:

1. **Delayed Opening:**

In the event of a "Delayed Opening," school officials will publicly announce the specific time at which the school will open. Academic schedules may be adjusted. All offices and regular business operations will open at the specified delayed time. Employees designated as "weather or event essential personnel" should report by their regularly scheduled start time regardless of the announced delayed opening, unless advised otherwise by their supervisor. All other employees are expected to arrive at work by the designated opening time.

2. **Early Dismissal:**

In the event of an "Early Dismissal," ASMSA will cease all academic classes and regular business operations at a publicly announced time. All academic classes and regular business operations will commence at the regularly scheduled time on the next workday, unless otherwise adjusted. Weather or event essential personnel are expected to remain at work as regularly scheduled unless otherwise directed by their supervisor.

All other employees will be dismissed to go home and will not be charged any leave for the balance of the employee's workday. Employees who leave earlier than the designated dismissal time will be charged leave for the full amount of time that they

are absent prior to the dismissal time and employees who do not come to work will be charged a full day's absence.

3. Campus Closure:

In the event of a "Campus Closure," all classes will be cancelled, as well as all offices and regular business operations will be closed, unless work is shifted to remote. Campus operations, including all on campus academic classes and business operations, will commence at the regularly scheduled time on the next workday. Weather or event essential personnel are expected to report to work as regularly scheduled, unless otherwise directed by their supervisor.

All other employees should not report to work and will not be charged any leave unless it was previously scheduled. Remote work may be required in lieu of working in the office and will be determined by the employee's supervisor based on departmental needs and abilities.

Weather or Event Essential Personnel

Unit supervisors are responsible for designating weather or event essential personnel and ensuring that all such employees are aware of their responsibilities. Designation of said employees will be submitted to Human Resources to document within the Workday system.

Compensation for Inclement Weather Events

When ASMSA is closed for inclement weather, there will be no loss of pay for employees.

Employees designated as weather or event essential are expected to work their regularly scheduled hours unless directed otherwise by their supervisor. Non-exempt staff designated as weather or event essential personnel who report to work at their scheduled time will receive inclement weather pay (IP) for all hours worked during that period at time-and-one-half rate. Exempt employees designated as weather or event essential personnel may adjust their work schedules for time worked during closure.

5.4 ANNUAL LEAVE ([Board of Trustees Policy 420.1 and 420.2](#))

Employees who work 1000 hours or more per year in a 12-month non-exempt, regular position will accrue annual leave based on years of service as follows with accrual occurring at the end of each month:

Start of employment-year 3	8 hours monthly	12 days annually
Years 4-5	10 hours monthly	15 days annually
Years 6-12	12 hours monthly	18 days annually
Years 13-20	14 hours monthly	21 days annually
Years 21 +	15 hours monthly	22.5 days annually

Employees who work in a full-time, 12-month exempt, regular position, will accrue annual leave at the rate of 15 hours per month or 22.5 days per year. While administrative duties cannot be limited to a five-day, 40-hour week, for purposes of annual leave the normal work week shall be considered Monday through Friday.

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

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

Annual leave must be earned before it can be used. Employees may not borrow from amounts they expect to earn, and they may not use annual leave earned by other employees. Overuse of unaccrued leave hours may result in a docked pay status, disciplinary actions and/or termination.

Employees continue to earn annual leave at their normal earning rate when on leave with pay. Employees do not earn annual leave during a month when they are on leave without pay for 10 or more days, Catastrophic Leave, or an equivalent proportion if your appointment is less than 100%.

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

If an employee transfers to ASMSA from another state agency or institution of higher education, without a break in service (within thirty (30) consecutive working days), they retain and transfer all of their accumulated annual leave. They will receive one year's credit for each full year that was worked in another state agency or institution of higher education. They will not, however, receive credit for partial years.

Upon termination, resignation, retirement, death, or other action by which a person ceases to be an active employee of the school, the amount due the employee or his/her estate from accrued annual leave or holiday leave, not to exceed thirty working days (240 hours) inclusive of holidays, shall be included in the final pay to the employee. No employee receiving such additional compensation shall return to ASMSA employment, or employment with another state agency, until the number of days for which they received additional compensation has

expired.

5.5 SICK LEAVE ([Board of Trustees Policy 420.3](#))

Employees who are employed full-time and on at least a ten-month appointment period will earn sick leave. Paid sick leave is not granted as vacation leave and can be used only when: (1) the employee is unable to perform the employee's regular duties because of sickness or injury or (2) for treatment by or consultation with a licensed healthcare provider.

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

An eligible, full-time (100%) employee accrues sick leave at the rate of eight hours for each complete month of service, up to a maximum annual carryover of 960 hours. Eligible employees working less than full time accrue sick leave in the same proportion to time worked.

Requests for sick leave should be submitted in advance, when possible (i.e., medical appointments, procedures, etc.). When advance notification is not possible, sick leave should be reported to the employee's supervisor within the first hour of their regularly scheduled time to report to work. Faculty members are required to contact their Chair, Dean of Academic Affairs, Registrar, and email students at least 30 minutes before the class is scheduled to begin. An unplanned sick leave request must be submitted within two days after the employee returns to work.

If an employee is absent for five or more days due to illness/injury, they may be required to furnish written proof of illness/injury from a health care provider. A certificate from a Christian Science practitioner listed in the Christian Science Journal may be submitted in lieu of a physician's certificate.

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

If an employee transfers to ASMSA from another state agency or institution of higher education, without a break in service (within thirty (30) consecutive working days), they may retain and transfer all their accumulated sick leave.

When an employee is laid off due to budgetary reasons or curtailment of School activities and within six months again becomes an employee of the school, accrued sick leave may be restored to his/her credit.

Absence due to illness or disability, except in the case of leave for pregnancy or maternity

related health conditions, is charged first to sick leave, and next to any remaining available leave in the order dictated by payroll procedures.

Maternity-Related Health Conditions

Sick leave may be taken for pregnancy and maternity-related health conditions and will be treated as any other leave for sickness under the Family and Medical Leave Act except that: (1) no health care provider certification will be required for the first four weeks following the birth of the child, and (2) the employee taking leave for a pregnancy or maternity-related health condition may elect to take leave of absence without pay without exhausting accumulated annual and sick leave. The employee is expected to complete FMLA paperwork with as much notice as possible prior to beginning leave for a pregnancy or maternity-related health condition.

5.6 FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act of 1993 (FMLA) is a federal law that provides eligible employees with unpaid, job-protected leave for specified family and medical reasons. ASMSA complies with the Act and shall provide FMLA leave to its eligible employees.

To be eligible for FMLA leave an employee must have been employed by ASMSA for at least 12 months and must have worked at least 1,250 hours during the 12 months immediately before the FMLA leave begins. Only time worked is counted for the purposes of the FMLA. Sick leave, annual leave, catastrophic leave, holiday time, and any other time not actually worked does not count toward FMLA eligibility.

Qualifying events include:

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

The terms “serious health condition,” “qualifying exigency”, and “covered service member” are defined at length in the FMLA. A serious health condition is an illness, injury or chronic condition that involves treatment or supervision by a medical professional. It also includes incapacity or treatment related to pregnancy.

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

the Americans with Disabilities Act (ADA).

An eligible employee is entitled to up to twelve work weeks of FMLA leave during a 12-month period. The 12-month period for calculating FMLA leave for all employees will be measured forward from the date that the employee's first FMLA leave for any of the above reasons begins. The next 12-month period would begin the first time the employee takes FMLA leave after the completion of the prior 12-month period. Leave may be taken as continuous leave, intermittent leave or through a reduced work schedule based on medical necessity.

A total of 26 weeks in a 12-month period is available to care for a covered service member with a serious service-related injury or illness. Regardless of the method applied for other FMLA leave, the 12-month period for calculating use of leave to care for a covered service member begins on the first day the employee takes leave for this reason.

When an employee and spouse are both employed by the school, leave for the serious health condition of a parent, or for the birth or adoption of a child, is limited to a combined total of 12 weeks for both employees.

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

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

ASMSA requires employees to use accrued vacation, sick leave, and/or catastrophic leave (if applicable) concurrently with unpaid FMLA leave.

5.7 PAID PARENTAL LEAVE ([BOARD OF TRUSTEES POLICY 420.2](#))

Employees who have completed two years of consecutive, benefits-eligible, systemwide employment, an employee entitled to leave under the Family Medical Leave Act (FMLA) is eligible for paid parental leave on the conditions described in this policy.

Paid parental leave may only be used concurrently with Family Medical Leave. Paid parental leave does not create an additional period of protected leave. An employee having exhausted Family Medical Leave eligibility has no paid parental leave eligibility until eligibility for Family Medical Leave is restored.

Paid parental leave is available to eligible employees who are a birth parent, legal spouse of the birth parent, an adoptive parent, or a foster parent. Employees on appointments of less

than 12 months are not eligible for paid parental leave during any days outside the appointment period.

Paid parental leave may be used for the birth of a child or the adoption or foster placement of a child up to the age of 18 years. In all cases, leave is available only within the first 12 months of the birth, adoption, or foster placement of the child and only as long as the child remains under the age of 18. An employee may not use paid parental leave intermittently or to work a reduced work schedule.

Paid parental leave provides for up to six weeks of paid leave at the employee's regular rate of pay. Bonus, incentive, overtime, and other pay not included in the employee's base salary is not included in paid parental leave.

When both parents are employees eligible for paid parental leave, the paid leave availability is limited to a combined total of six weeks. The six weeks will be divided equally between the two employees if the employees are unable to agree on the allocation of the paid parental leave.

An employee (or employees when both parents are eligible employees) may receive paid parental leave a maximum of three times. This maximum applies regardless of whether the employee has been employed by different campuses, divisions, or units or has had multiple employment periods.

Paid parental leave is limited to one use per child. An employee (or employees when both parents are eligible employees), for example, is not eligible for paid parental leave for the adoption of a child if the employee took paid parental leave for the initial foster placement of the same child.

Paid parental leave is not compensable to the employee upon termination of employment.

Nothing in the use of paid parental leave will limit or otherwise restrict the use of leave without pay, accrued annual leave, sick leave, or group short-term disability within the guidelines of those programs and applicable law. In no case, however, may paid leave or disability programs used in any combination result in a payment of more than 100% of an employee's base salary.

Employees seeking paid parental leave can access the application at <https://www.asmsa.org/human-resources/>.

MILITARY LEAVE ([Board of Trustees Policy 420.4](#))

*(University wide Administrative Memorandum 435.2, 435.3),
(Public Law 93-508, 94-286; Arkansas Code Ann. §21-4-3, §214 105)*

Twelve-month employees who are members of the National Guard or of any of the Reserve

branches of the Armed Forces of the United States and are a full-time appointed 12-month employee, you will be granted fifteen working days of leave, plus any necessary travel time, each year for training. Military leave for annual training or other official duties is granted without any loss of pay and is in addition to your regular annual leave. You must make requests for military leave in writing, and you must attach a copy of your military orders to each request for military leave.

An employee who is recalled to active duty in the Armed Forces of the United States or who volunteers for military service that would exceed the employee's accumulated leave shall be placed on extended military leave without pay. For an employee whose tour of military duty is more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days of the effective date of his or her release from active duty. For an employee whose tour of duty exceeds 181 days, the employee must submit an application for reemployment within 90 days of the effective date of his or her release from active duty. Employees who comply with the terms of this policy and the Uniformed Servicemembers Employment and Reemployment Rights Act (USERRA) shall be reinstated to the position vacated or to an equivalent position at no loss of seniority or any of the other benefits and privileges associated with their employment. An employee who accumulates five years of military absence as defined by USERRA forfeits his/her reemployment rights.

Any unused sick and annual leave that has accumulated before they go on extended military leave will be reinstated when they return.

Military personnel called to duty by the Governor or by the President of the United States in emergencies, as defined by A.C.A. § 21-4-212(c), shall be granted leave with pay not to exceed 30 working days after which leave without pay will be granted. This leave shall be granted in addition to regular time but not in addition to regular military leave. Additionally, employees whose tour of duty exceeds 30 days may be eligible for proportionate salary payments in accordance with A.C.A. § 21-5-1202.

5.8 COURT AND JURY DUTY LEAVE ([Board of Trustees Policy 420.5](#)),

(University wide Administrative Memorandum 435.2, 435.3),

(Arkansas Code Ann. §§ 21-4-213 and 21-5-104)

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

When service on a jury would cause hardship to the operation of the work unit, the executive Executive Director, after consulting with the Office of General Counsel, may petition the judge, in writing, asking that the employee be excused from jury duty. However, if the request is denied or no response is received before the date jury duty is to begin, the employee must report for jury duty.

When an employee is subpoenaed as a witness it will be determined through the employee's administrative chain, in consultation with the Office of the General Counsel, if the employee's testimony is within the scope of their employment. Employees who are called as witnesses for cases in which their testimony is in the scope of their employment are entitled to their salary with no charge to leave for their absence. Depositions or statements which involve ASMSA may be taken during duty hours. Employees who are called as witnesses on matters outside of the scope of their employment shall take annual leave. Nine-month employees, if subpoenaed to testify on matters not related to ASMSA or their scope of employment, will coordinate the scheduling of testimony with their administrative chain to ensure that the absence does not interfere with their employment duties and is in keeping with applicable leave policies. Use of depositions is preferred for non-scope of employment testimony and should be handled during off-duty time or while the employee is on leave status.

An employee who intends to serve as an expert witness in a legal matter must comply with ASMSA conflict of interest policies, which require disclosure and review of all possible conflicts of interest and commitments. This includes the requirement to comply with all applicable outside employment rules, including Board of Trustees Policy 450.1 Outside Employment, which requires prior approval of all outside employment by all full-time faculty and specified staff members. Employees who are retained by a party or by a court as expert witnesses and paid a fee in excess of the normal witness fee set by statute or court rule shall take annual leave for the time required for such testimony. Employees who do not accrue leave should coordinate their absence with their administrative chain to ensure no disruption of their employment duties.

5.9 BEREAVEMENT LEAVE

An employee may use sick leave when they are absent due to the death of a member of their immediate family. Immediate family means an employee's mother, father, sister, brother, husband, wife, child, grandchild, grandparents, in-laws, or any individual who has functioned as your parent or guardian.

If an employee wishes to attend the funeral of anyone outside of their immediate family, they should make a request, as far in advance as possible, to their supervisor. Sick leave and/or annual leave can be used for bereavement leave.

5.10 LEAVE FOR CHILDREN EDUCATIONAL ACTIVITIES

(Act 1796 of 2007; Arkansas Code Ann. §21-4-216)

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

For the purposes of children's educational activities leave, "child" is defined as any person enrolled in pre-kindergarten through grade 12 (preK-12) who is your natural child, adopted

child, stepchild, foster child, grandchild, legal ward, or for whom you are the legal guardian or act in any other legal capacity as a parent, or is over the age of 18 and declared legally incompetent.

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

Educational activities are defined as any school sponsored activity including:

- Attending a parent-teacher conference.
- Participating in school-sponsored tutoring of the child.
- Participating in a volunteer program sponsored by the school in which the child is enrolled.
- Attending a field trip with the child.
- Attending a school-sponsored program or ceremony in which the child is participating.
- Attending a graduation or homecoming ceremony in which the child is participating.
- Attending an awards or scholarship presentation in which the child is participating.
- Attending a parents' or grandparents' breakfast in which the child is participating.
- Attending a classroom party in which the child is participating.
- Attending a school committee meeting of the school in which the child is enrolled.
- Attending an academic competition in which the child is participating.
- Attending an athletic, music, or theater program in which the child is enrolled.
- Engaging in any of the activities listed above that are connected with a pre-kindergarten program.

5.11 EDUCATIONAL LEAVE

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

5.12 VOTING TIME OFF

In most communities, polls remain open long enough to allow time to vote before or after working hours. In cases of extreme hardship, such as having to travel a great distance to the appropriate polling place, the employee may be permitted to report to work late or to leave early to vote. The time permitted for this purpose is given to the employee with pay and

without reduction of sick leave, annual leave, or any other benefit. If it is necessary for an employee to use this privilege, they are to notify their immediate supervisor before Election Day.

5.13 CATASTROPHIC LEAVE BANK

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

Catastrophic Leave may also be used for parental leave to provide care and facilitate bonding in connection with the birth of an employee's biological child or placement of an adoptive child in an employee's home. An eligible employee may receive up to four consecutive weeks of paid leave (160 hours) within the first twelve weeks after the birth of the employee's biological child or placement of an adoptive child in the employee's home. If two employees are the parents of the child, the leave must be shared between the two employees.

Only full-time (100% appointed) employees in a benefits-eligible position may donate or receive hours in the catastrophic leave bank. Donations are strictly voluntary, and employees do not need to be donors to receive hours from the bank. Leave donations are accepted only during donation drives or at an employee's end of employment. Donations are made in one-hour increments. There is no limit to the number of hours that can be donated. A donation cannot be accepted, however, if it reduces the combined sick and annual leave balances of the donor to less than 80 hours.

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

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

5.14 WORKERS COMPENSATION

If you become injured or ill while you are at work due to a work-related incident, you may be eligible to receive Workers' Compensation. Workers' Compensation is available to you by law to ensure that you get appropriate and reasonable medical care for injuries or illnesses sustained while you are on the job. Should your injury or illness require that you take an

extended period of absence from work, you may be eligible for disability benefits through Workers' Compensation.

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

Reports of injuries should be reported to the immediate supervisor and Human Resources immediately for further instructions on how to receive care. Determination and payment of claims is made by the Public Employee Claims Division located in Little Rock. Workers' Compensation leave benefits and Family and Medical Leave can run concurrently and Workers' Compensation leave can count against an employee's FMLA leave entitlement.

5.15 LEAVE WITHOUT PAY ([Board of Trustees Policy 420.6](#))

The UA System President's approval, upon the recommendation of the Executive Director, is required for any employee's request for a leave of absence without pay, unless such leave is requested in accordance with the provision for military leave, the Family and Medical Leave Act, or the Americans with Disabilities Act, in which case the Executive Director may approve the request.

Requests for leave of absence without pay should be made to the employee's immediate supervisor and must be approved by the department head, Human Resources, and/or the Executive Director.

Leave of absence without pay may be granted to ASMSA employees for the following reasons:

- An extended absence, requested by the employee, which is in the best interest of the school or which the school can accommodate. Non-classified employees may be granted up to six months' leave without pay. Employees must make a written request to the Executive Director for approval of a leave of absence without pay if it is for any reason except those which follows.
- Necessary absences due to the employee or employee's immediate family member's serious health condition or because of disability or personal reasons when the absence extends beyond your available earned annual and sick leave. On a case-by-case basis, unpaid leave will be considered as a form of reasonable accommodation for qualified individuals with disabilities.
- Leave for the birth or placement of a child for adoption or foster care.
- Military leave involving active duty or active duty for specialized training.
- Employees may be put on leave of absence without pay for disciplinary reasons.
- Employees who do not report to work because of inclement weather conditions may elect to use "leave without pay" in lieu of "annual leave" with approval from their supervisor. Absences due to inclement weather will be treated as an "excused

absence."

Employees must use all your accumulated annual leave before they take leave without pay, except when the leave qualifies as parental leave, certain types of military leave, when the leave is for disciplinary purposes, or for absences due to inclement weather. Any employee on leave of absence without pay will not accumulate annual leave or sick leave, participate in group insurance programs that the school contributes to, or receive pay for official school holidays. An employee may continue to participate in the school's group insurance programs provided arrangements are made in advance with Human Resources to assume full payment of the premium costs.

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

6. EMPLOYEE BENEFITS

6.1 SOCIAL SECURITY

All ASMSA employees are covered by federal Social Security and Medicare insurance. Employees pay a portion of the tax to fund this coverage when it is withheld as a percentage of your gross salary. The school pays a matching amount which is credited to your account. The percentage of an employee's gross salary which is withheld for Social Security and Medicare is set by federal law. Questions about benefits under the Social Security system should be directed to the local Social Security Administration office. Employees may request specific information about their own Social Security account, and should do so periodically, to ensure that their account is being credited properly. The Social Security Administration requires, for benefits protection, that the name under which an employee is paid and to which the Social Security payments are credited must be identical to the name on the employee's Social Security card.

6.2 HEALTH INSURANCE ([Board of Trustees Policy 430.1](#))

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

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

Prescription drug coverage is provided by MedImpact. The cost for prescriptions depends on the medical plan in which they are enrolled, the type of medication and if they have met the plan's annual deductible or out-of-pocket maximum.

Visit the Human Resources benefits website, <https://benefits.uasys.edu/>, for specific details of the health plan, including eligibility criteria, enrollment forms, plan benefits and exclusions, premiums, prescription costs, and lists of participating physicians, hospitals, and other health care providers.

6.3 DENTAL INSURANCE

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

6.4 VISION INSURANCE

Vision coverage is available for an employee and eligible dependents even if an employee is not enrolled in the medical plan. Vision premiums are paid by the employee only.

6.5 LIFE INSURANCE/ACCIDENTAL DEATH AND DISMEMBERMENT

[\(Board of Trustees Policy 430.2\)](#)

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

An employee may elect additional life insurance through the school for themselves and their dependents. The employee will pay the full cost of this coverage and must enroll within 31 days after the first day of work without having to provide proof of insurability. Optional life insurance increases coverage, and pays beneficiaries amounts equal to one, two, three or four times the annual salary, up to a maximum of \$500,000.

An employee may elect dependent life insurance for their spouse and eligible dependents. The policy allows for \$10,000, \$15,000 or \$20,000 coverage on spouses. Eligible dependents are biological children, adopted children, stepchildren, and children for whom legal guardianship is held and who are under age 26. Eligible children are covered for 50% of the spouse's coverage.

Accidental Death and Dismemberment Insurance

Accidental Death and Dismemberment insurance is available for employees and their eligible dependents. If the employee or a covered dependent die as the result of an accident, on or off the job, the beneficiary will receive a benefit based on the amount of coverage selected.

Coverage may be chosen for employees in increments of \$25,000 up to \$300,000. Dependent

coverage is 60% of the employees amount, and each eligible dependent is covered for 20% of the employee's amount. The plan may also pay partial benefits if a covered person is seriously injured or loses a limb or eyesight.

6.6 LONG TERM DISABILITY INSURANCE ([Board of Trustees Policy 430.3](#))

ASMSA pays the full cost of your basic long-term disability insurance policy for active, regular appointed employees who work 20 hours a week or more. Coverage is automatic, starting with the first day of work. If the employee's annual salary is more than \$20,000, they may purchase additional optional long-term disability coverage to increase benefits. The employee pays the total cost of the optional coverage, which will be deducted from their paycheck. Both the basic and the optional long-term disability insurance policies are designed to coordinate with other forms of disability insurance, such as social security and workers' compensation, to provide total monthly payments, until retirement or reaching age 65, equal to 60% of the employee's salary before becoming disabled. Payments begin in the seventh month of the long-term disability period.

Employees may elect voluntary short term disability insurance. Short term disability provides 60% of the employee's pre-disability salary, up to \$216,000.

6.7 RETIREMENT ([Board of Trustees Policy 425.5](#))

ASMSA assists employees in planning for life beyond their working years with generous and flexible retirement benefits. Benefits eligible employees are required to participate in the School of Arkansas 403(b) defined contribution plan.

When choosing investment plan choices, consider factors such as future employment plans and interest in participating in the management of invested funds.

403(b)/457(b) Retirement Plan

The UA 403(b)/457(b) plan is a defined contribution and does not pay a specific benefit when employees retire. Retirement benefit is dependent on the earnings or losses of investments. Employees contribute a percentage of their pay, and the school will make a matching contribution. At retirement or separation of service, employees can withdraw this money in lump sum amounts or over time, subject to plan limitations. Before retirement, money may begin to be withdraw at age 59½.

Offering retirement options for regular 403(b), Roth 403(b) and 457(b) plans, the defined contribution plan gives employees the option of investing with TIAA and/or Fidelity Investments.

Plan highlights:

- Employees are required to contribute at least 5% of their regular salary, pre-tax, to the 403b. ASMSA will contribute 5% of their regular salary to the 403b.
- If an employee elects to make additional voluntary contributions on a pre-tax or after-tax (Roth) basis, ASMSA will match contributions, dollar-for-dollar, up to 10% of their regular salary.
- Contributions are deducted from an employee's regular salary before federal and state

taxes are calculated, and taxes are based on income after retirement contributions. Pre-tax retirement contributions and their attributable earnings are taxed the year you withdraw them, deferring federal and state taxes until withdrawal. The mandatory employee contribution must be Pre-tax.

- After tax (Roth): Retirement contributions are made after the applicable taxes have been deducted from an employee's salary. Therefore, contributions are not taxed when they are withdrawn. Earnings on Roth contributions will be tax-exempt if they are part of a qualified distribution (at least five years from the year of the first Roth 403b contribution and after reaching the age of 59 1/2).

Contribution Limits

Employee voluntary 402g contributions are set by the IRS each year. Employee required contributions do not apply to the 402g limits but do apply to the 415c limits which are combined employee and employer contributions, excluding the additional employee voluntary contributions for employees over the age of 50. Contribution limits can be found on the IRS retirement page. [Retirement topics-403\(b\) Contribution Limits](#)

Employees will only participate in the 457b plan if they reach the 403b limit before the end of the calendar year.

Vesting

To be vested in the retirement plan means that an employee has been given ownership of the money within their retirement account. Employees not vested when they leave employment forfeit all school contributions made to their retirement accounts. Employee contributions are 100% vested immediately.

Employees in a benefits eligible position become vested in the ASMSA contributions following one of the events listed below:

- Completing 24 consecutive months of employment in a benefits eligible position.
- Die.
- Reach age 65.
- Become disabled as determined by the Social Security Administration or ASMSA's long-term disability insurance provider.

If an employee is fully vested when leaving ASMSA employment and then return as an employee at ASMSA or another UA campus, the vesting status will be retained.

If an employee is not vested when leaving ASMSA employment and returns to ASMSA with a separation of 30 or more days, the vesting period starts over.

Defined Benefit Plans

The University of Arkansas system ceased participation with the Arkansas Public Employees Retirement System (APERS) effective July 1, 2016, and the Arkansas Teachers Retirement System (ARTRS) effective July 1, 2011. If you were employed by ASMSA and were a participant in either plan before the school stopped participating, you were allowed to continue

participating.

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

Retirement Options for Non-Benefits-Eligible Employees

Non-benefits-eligible employees can voluntarily participate in the 403(b) Retirement Plan. ASMSA will not contribute to their account. Contributions can be pre-tax or after-tax. Employees may participate through TIAA or Fidelity.

6.8 WELLNESS PROGRAM AND LEAVE TIME

ASMSA offers incentives for participation in campus-based wellness programs. Wellness leave time is offered to all employees to promote healthy living, self-care, and positive mental and physical health. Employees are entitled to 1.5 hours each week to use for campus sponsored/initiated fitness activities or use of the campus fitness center. Employees will need to collaborate with their supervisor to establish a schedule that works for them and their department to take advantage of wellness time.

The annual Tobacco Pledge is available each year during open enrollment. Participation in the pledge grants employees lowered annual out of pocket maximums on the Classic and Premier medical plans.

The Real Appeal online weight loss program is free to ASMSA employees in a school-sponsored medical plan.

More information regarding the wellness program can be found on the benefits website.
<https://benefits.uasys.edu/health-wellness/wellness/>.

6.9 OPTIONAL BENEFITS

In addition to major medical, dental, and vision, ASMSA offers a range of optional benefits available to employees including Short Term Disability, Critical Illness, Hospital and Indemnity, Accident Protection, Legal Shield, ID Watchdog, and Farmers Group Select Auto & Home Insurance. More information can be found on the ASMSA benefits site.

<https://benefits.uasys.edu/>

6.10 TUITION ASSISTANCE [\(Board of Trustees Policy 440.1\)](#)

All full-time employees, not on leave without pay other than workers compensation, military, or family medical leave, employed as of the final day of regular registration in any session or semester, their spouses, and their dependent children (as defined by the Internal Revenue Service) are eligible for a tuition discount at another UA System institution but will be limited to 132 undergraduate hours. Surviving spouses, who have not remarried, and dependent children of deceased employees who died while in the full-time employment of ASMSA are also eligible. All enrollees must meet normal admissions requirements, and audits should be on

a space available basis only. For employees hired after May 1, 2017, eligibility as described above shall begin with the final day of regular registration following continuous employment in a full-time position with ASMSA for one complete fall or spring semester.

ASMSA employees shall designate one campus as the “employee’s campus” for purposes of this policy. The designated campus shall remain the same for the term of employment unless the site of employment changes. These employees should receive the same employee and/or dependent tuition waiver available for undergraduate education on the designated “employee’s campus” that is available for employees of the designated campus.

Employee’s enrollment at reduced rates shall not exceed eleven semester credit hours in the fall and spring semesters and six semester credit hours in the summer session. All enrollments that require release time from an employee’s work schedule must be approved by an authorized supervisor. This policy does not assume that release time from regular working hours will be automatically permitted. Release time is not a right but a privilege that is granted at the authorized supervisor’s discretion.

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

Tuition Reimbursement for Graduate and Doctoral Programs

ASMSA encourages our employees to pursue advanced and/or terminal degrees when possible. Employees may be eligible to receive reimbursement for tuition and fees of approved continuing education, graduate or doctoral work that will be a benefit to ASMSA and/or to the employee’s current position. Reimbursement will not exceed \$3,000 per year (July-June) for approved master’s degree programs and \$5,000 per year (July-June) for approved doctoral degree programs. Some ASMSA departments may have preferred degree programs approved by the institution that are beneficial to ASMSA which may result in larger reimbursement amounts.

Full reimbursement of tuition and fees will be granted if ASMSA requires a full-time employee to take a class to maintain eligibility for employment for his or her current position. A written request will be sent to the employee detailing coursework requirements and placed in the employee’s personnel file.

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

To be eligible for the tuition and fees reimbursement, requirements must be met prior to the start of the semester or session (where applicable). Information regarding the tuition

reimbursement program can be located on the Human Resources website.
<https://www.asmsa.org/human-resources/hr-forms-and-general-information/>

If the employee benefiting from this policy does not continue employment with ASMSA for one calendar year following the completion or coursework for a master's degree and two calendar years following the completion or coursework for a doctoral program in which reimbursement is granted, the employee shall reimburse ASMSA the reimbursement amounts from the previous year.

In the event an employee is denied tuition reimbursement and would like to appeal, an appeals committee will be in place to review the decision. The committee will be made up of the Director of Human Resources, one faculty member, and one staff member.

6.11 EMPLOYEE ASSISTANCE PROGRAM

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

The EAP also offers training sessions and workshops that address personal and organizational issues that may affect work performance and provides consultation for supervisors dealing with a variety of work-related issues. The EAP will provide stress debriefing in the event of a critical incident that affects the campus.

Use of the EAP is voluntary. Choosing to participate in the programs of the EAP, or not to participate, will not affect job status or opportunities for promotion, but it will also not excuse an employee from following school policies and procedures concerning job performance and conduct. A supervisor may refer an employee to the EAP if there are problems with work performance or conduct. However, it is the employee's choice to accept or not accept the supervisor's referral. If EAP refers you to another source of help, the decision to accept that referral is also an employee's own choice and responsibility.

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

Employees may visit EAP during work hours if visits are coordinated with their supervisor. An employee will not be charged annual leave or sick leave if arrangements are made with the supervisor of when to visit the EAP. The EAP may confirm to the supervisor that the employee

kept their appointment and how long the appointment lasted, but not what was discussed during the appointment or the reason for the visit. EAP can schedule appointments outside of work hours or employees may use accrued sick leave or annual leave if they wish to keep visits to EAP confidential.

The EAP services are free to benefit eligible employees and members of their household. If EAP makes a referral to an outside provider, the employee will be responsible for any costs associated with those services that are not covered by medical insurance.

6.12 UNEMPLOYMENT BENEFITS

ASMSA contributes to the state unemployment insurance fund, and under certain circumstances, former employees may be eligible for unemployment compensation benefits. Claims for unemployment benefits can be filed at any Arkansas Division of Workforce Services office.

6.13 CONTINUATION OF BENEFITS

If employment with ASMSA is terminated for any reason other than because of gross misconduct and the employee is covered by the school's medical insurance plan, or if an employee become a part-time employee and are no longer eligible for coverage under the medical insurance plan, they may continue their coverage at their own expense for up to eighteen months or until they become covered by another plan, whichever comes first, under the provisions of the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Covered dependents may also be eligible for COBRA coverage under certain circumstances. For additional information, contact Human Resources.

7. EMPLOYEE RESPONSIBILITIES, SERVICES, AND CONDUCT

7.1 USE OF SCHOOL NAME, SEAL, AND LOGO ([Board of Trustees Policy 100.7](#))

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

The Public Information Specialist can assist with the development of program specific logos that conform to ASMSA standards. Approved ASMSA logos and letterhead are located at <https://www.asmsa.org/faculty-staff-resources/brand-guide/>. The materials should only be used for official purposes. ASMSA collaborates with both internal staff and external agencies to develop promotional materials. Posters, flyers, or other notices for external use on behalf of ASMSA should receive approval from the Public Information Specialist prior to distribution or publication.

7.2 USE OF SCHOOL PROPERTY AND FACILITIES ([Board of Trustees Policy 705.1](#))

ASMSA equipment and supplies should only be used for work-related purposes. Computers,

telephones, cell phones, photocopying machines, vehicles, machinery, tools, disposable supplies, and other equipment and materials may not be used for personal activities. ASMSA equipment may not be discarded but must be disposed of in accordance with established procedures. Bulletin boards, except for designated ones in the Student Center, may not be used for private or commercial activities. Unauthorized or personal use of equipment or supplies may be grounds for dismissal.

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

Room requests do not need to be filed for use of an instructor's primary classroom for programming during normal business hours; however, faculty should consult the event calendar to ensure there are no conflicts. [Campus Room Reservation Calendar](#)

Employees may request use of shared campus spaces such as the Oaklawn Foundation Community Center, conference rooms, or specific classrooms for school-related programming and events using the following form: [Campus Room Reservation Form](#)

Whenever possible, requests should be made at least two weeks in advance to ensure space availability as well as to confirm any needs related to catering, janitorial, or technology.

7.3 CONFIDENTIAL INFORMATION

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

7.4 ARKANSAS FREEDOM OF INFORMATION ACT

(Arkansas Code Ann. § 25-19-101 et seq.; Act 1093 of 1999)

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

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

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

7.5 POLITICAL ACTIVITIES ([Board of Trustees Policy 465.1](#))

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

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

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

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

- not devoting any time or labor during usual office hours toward the campaign of any candidate for office or for the nomination to any office including the gathering of signatures for a nominating petition.
- not circulating an initiative or referendum petition or soliciting signatures on any initiative or referendum petition in any public office or during the usual office hours of the school or while on duty for the school.
- not coercing, by threats or otherwise, any public employee into devoting time or labor towards the campaign of any candidate for office or for the nomination to any office.

- not using any office or room furnished at public expense to distribute any letters, circulars, or other campaign materials unless such office or room is regularly used by members of the public for such purposes without regard to political affiliation.
- not to use for campaign purposes any item of property provided with public funds; “campaign materials” and “campaign purposes” refer to the campaign 465.1 2 of a candidate for public office and efforts to support or oppose a ballot measure, except as provided in Ark Code Ann 7-1-111.
- not to assess any public employee for any political purpose whatever or to coerce, by threats or otherwise, any public employee into making a subscription or contribution for any political purpose.
- not to place any campaign banners, campaign signs, or other campaign literature on any cars, trucks, tractors, or other vehicles belonging to the school.

Any approved political activities of an employee must be taken on personal time by taking annual leave with approval of the employee’s supervisor.

Nothing in this policy shall prohibit the Board from engaging in government speech, provided that the expenditure of public funds to support or oppose a ballot measure is prohibited except as permitted by Arkansas Code Ann. 7-1-111(c).

7.6 WHISTLEBLOWER POLICY ([Board of Trustees Policy 355.1](#))

(Arkansas Code Ann., § 21-1-601 et. Seq.; Act 1523 of 1999 as amended by Act 601 of 2003)

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

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

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

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

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

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

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

The whistleblower's role is as a reporting party. Whistleblowers provide information related to a reasonable belief that alleged wrongful conduct has occurred within the school's operations. Whistleblowers have a responsibility to be candid with the school officials, management, or investigators to whom they make a report of alleged wrongful conduct and shall set forth all known information regarding any reported allegations.

Persons making a report of alleged wrongful conduct should be prepared to be interviewed by employees who have the authority to conduct investigations. A whistleblower has the right to be informed of the subsequent disposition of their disclosure unless the information is legally protected from release.

7.7 COMPUTERS AND THE INTERNET

Anyone using or accessing ASMSA IT Systems is subject to the provisions of this policy and other computer usage policies. ASMSA faculty, staff, alumni, approved guests, contractors, and consultants are permitted to use ASMSA's computing and networking services but are subject to the terms of this policy during that use. Individuals who use personally owned equipment while connected to the school network are subject to the provisions of this policy while connected to the network.

It is the policy of ASMSA to provide and maintain computing, networking, and telecommunications technologies to support the education, research, and work of its students, faculty, and staff. ASMSA respects the rights of users to express their own opinions in their personal communications using the computer systems. To preserve the security, availability, and integrity of ASMSA computing resources, and to protect all users' rights to an open

exchange of ideas and information, this policy sets forth the responsibilities of each member of the ASMSA community relative to the use of these resources. To accomplish these ends, this policy also supports the resolution of complaints raised under this policy.

All users of ASMSA IT Systems must be aware that violations of this policy may result in revocation of access, suspension of accounts, disciplinary action, or prosecution, and that evidence of illegal activity will be turned over to the appropriate authorities. It is the responsibility of each member of the ASMSA community to read and observe this policy and all applicable laws and procedures. Any violation of UASP 285.1 or the ASMSA policy on use of technology resources shall be subject to the progressive discipline policy. Depending on the severity of the violation, disciplinary action may include suspension or termination.

Campus units that manage their own computers may add, with the approval of the Executive Director and reviewed by the IT Manager, individual guidelines which supplement, but do not change, the intent of these policies.

The computing, networking, and telecommunications technologies established or maintained by ASMSA are the property of ASMSA, as are any software licenses purchased with School funds. The computer records created or maintained by employees and contained in these systems – including documents, email, listserv archives, text messages, and voice mail – are the property of ASMSA. Exceptions to ASMSA ownership of such records include those addressed through a grant or contractual relationships with external agencies or those in which ownership rights are transferred through other ASMSA policies.

The policies described in the ASMSA Acceptable Use Policy are those that the school uses in the normal operation of IT facilities and network. This document does not waive any claim that ASMSA may have ownership or control of any hardware, software, or data created on, stored on, or transmitted through ASMSA IT systems and network.

New hires will be assigned IT training in Workday Learning that contains all policies as part of the onboarding process. Employees are expected to review and be familiar with all IT policies. The campus community will be informed of any policy revisions annually by the IT staff. IT policies can be located at <https://www.asmsa.org/human-resources/>.

7.8 SOCIAL MEDIA POLICY

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

- Faculty and staff interactions with students on social media should be confined to academic and residential life issues.
- To the extent possible, faculty and staff should use the social-networking tools provided through school accounts to communicate with students rather than tools available

through their own personal accounts. ASMSA reserves complete discretion to monitor and remove offensive or inappropriate postings on school accounts.

- When asked, parents/guardians and appropriate school officials will be provided with a written explanation of the academic purpose for the use of social media by faculty and staff. A written explanation will be provided by the individual faculty or staff member using social media.
- Faculty and staff should regularly check for inappropriate material on any social media site that they use for exchange of academic and residential life information to which their students and/or public can view or post. Any such material should be reported to ASMSA administration.
- Faculty and staff are prohibited from disclosing through social media confidential ASMSA information regarding students.

7.9 FUNDRAISING AND PRIVATE SUPPORT

In addition to resources allocated to departments as part of their annual budget, the ASMSA Foundation Fund has funds available to advance the academic mission of the school and promote innovation in learning. The Director of Institutional Advancement also works to identify grants, drafts proposals, and seeks private support for faculty ideas. Employees may request financial support from the ASMSA Foundation using the following form:

<https://asmsa.org/wp-content/uploads/2018/11/Grant-Request.docx>

The Director of Institutional Advancement serves as the primary fundraiser for private and external support for the school. Employees should not directly solicit donors or make requests on crowdfunding platforms such as DonorsChoose without prior approval from the Director of Institutional Advancement and/or the Executive Director.

The ASMSA Foundation also allocates resources that address student financial needs such as clothing, personal supplies, and other items necessary for their success. When an instructor sees a student needing assistance, they should visit the Executive Director of Institutional Advancement. Students should not be directed to the Foundation to make a request.

7.10 PUBLIC RELATIONS, MEDIA REQUESTS, AND RELEASES

ASMSA's Public Information Specialist serves as the primary liaison between ASMSA and the media. While permission is not required to speak with media representatives, employees may refer media inquiries or comment to either the Public Information Specialist or the Executive Director. As a courtesy, the Public Information Specialist should be informed of any interview employees conduct with reporters.

Employees are encouraged to inform the Public Information Specialist of any awards they have received, notable achievements, or other activities that may be of interest to external stakeholders. Novel classroom programs or guest speakers also serve as excellent content for ASMSA's official media accounts.

The Public Information Specialist, or a representative appointed by the Executive Director,

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

7.11 OFFICIAL CORRESPONDENCE

Official digital correspondence should take place through an employee's asmsa.org email account. When using written correspondence, employees should use the established version of ASMSA's letterhead. Both printed and electronic letterhead are available for use. Neither should be used for personal matters. ASMSA letterhead and approved logos can be located at <https://www.asmsa.org/faculty-staff-resources/brand-guide/>.

7.12 PATENT AND COPYRIGHT OWNERSHIP ([Board of Trustees Policy 210.1](#) and [Board of Trustees Policy 210.2](#))

As a state-supported institution, ASMSA has a responsibility for and an interest in the advancement of knowledge and creative work that will enhance its educational mission and promote the economic and social welfare of the public it serves, particularly the people of the State of Arkansas. This responsibility and interest are advanced by engaging in research, the results of which may, on occasion, have commercial applications which are patentable or copyrightable.

7.13 ETHICS

ASMSA is committed to the highest ethical standards to maintain the trust and confidence of both the campus community and the citizens of the State of Arkansas. As an employee of ASMSA, you are expected to conduct yourself in a manner that strengthens the public's trust and confidence by adhering to the following principles of conduct and ethical standards:

Principles of conduct:

- Conduct that is beyond reproach and integrity of the highest caliber;
- Honesty and fairness; and
- Accountability, transparency, and commitment to compliance.

Ethical Standards

Compliance with Laws, Rules, and Regulations: Obeying the law is the foundation on which the school's ethical standards are built. You must comply with applicable laws, rules, and regulations in every jurisdiction in which the school does business. You should know enough about applicable federal, state, and local laws to determine when to seek advice from appropriate levels of the administration.

Fair dealing: Whenever you act on the school's behalf, you are required to act honestly, in good faith, and with professionalism. You may not take unfair advantage of another person through unlawful harassment, manipulation, abuse of privileged information, misrepresentation of material facts, or any other unfair practice.

Protection and Proper Use of School Resources: You owe a duty to the school to advance its legitimate interests whenever possible. You are prohibited from taking for yourself, or

members of your immediate family, opportunities that are discovered using school property, information, or position without the prior written consent of the school. You may not use school property, information or position for improper personal gain and no employee may directly or indirectly compete with the school.

You should protect the school's assets and ensure their proper and efficient use. School facilities and equipment should not be used for unauthorized non-school business. Your obligation to protect the school's assets includes, but is not limited to, its proprietary information. Unauthorized use of proprietary information violates this Code.

Timely and Truthful Public Disclosures: If you are involved in the preparation of reports and documents filed with or submitted to federal, state, and local authorities by the school, you are required to make disclosures that are full, fair, accurate, timely and understandable. You may not knowingly conceal or falsify information, misrepresent material factors, or omit material facts. These same obligations apply to other public communications made by ASMSA.

ASMSA depends on sound business practices such as rigorous observance of internal control, accepted accounting principles, financial recordkeeping, and reporting policies, and on the maintenance of internal audit and compliance mechanisms to ensure transparency and to meet its obligation as an organization entrusted with government and private funds. As a school employee, you are expected to record, allocate, and document revenue, expenditures, time, effort, and other information in a way that is accurate, clear, complete, and timely.

Reporting Known or Suspected Violations: You are expected to report promptly any known or suspected violations of this Code to the school's administration, the campus or unit compliance officials, the Office of the General Counsel, or the Internal Audit Department. No retaliatory action of any kind will be permitted against anyone making such a report in good faith. ASMSA will strictly enforce this prohibition.

Accountability for Violations: If you violate this Code, including by failure to report a violation or by withholding information relating to a violation, you may be disciplined, with penalties up to and including termination of employment. Violations of this Code may also constitute violations of the law and may result in criminal and/or civil liability for both you and the school. You are required to cooperate in internal investigations of possible misconduct.

7.14 FRAUD POLICY ([Board of Trustees Policy 350.1](#))

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

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

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

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

Actions Constituting Fraud

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

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

Identity Theft Prevention Programs

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

Investigation Responsibilities

The Internal Audit Department has the primary responsibility for the investigation of all suspected fraudulent financial acts as defined in the policy. If the investigation substantiates those fraudulent activities have occurred, the Internal Audit Department will issue reports to

appropriate designated System officers and personnel and to the Board of Trustees through the Audit Committee.

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

Confidentiality

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

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

Reporting Procedures and Fraud Hotline

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

In accordance with ACA §25-1-124, an employee with supervisory fiduciary responsibility over all fiscal matters shall report a loss of public funds to Arkansas Legislative Audit, including without limitation, an apparent unauthorized disbursement of public funds or an apparent theft or misappropriation of public funds or property within five (5) business days of the date that the employee learns of the loss of public funds. As stated in ACA §25-1-124, an employee with supervisory fiduciary responsibility over all fiscal matters who purposely fails to report the loss of funds within the five (5) business days to Arkansas Legislative Audit is guilty of a Class A misdemeanor.

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

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

Termination

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

Administration

The Internal Audit Department is responsible for the administration, revision, interpretation, and application of this policy.

7.15 PROFESSIONALISM AND DECORUM

As members of a community of learning, ASMSA employees are expected to always act with professionalism. Faculty and staff should:

- Be honest and act with integrity;
- Treat others with dignity, respect, and fairness;
- Perform their responsibilities to a high standard of professional excellence;
- Demonstrate collegiality and a commitment to professional development; and
- Support the education and mentoring of our students and peers.

So as not to infringe on the rights of others, beliefs and opinions should be respectfully expressed in person in the workplace, through email, or on social (or other online) media, whether as an identified individual or anonymously. They should commit to interpersonal communication with colleagues, students, parents/guardians, visitors, and, whether orally, in writing, or physically, that facilitates our ability to work effectively and respectfully.

As professionals, instructors and staff members should demonstrate collegiality and, when asked to do so as part of one's institutional responsibilities, work appropriately with others across our academic community to advance our *shared* missions and vision.

Employees should recognize that all members of our community may occasionally encounter professional and personal challenges, and provide respectful, constructive feedback to foster professional development and when needed to address performance deficiencies. Employees should refrain from disparaging remarks regarding students or colleagues in general, but specifically within the classroom and other public settings on campus.

Employees should demonstrate responsible stewardship of institutional resources. Have respect for persons, property, laws, policies, and our buildings, grounds, resources, and environment. Respect confidentiality and privacy of individuals and of institutional information when mandated by law or institutional policy.

7.16 DRESS CODE

Though ASMSA does not maintain a required dress code, faculty and staff are reminded that their appearance should convey professionalism in the workplace. Every employee will be assured of their individual and protected right to dress and groom according to personal

preference, so long as the employee's dress and grooming are not disruptive to the educational process, do not constitute a threat to the safety and health of self or others, and are not in violation of an applicable law, statute, or ordinance.

7.17 CAMPUS SERVICE REQUESTS

Maintenance and Janitorial Requests

ASMSA employs a full-time maintenance and janitorial team who are responsible for the upkeep and cleanliness of all campus grounds and facilities. Each building is cleaned on a regular schedule, which is distributed by the Facilities Manager. Should issues arise, please email maintenance@asmsa.org to request special cleaning or repairs. This inbox is viewable by several employees and should ensure the timeliest response.

Information Technology Assistance/Requests

ASMSA employs a full-time information technology team who are responsible for the technology needs on campus. Please email techsupport@asmsa.org for any computer issues, concerns, or needs. This inbox is viewable by several employees and should ensure the timeliest response.

7.18 VISITORS ON CAMPUS

Employees are permitted to have visitors on campus, though they are expected to abide by all campus policies and should not distract from instructors' responsibilities. Visitors, including alumni, must present a driver's license or state ID and sign in at the front desk of the Academic and Administration Building upon arrival. Guests will receive a nametag, which should be always worn in a visible area while on campus.

7.19 PARKING

Faculty and staff must register their vehicles with the Security office and obtain a parking permit. The permit shall be affixed to the left rear window of the vehicle. Faculty and staff may park in any parking space not otherwise reserved for visitors or people with disabilities. Parking may also be assigned at the discretion of the Executive Director.

7.20 DRIVING ASMSA AND PRIVATE VEHICLES

The ASMSA vehicle driver safety program is intended to ensure maximum safety for all drivers and passengers of ASMSA vehicles by defining clear lines of responsibility for vehicle safety. The purpose of the policy is to inform employees of ASMSA of the uniform procedures and guidelines to be followed.

Operators of ASMSA vehicles, rental vehicles, personal vehicles, or any vehicle for ASMSA business purposes must be an employee and have a valid driver's license. All employees must complete an Authorization to Operate form upon hire, which is a release to permit ASMSA to check an employee's driving record initially and on a continuous basis via the Arkansas State Vehicle Safety System Information Network.

Assigned vehicles should be used for official business only. Personal use or allowing

passengers other than persons directly involved with school business in school vehicles is not allowed unless explicit approval from the employee's supervisor has been granted for each trip.

Employees are expected to request usage of a school vehicle at least two weeks in advance to requested dates.

Employees using their personal vehicles for school business must maintain adequate insurance coverage for their protection and for the protection of their passengers.

Drivers must report damage, accidents, and traffic violations to Human Resources and Finance within twenty-four hours of the occurrence or the following business day. If students are in the vehicle in the event of an accident, drivers should contact the Dean of Students immediately.

ASMSA complies with the University of Arkansas System Vehicle Safety Program. The complete policy is located on the ASMSA website. <https://www.asmsa.org/human-resources/hr-forms-and-general-information/>

7.21 COMMENCEMENT

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

8. DISCIPLINE AND COMPLAINT RESOLUTION

8.1 DISCIPLINARY ACTION

The purpose of a disciplinary policy and procedures is to set and maintain standards of conduct at ASMSA, and in doing so, ensure that all employees are treated fairly and consistently.

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

A disciplinary action form is a tool to address and document recent unacceptable conduct, poor attendance, and other violations of the school's policies or procedures, or to counsel employees on poor work performance. This process should be seen as an opportunity to coach employees to acceptable behavior or job performance and prevent reoccurrences. Supervisors are to address and communicate problems related to employees' conduct or job performance

in a clear and concise manner, and to communicate consequences if the problems continue to occur.

Job performance issues may require the issuance of a Performance Improvement Plan. If an employee is placed on probation, the supervisor and/or Human Resources will notify the employee of the decision, in writing, and meet with the employee to discuss the plan. During the probationary period, the employee's performance will be reviewed at least once each month; and the supervisor will document each meeting with the employee and place a copy of the document in the employee's personnel file. Each meeting should be conducted in the presence of Human Resources. Should the situation warrant, the appropriate administrator may also be asked to attend the meeting.

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

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

8.2 INFORMAL DISPUTE RESOLUTION

The purpose of dispute resolution is to provide employees with a prompt review, impartial consideration and equitable solutions for problems arising out of the employment relationship which can create a potential adverse, unjust, or inequitable effect on employment conditions.

Complaints concerning discrimination and/or harassment are addressed through the Formal Grievance Procedure set forth below. There is no grievance right for an employee who has received notice of termination upon written notice of at least thirty days in accordance with Board of Trustees Policy 405.4, excepting allegations of discrimination. An employee who presents a complaint shall be free from restraint, interference, discrimination, or reprisal.

Except in the case of termination for cause, within thirty (30) calendar days of the date of the alleged incident/event that gave rise to the complaint or of the date the employee became aware of the alleged incident/event that gave rise to the complaint, the Complainant shall first attempt to resolve the issue informally with the Respondent and, as necessary, with the immediate supervisor of the Respondent. If, after discussion, the parties desire assistance in arriving at a resolution, they may, by mutual agreement, invite Human Resources to participate; Human Resources may participate at his or her discretion. If the issue is resolved, the complaint and resolution should be documented, in writing, by the Complainant and submitted to Human Resources.

The parties are expected to work together with professionalism and cooperation. If the informal resolution procedure does not satisfactorily resolve the issue, and the Complainant wishes to pursue the matter, they must file a formal written grievance within ten (10) working days after the unsuccessful resolution meeting.

8.3 FORMAL GRIEVANCE PROCESS

The formal grievance process described in this policy is an internal process, intended to encourage informal dispute resolution and, when necessary, allow for structured, but non-adversarial resolution of disagreements. Accordingly, staff who utilize the grievance process are free to consult with legal counsel at their own expense, but attorneys and other representatives are not permitted to attend or participate in the grievance processes. Each grievance shall be handled promptly and impartially, without any acts of coercion, discrimination, or retaliation. Each participant in a grievance shall do his or her part to protect this right.

ASMSA policy prohibits any form of retaliation or harassment against persons who initiates or participates in the grievance procedure. While such retaliation is prohibited, the filing of a grievance shall not prevent an employment action taken for bona-fide, non-retaliatory reasons that are independent of the filing of the grievance. Employees who have initiated a grievance are responsible for performing their job duties and complying with all school policies, and the filing of a grievance does not preclude these obligations.

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

The Complainant, Respondent(s), and supervisors in the chain of command shall receive copies of all documentation, regardless of form, during all steps of the grievance procedure.

While supporting information or clarification may be requested or presented in subsequent steps of the grievance process, the Complainant is responsible for identifying all issues and allegations relevant to the grievance in the written formal grievance. Allegations not included in the written grievance will be considered in the grievance process only at the discretion of the Grievance Officer. Any additional allegations or requested remedies, raised by a Complainant, may be addressed through a separate grievance process, or may be included in the initial grievance at the discretion of the Grievance Officer. At the discretion of the Grievance Officer, multiple grievances filed by one or more Complainant may be combined into a single grievance process, if such an action promotes a more meaningful and efficient review of the matter.

All parties (including the complainant, respondent, witnesses, and school officials involved)

shall keep all matters discussed in the grievance process in strict confidence. Only those individuals who have a legitimate need to know will have access to the information.

Unless excluded below, a grievance is defined to include the following:

- an alleged misinterpretation, misapplication, or violation of a specific provision of ASMSA policy that materially affects the Complainant's terms and conditions of employment; and/or,
- bullying: includes, but not limited to, repeated and ongoing acts of intimidation, humiliation, or ridicule either written, verbal, electronic, or physical, against the Complainant that materially interferes with the work environment; and/or
- terminations which are deemed to be "terminations-for-cause."

Excluded from the grievance process are:

- issues related to wages, salary, or benefits matters involving reappointment, performance evaluation, reassignment of duties, or demotions or promotions, which do not concern a claimed failure by the school to follow established policy.
- alternative work arrangements or scheduling.
- classification of positions.
- separation of employment (whether voluntary or involuntary) except "terminations-for-cause."
- retrenchment of employees pursuant to Board Policy 405.5.
- falsification of application materials; and/or
- personality disputes.

To initiate a formal grievance, the Complainant must submit an Employee Grievance form (located on the Human Resources webpage) and a signed, written statement of grievance to the Grievance Officer (currently the Director of Human Resources and Campus Culture) within thirty (30) calendar days of the date of termination with cause or ten (10) business days after the unsuccessful informal resolution. The written grievance must include a clear statement of the issue being grieved and the facts giving rise to grievance; a report on the effects to resolve the matter informally (for issues not involving termination for cause), such facts as may be needed in arriving at a prompt and effective resolution, and the desired outcome of the grievance. To enable the grievance process to move forward efficiently, the Grievance Officer shall have the discretion to request that the Complainant clarify the issue or facts supporting the grievance, and the Complainant shall cooperate with such requests in good faith. The Grievance Officer shall have the right to reject grievance statements, in whole or in part, which fail to include the information required above, that are excessive in length, contain irrelevant or unrelated information, or material that is beyond the scope of the issue(s) being grieved.

Any additional allegations or requested remedies, raised by a Complainant, may be addressed through a separate grievance process, or may be included in the initial grievance at the discretion of the Grievance Officer. At the discretion of the Grievance Officer, multiple grievances filed by one or more Complainant may be combined into a single grievance process, if such an action promotes a more meaningful and efficient review of the matter.

Within five (5) business days of receipt of the grievance statement, the Grievance Officer shall

transmit a copy of the grievance to the Respondent and notify the immediate supervisor of both parties.

The Respondent shall, to the best of his or her ability, review and respond to the Grievance Officer, in writing, within five (5) business days of receipt of the grievance statement. If applicable, the written response shall include the Respondent's proposal for resolution of the grievance, which are within his or her control, and the reason for the course of action proposed. If the Respondent does not believe a course of action should be taken, the Respondent should address the reason for the determination, including any supporting documentation.

Within five (5) business days of the receipt of the grievance response, the Grievance Officer shall transmit a copy to the Complainant.

The Grievance Officer will review and investigate the complaint, proposed resolutions, supporting evidence submitted by all parties, and witness statements (if appropriate). Findings of the investigation will be shared with the supervisor for both parties within five (5) business days. The supervisor, with the assistance of Human Resources, will determine resolutions or actions to be taken, in accordance with school policies and inform the Complainant (and Respondent if necessary).

If the Complainant is not satisfied with the resolution provided, he/she should submit to Human Resources a request (within five (5) business days following the findings), in writing, for further review by the Executive Director.

The Executive Director will review the grievance details and findings, and with the assistance of Human Resources, render a decision, or refer the grievance to an ad hoc committee for recommendation. The decision of the Executive Director is final and not subject to further review.

*For complaints involving the ASMSA Executive Director, Human Resources will work directly with a UA System President or designee.

The Complainant, Respondent(s), and Supervisors may receive copies of all documentation, regardless of form, during all steps of the grievance procedure.

The amount of time for filing and decision making under this policy is intended to provide for a prompt, yet thorough, review and resolution of grievances. However, should the Grievance Officer determine that special circumstances or the nature of the grievance are such that additional time will allow for a more meaningful, well-supported resolution of the matter, then the Grievance Officer may grant an extension. In the event the Grievance Officer grants an extension, notice of the extension will be in writing and delivered to all parties with a need to know. If circumstances warrant, the Grievance Officer is authorized to grant additional extensions to the extent necessary to permit appropriate consideration of the matter or to minimize any significant disruption to the school's mission.

If the Complainant does not submit a written request to move the grievance forward

within the specified time period, or otherwise fails to provide prompt cooperation with the grievance process and is not granted an extension prior to the passing of a deadline, the grievance will be closed based upon the Complainant's failure to move the process forward.

If the Respondent fails to deliver a written response or decision within the specified time period and is not granted an extension of time prior to the passing of that deadline, the grievance will automatically advance to the next level of review.

The Grievance Officer shall record and maintain the timeline associated with each grievance.

A Complainant may terminate his/her grievance under this policy at any time by delivering to the Grievance Officer a written notification requesting such. Additionally, a grievance will be automatically withdrawn if the Complainant's employment with the school ends at any time during the grievance process, except in instances where a former employee is grieving a termination for cause. Withdrawal of a grievance waives further consideration of the matters contained in the grievance.

9. TERMINATION OF EMPLOYMENT

9.1 RETIREMENT

There is no mandatory retirement age for any ASMSA employee. Employees planning to retire should discuss their intentions with their supervisor, as early as possible, so their department can prepare for the effects of the retirement.

Employees may be eligible to continue coverage under certain ASMSA benefit plans after retirement. If eligible, the retiring employee can continue medical and dental coverage through United Healthcare. Medicare-eligible retirees, and Medicare-eligible spouse, must enroll in Medicare Parts A and B to participate in the UnitedHealthcare Medicare Advantage Plan. Employees have the option to enroll in UA-sponsored retiree vision benefits administered by EyeMed.

Employees should meet with Human Resources at least three months before their planned retirement date to discuss options. More information about retiree benefits can be found on the ASMSA benefits site. <https://benefits.uasys.edu/health-wellness/retiree-benefit-options/>

9.2 RESIGNATION ([Board of Trustees Policy 405.3](#))

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

office.

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

- During the last five workdays, the employee must complete all termination processes in Workday.
- All time and leave must be submitted through Workday by the last day of employment.

The employee's identification tag, keys, and ASMSA property assigned to the employee must be turned into the immediate supervisor or Human Resources by the last day of employment. There is a \$10.00 replacement fee for each lost identification tag. In the case of a Residential Staff member, the employee's apartment will be checked for damage by the Assistant Dean for Residential Life, and the condition will be immediately reported to the Director of Finance.

9.3 TERMINATION OF EMPLOYMENT ([Board of Trustees Policy 405.4](#))

All ASMSA employees are "at-will" employees and may have their employment terminated by the school for convenience at any time or may be dismissed immediately for cause. Although a period of notice is not required, any such period furnished at the discretion of ASMSA should be determined by the immediate supervisor in consultation with Human Resources, the Executive Director, and as appropriate, General Council. Although a dismissal for cause may be effective immediately, an employee may seek review of a for-cause dismissal in accordance with the policies of the campus, division, or unit. If no review policy applies, the employee shall have the opportunity to seek, within five (5) working days of dismissal, a review of the matter by the Executive Director who shall make a final decision on the for-cause termination.

Upon termination, the employee's identification tag, keys, and ASMSA property assigned to the employee must be turned into the immediate supervisor or Human Resources. There is a \$10.00 replacement fee for each lost identification tag. In the case of a Residential Staff member, the employee's apartment will be checked for damage by the Residential Life Coordinator, and the condition will be immediately reported to the Director of Finance.

8.4 TERMINATION PAY

(University wide Administrative Memorandum 440.4; Arkansas Code Ann §21-4-501)

When an employee leave ASMSA employment, the amount due to them from unused accrued annual leave (including unused holiday hours earned), up to thirty days or 240 hours, will be paid as a lump sum, in the final paycheck and/or a separate check issued by the 15th of the month following termination. They will also receive payment for any compensatory time accrued because of approved overtime work and any unused holiday time.

If payout is received for unused leave, the employee may not return to employment with ASMSA or with any other state agency or institution until the number of days for which they received the additional compensation has expired.

If any employee has any unpaid debts to ASMSA at the time of termination, ASMSA will withhold the amount owed from their final paycheck.

If an employee dies while they are an active employee, the estate will be paid any amount due to the employee for up to sixty days or 480 hours accrued annual leave.

10. WORKPLACE HEALTH AND SAFETY

10.1 ACCIDENTS/INJURIES ON THE JOB

Workers' Compensation benefits are provided for all employees who are injured during the course and scope of their employment. If an employee suffers an on-the-job injury or illness, the following steps must be taken:

1. Injured employees should immediately report the injury or illness to their supervisor and Human Resources.
2. For emergency injuries, seek medical treatment first, and then the employee or supervisor should report the injury as soon as possible to the Company Nurse at 855-339-1893; Search code: QR123.
3. For non-emergency injuries, the injured employee or supervisor should call the Company Nurse at 855-339-1893; Search Code: QR123.
4. For injuries not requiring medical attention, the employee and supervisor should complete an Incident Report Form and submit it to Human Resources.

If the injury makes it necessary to miss work, the employee must present a release to their immediate supervisor and Human Resources signed by a physician verifying their ability to return to work. ASMSA reserves the right to require light duty, if applicable, or not to allow return to work until a full medical release is provided.

10.2 CRISIS PLAN

Emergencies may be classified in a variety of ways, and depending upon the time of day, dictate specific responses by the ASMSA community. The updates Emergency Procedures Manual is located at <https://www.asmsa.org/faculty-staff-resources/>.

BODILY HARM

Emergencies involving students that may result in bodily harm will be addressed as follows:

1. Emergencies occurring in residence halls will be addressed by the Residential Life Staff. Medical emergencies occurring during the school day, the school nurse will direct the appropriate response. Staff will assist with crowd control and may be required to provide transportation to professional medical resources. Medical emergencies occurring after business hours will be addressed by the Residential Life Staff to determine whether transport to a medical clinic or emergency room is warranted. Staff members will notify the student's parent/guardian of the situation and follow up with notification to the school nurse.
2. Emergencies involving law enforcement matters and students (e.g., police department notification and arrest), will be addressed by the Residential Life Staff who will assist law enforcement and immediately thereafter notify the Dean of Students.

3. Emergencies involving a suicide attempt, student emotional crisis, group concerns or disturbances, the Residential Life Staff will contact the Dean of Students who will consult with a campus mental health professional. If the Dean is unavailable, staff are to contact the Assistant Dean for Residential Life. The following personnel shall also be contacted: Dean of Students at 622-5174, Executive Director at 622-5117, and Dean of Academic Affairs at 622-5111.

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

1. Medical emergencies, including physical and emotional crises or concerns, will be addressed by the Director of Human Resources and Campus Culture in consultation with the school nurse, mental health staff, and immediate supervisor, when appropriate.
2. Emergencies involving law enforcement matters and employees (e.g., Police department notification and arrest), will be addressed by the Executive Director of Human Resources and Campus Culture, who will assist law enforcement and immediately thereafter contact the Executive Director and appropriate supervisor.

PROPERTY

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

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

- | | |
|---------------------------------------|--|
| a) Campus Administration Building: | Director of Admissions 622-5414
Director of Finance-622-5106
Director of Human Resources-622-5131 |
| b) Student Center: | Residential Life Office- 622-5213
Asst Dean for Residential Life - 622-5310 |
| c) Selig Hall: | Residential Life Office- 622-5213
Asst Dean for Residential Life - 622-5310 |
| d) Academic Building: | Dean of Academic Affairs - 622-5111
Assoc Dean for STEM-622-5242
Assoc Dean for Arts/Humanities-622-5237 |
| e) Creativity and Innovation Complex: | IT Manager 622-5274 |

During the evenings, the Assistant Dean for Residential Life and/or Residential Life Staff shall first contact the Dean of Students. If unavailable, staff shall notify one (1) school administrator in the following order until an administrator is notified:

- a) Executive Director
- b) Dean of Academic Affairs

- c) Director of Finance
- d) Director of Admissions
- e) Director of Human Resources and Campus Culture
- f) Director of Institutional Advancement

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

10.3 EMERGENCY COMMUNICATIONS

ASMSA utilizes a text messaging system to alert employees and students of emergency situations. During an emergency or weather-related event, communications will be sent via the text messaging system as well as campus email.

10.4 SAFETY TRAINING

ASMSA strives to maintain a safe and healthy campus environment. Annual safety training refresher courses are conducted in person and/or via the Workday Learning System. Additional training may be required throughout the year based on campus needs.

11. CONSTITUTION

The faculty, staff, and administration of ASMSA believe the school is best served through a shared decision-making model that utilizes the knowledge, skills, and values of its collective members to advance recommendations to the Executive Director and Board of Trustees. Our shared governance structure exists to maximize communication across campus and advance the mission, values, and goals of ASMSA.

General Assembly Membership

- (1) Executive Director (ex-officio)
- (2) Full-time faculty including academic administration
- (3) Full-time staff including staff administration
- (4) President and Vice-president of the Student Government Association

Function

The General Assembly is responsible for recommending policies and programs in areas including, but not limited to:

- (1) Teaching and Learning
- (2) Facilities and Operations
- (3) Mission and Innovation
- (4) Student Affairs

Recommendations from the General Assembly concerning educational policies and programs will be forwarded to the Governing Council and Executive Director.

Authority

The General Assembly shall serve in an advisory capacity to the Executive Director and shall have the authority to make recommendations on matters of general faculty or campuswide concern.

Action of the General Assembly will begin with a policy committee or upon either request of or proposal by the Executive Director. Policy committees shall submit new or amended policies to the Governing Council. Upon approval of the Governing Council, the recommended policy shall be forwarded to the Executive Director.

Meetings

The General Assembly shall meet at least once per academic year or as needed for items that require campus discussions and/or vote. The President of the Governing Council also serves as President for the General Assembly. Regular meetings shall be scheduled by the President when a majority of the faculty and staff are available. Special meetings may be called by the President, Executive Director, or by a petition signed by at least ten percent of eligible members of the Assembly.

The agenda shall be prepared and distributed by the President prior to the meeting. A campus-wide email shall be an acceptable form of notice.

A majority of those present and voting shall be sufficient for a measure to carry provided quorum (40% of the membership) is present.

Copies of the minutes of meetings shall be distributed to all members by posting to the Assembly website.

Governing Council Officers

Officers of the Governing Council shall be the President, President-Elect, and Immediate Past President. Officers shall serve in a three-year cycle of one-year terms beginning July 1st.

Nominations shall be taken during a Governing Council membership meeting then forwarded to the General Assembly meeting in May for voting. If more than two employees are nominated for an office, the two employees receiving the greatest number of votes shall be placed in a run-off election provided neither receives a majority of the votes cast.

- (1) The President serves as the chair of the Governing Council and General Assembly. The President ensures that the committees fulfill their responsibilities for the shared governance of ASMSA. The President shall set the agenda for the Governing Council, preside at meetings, and serve as liaison to the Executive Director.
- (2) The President-Elect collaborates with the President to learn the role of the President, to become familiar with the programs of ASMSA and its governance, and to develop and facilitate officer transition. The President-Elect assists and supports the President as needed and plans for the Presidential year. The

President- Elect shall record, maintain, and distribute minutes of meetings, maintain files associated with each committee and determine if a quorum is present. The President-Elect shall automatically become President at the end of the term as President-Elect or if the President is no longer employed at ASMSA.

- (3) The Immediate Past President provides advice, counsel, and leadership to the General Assembly regarding past practices and other matters to assist the officers in governing ASMSA. The Immediate Past President supports the President and the President-Elect on an as-needed basis. The Immediate Past President performs the duties of the President in the absence of the President. If the Immediate Past President is no longer employed at ASMSA, a new Immediate Past President should be selected from amongst the past presidents still employed at ASMSA, subject to approval by the General Assembly.

Membership

Memberships on the Governing Council shall consist of the following:

- (1) Officers (President, President-Elect, and Past President)
- (2) One faculty member from Arts and Humanities, Mathematics and Computer Science, and Science Departments
- (3) One academic affairs or student success staff member
- (4) Human Resources representative
- (5) Residential Life staff member
- (6) Two at-large staff members
- (7) Student Government Association President

The officers shall appoint all other members of the Governing Council. The term of office for Governing Council members shall begin following appointment by the Governing Council officers at the beginning of the academic year and end during the same period of the following year.

Authority

The Governing Council is an instrument for shared governance in policy and decision- making at ASMSA. This platform represents the importance of community engagement and the vital role the faculty and staff play in the overall mission of ASMSA, its operations, collegial climate, and culture.

The primary function of the Governing Council is to review policies and documents prepared by policy committees and hear employee suggestions or concerns whereas otherwise is not covered by committees for consideration by the Executive Director. The committee shall also annually review the Employee Handbook.

A simple majority of Governing Council members are present, and voting shall be sufficient for action provided a quorum is present; however, six members may request a policy or document be submitted to the General Assembly for approval. The Governing Council will

vote on each new or amended policy at the next scheduled meeting following submission by a policy committee.

Any policy not approved by the Governing Council will be returned to the originating committee with suggestions for improvement. The committee may either implement the recommended changes or vote to submit the original policy to the General Assembly as a whole.

Meetings

The Governing Council shall meet at least once, or as needed to address committee or campus suggestions or concerns, during each semester when ASMSA is in session.

Committee Appointments

A secondary function of the Governing Council is to appoint members to policy committees at the beginning of the academic year, both through direct appointment by the President and through consort with Department Chairs who will assist in identifying and nominating members to standing policy committees. The Governing Council will also meet as needed to fill committee vacancies. Upon notice by the committee Chair that a committee member has missed three consecutive meetings, the Governing Council shall meet to appoint a replacement and to inform the member's immediate supervisor of the lack of service.

Policy Committees

Teaching and Learning Committee

Memberships on the Teaching and Learning Committee shall consist of the following:

- (1) Dean of Academic Affairs, Chair.
- (2) Two faculty members, one of which must be the Department Chair or Associate Dean, each from the Arts and Humanities, Mathematics and Computer Science, and Science Departments
- (3) One Student Success Team staff member
- (4) Librarian or designee
- (5) IT & Campus Operations Manager or designee

The primary function of the committee is to recommend courses and provide guidance on other issues impacting curriculum, including student research, inquiry, and creative expression, for consideration by the Executive Director. The committee will also be responsible for evaluating hardware and software technologies that promote student success and learning.

The committee will meet as needed. At least once per semester, the Chair will communicate with all members of the committee to determine whether there is need for the committee to meet. The committee will meet at least once per year.

Facilities and Operations Committee

Memberships on the Facilities and Operations Committee shall consist of the following:

- (1) Director of Finance Chair

- (2) One faculty member from Arts and Humanities, Mathematics and Computer Science, or Science Departments
- (3) Two at-large staff members
- (4) One Residential Life staff member
- (5) IT and Campus Operations Manager or designee
- (6) Facilities Manager
- (7) Dean of Students
- (8) Nurse
- (9) One supervisor from food services (ex-officio advisor)
- (10) One supervisor from the security contractor (ex-officio advisor)
- (11) One supervisor from Contract maintenance (ex-officio advisor)

The primary function of the committee is to review and revise the maintenance plan, evaluate safety/security, and develop standard operating procedures for consideration by the Executive Director.

The committee will also evaluate the technological infrastructure plan for consideration by the Executive Director.

The committee will meet as needed. At least once per semester, the Chair will communicate with all members of the committee to determine whether there is need for the committee to meet. The committee will meet at least once per year.

Mission and Innovation Committee

Memberships on the Mission and Innovation Committee shall consist of the following:

- (1) Director of Admissions, Chair
- (2) Director of Institutional Advancement
- (3) One faculty member from each academic unit; Arts and Humanities, Mathematics and Computer Science, and Science Departments
- (4) One Residential Life staff member
- (5) One Finance staff member
- (6) One Student Success Team member
- (7) Public Information Specialist
- (8) One Academic Affairs staff member
- (9) An Outreach representative

The primary function of the committee is to ensure that the school's residential, outreach and educator development programs reflect the legislated mission of ASMSA and the shared values of its community of learning.

The committee shall also review admission strategy, student selection processes, and accreditation standards so that ASMSA remains both a state and national leader by continually introducing innovative ideas, solidifying best practices, and identifying benchmarks to local and national peers.

The committee will meet as needed. At least once per semester, the Chair will communicate with all members of the committee to determine whether there is need for the committee to meet. The committee will meet at least once per year.

Student Affairs Committee

Memberships on the Student Affairs Committee shall consist of the following:

- (1) Dean of Students, Chair
- (2) Assistant Dean of Residence Life
- (3) One faculty member is from each academic unit; Arts and Humanities, Mathematics and Computer Science, and Science Department
- (4) One Student Success Team staff member
- (5) Two Residential Life staff members, one each from Faris and Nichols/Selig Halls
- (6) Two sophomore students, one each from Faris and Nichols/Selig Halls
- (7) Two junior students, one each from Faris and Nichols/Selig Halls
- (8) Two senior students, one each from Faris and Nichols/Selig Halls
- (9) SGA Vice-President

The primary function of the committee is to recommend policies and policy changes concerning residential life for consideration by the Executive Director. The committee shall also annually review the Student Handbook.

The committee shall meet at least once during the academic year or as needed. As needed, the chair will communicate with all members of the committee to determine whether there is a need for additional meetings.

Advisory Committees and Work Groups

The Executive Director may appoint advisory committees as needed.

Constitutional Amendments

Proposed amendments to the Constitution must be signed by ten or more members of the General Assembly and presented to the Executive Director at least ten days prior to a scheduled meeting. The amendment must be approved by at least a three-fifths (3/5) majority of Assembly members present and voting assuming a quorum is present. Amendments will not become effective until approved by the Executive Director.

Policy Proposals

Any ASMSA faculty, staff member, operating unit, or committee may propose new policy statements or the revision or cancellation of current policy statements.

To initiate a new policy or a policy revision or cancellation, a policy change transmittal sheet shall be submitted to the appropriate review body. The review bodies are the Teaching and Learning Committee, Facilities and Operations Committee, Mission and Innovation Committee, Student Affairs Committee, and the Governing Council.

If the policy proposal is not accepted by that body, the committee or Governing Council may be asked to assign it to another review body for further consideration. If the committee or Governing Council chooses not to assign the proposal, the author of the policy will be informed that the proposal is rejected. The author may then choose to modify the proposal for further consideration. If the proposal is approved by the review body, the body will submit the proposal to the Governing Council (if applicable) for review.

The Governing Council will meet to consider the proposal and all comments regarding the proposal. The Governing Council may approve the proposal, conditionally approve the proposal with the recommended changes, or reject the proposal with written rationale.

If the Governing Council conditionally approves the policy proposal with recommended changes, the proposal is returned to the original review body, which upon receipt shall incorporate the recommended changes for resubmission to the Governing Council.

If the Governing Council approves the proposal, the proposal will be forwarded as follows:

- For faculty, staff, or departmental specific proposals (that do not have an impact on the entire campus) the chair will forward the transmittal sheet, the original proposed policy with consolidated comments, and the final proposed policy to the Executive Director.
- For proposals that affect the entire campus or campus policy and procedure, the proposal will be shared with the Executive Director and will be presented to the General Assembly for discussion and voting.

If the General Assembly approves the proposed policy, the chair will forward the transmittal sheet, the original proposed policy with consolidated comments, and the final proposed policy to the Executive Director.

The Executive Director shall review and render a decision (approved, conditional approval with recommended changes, disapproved with written rationale) on the policy proposal. If the Executive Director approves and signs the policy proposal as submitted, the campus community will be notified immediately.

If the Executive Director conditionally approves the proposed policy statement with recommended changes, the policy statement is returned to the Governing Council, which upon receipt shall review and incorporate the recommended changes for resubmission to the originating review body.

If the Executive Director does not approve the policy proposal, notification with written rationale will be provided to the Governing Council, which will notify the review bodies and the originator.

Glossary

- Faculty Member: An employee teaching at least two classes.

- Staff Member: All employees other than faculty members and administrators.
- Academic Affairs and Student Success team staff members: An employee who is under academic affairs or student success who is not faculty and whose primary responsibility is to provide student support services.
- Residential Life Staff Member: An employee supervising students and working in the Student Center.
- Administrator: Executive Director, Dean of Academic Affairs, Dean of Students, Director of Finance, Director of Admissions, Director of Institutional Advancement, and Director of Human Resources & Campus Culture.
- Outreach: An employee whose duties are dedicated in substantial part to outreach, out-of-school enrichment, or out-of-school development and teacher training.
- Student: Any sophomore, junior, or senior currently enrolled at ASMSA.

12. FACULTY HANDBOOK

This Handbook is specifically written to address academic policies and procedures for ASMSA’s instructional staff members and serve as an addition to standard policies and benefits available to ASMSA employees.

12.1 OVERVIEW

The orderly conduct of academic affairs in an educational institution requires that faculty members accept, and discharge responsibilities related to their workload assignment and perform the traditional duties associated with their positions consistent with professional good practice.

12.2 PROFESSIONALISM AND INTEGRITY

ASMSA faculty are committed to ethical and responsible behavior in our own actions and to developing the same commitment in our students. Our commitment extends to all levels of our campus to foster a climate of ethical conduct, mutual respect, shared responsibility, and trust.

12.3 SCIENTIFIC AND SCHOLARLY MISCONDUCT

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

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

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

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

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

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

12.4 NON-DISCRIMINATION STATEMENT

Faculty members are responsible for maintaining in the classroom and laboratory an environment appropriate to academic endeavor and complying with the school's statement on discrimination (*Employee Handbook, Section II. A*). ASMSA does not condone discriminatory treatment of students or staff based on age, disability, ethnic origin, marital or parental status, race, religious commitment, sex, sexual orientation, or veteran's status in any of the activities conducted upon this campus. Members of the faculty are requested to be sensitive to this issue when, for example, presenting lecture material, assigning seating within the classroom, selecting groups for laboratory experiments, and assigning student work.

12.5 WORKLOAD

The work of ASMSA's faculty in teaching, research, creative activity, and service is professional in character and does not, therefore, conform to an exact pattern such as the eight-hour day or the forty-hour week. However, so that there may be consistency, equity, and some basis for judgment of workloads and assignments and for comparison with other institutions and state agencies, the standards summarized here will be used.

The basic element of faculty assignments is a work unit. Full-time faculty maintain a five-unit load each semester. Faculty typically teach five courses per semester, which each count as one unit. Included for each of these work units is the classroom contact time, the time for class preparation, grading, office hours, and other work with students outside class. However, individual work units may vary in nature based on the nature of the assignment (such as, Department Chair responsibilities, Outreach programs such as STEM Pathways, or other assignments by the Dean of Academic Affairs or the Executive Director.) However, work units may be earned for work done beyond the minimum in any of these areas as well as for instruction and administration. Work units are only earned for assigned responsibilities, not for work and activities undertaken at the initiative of the faculty member.

If a full-time instructor is undersubscribed from their usual duty of five courses, the Dean of Academic Affairs will work in conjunction with the Associate Dean and Department Chair to determine any additional responsibilities or projects that may be available to complete their workload. In the absence of an alternative assignment, compensation may be prorated for the semester.

Faculty members are typically expected, as full-time faculty members, not only to teach, to take part in research/scholarly and/or creative endeavors, perform academically related and public service, proctor tests (ACT/PSAT), interview potential ASMSA students, attendance at commencement, participate in department, faculty and committee meetings (each faculty

member is usually representing their department in one such committee each year), attend required professional development (during non-instructional days at ASMSA), provide tutoring (3 hours each week for full-time faculty), develop syllabi (ASMSA and concurrent) and grading, ensuring 504 accommodations are followed, holding meetings with senior capstone students completing projects, participate in the student orientation week in August and special topics week in January, performing roster checks and grade entries, directing work service students, participate in Family Connections Day, teaching and tutoring students on "Dead Days", writing recommendation letters, and the annual performance review process. Such activities are considered a normal part of the duties of full-time faculty, along with those activities linked to a particular class and constitute a necessary part of such a work assignment.

Faculty members are encouraged, but not required, to serve as a student club sponsor, participate in unpaid outreach activities, help with move in day, etc. to help support students and colleagues as well as increasing service hours to ASMSA.

12.6 WORKING/OFFICE HOURS

Business hours for the ASMSA campus are Monday through Friday from 8am to 4:30pm. To ensure appropriate access for students and engagement with colleagues, faculty are expected to be on campus no later than 9:00 am and work until at least their last class period has completed or until campus obligations are complete. Accommodation and/or adjustment requests must be submitted in writing to the Department Chair, Associate Dean, and Dean of Academic Affairs to approve in consultation with Human Resources.

Should an instructor need to leave campus unexpectedly during the day, they should notify their Department Chair, Associate Dean, and the Registrar.

Faculty members are expected to keep regularly scheduled office (or laboratory) hours each week during which time students may confer with them. Full-time faculty members are required to provide at least three tutoring hours weekly. Primary tutoring sessions should be scheduled between the hours of 11:30 am-1:00 pm unless otherwise arranged with individual students. Part-time faculty members are required to provide at least one office hour weekly. Tutoring and office hours should be submitted to the Associate Dean and Department Chair at the beginning of each semester and posted outside of instructors' offices.

12.7 SICK LEAVE REQUESTS-FACULTY

Requests for sick leave should be submitted in advance, when possible (i.e., medical appointments, procedures, etc.). When advance notification is not possible, faculty members are required to contact their Associate Dean, Department Chair, Dean of Academic Affairs, the Registrar, and email students at least 30 minutes before the class is scheduled to begin. An unplanned sick leave absence request must be submitted within two days after the employee returns to work.

12.8 EXTENDED WEEKENDS AND CAMPUS CLOSURES

Campus Closures (ex: Fall Break, Extended Weekends, etc.) As often as possible, it is the goal of ASMSA for employees to work a consistent schedule. When a campus closure is scheduled,

employees are expected to work a designated number of hours in that week. Since the number of hours expected to work will vary based on the reason for closure, supervisors will be responsible for modifying schedules as needed.

On scheduled non-instructional days, non-exempt employees (10-month & 12-month) are expected to be on campus. Faculty, and other exempt employees, are free to work those hours either on-campus or off-campus.

Spring Break: 10-month employees will not be required to work during the week of Spring Break. The campus will be closed on Thursday and Friday, the week of Spring Break.

12.9 OVERLOADS AND EXTRA COMPENSATION

Occasionally, a faculty member will be asked to teach a course that results in an overload (in addition to the required five course load per semester). Overloads are compensated for eighteen instructional weeks at a rate of \$5,000 for core courses and \$2,500 for elective courses. Compensation will be divided by the number of payrolls in an academic period and paid in the regular payroll cycle.

Campus activities may result in extra compensation for faculty both during the school year and in the summer. Extra compensation is paid in the pay period following the event, pending the timely submission of requests. Extra compensation amounts vary depending on the activity. Extra compensation paid during the academic year plus the existing salary cannot exceed the line-item maximum for the position. Extra compensation for summer events cannot exceed the normal hourly pay rate for faculty members.

12.10 SYLLABI AND COURSE CONTENT

Faculty members assigned to teach classes are responsible for determining that the content of their classes is appropriate to each course, as officially described in the Course Catalog, and achieves the coverage indicated by that description. Faculty members are responsible for confining classroom discussion to subjects related to the topics of concern in the course and for conducting the class to facilitate learning for all students, consistent with good teaching practices.

Faculty members are responsible for:

- selecting and ordering textbooks and course materials for classes in a timely manner
- conducting classes and administering final exams at the times and places approved for them, except as changes are authorized by the appropriate associate dean, department head, and dean.
- providing reasonable accommodation to students with documented disabilities, consistent with the Disability Discrimination policy
(*Employee Handbook Section II. B*)
- providing a syllabus for each course they teach to inform students of the course coverage/topics, the required texts, and materials, how the final grade will be

determined, the policy on making up work, class attendance, and how the students may contact the teacher.

A copy of the syllabus for each course should also be provided to the Registrar each semester. This is important in case UAFS has questions about course content or alignment or should the Dean of Academic Affairs need to adjudicate a dispute regarding course expectations.

12.11 TEXTBOOKS AND COURSE MATERIALS

Deadlines for Textbook and Course Material Adoption

Faculty members are responsible for selecting and ordering textbooks and course materials for classes. To ensure timely submission and receipt of materials, the deadline for adoption for the fall semester should be no later than 5/1 and the spring semester no later than 11/1.

Inducements

Acceptance of inducements (such as a gift, payment, loan, subscription, advance, deposit of money, or services) to require specific textbooks is prohibited by this legislation. Not included as inducements are the following: sample copies, instructor's copies, or instructional materials for a textbook or royalties or other compensation from the sale or publication of a textbook that includes the employee's own writing or work.

Faculty members who derive direct or indirect financial benefit from materials required to be used by their students are engaged in outside employment for compensation that constitutes a conflict of interest.

12.12 GRADES & EXAMS

The grading system in use at ASMSA is Blackbaud. The fundamental responsibility of instructors is to inform students of their progress in courses as accurately and completely as possible. In meeting this responsibility, early progress grades are entered into the student information system by faculty by the end of the first six weeks. Early progress grade reports are issued to students in the seventh week, as soon as possible following submission by instructors, with the reports made available to Student Success Coordinators, Chairs, and parents.

Each faculty member is expected to select appropriate times for the periodic examinations that are necessary or desirable during the semester. When possible, major assignments or exams should coincide with the quarterly progress reports so that students, families, and colleagues have an accurate understanding of student progress as well as any necessary interventions to ensure improvement. All final examinations must be given at times specified in the final exam schedule. Any assignments given in lieu of final exams, such as semester projects or final papers, should be due no later than the conclusion of the last scheduled exam. Whenever extreme circumstances make necessary a deviation from the announced schedule for final examinations, clearance for such deviation must be obtained in advance from the appropriate chair and the Dean of Academic Affairs. Faculty are encouraged to make all grades available to students at least 24 hours prior to the start of the scheduled final exam. Any exceptions to this recommendation should be directly communicated by the instructor on record.

12.13 ACADEMIC HONESTY AND CLASSROOM DISCIPLINE

Responsibility for understanding and adhering to the values of academic integrity, including being familiar with and complying with this policy (ASMSA Student Handbook Section III, paragraph E) lies with individual students as members of the ASMSA community. Faculty should inform students of the penalties for academic dishonesty and classroom misconduct at the beginning of each semester. ASMSA's student handbook provides a statement on academic integrity that includes expectations and consequences. Faculty are also encouraged to define in their class syllabi terms such as "authorized/unauthorized collaboration" that may vary from course to course or instructor to instructor.

12.14 STUDENT SUSPENSION

Student infractions that are Level 3 or higher may result in suspension. While disciplinary matters that lead to suspension are serious in nature, suspension serves as a period of physical distancing from the ASMSA community, reflection on a student's actions, and the necessary steps they must take to restore their place within the community of learning. Students are expected to remain timely with their coursework, obtain notes from peers on missed lectures, Zoom into class (if applicable), and complete assignments on the planned schedule or with accommodation at the discretion of the instructor. Students do not automatically receive a grade of zero or reduced grade for assignments due during a suspension.

12.15 504 PLANS

Before classes begin each semester, the 504 Coordinator will distribute accommodation plans to each faculty member with 504 students on the roster. Faculty members are responsible for reviewing plans and clarifying any questions with the 504 Coordinator. Faculty members are also responsible for discussing accommodation plans with 504 students to ensure understanding and collaboration. Should a student's classroom performance or behavior suggest the possibility of a disabling condition, faculty members must inform the 504 Coordinator and the Dean of Academic Affairs.

12.16 FIELD TRIPS AND STUDENT COMPETITIONS

Field trips provide an opportunity to offer context, hands-on learning experiences, and other extensions to the classroom learning environment. Faculty interested in conducting field trips should submit the Field Trip Request Form at least two weeks in advance of the trip to the Dean of Academic Affairs. The document includes vital information about departure/return times, food service needs, permission to treat forms, and other elements. Once approved, colleagues should be informed of the trip through email along with the names of students who are scheduled to attend. A faculty member may object to a student's participation should they have concerns about that student's performance as well as the appropriateness of missed class time. In the case of a dispute, the Dean of Academic Affairs will determine if the student is eligible for travel.

Faculty members are responsible for discussing meal options with the cafeteria, securing transportation, additional transportation options if appropriate, and additional chaperones, if necessary, before the form arrives at the Dean of Academics.

The same process will be followed for extracurricular competitions and activities taking place during the regular school day as well as events off campus.

12.17 TEACHING AND LEARNING COMMITTEE

As one of the four Constitutional committees, the primary function of the committee is to recommend courses and provide guidance on other issues impacting curriculum, including student research, inquiry, and creative expression, for consideration by the Executive Director. The committee will also be responsible for evaluating hardware and software technologies that promote student success and learning. The committee will meet as needed. At least once per semester, the Chair will communicate with all members of the committee to determine whether there is a need for the committee to meet. The committee will meet at least once per year.

The membership of the Teaching and Learning Committee shall consist of the following:

1. Dean of Academic Affairs
2. Two faculty members, one of which must be the Department Chair or Associate Dean, each from the Arts and Humanities, Mathematics and Computer Science, and Science Departments
3. One Student Success Team staff member
4. Librarian or designee
5. IT and Campus Operations Manager or designee

12.18 NEW COURSE PROPOSALS

The Teaching and Learning Committee will consider proposals for new courses. Faculty interested in designing and implementing new courses should first consult with their Associate Dean, Department Chair as well as the Dean of Academic Affairs to determine the need for such course, its utility alongside other classes, sufficient student interest, as well as the instructor's time allocation for doing so. Should the instructor receive preliminary approval, a two-page proposal should be drafted that includes the elements as well as a sample syllabus for the class. These documents will be shared with the Teaching and Learning Committee for approval. New courses for the Fall semester should be submitted no later than March 1st; new Spring semester courses should be submitted by October 1st.

12.19 FACULTY PERFORMANCE REVIEWS

Annual performance reviews of instructional staff will be conducted by the appropriate Associate Dean and Chair outside of the Workday system. Performance reviews and ratings will be entered into the Workday system to track performance and goals. Copies of evaluations will be maintained in the employee's personnel file. Each faculty member shall be evaluated based on achievement in the areas of teaching and academically related service as

listed below.

The annual review of each faculty member with a teaching assignment shall include evaluation by students.

Evidence of Achievement in Teaching and Effectiveness

Evidence of achievement in teaching should consider the level and type of courses taught, the course delivery method, and the percentage of faculty time devoted to teaching and/or advising. Faculty must provide at least one additional item of evidence in addition to evaluation documents.

Evidence from these sources may include:

- a. Students
 - i. Qualitative and quantitative data from all electronic course evaluations.
 - ii. Performance of students on uniform examinations or in standardized courses.
 - iii. Evidence-based measurements of student learning (such as pre- and post-testing or student work samples) that meet defined student learning outcomes.
- b. Administrator
 - i. Evaluation by administrators of course materials, learning objectives, assignments, syllabi, and/or a teaching portfolio.
 - ii. In-class visitation and evaluation of instruction by administrators.
- c. Instructor
 - i. Self-assessment of teaching such as a teaching portfolio that includes but is not limited to teaching materials, instructional techniques, innovative assignments, course structures or pedagogy, teaching philosophy statements.
 - ii. Evidence of curriculum development and interdisciplinary program participation including but not limited to:
 - a. Development and improvement of teaching laboratories and/or other teaching spaces.
 - b. Continuous improvement of courses on a regular basis
 - iii. Evidence of participation in the scholarship of teaching such as:
 - a. Publications (textbooks, abstracts, articles, or reviews).
 - b. Conference presentations.
 - c. Grants/contracts to fund innovative teaching activities/course development.
 - d. Participation in teaching conferences.
 - e. Sharing classroom resources.
 - iv. Other professional development activities that support teaching.
 - v. Recognition of teaching/advising including awards, election to offices, committee activities, and other service to professional associations as related to teaching.

Evidence of Academically Related Service

A faculty member's academic service to the community or to the profession beyond the campus may confirm stature in scholarship and teaching, may enliven the intellectual climate on campus, and may improve opportunities for students and faculty colleagues. Evaluations of high-quality contributions of service are valued and may have weight in decisions on appointment, reappointment, promotion, and advancement to tenure.

Academically related service that may be recognized follows. This list is not exhaustive, and not all items are required.

- a. Membership and leadership in committee service for the department, school/school, or school.
- b. Membership and leadership in campus governance bodies.
- c. Membership and leadership in a professional organization.
- d. Editorship or editorial board membership.
- e. Refereeing or reviewing manuscripts or grant proposals.
- f. Participation in certification boards.
- g. Expert advice to professions, businesses, community organizations, or government agencies.
- h. Organization of conferences or other events.
- i. Appointments to administrative positions with service beyond duties with the school.
- j. Service as advisor to student organizations.
- k. Contributions toward professional development of faculty
- l. Judging student or professional competitions.
- m. Service rendered to a community as a part of courses taught.

Evidence and context used in judging the quality of service include the following: this list is not exhaustive and not all items are required.

- n. Significant service to the program, department, school/school, or school.
- o. Awards, honors, or special recognition for service.
- p. Significant service to professional organizations.
- q. Significant academic related service to the community.
- r. Editorial board membership or manuscript reviewer.

Refer to Section 3.7 for more information regarding the performance review process.

12.20 FACULTY ADVANCEMENT PLAN

Because it is in the best interest of ASMSA and its students to have a highly skilled and motivated faculty that consistently seeks out professional development and growth, ASMSA's Governing Council has worked with campus leadership to implement the ASMSA Faculty Advancement Plan. Faculty engagement and excellence should be encouraged by rewarding

dedicated faculty for their hard work and skillful pedagogy, as well as service to the institution, their field, and the community.

This plan is designed to empower faculty to reach their full potential through goal setting and recognition of excellence. In addition to developing depth within their content area, it emphasizes breadth and balance across three domains of academic, service, and professional achievements. It is framed by a promotion scale, including a new title and salary increase at each rank. This plan results in salaries that are more competitive with local school districts and top-performing districts throughout Arkansas, as well as peers throughout higher education in Arkansas.

12.21 PROFESSIONAL DEVELOPMENT

Faculty members are encouraged to seek out and participate in professional development opportunities such as regional, state, and national conferences, seminars, training sessions, etc. Faculty members interested in attending professional development opportunities should consult with the appropriate Associate and Chair. Approval will be required from the Associate Dean, Chair, and the Director of Academic Affairs. Preference will be given to faculty members who are presenting at the event.

ASMSA focuses on faculty growth and continuous improvement by offering expanded professional development, asserting leadership in instructional strategies, identifying contact points to interact with fellow educators, and sharing our best practices with national audiences.

12.22 ATTENDANCE AT COMMENCEMENT, CAMPUS MEETINGS, ASSEMBLIES, AND STUDENT EVENTS

All faculty members are required to attend Commencement in May. Faculty are expected to be present and to take part in the academic procession, unless excused by the Dean of Academic Affairs. The wearing of appropriate academic regalia is required at Commencement and will be provided to faculty at no cost.

Meetings are scheduled for all faculty, academic support staff, and other interested employees each month. Meetings typically take place on the second/third Wednesday of each month at noon, though may be scheduled at other times, as necessary. All faculty and academic support staff are required to attend the meetings. These sessions provide opportunities for information-sharing, open discussions on matters of importance to campus, and community building.

Faculty are expected to attend school-wide assemblies that are also required for all students. These events are typically scheduled on "B Mondays" at 2:45 in the Oaklawn Foundation Community Center. These sessions are used for information sharing, celebrations, and presentations from outside guests.

Faculty are encouraged to attend student concerts, research presentations, special lectures, art displays, and other events that highlight the work of our students, faculty, staff, and alumni.