



# Adjunct Faculty Handbook

August 2019

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# ADJUNCT FACULTY HANDBOOK

## **Virginia Wesleyan University Mission Statement**

An inclusive community dedicated to scholarship and service grounded in the liberal arts and sciences, Virginia Wesleyan University inspires students to build meaningful lives through engagement in Coastal Virginia's dynamic metropolitan region, the nation, and the world.

- July 1, 2018

*To Members of the Virginia Wesleyan University Community:*

*This is a revised edition of the Virginia Wesleyan Adjunct Faculty Handbook. It contains interpretations of University policy and other information that will be of service to both adjunct faculty members and to Department Chairs. Questions raised by the document and suggestions for future editions should be addressed to the Vice President for Academic Affairs. This handbook is not a comprehensive list of policies and is intended as a guide for adjunct faculty. For a comprehensive list of University policies, see the Virginia Wesleyan Faculty Handbook.*

*Revised August 27, 2019  
Updated November 15, 2019*

# GETTING SITUATED

## OFFICE OF FINANCE AND ADMINISTRATION

An adjunct faculty member is hired by the Vice President for Academic Affairs (VPAA) on the recommendation of a Dean or Department Chair. A candidate for an adjunct faculty position must submit a *curriculum vitae* and official graduate transcripts to the Office of Academic Affairs. Please note that employment is for one semester at a time and there is no right or obligation to be rehired.

After you have been hired as an adjunct faculty member, your first step is to make an appointment with the Payroll Manager in the Office of Finance and Administration (ext. 3300). Bring your original Social Security Card, Driver's License, and a copy of your CV/Resume. To set up direct deposit, bring a voided check. Once the Office of Finance and Administration process is complete, an email will be sent to Computer Services and to Campus Security.

## COMPUTER SERVICES FOR NETWORK ACCOUNT

Once Computer Services receives the email confirmation of the hire from the Office of Finance and Administration, a network login account, email, and password are established. Your email is added to the faculty list serve and sent to various offices, including the Registrar, Human Resources, Advancement (for directories), and Campus Security. You must either call the Computer Services Help Desk (757-455-3111) or come by in person (Office linked to Computer Lab, Clarke Hall) to obtain log-in and password information.

## CAMPUS SECURITY FOR PHOTO ID AND PARKING DECAL

Once Campus Security receives the email confirmation of hire from the Office of Finance and Administration, it can issue a photo ID and parking decal. Campus Security is located in Bray Village in the hallway outside Eggleston Commons (ext. 3349). There is no charge, but to obtain a parking decal you will need to bring a driver's license, vehicle registration, and the name of your auto insurance company. Parking generally is available in lots adjacent to the building in which one teaches, but all faculty members are asked to avoid spaces marked as reserved for campus visitors. Please see Appendix, "Online ID Image Upload" on page 20 for instruction on how to obtain your ID if you are an adjunct instructing an online course.

## REMUNERATION LETTERS AND COMPENSATION

Contracts are issued by the Office of Academic Affairs after the semester has begun and it is clear that there will be sufficient enrollment to justify offering a given course. Courses that do not meet minimum enrollment benchmarks will be compensated on a prorated basis or may be cancelled. Checks are issued on the last business day of the month approximately one month after the beginning of the semester (end of September for fall semesters and end of February for spring semesters).

## OFFICE SPACE AND OFFICE NEEDS

An attempt is made to provide office space, phone, and computer use for part-time faculty members, usually on a shared arrangement, but it is not always possible to identify such space. If office space is not available, some other site for meeting with students will be designated in consultation with the Administrative Assistant to the Academic Schools (ext. 8728). When a lockable site is available, the VPAA will provide Campus Security with authorization for release of keys.

## KEY UNIVERSITY PUBLICATIONS

- The *Marlin Directory of Faculty and Staff* can be found by clicking on the Quicklinks tab at the top of the VWU webpage and selecting Directory.
- The *University Catalog* is available online: <https://www.vwu.edu/academics/pdfs/VWU-2019-2020.pdf>
- The *Student Handbook* is available online: [https://www.vwu.edu/campus-life/student-affairs/student-handbook-2019/2019\\_2020\\_Student\\_Handbook.pdf](https://www.vwu.edu/campus-life/student-affairs/student-handbook-2019/2019_2020_Student_Handbook.pdf)

## COPYING

Your Virginia Wesleyan University ID card will give you access to all campus Konica Copiers. The Department account number is available through your Department Chair or from the Executive Assistant to the Vice President for Academic Affairs (ext. 3210) and is used to request copy services and to obtain office supplies from the Scribner University Store. The Administrative Assistant to the Academic Schools (ext. 8728) or colleagues in your department can share procedures with you. Copy machines with scanning and faxing capabilities are available in the following locations: Blocker Hall 34, Village II workroom, Greer workroom, Pruden Ground floor, and the Clarke Hall 2<sup>nd</sup> floor office suite. You will need to swipe your ID card or manually enter your username and password to use the copy machines. Up to 50 copies of tests and course handouts may be made on these copiers. Larger projects, such as multiple-page syllabi, should be submitted to the University copy center (Mail Room/Copy Center in Boyd). You will need your department number to fill out a copy request form or a supplies transfer form.

Questions about what constitutes a reasonable use of copiers should be addressed to your Department Chair. Members of the campus community should consider our carbon footprint when making decisions about using paper and other materials.

## FACILITIES

All adjunct faculty have the use of the athletic and fitness facilities of the Jane P. Batten Student Center. Your photo ID is required. You are free to most concerts, plays, and athletic events.

Cafeteria meals can be purchased weekdays in the Boyd Dining Center:

Breakfast 7:30 a.m. - 9:30 a.m.; Continental 9:30 a.m. -10:30 a.m.

Lunch 10:45 a.m. - 1:35 p.m.

Dinner 4:45 p.m. - 7:05 p.m.

The Marlin Grille in the Batten Student Center is open Mon. - Fri., 8:30 a.m.-9:00 p.m. Summer hours may vary.

## EMERGENCY INFORMATION AND WEATHER HOTLINE

To receive immediate notification in times of emergency, download the LiveSafe Mobile App. Information and instructions for selecting and using the App can be found on the Campus Security Homepage: <https://www.vwu.edu/campus-security/>

For weather emergencies, refer to the inclement weather hotline (757) 455-5711, or to the College's Homepage: <https://www.vwu.edu>

# TEXTBOOK ORDERS, THE LIBRARY AND TECHNOLOGY SUPPORT

## SCRIBNER UNIVERSITY STORE

You may obtain textbook order forms via email from the University Store Manager (757-455-2103). The forms should be completed and returned to the University Store promptly. First-time adjunct faculty members will discuss text choices and other elements of a course with Department Chairs before submitting text orders and completing syllabi.

## LIBRARY AND INFORMATION SERVICES

A full range of library resources and services is provided for faculty, students and staff. Explore the library web pages at <https://www.vwu.edu/library/>. Each academic school is paired with one of the research librarians. Your Department Chair can provide the name and contact information. School research librarians are eager to assist you with course library needs, such as customized sessions on research in your discipline, help designing an assignment, workshops on reliable sources, setting up “Libguide” pages for courses, etc. Members of the staff are available during library hours to assist students in using the collection, databases, microfilms, and other research options such as interlibrary loan.

*Reserve Materials:* You may place books and articles on reserve for a given course by taking those items to the library circulation desk and indicating appropriate stipulations (three-hour non-circulating, one day or three day circulating, etc.). Personal copies will not be held on reserve.

*Interlibrary Loan:* If you need classroom or research materials not available at Virginia Wesleyan, please make a request through the Interlibrary Loan Coordinator (<https://guides.vwu.edu/ill> or ext. 2131).

*Virginia Tidewater Consortium* (<http://guides.lib.odu.edu/vtlibraries>): With a Virginia Tidewater Consortium library card, available from Circulation at Hofheimer Library, you are able to check out books from the Virginia Tidewater Consortium libraries at Christopher Newport University, the College of William & Mary, Eastern Shore Community College, Eastern Virginia Medical School, the Hampton Roads Center, Hampton University, Jefferson Lab (formerly CEBAF), the Joint Forces Staff College, Norfolk State University, Old Dominion University, Paul D. Camp Community College, Regent University, Thomas Nelson Community College, and Tidewater Community College.

*Audio-Visual Materials and Equipment:* The University owns a large selection of audio-visual equipment and an audio-visual collection which may be used for classroom purposes. To reserve equipment and other materials, call the Library Media Coordinator (ext. 3239, or if not available, the circulation desk, ext. 3224).



## TECHNOLOGY SUPPORT

*Help desk:* The Computer Services Help Desk (ext. 3111) is the central point of contact for dealing with computer-related issues. The office is located off the student computer lab on the first floor of Clarke Hall.

*Instructional Technology:* The Director of Instructional Technology (ext. 2112) sets up Blackboard courses, batch loads enrolled students, and offers faculty instruction in skills applicable to the design, development, and implementation of teaching tools such as Blackboard, SafeAssign, and Modified Distance Learning as well as the support of online academic tools. The office is located in the INTEL Center in Jane P. Batten Student Center, room 24.

*Classroom Technology:* A majority of classrooms are equipped with basic technological capability to project PowerPoint presentations and to go online; others have more elaborate capabilities. Some classrooms may require that you bring a laptop to the classroom to operate the classroom technology. Discuss your classroom needs with your Department Chair.

*Special Computer equipment needs:* To reserve a laptop, the computer cart, or other tech equipment you must complete an online request. Go to WebAdvisor, Faculty Menu, and under "Other Faculty Links" go to the "Computer Services Equipment Request."

# ACADEMICS

## CORE EXPECTATIONS FOR ADJUNCT FACULTY

There is more specific detail about these expectations in this handbook. If you have any questions, ask your Department Chair or School Dean.

- Prepare syllabi that meet the VWU syllabus guidelines and provide these to students on the first day of class. Syllabi should also be provided to department chairs.
- If teaching a face-to-face course, all class meetings, including the final exam period, should take place as scheduled. If you need to cancel a class, refer to the guidelines in this handbook.
- Be on time and prepared for class sessions.
- Grade, provide feedback, and return assignments within a reasonable time period. Generally, one week for shorter assignments and two weeks for longer assignments or those that require more feedback.
- Keep 1-2 office hours each week, as needed.
- Answer emails within a reasonable time period, typically 24-48 hours.
- Inform your department chair if you change class meetings in any way, i.e. go on field trips, meet off campus, or cancel a class.
- Submit mid-term reports, final grades, and C- reports per guidelines provided by the University Registrar.
- Remind students to complete course evaluations.
- Comply with FERPA regulations.
- Be familiar with and adhere to the University Honor Code.
- Communication with Department Chair at mid-semester, end of semester, and as needed.
- Coordinate with Disability Services when student presents documentation from the Learning Center.
- Direct students to Learning Center, Counseling Center, and other University resources as needed.
- Submit Academic Alerts as needed.

## COURSE SYLLABI

For each course taught, you must prepare a syllabus and make sure all students have it at the

first-class meeting. In addition to traditional information about such issues as course description and requirements, assigned texts, due dates and scheduled tests, syllabi must include the following:

- the course title, number, section, and semester (ex. Fall 2019)
- the class meeting days and times (ex. MWF 8AM)
- the instructor's contact information
- the Virginia Wesleyan University Mission Statement
- the course prerequisites
- the required texts and supplies
- course objectives
- an outline of course meetings and topics
- an indication of how various elements of the course will be weighted in determining the grade for the course
- a statement of grading policy (e.g. an "A" is equivalent to 92-100, or 95-100, etc.)
- the final exam information (including date and time of the exam)
- a statement on the instructor's attendance policy
- a clear indication of times before or after class when the instructor will be available for conferences with students and the location for such meetings
- a statement on the relevancy of the Honor Code (see below)
- a statement about Learning Center/Writing Center (see Student Support Resources)
- a statement about student accommodations (example provided):

*Virginia Wesleyan University is committed to giving all students the opportunity of academic success. If you are a student who is requesting accommodations based on the academic impact of a disability, speak to me about your accommodations letter and your specific needs. If you do not have an accommodation letter for this course, you will need to visit or call for an appointment with Disability Services Specialist Crit Muniz at [\(757\) 233- 8898](tel:(757)233-8898) or by email at [nmuniz@vwu.edu](mailto:nmuniz@vwu.edu) to coordinate reasonable accommodations. He is located in the Learning Center, Clarke Hall.*

## FINAL EXAMS

Final exam periods are calculated into the semester's course length; they must be utilized as scheduled. Without exception they are to be given on the date and during the time scheduled by the Registrar. Faculty are not to schedule exams during the final week of classes or before the exam period. A period of 2 ½ hours is scheduled for each exam.

Each semester The Final Exam Schedule is accessible from the Registrar's Homepage: <https://www.vwu.edu/academics/registrar/>. Final exam schedules are also available on the University Academic Calendar.

## THE HONOR CODE

Virginia Wesleyan University functions under an Honor Code designed to "foster an environment of learning based upon trustworthiness and willingness to assume personal responsibility for honorable behavior." The Honor Code is included in a variety of campus

publications and is available online (<https://www.vwu.edu/about/campus-offices/human-resources/pdfs/honor-code/honor-code.pdf>). It contains definitions of cheating, plagiarism, lying, academic theft and falsifying data; a statement on responsibilities and rights for students and faculty members; and procedures for dealing with violations. All violations must be addressed directly with the student and a report must be submitted to the Office of Academic Affairs. The Honor Code has provisions for "Level 1" offenses which can be resolved directly between faculty and student, and for other violations which go before the Honor Council. Each syllabus should provide a brief written statement clarifying the instructor's policies relative to the Honor Code.

Some class discussion regarding this issue also is appropriate. If you have questions regarding interpretation of the Honor Code, consult Department Chairs, the chair of the Honor Council, the Executive Assistant to the Vice President for Academic Affairs, or the VPAA. To submit a report online, please go to this link:

[https://docs.google.com/forms/d/e/1FAIpQLSdfvhf9Y8rI5B2icEcZnLJoSHQZH0R9vn-gitK5WJMkS0h92A/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLSdfvhf9Y8rI5B2icEcZnLJoSHQZH0R9vn-gitK5WJMkS0h92A/viewform?usp=sf_link)

## GRADING AND OTHER REPORTING: WEBADVISOR

Access your WebAdvisor using your email log-in and password. On the Main Menu, the "Faculty" option will take you to all the tabs relating to each class you are teaching, including Class Rosters, Progress Reports Rosters, Final Grade Rosters, and Academic Alert (formerly Early Alert as listed on chart below).

VIRGINIA WESLEYAN UNIVERSITY

LOG OUT | MAIN MENU | FACULTY MENU | CONTACT US

FACULTY - WEBADVISOR FOR FACULTY MENU

Welcome April

[VVU Physical Plant Work Order](#)

**Attention: In the coming weeks you will be required to complete the Title IX Presentation and Test!!!**

Please click on the "Title IX Presentation and Test - Intro Screen" link under the "Other WebAdvisor Links" section below.

Many thanks for your participation!

**Faculty Information**

- [VVU - Class Roster](#)
- [My Class Schedule](#)
- [VVU - Search for Sections](#)
- [Course Content Roster](#)
- [Class Roster/Class/Section/Exam Rosters](#)
- [Midterm and Final Grades with Rubrics Rosters](#)
- [Term Incomplete Rosters](#)

**Financial Information**

- [Budget Allocation](#)
- [Budget Summary](#)

**Other WebAdvisor Links**

- [Title IX Presentation and Test - Intro Screen](#)
- [My Web Classes & Programs](#)
- [Department Major Profiles](#)
- [Faculty Schedule Matrix](#)
- [Apply for Social](#)
- [Computer Services Equipment Request](#)
- [Request Data from CS&IS](#)
- [My Term Advisor Progress Report Roster](#)

LOG OUT | MAIN MENU | FACULTY MENU | CONTACT US

WebAdvisor 1.1  
POWERED BY ORACLE

*Class Rosters:* Initial class rosters (with students' pictures or names only) can be printed any time after 5:00 p.m. on the Friday before the semester begins for "day" classes or after 1:00 p.m. Saturday for Evening and Weekend Program classes. From the *WebAdvisor Faculty Menu* select the "VWU - Class Rosters" link. The Roster also has an option for emailing individual students or the entire class at once. The Registrar's Office sends email instructions to all faculty, giving dates and any special procedures to follow when printing rosters. It is vitally important to alert the Registrar's Office ([reg@vwu.edu](mailto:reg@vwu.edu) or ext. 3358) if there is any discrepancy between a class roster and the students actually attending class during the first week.

*Add-drop Week:* Through the first week of class students can use their WebAdvisor to drop courses and to add open courses.

*Withdrawal after add-drop week but before the automatic WF (withdraw failing) deadline:* Students who wish to withdraw after add-drop week have a window in which they can do so, but they need to complete a Course Selection form from the Registrar's Office, and have you sign it. Until the automatic WF deadline (the end of Week 9 is the last day for students to drop courses without an automatic WF; see below), an automatic grade of "W" is assigned.

*Automatic WF:* A student who withdraws from a course after the add/drop deadline (dates published annually and available through the Registrar's Homepage) will receive an automatic WF (withdraw failing). The grade of "WF" affects the calculation of a student's GPA exactly as a grade of "F" would.

*Mid-term Progress Reports:* Early in each semester the Registrar will notify faculty members of the process and deadline for submitting progress reports. You are expected to submit reports on all freshmen and any other students averaging a C- or below. Mid-term Progress Reports are entered on WebAdvisor during Week 7 of the semester: from the *WebAdvisor Faculty Menu* select the "Progress Report Roster" link. At the beginning of Week 8 of the semester, students and advisers may begin viewing Progress Report information on WebAdvisor. Instructions can be found on the Faculty Information link of the Registrar's Homepage: <https://www.vwu.edu/academics/registrar/>.

*Final Grades:* The Registrar's Office sends email instructions to all faculty, giving dates and any special procedures to follow when entering grades. Final grades are submitted through WebAdvisor. Go into the Faculty Menu and select the "Final Grades Roster" link. The roster(s) should match class enrollment exactly as a grade must be given for all students enrolled in a given class. By action of the faculty, all course grades must be submitted within 48 hours of completion of a final examination. For students earning a final grade of C-minus or below, you must complete and submit a "C-minus Report." Complete final grading instructions are found on the Faculty Information link of the Registrar's Homepage: <https://www.vwu.edu/academics/registrar/>. In order to conform to federal right-to-privacy guidelines, you are asked not to post final course grades. Graded

course work should be returned to the individual student in a private manner and not left in an open area for other students to see. Information about students' academic progress and performance is private, and a student must grant permission for you to share that information with family members or others. Students do so by signing waivers for individuals who are then listed on the student's FERPA (Federal Education Rights and Privacy Act) record. You can access a student's FERPA information through the "Class Pictures/Blackboard/ FERPA" link on the Faculty Menu of WebAdvisor.

### CANCELLING CLASS

Occasionally a class must be canceled for professional reasons, illness, family crisis, etc. In such a case, you should find a way of making up the lost hours. Notify the Executive Assistant to the Vice President for Academic Affairs (ext. 3210). If the cancellation is sudden and you don't have time to notify the class, call as early that day as possible. The Executive Assistant to the Vice President for Academic Affairs will arrange to put a note on the door. Students often want to leave early or arrive back late before and after scheduled University breaks, in order to simplify travel plans or to extend their vacations. You should not acquiesce to student pressure to cancel classes around scheduled breaks, as this merely increases the pressure on another faculty.

### END-OF-THE-COURSE EVALUATIONS

At the end of each semester, all students will be asked to evaluate both the course and the instructor for all classes in an online system called SmartEvals. Instructors are notified when the evaluations are available on SmartEvals to verify that all of their classes are listed and to allow faculty enough time to add any additional questions to the evaluation. We begin this process approximately one month before the end of the semester. Instructors will receive an e-mail from Robin Takacs, the administrator, requesting that you log on and verify your evaluations. This will also allow advance warning that the evaluation process is about to begin. Instructors are asked to remind students to open the SmartEvals email and follow the hyperlink to complete their course and instructor evaluations before the beginning of final exams. It is the responsibility of the instructor to encourage student feedback through the SmartEvals system. Results are first available to instructors AFTER end of semester grades have been turned in for ALL classes. Evaluation results and cumulative reports as well as student comments are collected online and are available for download by the instructor for your permanent records. All SmartEvals results are then released to Department Chairs who are asked to review your course evaluations and prepare a written evaluation of adjunct faculty members instructors each semester. Course and Instructor evaluations are retained on file electronically by SmartEvals.com and the University.

### COURSE GRADE APPEAL PROCESS (published in the *Catalog* and *Faculty Handbook*, revised July 2019)

A student who believes that he or she has received an unjust course grade may appeal the grade.

The burden of proof of injustice rests with the student. A student pursuing an appeal must follow these steps:

- First, the student must review the course syllabus for the grading policy and calculate a legitimate grade, based on all tests, papers, and other work graded by the faculty member during the semester.
- If the student still believes the grade is in error, then no later than the end of the second week of the subsequent semester, summer not counting as a semester, the student must confer directly with the faculty member who assigned the grade, bringing to the meeting all graded work that was required for the course.
- If after this meeting the student is still not satisfied with the faculty member's decision, then no later than the end of the fifth week of the same semester, the student must prepare and send to the Vice President for Academic Affairs a written appeal with all supporting evidence. At the same time, the student must send copies of all materials to the faculty member. After consultation with both the student and the faculty member, the Vice President for Academic Affairs, if she or he believes the case so warrants, calls together the members of the department in which the course was taken. This process is intended to ensure fairness and to ensure that all supporting materials are seen by neutral parties. After this consultation with the Vice President for Academic Affairs and the other members of the department, the faculty makes the final determination.

#### FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA):

All education records of students enrolled at Virginia Wesleyan University are maintained in accordance with the provisions of the Family Educational Rights and Privacy Act of 1974 as Amended commonly referred to as FERPA or the Buckley Amendment. The Act was designed to protect the privacy of educational records, to establish the right of students to inspect and review their educational records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings.

Student consent is required for the release of records covered by the Act to outside parties (i.e., prospective employers), except for those agencies entitled to access under the provisions of the ACT (i.e., University personnel with a legitimate educational interest, federal educational and auditing officials, federal and state law enforcement and judicial officials, and requests related to the application for or receipt of financial assistance). Any other access must have written authorization from the student, with the exception of "directory information," which includes the following:

- student name,
- address,
- telephone numbers
- e-mail address,
- major field of study,
- dates of attendance,
- degrees, awards and honors received (including dates),
- photographic view or electronic images, and
- most recent previous educational agency or institution attended.

All other information not specifically listed, including grades, courses, days and times of course meetings, withdrawals, age and birthdate cannot be disclosed without the student's written consent.

A student who desires to have directory information about them withheld must submit a request in writing to the Office of the Registrar by September 5 for each academic year. Students may obtain a copy of VWU's policy concerning access to educational records from the Office of the Registrar.

**To learn more about FERPA and to view recent policy changes, visit its website at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>**



## STUDENT SUPPORT RESOURCES

### STUDENT ATTENDANCE, PERFORMANCE, AND ACADEMIC ALERT:

Consistent attendance is an essential component of strong class performance. Records of attendance are also frequently needed in relation to issues of federal funding of financial aid. You should make your own expectations clear on your syllabus. As stated above, after Add-drop week it is very important to check attendance records and to inform the Registrar's Office (ext. 3358) if a student is registered but has not attended.

Whenever faculty notice a pattern of missing class, failing to complete assignments, missing deadlines, etc., our policy is to consider the student at risk and to respond actively. Contact the student and contribute information on our "Academic Alert" system either via email, [academic-alert@vwu.edu](mailto:academic-alert@vwu.edu), or on the *Faculty Menu of WebAdvisor* (*select Academic Alert, then Contribute Retention Information*).

### THE LEARNING CENTER:

The Learning Center provides academic assistance to all students. These services include study skills classes and workshops, guided study groups, tutoring in a wide variety of subject areas and as accommodations for students with special needs.

The Learning Center also provides individualized instruction in writing with professional tutors. The Learning Center is located on the second floor of Clarke Hall (757-455-3122). Those students in need of a tutor can visit the Learning Center Website at: <https://www.vwu.edu/academics/learning-center/>. Learning Center testing procedures can be found in the appendix on page 20.

### STUDENT ACCOMMODATIONS:

Virginia Wesleyan University has a wide range of personnel available to assist students having academic or other difficulties. The Assistant Director of the Learning Center and Disability Services Specialist, Clarke Hall (ext. 8898), can assist you in getting the student the help he or she needs.

### STUDENT COUNSELING SERVICES:

Some students enrolled in your class may exhibit signs that they are struggling and could benefit from individual counseling. The Student Counseling Center, located in Batten Center 211, provides a safe

place for students to come and talk about whatever life issues, problems or stress they are facing. The counselors sincerely want to help and provide space for students to talk confidentially without worry of being judged for their thoughts, feelings or actions.

Students are welcomed to contact Bill Brown at 757-455-5730 or [bbrown@vwu.edu](mailto:bbrown@vwu.edu) and Crista Gambrell at 757-455-3131 or [cgambrell@vwu.edu](mailto:cgambrell@vwu.edu) to set up an appointment. For more information and resources, please direct students to the Counseling Center webpage:

<https://www.vwu.edu/campus-life/counseling-services/>

# CAMPUS MAP

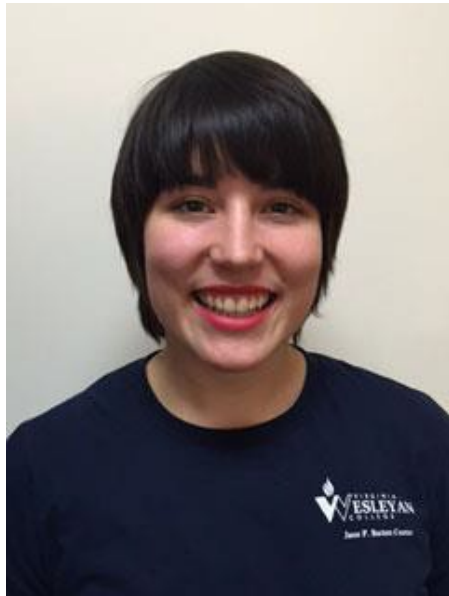


## Online ID Image Upload

You are strongly encouraged to upload a photo. This photo will be used for your Marlin ID. If you download an acceptable photo (using the criteria listed below), your ID will be mailed to you. **Please send your photo to [security@vwu.edu](mailto:security@vwu.edu).**

VWU reserves the right to reject any image that is deemed unacceptable. Should your photo not be accepted or you did not download an image, you will have the opportunity to download another photo.

**Here is a sample image to help you in your photo submission:**



### Photo Requirements

---

The photo must meet the following requirements:

- Your photo must be a clear image of **ONLY** you (not blurry, grainy or fuzzy) against a **plain white background**
- The photo must be a full face-and-shoulders shot, squarely facing the camera.
- You must use a portrait, not landscape, photo that is correctly oriented.
- You must be facing the camera.
- You cannot wear dark glasses, hats, or headwear.
- Smile

### Format and Size

---

- You can upload a JPG, JPEG, PNG, or GIF image file.
- Maximum file size is 4 MB.
- Minimum dimensions are 129px wide by 176px high.
- Be sure to crop the image to show only your head and shoulders **before you upload it.**

## Additional Tips

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- Do not scan your driver's license or school ID to use that photo. The scanned image will not be of high enough quality to meet the system's requirements for an acceptable photo.
- Do not submit a photo of a photo; just take a photo of yourself.
- If you take a photo:
  - Be sure to hold the camera or mobile device very still.
  - Try turning on a soft overhead light or taking your photo outside in bright light, but avoid having the sun at your back.
  - Make sure there are no shadows over your face.
  - Try standing a few feet in front of a plain wall or other solid color that contrasts with your hair and clothing.
  - Try not to use the camera flash. If you must use flash, take the photo from at least 3 feet away, and use the camera zoom as needed to center only your face and shoulders within the photo frame.

# Learning Center

## Testing Procedures for Faculty

- Coordinate with students when tests need to be taken in the Learning Center. Students will need to make an appointment with the Learning Center to take their test, which will enable the Learning Center Staff to ensure that there is space for each student to take his or her test in the Learning Center at his or her scheduled time. Students with testing accommodations receive priority for testing space, so test appointments are strongly encouraged.

*\*If you have any questions regarding testing accommodations or students with disabilities please contact the Disability Support Specialist, Mr. Crit Muniz via [nmuniz@vwc.edu](mailto:nmuniz@vwc.edu) or (757) 233-8898.*

\*

- Bring the test and any special instructions for the student(s) regarding the test to the Learning Center no later than the morning of the student's scheduled appointment.

*\*If you are not able to deliver the test in person, please call the front desk at (757) 455-3122 to coordinate a test pick up by the Learning Center. \**

- When dropping off a test, please note:
  1. Whether a graphing or simple calculator is allowed or not
  2. How long the student(s) has to take the test and whether or not you will allow them to go over that allotted time. If so, how much?
  3. If the student(s) will need a computer or scratch paper
  4. If there are any other special instructions that either the student(s) and/or the Learning Center Staff needs to know
  5. If you prefer to pick the test up yourself or have it returned to a specific location
- ALL completed tests will be delivered back to the Faculty member's office unless other arrangements have been specifically requested.

*~The Learning Center does not copy, print, email or fax tests. ~*

**~ALL tests taken in the Learning Center may start as early as 8:30am and MUST be completed by 4:30pm Monday-Friday, including all tests with time accommodations. ~**

## **Appendices: Policies**

### **EQUAL EMPLOYMENT OPPORTUNITY**

Virginia Wesleyan University is an equal opportunity employer. The University offers employment, advancement opportunities, and benefits in a harassment-free environment on the basis of merit, qualifications, and competency to all individuals without regard to race, religion, color, creed, gender, national and ethnic origin, age, marital status, covered veteran status, handicap, sexual orientation, or any other legally protected status.

The Director of Human Resources is responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity. Any communication from an applicant for employment, an employee, a government agency, or an attorney concerning any equal employment opportunity matter is to be referred to the Director of Human Resources.

While the Director of Human Resources has the overall authority for implementing this policy, an equal opportunity program can only be achieved with the support of supervisory personnel and employees at all levels. Any employee who feels he/she is the victim of discrimination is responsible for reporting this fact to his/her supervisor, department head, and/or the Director of Human Resources.

## HARRASSMENT POLICY (FACULTY)

### **Definition**

Virginia Wesleyan University is committed to providing its students, faculty, and staff a working and learning environment that is free from discrimination in the form of harassment by any member of the University Community and, in certain circumstances, agents and non- employees who have contact with our students and employees. Harassment on the basis of sex, race, color, age, disability, religion, national origin, or sexual orientation of students and employees at Virginia Wesleyan University is unacceptable conduct and will not be tolerated. In many cases it is also unlawful.

At the same time, Virginia Wesleyan University is firmly committed to the principles of Academic Freedom, and hence to the protection of the right of all members of the university community to engage in all forms of inquiry and debate.

Sexual harassment, in particular, encompasses a wide range of verbal, non-verbal, and physical behaviors. Although it includes any attempt to coerce an unwilling person into a sexual relationship, it is also unlawful to subject a person to unwanted sexual attention, to punish a refusal to comply, or to create a sexually intimidating, hostile, or offensive working or educational environment. Sexual harassment includes verbal and physical behaviors, from sexual assault to the unwelcome emphasizing of sexual identity. Violations may also be non-verbal as in the case of offensive gestures or the display of offensive pictures.

What constitutes harassment of any type, including sexual harassment, will be interpreted and applied with consistency and in accordance with prevailing law, accepted standards of mature behavior, academic freedom, and freedom of expression. It is especially likely that a faculty member who uses his or her position of authority in the course of prohibited conduct is guilty of unlawful harassment. In addition, the frequency and severity and the content of the behavior will be taken into account.

Speech or conduct is reasonably regarded as offensive if it substantially impairs the academic or work opportunity of students, colleagues, and/or co-workers. If it takes place in the teaching context, to be considered harassment it must also be persistent, pervasive, and not germane to the subject matter. The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material.

### Confidentiality

Complaints about harassment will be responded to promptly and equitably. The right to confidentiality of all members of the academic community will be respected insofar as is practical without jeopardizing the University's duty to investigate.

### Retaliation

This policy explicitly prohibits retaliation against individuals for bringing good faith complaints of harassment. Any person who retaliates against a complainant shall be subject to disciplinary action up to and including discharge.



## False Charges

Purely malicious accusations of harassment are harmful to the personal and professional reputation of the person so accused. The University regards harassment complaints made with malicious intent to be a very serious matter and subject to appropriate sanctions. They may also subject the complainant to civil liability.

## Informal and Formal Procedures

Any Virginia Wesleyan University student or employee having a complaint of harassment may raise the matter informally and/or file a formal grievance. The informal process is an attempt to mediate between the parties involved and effect a mutually agreeable solution without entering into a formal hearing/grievance process. An informal complaint may result in disciplinary action only if the Vice President for Academic Affairs is aware of a pattern of complaints regarding harassment involving the accused faculty member. A formal procedure will not be initiated without a written, signed complaint.

A formal complaint may result in disciplinary action being taken against a person who, as a result of an investigative process, is found to have committed an act or acts of harassment against the individual filing the complaint. Regardless of whether the complainant raises the matter informally or formally, any allegation of harassment at Virginia Wesleyan University will be taken seriously by the university and will be investigated in a timely manner.

## Office of the President

Any individual who believes that a harassment complaint did not receive prompt and equitable response after pursuing the appropriate procedures, should inform the Office of the President.

## Informal Complaint

If a member of the University Community believes that he or she has been a victim of harassment by a member of the faculty, he or she is encouraged to discuss the concern with the VPAA. As a result of that discussion, the individual initiating the complaint process may select one of three courses of action: Proceed with a formal complaint; ask the VPAA to attempt an informal resolution of the matter; or drop the complaint.

If the individual decides to drop the complaint, the VPAA will decide what, if any, further action shall be taken.

If a request for an informal resolution is made, the VPAA, along with the Director of Human Resources, shall meet with the complainant to document the complaint and to determine if the complainant is comfortable with having his/her identity revealed to the faculty member. Subsequent to this meeting, a meeting of the VPAA, the Director of Human Resources, and the faculty member being accused will be held to inform the faculty member of the informal charges being levied against him/her.

If it is necessary to effect an informal resolution, and with the agreement of all involved parties, the complainant will meet with the accused faculty member in the presence of the VPAA and the Director of Human Resources.

If, as a result of these discussions, all parties involved believe that a satisfactory resolution has been achieved, the VPAA shall decide what, if any, further action shall be taken. If the VPAA decides that some type of further action is needed, the accused faculty member may appeal this decision to the Faculty Hearing Committee. The Faculty Hearing Committee, after considering evidence presented by both sides of the issue, shall make a recommendation to the President of the University. The final determination of what action, if any, shall be taken shall be made by the President.

If a mutually agreeable solution is not achieved, the person bringing the complaint may elect to bring a formal complaint.

#### Formal complaint

A formal complaint of harassment against a member of the faculty begins with a meeting of the person bringing the complaint, and the VPAA. To this meeting, the complainant brings a written and signed statement of the complaint.

#### Procedure/Investigation

The VPAA, in conjunction with the Director of Human Resources, shall meet with the faculty member to discuss the charge. The faculty member shall receive a copy of the written complaint at that meeting. If the faculty member requests, and the complainant agrees, the complainant may meet with the faculty member at an appropriate stage of the procedure. This meeting shall take place in the presence of the VPAA, and the Director of Human Resources. If the faculty member claims to be innocent of the charge, this shall be stated in writing to the VPAA.

If the VPAA and/or the Director of Human Resources decides at any time before resolution, that further investigation is necessary, this shall be pursued in the most timely manner possible. In addition, in the case of further investigation, wherever possible the confidentiality of all involved individuals shall be maintained.

If the VPAA and the Director of Human Resources decide that the charges are to be upheld, the case shall be forwarded, with documentation, to the Faculty Hearing Committee. The Faculty Hearing Committee shall proceed as outlined in the Faculty Handbook.

#### Counseling

Harassment of students and employees at Virginia Wesleyan University on the basis of sex, race, age, color, disability, religion, national origin, or sexual orientation is unacceptable conduct that will not be tolerated. Therefore, the University offers, and encourages, any individual who might have been a victim of such harassment on its campus the use of the Virginia Wesleyan University Counseling Center.

*HR 3.6.1 – Harassment, Faculty*

## **IMMIGRATION REFORM AND CONTROL ACT OF 1986**

Virginia Wesleyan University complies with the Immigration Reform and Control Act of 1986 and in doing so hires only employees who are legally employable and who provide the University with identity verification and/or work authorization in compliance with the Act.

It is the responsibility of the newly hired employee to provide the university payroll department with the necessary documents. This is to be done within three (3) days of the employee's first day of work. The employee completes the Employee Section of the appropriate Eligibility Verification/I-9 Form. The Payroll department employee or his/her designee views the presented necessary documents and completes the Employer Section of the Form.

The payroll department files the completed Form in a file separate from the employee's payroll file.

## **INSTITUTIONAL REVIEW BOARD**

Virginia Wesleyan University's Institutional Review Board (IRB) has been established to ensure that all research conducted at the University meets high ethical standards and complies with federal mandates regarding the treatment of human research participants. Any member of the campus community (faculty, students, or staff) wishing to conduct research that involves human participants should determine whether their research protocol is exempt from review or should be submitted for approval by the IRB. Exempt research would include (but is not limited to) research done for purely pedagogical purposes, research conducted with no intent to publish or present the results at conferences, and research involving oral histories. If your research will result in making inferences beyond your sample of collected data and you plan to publish or present these results in any form, then your research is not exempt, and you should plan on submitting your proposal before collecting data. Additional information concerning specific procedures, exemption policy, as well as all forms needed for the application process may be found using the Institutional Review Board link on Blackboard. This link is available to all faculty members.

# INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER POLICY

## INTELLECTUAL PROPERTY

### Section I. Introduction

Virginia Wesleyan University is a community dedicated to teaching, scholarship, and research. The University seeks to encourage creativity and innovation among its faculty, students, and staff. To support this endeavor, the University provides equipment, facilities, information resources, and personnel. The University also seeks specific support for creative activity from external sources, both private and public. Increasingly, intellectual property and technology transfer are matters of importance to Virginia Wesleyan because of their potential to advance the state of knowledge and contribute to the greater social good; to absorb substantial institutional resources in their creation; to generate income; and to raise ethical and legal questions of actual or perceived conflict of interest for the inventor and the University. Traditionally, in institutions of higher learning, the ownership of literary, artistic, and scholarly works has rested with the creator.

The policy exists to encourage creativity, innovation, and research, clarify ownership of intellectual property rights, create opportunities for public use of University innovations, and provide for the equitable distribution of monetary and other benefits derived from intellectual property. Its focus is on the determination of a property's ownership and the equitable division of the rewards stemming from it. This policy does not reverse the traditional ownership by the creator of, for example, a poem, a painting, or a scholarly work.

### Section II. Purpose

This policy is implemented as part of our mission as a not-for-profit institution. The specific aims of the policy are to:

1. Ensure that the traditional rights of scholars and researchers to the monetary and other benefits of their labor are respected;
2. Protect the rights of the University (which it might or might not choose to exercise) with respect to intellectual property created with substantial University resources beyond normal use, or with substantial resources dedicated to the creator's use in the production of the property;
3. Encourage the development and dissemination of intellectual property by providing appropriate incentives to creators and the University;
4. Facilitate the wide transfer of useful inventions, writings and works of art to society; and 5. Protect the University's name and trademarks.

### Section III. Definitions

Subd. 1. Creator. "Creator" refers to the individual(s) who invent, author, create, or were otherwise responsible for the intellectual creation of the intellectual property, as

defined in the applicable intellectual property statutes.

Subd. 2. Intellectual Property. "Intellectual property" refers to inventions, creations, new processes, etc. It includes any work eligible for copyright protection and any invention eligible for patent protection under U.S. or international law.

Subd. 3. Net Income. "Net income" means the gross monetary payments the University receives as a result of transferring rights in the intellectual property less the University's out-of-pocket expenditures (including legal fees) directly attributable to protecting, developing, and transferring that intellectual property.

Subd. 4. Regular Academic Work Product. "Regular academic work product" means any copyrightable work product which is an artistic creation, or which constitutes, or is intended to disseminate the results of, academic research or scholarly study. Regular academic work products include, but are not limited to, books, class notes, theses and dissertations, course materials designed for the web, distance education and other technology-oriented educational materials, articles, poems, musical works, dramatic works, pantomimes and choreographic works, pictorial, graphic and sculptural works, or other works of artistic imagination. Software specifically needed to support a regular academic work product, or which is designed to disseminate the results of academic research and scholarly study is also considered a regular academic work product.

Subd. 5. Covered Individual. "Covered individual" means persons who are: 1. Employed by Virginia Wesleyan, including full-time and part-time faculty members, adjunct faculty, administrative officers, and staff members; 2. Independent contractors or consultants; 3. All Virginia Wesleyan students. For the purpose of this policy, a "student" is any individual who registers for a course at Virginia Wesleyan; and 4. Anyone using University facilities or resources under the supervision or with the permission of University personnel, including, but not limited to, volunteers.

Subd. 6. Specially Commissioned Work. "Specially commissioned work" means a work specially ordered or commissioned by the University and which the University and the creator expressly agree in a written instrument signed by them shall be considered as such.

#### **Section IV. Application**

Subd. 1. Application. This policy applies to all intellectual property meeting the criteria for University ownership as described in Section VI, produced by covered individuals, acting individually or in groups, performing research or engaging in work or study at Virginia Wesleyan or in connection with a University program.

Subd. 2. Effective Date. This policy applies to intellectual property disclosed to the University after the effective date of this policy. The effective date of this policy is to be determined by action of the Board of Trustees pending necessary reviews and approvals. [The effective date is October 19, 2005.]

## **Section V. Administrative Procedures**

The development of a work of intellectual property that might be copyrightable or patentable and meets the criteria for University ownership as described in Section VI should be reported fully and in writing, at the earliest time possible, to the VPAA of the University. S/he will promptly meet with the inventor to consider the issues of ownership, copyright, and patent, all aspects of the invention, including but not limited to the extent to which University resources have been used and the distribution of potential proceeds. It is assumed that in most cases a timely and amicable agreement will be reached.

If an agreement cannot be reached, the school deans (or the appropriate vice president or supervisor in the case of a staff member) will review the circumstances attending the development of the intellectual property, including the prior investment of University resources, and make a recommendation to the VPAA of the University.

## **Section VI. University Ownership**

The University shall own copyright only in the following three circumstances:

1. The University expressly directs a faculty member to create a specified work, or the work is created as a specific requirement of employment or as an assigned institutional duty that may, for example, be included in a written job description or an employment agreement.
2. The faculty author has voluntarily transferred the copyright, in whole or in part, to the institution. Such transfer shall be in the form of a written document signed by the faculty author.
3. The University has contributed to a "joint work" under the Copyright Act. The institution can exercise joint ownership under this clause when it has contributed specialized services and facilities to the production of the work that goes beyond what is traditionally provided to faculty members generally in the preparation of their course materials. Such arrangement is to be agreed to in writing, in advance, and in full conformance with other provisions of this agreement.

## **Section VII. Exceptions to University Ownership**

Subd. 1. Regular Academic Work Product. A regular academic work product is owned by the creator and not the University.

Subd. 2. Course Requirement. Intellectual property created solely for the purpose of satisfying a course requirement is owned by the creator and not the University.

Subd. 3. Pre-Existing Rights. If the intellectual property referred to in subdivisions 1 and 2 is a derivative of or otherwise uses preexisting University-owned intellectual property, this section shall not prevent the University from asserting its preexisting rights.

Subd. 4. Contractual Agreements. For intellectual property created in the course of or pursuant to work done under agreement between the University and external sponsor(s),



ownership will be determined in accordance with the terms of the University's agreement with the external party and applicable law.

### **Section VIII. Use of Intellectual Property**

Subd. 1. Rights to Publish. Nothing in this policy shall be construed as affecting the rights of a creator to publish, except that in cases when University ownership has been established the creator must agree to observe a brief period of delay in publication or external dissemination if the University so requests and such a delay is necessary to permit the University to secure protections for intellectual property disclosed to it by the creator.

Subd. 2. Use of Teaching Materials. In order to facilitate joint work on teaching materials and support collaborative teaching, and notwithstanding the ownership rights otherwise granted by this policy, individuals who contribute teaching materials used in jointly developed and taught University courses thereby grant a nonexclusive, nontransferable license to the University to permit other contributors to the course to continue using those jointly produced teaching materials in University courses.

### **Section IX. Distribution of Income**

Subd. 1. In cases where no use has been made of University equipment, facilities, or employee and/or student time, or in traditional cases involving the creation of literary, artistic, and scholarly work, the University will have no claim of equity. In cases where this applies, the inventor is at liberty to pursue patent negotiations independently. However, in such cases, the name of the University may not be used in connection with inventions in which the University has no equity interest without prior written permission.

Subd. 2. In cases where the University does have equity rights according to Section VI and there has been normal use of University equipment, facilities, or employee and/or student time devoted to the invention, the University will be deemed to have a 40% of gross equity interest in the invention.

Subd. 3. In cases where the University does have equity rights according to Section VI and there has been significantly above normal use of University equipment, facilities, or employee and/or student time or University contributions, including additional salary, devoted to the development of the invention, the University will be deemed to have a 60% of gross equity interest in the invention.

Subd. 4. In cases that would normally be covered by Subd. 2 and Subd. 3, but where gross equity has been determined to be less than \$5,000, the University shall assert no claim of a percent of gross equity interest.

## **Section X. University Responsibilities**

The University shall have the responsibility to:

1. Provide oversight of intellectual property management and technology transfer;
2. Establish effective procedures for licensing and patenting intellectual property;
3. Promote effective distribution and marketing of intellectual property;
4. Protect the University's intellectual property; and
5. Inform individuals covered by this policy about its provisions.

## **Section XI. Responsibilities of Applicable Individuals**

Covered individuals have a responsibility to:

1. Adhere to the principles and procedures embodied in this policy;
2. Create, retain, and use intellectual property according to the applicable local state, federal, and international laws and University policies;
3. Disclose promptly in writing intellectual property owned by the University pursuant to this policy or created pursuant to sponsored research or other contractual arrangements with external parties that are governed by section VII, subdivision 4, and assign title to such intellectual property to the University or its designee to enable the University to satisfy the terms of any applicable funding or contractual arrangement; and;
4. Cooperate with the University in securing and protecting the University's intellectual property, including cooperation in obtaining patent, copyright, or other suitable protection for such intellectual property and in legal actions taken in response to infringement. Section XII. Compliance Failure to comply with the provisions of this policy is a violation and may result in discipline of an employee in accordance with applicable University policies and procedures.

## **RULES OF CONDUCT**

While employment for staff at Virginia Wesleyan University is terminable at the will of either the employee or the University, there are certain actions which, if engaged in by any employee (faculty or staff), will most invariably result in disciplinary action up to, and including, termination of employment. The following are illustrative of these areas, but should not be taken as all inclusive:

- No alcoholic beverages, weapons, illegal drugs, dangerous instruments are allowed on campus unless such activity takes place at an event which has been approved by the University administration and for which all necessary licenses have been obtained. Alcohol or drug use while on duty or before reporting for work will not be tolerated.
- Assaultive, criminal, or sexual behavior is forbidden by any person on the University campus.
- Faculty and staff members are to conduct themselves at all times and in all circumstances in a manner that will reflect their professionalism as members of the academic community in general, and Virginia Wesleyan University in particular.

## OSHA

The OSHA/VOSH 1910.1030 Bloodborne Pathogens Standard was issued to reduce the occupational transmission of infections caused by microorganisms sometimes found in human blood and certain other potentially infectious materials. The purpose of this exposure control plan is to eliminate or minimize employee occupational exposure at Virginia Wesleyan University to blood or other potentially infectious materials as detailed in this standard.

All employees who are exposed to blood and other potentially infectious materials as a part of their job duties are included in this program.

### EXPOSURE DETERMINATION

All job categories in which it is reasonable to anticipate that an employee will have skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials (see list below) are included in this Exposure Control Plan. Exposure determination is made without regard to the use of personal protective equipment – employees are considered to be exposed even if they wear personal protective equipment.

### Other Potentially Infectious Materials

#### Body Fluids

Semen  
Vaginal secretions  
Cerebrospinal fluid  
Pleural fluid  
Pericardial fluid  
Peritoneal fluid  
Amniotic fluid  
Any body fluid visibly contaminated with blood  
Saliva in dental procedures

#### Other Materials

Any unfixed tissue or organ (other than intact skin from a human (living or dead))  
HIV/HBV containing cell or tissue cultures, and culture medium fluid  
Blood, organs, or other tissues from experimental animals infected with HIV or HBV

At Virginia Wesleyan University employees in the following job classifications are included in this category:

Athletic Department (Coaches and Trainers) Health Services  
Housekeeping  
Maintenance (except Administrative Assistant and Secretary/Receptionist/ Work Center Coordinator) Residence Life (except Secretary)  
Security (except Reserve Officers)

## COMPLIANCE METHODS

**Universal precautions** will be observed at Virginia Wesleyan University in order to prevent contact with blood or other potentially infectious materials. This means that all blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual. Universal precautions do not apply to feces, nasal secretions, sputum, sweat, tears, urine, or vomitus unless they contain visible blood.

**Engineering and Work Practice Controls** shall be used to eliminate or minimize employee exposure. All procedures will be conducted in a manner which will minimize splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious materials. The methods which will be employed at VWU to accomplish this goal are the use of puncture resistant sharps containers and biohazard garbage containers. These controls will be examined every six months by the Director of Health Services to ensure their effectiveness.

**Tags/labels** that comply with 29 CFR 1910-145(f) shall be used to identify the presence of an actual or potential biological hazard. The tags shall contain the word "BIOHAZARD" or the biological hazard symbol and shall state the specific hazardous condition or the instructions to be communicated. The word/message shall be understandable to all employees who may be exposed to the identified hazard. The tags/labels may be an integral part of the container or may be affixed as close as safely possible to the hazard by string, wire, or adhesive. This is to prevent loss or unintentional removal. VWU may substitute red bags or red containers for labels on containers of infectious waste. All appropriate employees shall be informed of the meaning of the labels/tags.

**Hand washing** is a primary infection control measure. Appropriate hand washing must be diligently practiced. Employees shall wash hands thoroughly using soap and water whenever hands become contaminated and as soon as possible after removing gloves or other personal protective equipment. When other skin areas or mucous membranes become exposed, the skin in these areas shall be washed with soap and water, and the mucous membranes shall be flushed with water as soon as possible.

**Sharps** such as used needles, shall not be bent, recapped, broken, resheathed by hand. Sharps containers must be closable, puncture resistant, labeled or color-coded, leak proof on sides and bottom, and maintained upright throughout use. Containers are to be easily accessible to personnel and located as close as is feasible to the immediate area where sharps are used or found. In the Health Services office, the sharps container is located in

the treatment room. In the Security Office, a sharps container is located in the training room. In the gym, a sharps container is located in the Trainer's office. Containers distributed to students with individual medical needs are turned in to the Director of Health Services for disposal as needed. Contaminated disposable sharps are to be discarded, as soon as possible after use, in the disposable sharps containers. Contaminated broken glass is also to be placed in disposable sharps containers. Broken glass which may be contaminated is to be cleaned up with something other than the hands, i.e. Brush and dust pan, or tongs. A bloodborne pathogen disposal kit will be located in each building on campus. Location of kits will be clearly marked. As soon as possible after use, reusable contaminated sharps are to be placed in the reusable sharps container until properly processed. Nearly full sharps containers are to be promptly disposed of (or emptied and decontaminated in the case of reusable sharps) and replaced. This is to prevent the hazard of overfilling of sharps containers. The Health Service staff is solely responsible for maintaining the sharps containers.

**Personal Protective Equipment** is specialized clothing or equipment used by workers to protect themselves from direct exposure to blood or other potentially infectious materials. Virginia Wesleyan University will provide, repair, clean, and dispose of appropriate personal protective equipment based on the anticipated exposure to blood or other potentially infectious materials. This equipment shall be provided and readily available in a variety of sizes as needed at no cost to the employee. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used. If a garment is penetrated by blood or other potentially infectious material, the garment shall be removed as soon as possible and placed in a designated container for laundering or disposal. A container for this purpose is located in each appropriate department. Protective equipment will be provided to employees through their individual department by the department head or his/her designee who is responsible for its distribution. Protective equipment is to be worn whenever there is a risk of exposure.

## HOUSEKEEPING

Virginia Wesleyan University will ensure that the campus and campus buildings are maintained in a clean and sanitary condition. The written Housekeeping procedure guide is located in the Housekeeping Policy and Procedure Manual at the Physical Plant. All contaminated surfaces will be decontaminated as soon as feasible. The Housekeeping staff is to wear appropriate Personal Protective Equipment while carrying out their duties.

**Gloves** shall be worn when it can reasonably be anticipated that hands will contact blood or other potentially infectious materials, mucous membranes, and non-intact skin and when handling or touching contaminated items or surfaces. Disposable gloves are not to be washed or decontaminated for re-use. These gloves are to be replaced as soon as feasible when they become contaminated, torn, punctured, or when their ability to function as a barrier is compromised.

Laundry workers shall wear protective gloves and other appropriate personal protective equipment to prevent exposure to blood or other potentially infectious materials during handling of linen. Laundry that is contaminated with blood or other potentially infectious

materials or that may contain contaminated needles or sharps shall be treated as if it were HBV/HIV infectious and handled as little as possible and with a minimum of agitation. Contaminated laundry shall be bagged and tagged at the location(s) where it was used.

## HEPATITIS B VACCINATION

The hepatitis B vaccine shall be offered, at no cost, to all employees of Security and Health Services whose jobs involve the risk of directly contacting blood or other potentially infectious materials (please see Exposure Determination). The vaccine will be offered within 10 working days of their initial assignment as an employee in an at risk category unless the employee has previously had the vaccine or wished to submit to antibody testing which shows the employee to have sufficient immunity. Employees who decline the Hepatitis B vaccine will sign a waiver (please see attached).

Employees who initially decline the vaccine, but who later wish to have it may then have the vaccine provided at no cost to the employee. Human Resources is responsible for assuring that the vaccine is offered to appropriate employees and that appropriate forms are signed. Campus Health Services will administer the vaccine to VWU employees.

An **exposure** incident is a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

Employees who experience an exposure incident are to immediately report their exposure to their Department Chair. The Department Chair will inform the Health Services Department of the exposure within 24 hours.

When an employee reports an exposure incident, he/she will immediately be offered a confidential medical evaluation and follow-up including:

- documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred;
- identification and documentation of the source individual unless identification is not feasible;
- an offer to collect a blood sample from the exposed employee as soon as possible after the exposure incident for determination of HIV and/or HBV status; if the employee consents to baseline blood collection, but does not give consent to HIV serologic testing, the sample shall be preserved for at least 90 days. If, within 90 days of the exposure incident, the employee elects to have the sample tested, such testing shall be done as soon as feasible.
- an offer to repeat HIV testing to the exposed employee six weeks post-exposure and again at 12 weeks and six months after exposure;
- counseling, medical evaluation of any acute febrile illness that occurs within 12 weeks after exposure and use of safe and effective post-exposure measures according to recommendations for standard medical practice.

If the status of the source individual's blood is unknown, the individual's blood will be tested as soon as feasible after consent is obtained.

After an exposure, the following information will be provided to the healthcare professional who is evaluating the employee:

- a copy of 1910.1030 bloodborne pathogens standard;
- a description of the exposed employee's duties as they relate to the exposure incident; the documentation of the route(s) of exposure and circumstances under which exposure occurred;
- results of the source individual's blood testing, if available;
- all medical records relevant to the appropriate treatment of the employee including vaccination status.

A written opinion by the Health Care Professional shall be obtained whenever an employee is sent for a post exposure incident. Virginia Wesleyan University shall obtain and provide the employee with a copy of the evaluating healthcare professional's written opinion within 15 days of the completion of the evaluation. The written opinion **will be limited** to the following information:

- whether the Hepatitis B vaccine is indicated;
- the employee has been informed of the results of the evaluation;
- the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

**All other findings shall remain confidential and shall not be included in the written report.**

### **RECORDKEEPING**

Virginia Wesleyan University shall track each employee's reported exposure incident to blood and/or other potentially infectious materials. Such documentation shall be kept in the employee's health file, separate from the personnel file. The record shall be maintained for the duration of employment plus 30 years in accordance with 29 CFT 1910.20. The file shall be maintained by VWU Health Services. Such medical record shall include the following:

- name and social security number of the employee;
- a copy of the employee's hepatitis B vaccination status with dates of hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination;
- a copy of examination results, medical testing, and any follow-up procedures;
- a copy of the healthcare professional's written opinion;
- a copy of the information provided to the healthcare professional who evaluated the employee for suitability to receive hepatitis B vaccination prophylactically and/or after an exposure incident.

The employee's medical record will be kept confidential. The contents will not be disclosed or reported to any person within or outside the workplace without the employee's express written consent, except as required by law or regulation.

Needlestick injuries shall be included on the OSHA 200 occupational injury and illness log if medical treatment is prescribed and administered by a licensed medical professional.

HBV and/or HIV shall be recorded on the OSHA 200 log if the illness can be traced back to



an injury or other exposure incident.

## **TRAINING AND EDUCATION OF EMPLOYEES**

Employees will be trained regarding bloodborne pathogens at the time of initial assignment to tasks where exposure may occur and annually thereafter. Training will take place during work hours. Additional training will be provided whenever there are changes in tasks or procedures which affect employees' occupational exposure; this training will be limited to the new exposure situation.

The training will be tailored to the educational level, literacy, and language of the employees. The training plan will include an opportunity for employees to have their questions answered by the trainer.

The Director of Health Services or his/her designee is responsible for arranging and/or conducting training. The following will be included in the training:

- explanation of the bloodborne pathogens standard;
- general explanation of the epidemiology, modes of transmission, and symptoms of bloodborne diseases;
- explanation of this Infection Control Plan and how it will be implemented;
- procedures which may expose employees to blood or other potentially infectious materials;
- control methods that will be used at VWU to prevent/reduce the risk of exposure to blood or other potentially infectious materials;
- explanation of the basis for selection of personal protective equipment; information on the hepatitis B vaccination program including the benefits and safety of vaccination;
- information on procedures to use in an emergency involving blood or other potentially infectious materials;
- what procedure to follow if an exposure incident occurs including method of reporting the incident;
- explanation of post-exposure evacuation and follow-up procedures;
- an explanation of warning labels and/or color coding;
- location of disposal kits.

Training records will be maintained for at least three years from the date on which the training occurred. The following information will be included in these records:

- dates of training sessions;
- contents or a summary of the training sessions;
- names and qualifications of trainer(s);
- names and job titles of all persons attending.

# **SUBSTANCE ABUSE POLICY**

## **PURPOSE**

Virginia Wesleyan University recognizes that one of its most valuable assets is its employees, and its most important responsibility is to the students whom they serve. The purpose of this Policy is to promote the health, safety and welfare of its employees and the students by striving to eliminate the negative effects of alcohol and substance use and abuse from the workplace, and to assist those employees who have a drug-related or alcohol related problem with rehabilitation. In furtherance of this purpose, any employee who has a drug-related or alcohol-related problem is encouraged, for his or her own benefit as well as the benefit of fellow employees and the students, to voluntarily seek treatment for such problems through a treatment program of his or her choice.

If a supervisor has reasonable cause to believe that an employee is under the influence of alcohol and/or a controlled or illegal substance while at work, or following an accident, the supervisor, with the approval of the department head and the Director of Human Resources, may require the employee to submit to an alcohol or drug screen test at the expense of the University.

## **APPLICABILITY**

This Policy shall be applicable to all employees of Virginia Wesleyan University. An employee is anyone who receives a paycheck for services and who also receives a Form W-2 or a person who is considered a contract worker and receives a Form 1099.

## **EMPLOYEE RESPONSIBILITY**

- A. In accordance with the Drug-Free Schools and Communities Act of 1989, as amended, it is the policy of Virginia Wesleyan University that as a condition of employment, an employee will notify the University of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.
- B. Employees are prohibited from engaging in the following activities:
  1. Using, purchasing, selling, possessing, distributing or accepting illegal drugs or drug-related paraphernalia while on or off the job;
  2. Using, purchasing, selling or distributing alcohol while on campus unless such activity takes place at an event which has been approved by the University administration and for which all necessary licenses have been obtained;
  3. Using, purchasing, selling or distributing alcohol at university-related activities off-campus may be prohibited under certain circumstances by appropriate employee handbooks;
  4. Showing up for work or being on the job while impaired by illegal drugs and/or alcohol;
  5. Transporting illegal drugs, drug-related paraphernalia and/or alcoholic beverages in a university-owned, leased or hired vehicle with the following exception: Alcoholic beverages may be transported in such a vehicle if prior approval has been given by either the President or appropriate Vice

President.

For the purposes of this subsection, “on the job” shall be deemed to include meal periods, breaks, stand-by duty and any time that an employee is acting in his or her capacity as a Virginia Wesleyan University employee, whether on or off university property.

- C. Although the medically-authorized use of prescription drug(s)/medication(s) is not prohibited, any employee who is taking prescription or nonprescription drug(s)/medication(s) and has reason to believe, based on information provided by his or her physician, pharmacist or the drug/medication label that the drug/medication may impair the ability to safely and effectively perform the duties and responsibilities required of his or her position shall promptly advise his or her immediate supervisor of the use of such drug(s)/medication(s).

### **HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS AND/OR ALCOHOL**

Illicit drugs and alcohol and the health risks involved in using them include, but are not necessarily limited to:

- A. Alcohol

Effects of acute intoxication include motor impairment, slowed reaction time and impaired judgment. The risk of accident, injury, suicide, and abusive behavior is greatly increased under the influence of alcohol. Chronic alcohol abuse can result in permanent damage to major organ systems. Fetal Alcohol Syndrome is the most prevalent preventable cause of mental retardation in newborns. Dependence upon alcohol is identified by the presence of tolerance and/or withdrawal.

- B. Cannabis (Marijuana)

Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Marijuana can also produce paranoia and psychosis.

- C. Inhalants (Gases or Volatile Liquids)

Immediate negative effects may include nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination and loss of appetite. Solvents and aerosol sprays may also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches and involuntary passing of urine and feces. Long term use may result in hepatitis or brain damage.

- D. Cocaine

Use causes the immediate effects of dilated pupils, elevated blood pressure, increases heart rate and elevated body temperature. Chronic use can cause ulceration of the mucous membrane in the nose and produce psychological

dependency. Crack or freebase rock, a concentrated form of cocaine, produces effects within ten seconds of administration. In addition to the above, additional effects include loss of appetite, tactile hallucinations, paranoia and seizures. Cocaine in any form may lead to death through disruption of the brain's control of heart and respiration.

#### E. Other Stimulants

These include amphetamines and methamphetamines. Users may perspire, experience headache, blurred vision, dizziness, sleeplessness and anxiety. Extremely high doses can cause physical collapse, very high fever, stroke or heart failure.

#### F. Depressants

Included are barbiturates, methaqualone and tranquilizers. Effects can cause slurred speech, staggering gait and altered perception. Very large doses can cause respiratory depression, coma and death. The combination of depressants and alcohol can be devastating. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs. Some show birth defects and/or behavioral problems.

#### G. Hallucinogens

Effects of hallucinogens vary depending upon the type of drug. Chronic users may experience mood disorders, paranoia, violent behavior, hallucinations, panic, confusion, loss of control and death.

#### H. Narcotics (including heroin)

Overdose may produce slow and shallow breathing, clammy skin, convulsions, coma and death. Tolerance to narcotics develops rapidly and dependence is likely. Addiction in pregnant women can lead to premature, stillborn or addicted infants.

#### I. Designer Drugs

These drugs have had their molecular structure changed chemically to produce analogs such as synthetic heroin and hallucinogens. These analogs can be hundreds of times stronger than the original drug which they are designed to imitate. One dose can cause uncontrollable tremors, drooling, impaired speech, paralysis and irreversible brain damage.

### **LEGAL CONSEQUENCES REGARDING THE ILLEGAL USE AND/OR POSSESSION OF DRUGS AND/OR ALCOHOL**

Employees should be aware that under Virginia law, a conviction for the use, possession or distribution of illicit or unlawful drugs may result in the following criminal sanctions.

## A. Marijuana

1. Possession (under ½ ounce for personal use – misdemeanor)
  - Up to 30 days in jail and/or a fine up to \$500
  - For a second or subsequent violation – up to one year in jail and/or a fine up to \$2,500
2. Possession with intent to sell or distribute (based on weight)
  - Up to ½ ounce (misdemeanor) – up to one year in jail and/or fine up to \$2,500
  - ½ ounce to 5 pounds (felony) – from one to ten years in jail and/or a fine up to \$2,500
  - 5 pounds or more (felony) – from five to 30 years in jail
  - An 18 year old or older selling to someone under 18 and three years their junior (felony)
    - from ten to 50 years in jail and/or a fine up to \$100,000
3. Manufacturing (felony – growing, producing, processing, etc.)
  - from five to 30 years in jail and/or a fine up to \$10,000

## B. Drug Related Material (Drug Paraphernalia)

1. Possession (misdemeanor)
  - up to one year in jail and/or a fine up to \$1,000
2. Providing to minors (felony)
  - from one to ten years in jail and/or a fine up to \$1,000
3. Providing to adults (misdemeanor)
  - up to one year in jail and/or a fine up to \$1,000

## C. Controlled Substances (marijuana, cocaine, narcotics and hallucinogens)

1. Possession (dependent upon the classification of the substance)
  - misdemeanor offenses – up to one year in jail and/or a fine up to \$2,500
  - felony offenses – from one to ten years in jail and/or a fine up to \$2,500
2. Distribution/Manufacturing (dependent upon the classification of the substance)
  - misdemeanor offenses – up to one year in jail and/or a fine up to \$1,000
  - felony offenses – from five years to life in jail and/or a fine up to \$500,000

Employees should also be aware that, under the provisions of the United States Code, conviction for the use, possession or distribution of illicit or unlawful drugs may result in the following criminal sanctions.

### Controlled Substance

1. Prohibited /Unlawful Acts
  - To manufacture, distribute, dispense or possess with the intent to manufacture, distribute or dispense a controlled substance
  - To create, distribute, dispense or possess with the intent to distribute or dispense a counterfeit substance
2. Penalties (dependent upon substance and number of violations)
  - a. Narcotic Drugs
    - First Offense – up to 15 years in jail and/or a fine up to \$25,000
    - Second Offense – up to 30 years in jail and/or a fine up to \$50,000

- b. Other controlled substances
  - First Offense – from up to one year to five years in jail and/or a fine up to \$15,000
  - Second Offense – from one to ten years in jail and/or a fine up to \$30,000

Under Virginia law, a conviction for the unlawful use, possession or distribution of alcohol may result in the following criminal sanctions.

- A. Underage Possession and/or Transportation (misdemeanor)
  - up to 12 months in jail
  - fines up to \$2,500
  - loss of driver's license for up to one year
- B. Using a False Driver's License (misdemeanor)
  - fines up to \$500
  - loss of driver's license for up to one year
- C. Buying for a Minor (misdemeanor)
  - up to 12 months in jail
  - fines up to \$2,500
  - loss of driver's license for up to one year
- D. Selling to Minors or Intoxicated Persons (misdemeanor)
  - up to 12 months in jail
  - fines up to \$2,500
- E. Drunk in Public (misdemeanor)
  - fines up to \$250
- F. Disorderly Conduct (misdemeanor)
  - up to 12 months in jail
  - fines up to \$2,500
- G. Abusive Language (misdemeanor)
  - fine up to \$500
- H. Driving Under the Influence (misdemeanor)
  - loss of driver's license for six months (first offense) to loss of driver's license for up to three years (subsequent offense)
  - fines from up to \$200 to \$2,500
  - Confinement from one month to one year
- I. Unlicensed Sale (misdemeanor)
  - up to 12 months in jail
  - fines from \$100 to \$1,000
- J. Drinking in Public (misdemeanor)
  - fines up to \$250

## **COUNSELING, TREATMENT AND/OR REHABILITATION**

Any employee who believes he/she has a problem with drug and/or alcohol abuse is urged to seek counseling and treatment through the Employee Assistance Program or at a clinic of his or her choice. A list of some of the available clinics, which provide counseling and/or treatment in this area, is provided in Appendix A that is attached to this policy statement. All counseling and treatment sessions, as well as referrals, will be handled in a confidential manner.

## **SANCTIONS**

- A. In applying sanctions as provided by the appropriate employee handbook and regulations it will be the policy of Virginia Wesleyan University to concentrate upon the work results and performance of its employees.
- B. If, based on letter A above, or following an accident, a supervisor has reasonable cause to believe that an employee is under the influence of alcohol and/or a controlled or illegal substance while at work, the supervisor, with the approval of the department head and the Director of Human Resources, may require the employee to submit to an alcohol or drug screening test at the expense of the University. The failure of an employee to submit to a drug/alcohol screen is grounds for disciplinary action, up to and including suspension and/or termination. Should the results of the test be positive, the employee may be required to seek professional help through the Employee Assistance Program, as a condition of continued employment.
- C. Any employee who voluntarily admits, in the absence of reasonable suspicion or any conduct which alone would subject the employee to discipline, that he or she has a drug-related or alcohol-related problem may be referred to the Employee Assistance Program or to one of the clinics listed in Appendix A, and shall not be disciplined solely as a result of the admission.
- D. Any employee found to be in violation of Section III of this policy and/or who has received a final conviction in local, state or federal court will be subject to discipline up to and including termination.

The Director of Human Resources will review this policy at least every two years to ensure that it is effective and that it is applied consistently on the Virginia Wesleyan University campus. This policy will be distributed annually to all employees.

## **VIRGINIA WESLEYAN UNIVERSITY SUBSTANCE ABUSE POLICY APPENDIX A**

The Hampton Roads area has many qualified clinics and therapists who work with addictive behaviors. Some have been listed as a part of this appendix, but the University does not recommend any particular clinic or therapist. Additional information may be obtained from the University's Director of Human Resources or from members of the University's Counseling Center staff.

- \* Meridian Associates
- \* The Virginia Beach Group
- \* First Hospital Corporation
- \* Comprehensive Substance Abuse Service of Virginia Beach
- \* Chesapeake Substance Abuse
- \* Tidewater Psychotherapy Services
- \* Alcoholics Anonymous
- \* Narcotics Anonymous

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# **TOBACCO USE POLICY**

## **Introduction**

Virginia Wesleyan University acknowledges and supports the findings of the Surgeon General that tobacco use in any form, active and passive, is a significant health hazard.

Virginia Wesleyan further recognizes that tobacco smoke has been classified as a Class-A carcinogen.

The American College Health Association has adopted a NO TOBACCO USE policy and encourages colleges and universities to be diligent in their efforts to achieve a 100% indoor and outdoor campus-wide tobacco-free environment. (Position Statement on Tobacco on College and University Campuses, Nov. 2011)

In light of these health risks and recommendations, and in support of a safe and healthy learning and working environment, Virginia Wesleyan has implemented the following tobacco use campus policy.

## **Definitions**

For the purposes of this policy, tobacco is defined to include any lighted or unlighted cigarette (clove, bidis, kreteks), cigars, cigarillos, pipes, and any other smoking product.

This also includes smokeless, spit or spitless, dissolvable, or inhaled tobacco products, including but not limited to: dip, chew, snuff, or snus, in any form (orbs, sticks, pellet, etc.).

Nicotine products not approved by the Food and Drug Administration (FDA) as a smoking cessation product, such as e-cigarettes, are also prohibited.

## **Exceptions**

Nicotine replacement products approved by the FDA (patches, gum, etc.) are allowed on campus to support those who are quitting.

This policy does not apply to the practice of cultural activities by American Indians that are in accordance with the American Indian Religious Freedom Act, 42 USC, sections 1996 and 1996a. All ceremonial use exceptions must be approved in advance by the Facilities/Operations Office.

## **Statement of Policy**

Virginia Wesleyan University prohibits smoking, including e-cigarettes, and the use of smokeless tobacco inside all buildings on campus to include classrooms and administrative buildings, residential facilities, dining areas, athletic facilities, and University -owned vehicles.

Smoking is prohibited within 25 feet of the outside of any building to prevent non- smokers from having to move through the vapors. Smoking should be done in areas that prevent smoke and e-cigarette vapors from entering through entrances, windows, ventilation systems, or other means.

Smokeless tobacco products are prohibited from use in non-residential campus facilities.

This policy applies to all faculty, staff, students, clients, contractors and visitors during and after campus hours.

All Virginia Wesleyan University staff, faculty and students are responsible for compliance and for advising visitors of the policy. Smoking urns will be placed 25 feet or more from select building entrances. Smokers are strongly encouraged to use them to help keep the grounds free of tobacco product waste. Designated smoking areas may be established as warranted.

Violations will be handled like other work rule or policy violations.

The Office of Human Resources will provide access to smoking cessations programs for faculty and staff upon request. Health Services will provide access to smoking cessation programs for students upon request.

**POLICY ON TRANSGENDER STUDENTS AND EMPLOYEES<sup>1</sup>**  
**(TGO, FEBRUARY 21, 2018)<sup>2</sup>**

The University shall take the following steps, to become effective on July 1, 2018, unless otherwise noted.<sup>3</sup>

1. Add “gender identity” to its general statement on non-discrimination.<sup>4</sup>

**Catalog Language**

**Virginia Wesleyan University admits students of any race, religion, color, creed, gender, national and ethnic origin, age, marital status, covered veteran status, disability, sexual orientation, gender identity and expression, or any other legally protected status to all the rights, privileges, programs, and activities generally accorded or made available to students at the University. It does not discriminate on the basis of race, religion, color, creed, gender, national or ethnic origin, age, marital status, covered veteran status, disability, sexual orientation, gender identity and expression, or any other legally protected status in administration of its educational policies, admission policies, scholarship and loan programs, and athletic and other University-administered programs.<sup>5</sup>**

**Human Resources (Employment)<sup>6</sup>**

**Virginia Wesleyan University is an Equal Opportunity Employer. Applicants are considered on the basis of skills, experience, and qualifications without regard to race, religion, color, creed, gender, national and ethnic origin, age, marital status, covered veteran status, sexual orientation, gender identity and expression, the presence of non-job-related medical disability, or any other legally protected status.<sup>7</sup>**

2. Set out a more specific set of policies defining the meaning of its general statement of non-discrimination to the effect that the University will:

- a. With regard to the privacy rights of a transgender person, recognize or protect the identity of a transgender student or employee as requested by the affected transgender person;

**The University invites students and employees to self-identify as a member of any protected class or status so that it can take appropriate steps to ensure that they suffer no discrimination. Alternatively, persons choosing not to self-disclose will not be placed at any disadvantage with respect to any University benefit or practice.<sup>8</sup>**

- b. With respect to prefix, provide the title of Mr., Ms., Mrs., or no designation, as

requested by the student or employee;<sup>9</sup>

**For purposes of institutional correspondence and records, students and employees shall be given the option of designating an appropriate prefix among these options: no prefix, Mr., Ms., Mrs., or Dr.**

- c. With respect to restroom facilities, designate **two or more additional** gender-inclusive (or gender-neutral) restrooms on campus;<sup>10</sup> and allow persons to use those single-sex restrooms that match their gender identity,<sup>11</sup> provided that such restrooms offer a reasonable expectation of privacy;<sup>12</sup>

**Unless a restroom facility is expressly excluded from this regulation, Virginia Wesleyan University policy is that persons can use the single-sex restroom that matches their gender identity. Prior to the effective date of this policy, the University will survey and identify any restroom that will be excepted from this policy.**

**The University now has gender-neutral restrooms on the first floor of Clarke Hall (in Room 100, the Computer Laboratory) and on the first floor of Pruden Hall. By December 31, 2018, it will establish at least two additional gender-neutral restrooms.**

- d. With respect to locker room facilities, allow persons to use those locker rooms that match their gender identity, provided that such locker rooms already ensure or have been modified to ensure a reasonable expectation of privacy;  
**Unless a locker room facility is expressly excluded from this regulation, Virginia Wesleyan University policy is that persons can use the single-sex locker room that matches their gender identity. Prior to the effective date of this policy, the University will survey and identify any locker room facility that will be excepted from this policy or, in the alternative, establish a date certain at which the facility will be brought into conformity with this policy.**

- e. With regard to complaints of discrimination, sexual harassment, or bullying, provide that complaints by or against transgender students are handled in a manner consistent with existing policies on these matters;<sup>13</sup>

**Complaints of discrimination on the basis of sexual orientation, gender identity, or gender expression shall be handled according to the procedures already in place for dealing with complaints for gender discrimination.<sup>14</sup>**

- f. With regard to participation in intercollegiate athletics, follow NCAA policy on transgender athletes;

**According to NCAA policy, which Virginia Wesleyan University follows:**

- i. A trans male (FTM) student-athlete who has received a medical exception for treatment with testosterone for diagnosed Gender Identity Disorder or gender dysphoria and/or Transsexualism, for purposes of NCAA competition may compete on a men's team, but is no longer eligible to compete on a women's team without changing that team status to a mixed team.**
  - ii. A trans female (MTF) student-athlete being treated with testosterone suppression medication for Gender Identity Disorder or gender dysphoria and/or Transsexualism, for the purposes of NCAA competition may continue to compete on a men's team but may not compete on a women's team without changing it to a mixed team status until completing one calendar year of testosterone suppression treatment.<sup>15</sup>**
- g. With regard to student housing policy, provide an appropriate placement consistent with the student's gender identity.

**The *Student Handbook* shall include within its materials a general statement of non-discrimination, along the following lines: "Residence Life at Virginia Wesleyan University is committed to providing safe, inclusive and supportive experience for all students and supports students who identify as transgender or gender non-conforming in choosing (or being placed with) a roommate of any gender."<sup>16</sup>**

**Within a year of the effective date of this policy, Residence Life shall adopt a more comprehensive policy on gender-inclusive housing, for which there are many examples at universities and colleges across the country.<sup>17</sup>**

3. Commit not merely to follow applicable federal and state law regarding non-discrimination, but to promote through training, education, counseling, and administration equal opportunities and a supportive, respectful, and caring environment for all persons.<sup>18</sup>

**Virginia Wesleyan University subscribes to the principles set out in "A Statement of the National Association of Schools, Colleges, and Universities of the United Methodist Church."<sup>19</sup> Thus,**

**We welcome students to our campuses regardless of their race or ethnicity, their creed, national origin, sexual orientation, or gender identity [and expression]. We encourage the free exchange of ideas and therefore recognize that diversity of backgrounds, values, and viewpoints is essential for rich conversation and sound learning. We promote a vision of life in**

**which people are judged by the content of their character and not their skin color, their gender, their sexual orientation, or any of the other artificial barriers used to devalue some of God’s children.<sup>20</sup>**

**Consistent with these principles, Virginia Wesleyan will continuously:**

**assess its own institutional practices and then take explicit action to prioritize and reshape its policies and institutional culture to foster more fully the dignity of all people. These actions will include policies that address the health and wellbeing of all persons regardless of race, sexual orientation, gender [identity and expression], social class, and other aspects of human difference.<sup>21</sup>**

4. Encourage all members of the campus community to join in the active support of these policies.

**Consistent with its Methodist heritage, its mission statement, and its core values, the Virginia Wesleyan community recognizes, cherishes, respects, and supports the dignity and worth of all persons.<sup>22</sup>**

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<sup>1</sup>The National Center for Transgender Equality offers the following definitions:

**Transgender** is a broad term that can be used to describe people whose gender identity is different from the gender they were thought to be when they were born. “Trans” is often used as shorthand for transgender. To treat a transgender person with respect, you treat them according to their gender identity, not their sex at birth. So someone who lives as a woman today is called a **transgender woman** and should be referred to as “she” and “her.” A **transgender man** lives as a man today and should be referred to as “he” and “him.” **Gender identity** is your internal knowledge of your gender. **Gender expression** is how a person presents their gender on the outside, often through behavior, clothing, hairstyle, voice, or body characteristics. When a person begins to live according to their **gender identity**, rather than the gender they were thought to be when they were born, this time period is called **gender transition**. Some transgender people identify as neither a man nor a woman, or as a combination of male and female, may use terms like **non-binary** or **genderqueer** to describe their identity. [Emphasis in original] Quoted from “Understanding Transgender People: The Basics,” at <https://transequality.org/issues/resources/understanding-transgender-people-the-basics>.

Transgender is the “T” in LGBTQ, which refers to Lesbian, Gay, Bisexual, Transgender, and Questioning or Queer. See “What does the Q in LGBTQ stand for?” *USA Today*, 22 July 2016, available at <https://www.usatoday.com/story/news/nation-now/2015/06/01/lgbtq-questioning-queer-meaning/26925563/>.

<sup>2</sup> This draft builds on the May 2, 2017, outline of principles presented to the Board of Trustees. Thus, the current draft includes the same numbered items, or principles, as in the May outline, but provides implementing language, in **bold green**, for each of the principles. Additional documentation, in the form of expanded or new footnotes, appears in non-bold green font.

<sup>3</sup> It is important to point out that this policy advances two of the six goals in the draft strategic plan, which will take Virginia Wesleyan University forward to 2027. One goal calls for “Strengthen[ing] the University’s commitment to be an inclusive campus community” and another calls for “Achiev[ing] greater academic eminence by continuing to recruit and retain diverse, well-credentialed faculty and staff.”

<sup>4</sup> In 2016, it appeared that the federal government would compel schools, colleges, and universities to implement a specific form of transgender policy. Under the Obama administration, the departments of Justice and Education in 2015 and 2016 had issued “Dear Colleague” letters that held that Title IX of the Education Amendments of 1972 applied to

transgender students, in particular, “mean[ing] that a school must not treat a transgender student differently from the way it treats other students of the same gender identity” and requiring, with respect to “restrooms and locker rooms,” that “[a] school may provide separate facilities on the basis of sex, but must allow transgender students access to facilities consistent with their gender identity.” U.S. Department of Justice and U.S. Department of Education, “Dear Colleague Letter on Transgender Students,” 13 May 2016, available at <https://www.justice.gov/opa/file/850986/download>. At the same time, a case involving a transgender high school student in Gloucester County, Virginia, was making its way through the federal courts and was accepted for review by the U.S. Supreme Court. On February 22, 2017, the Trump administration’s Justice Department withdrew the earlier guidance, noting that it lacked “extensive legal analysis” and had not undergone “any formal public process” [for federal rule-making]. The letter observed, however, that schools must protect transgender students from discrimination, bullying, and harassment,” and further, that “[a]ll schools must ensure that all students, including LGBT students, are able to learn and thrive in a safe environment.” U.S. Department of Justice, “Dear Colleague” Letter, 22 February 2017, available at <https://www.justice.gov/opa/press-release/file/941551/download>. In March the Supreme Court, in light of the Justice Department’s new position, vacated and sent the Gloucester County case back to the Fourth Circuit Court of Appeals. Thus, Virginia Wesleyan University has a continuing obligation not to discriminate against transgender students, but some degree of flexibility in defining the meaning of that obligation in light of the ambiguity created by the conflicting legal views of the Obama and Trump administrations. For additional background, see National School Boards Association, *2016 Transgender Students in Schools* (Updated 10-12-2017), pp. 3-4, available at [https://cdn-files.nsba.org/s3fs-public/reports/Transgender\\_Guide\\_101217\\_V11.pdf?qkRqeN\\_CKoKzjsOpzKQ62VT98vfhzgkv](https://cdn-files.nsba.org/s3fs-public/reports/Transgender_Guide_101217_V11.pdf?qkRqeN_CKoKzjsOpzKQ62VT98vfhzgkv). See also “G.G. v. Gloucester County School Board” at <https://www.aclu.org/cases/gg-v-gloucester-county-school-board> (accessed 1-9-2018) for an up-to-date summary of the history and current status of this case, along with links to the relevant court decisions.

<sup>5</sup> See the statement of Wesley College, at <http://wesley.edu/wp-content/uploads/2015/03/Notice-of-Non-Discrimination.pdf>, “Wesley College does not discriminate against any person on the basis of race, color, national origin, sex, gender identity, sexual orientation, marital status, disability, age, genetic information, disability, or status as a veteran in admission to, access to, treatment in, or employment in its programs, activities, or employment.” Randolph-Macon College offers the following statement: “In compliance with Title IX of the Education Act Amendment of 1972, Title VII of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and Amendment (2008) and other federal, state and local equal opportunity laws, and in accordance with our values, *Randolph-Macon College will not discriminate on the basis of race, gender, disability, age, national origin, religion, sexual orientation, or gender expression in any phase of its admissions, financial aid, educational, athletic or other programs or activities, or in any phase of its employment practices*” (<https://www.rmc.edu/offices/ombuds/policy-on-harassment-and-nondiscrimination>).

<sup>6</sup> It is important to note that health insurance for VWU employees, under the terms of its Consortium policy administered by Anthem, covers gender-transgender services, including sex-reassignment surgery. Karla Rasmussen email to T. O’Rourke, 5 January 2018, and Anthem Clinical UM Guideline #CG-SURG-27 (12/27/2017).

<sup>7</sup> See, for example, the policy at Iowa Wesleyan, at <https://www.iw.edu/human-resources/>. The policy provides:

Iowa Wesleyan University is an Equal Employment Opportunity (EEO) employer. No person may be unlawfully discriminated against in employment because of race, color, religion, sex, gender, gender identity or expression, sexual orientation, veteran status, creed, national origin, age, disability, genetics, or any other protected status in accordance with applicable federal, state, and local laws. All aspects of the employment relationship are covered by this policy, and all employees and applicants are protected from unlawful discrimination in recruiting, hiring, placement, training, evaluation, job assignment, pay, benefits, promotion, termination, layoff, recall, transfer, leave of absence, compensation, or discharge. Any form of discrimination or retaliation is not allowed. Iowa Wesleyan University expressly prohibits any form of workplace harassment based on race, color, religion, sex, gender, gender identity or expression, sexual orientation, veteran status, creed, national origin, age, disability, genetics, or any other protected status.

According to its website (<http://www.randolphcollege.edu/humanresources/non-discrimination-and-equal-employment-opportunity/>), “Randolph College is an *equal opportunity employer*. We do not discriminate or allow discrimination on the basis of race, color, religion, gender, sexual orientation, sex (including pregnancy), gender identity, gender expression, national origin, age, disability, genetic information, marital status, veteran status,

political beliefs, or any other classification protected by applicable law. This policy applies to all terms and conditions of employment, including but not limited to hiring, promotion, termination, placement, transfer, layoff, recall, compensation, and training.”

<sup>8</sup> The University will invite students and employees to self-identify any protected class or status so that it can take appropriate steps to ensure that they suffer no discrimination. Alternatively, persons choosing not to self-disclose will not

be placed at any disadvantage with respect to any University benefit or practice. [The footnote language closely paraphrases Robert Barry, “Kaufman & Canoles Equal Employment Opportunity Policy,” 17 April 2017; see also National School Boards Association, *2016 Transgender Students in Schools* (Updated 10-12-2017), p. 9.

<sup>9</sup> *Ibid.* See as well U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students, *Examples of Policies and Emerging Practices for Supporting Transgender Students* (May 2016), p. 5, available at

<https://www2.ed.gov/about/offices/list/oese/oshs/emergingpractices.pdf>.

<sup>10</sup> As an example of one institution’s policy, see Washington and Lee University, “All Genders Restroom Initiative,” identifying more than two dozen “all genders” restrooms on the campus

(<https://www.wlu.edu/lgbtq-resource-center/resources/all-genders-restroom-initiative>).

<sup>11</sup> Illinois Wesleyan University policy provides that “transgender and gender non-conforming individuals should use bathrooms that correspond to their sex or gender identity, depending on which option they feel is safer, or utilize bathrooms

that are designated gender inclusive. This policy does not imply that presently gendered bathrooms are de facto all gender; cisgender persons are expected to continue using bathrooms that correspond with their lived and expressed gender identities” (<https://www.iwu.edu/residential-life/policies/community-living-policies.html#bathroomusagepolicy>).

<sup>12</sup> “While remaining sensitive to the rights of all students, a practical way of addressing these concerns [that all students are made to feel welcome] is to make spaces available for any student who does not want to share locker rooms or restrooms

with other students. Such options can include privacy curtains in locker rooms and separate restrooms.” National School Boards Association, *2016 Transgender Students* (Updated 10-12-2017), p. 15. See also Ann Forman, “Creating Gender- Inclusive Restrooms on Campus” (Education Advisory Board, 14 January 2016), which recommends that institutions “consider student privacy when making multi-stall restrooms gender inclusive” (available at <https://www.eab.com/research-and-insights/facilities-forum/expert-insights/2016/creating-gender-inclusive-restrooms-on-campus>). See as well U.S. Department of Education, “Examples of Policies and Emerging Practices,” pp. 7-8.

<sup>13</sup> National School Boards Association, *2016 Transgender Students* (Updated 10-12-2017), pp. 8-9.

<sup>14</sup> See Virginia Wesleyan University *Student Handbook 2017-2018*, “Policy Governing Sexual Misconduct,” pp. 24-44, available at <http://www.vwu.edu/student-life/student-affairs/student-handbook/>; also Virginia Wesleyan University *Staff*

*Policy and Procedure Manual*, HR 3.6.1 and HR 3.6.2, available at <https://www.vwu.edu/about-us/campus-offices/human-resources/staff-policy-and-procedure-manual.php>; Virginia Wesleyan University Faculty Handbook 2017-2018, Appendix A-11, available at <https://www.vwu.edu/about-us/campus-offices/human-resources/pdfs/faculty-handbook/>.

<sup>15</sup> Items *i* and *ii* as quoted from NCAA Office of Inclusion, *NCAA Inclusion of Transgender Student Athletes* (August 2011), p. 13, available at <http://www.ncaapublications.com/p-4335-ncaa-inclusion-of-transgender-student-athletes.aspx>.

<sup>16</sup> This language borrows from the housing policy at the University of Michigan, which can be found at:

<http://www.housing.umich.edu/gender-inclusive>. As an alternative, Illinois Wesleyan notes, with respect to Transgender and Gender Non-Conforming (TGNC) students, “housing staff will always recognize and respect the stated gender identity of the students with whom we work. It is our intention to work closely with students to find safe and comfortable housing spaces in keeping with the students’ gender identity and expression” (<https://www.iwu.edu/lgbt/identity/tgncsupport.html>). Roanoke College provides for “Students Beyond the Binary”: “No two students are alike, and at Roanoke College we recognize this. We work to ensure that all



students have an opportunity to prosper. Students who inform Roanoke College Residence Life & Housing in a timely manner that they identify beyond the binary or as transgender will be housed in keeping with their gender identity; and every attempt will be made to give those students safe and comfortable housing”

([https://www.roanoke.edu/inside/a-z\\_index/residence\\_life\\_and\\_housing/housing\\_selection/current\\_student\\_housing\\_selection/students\\_beyond\\_the\\_binary](https://www.roanoke.edu/inside/a-z_index/residence_life_and_housing/housing_selection/current_student_housing_selection/students_beyond_the_binary)). Another example is Pacific Lutheran University, <https://www.plu.edu/gender-equity/resources/trans-and-gender-nonconforming-resources/>, which states, “Residential Life is committed to creating inclusive living communities that foster a sense of belonging and comfort for all students, including those who are trans, gender non-conforming, and/or identify along the gender spectrum. Residential Life at PLU routinely works with students to address issues of individual need, comfort and fit with the on-campus living experience.” Still another example is Housing and Residence Life at the University of Virginia, which “enables upperclassmen and transfer students, 18 years and older, to request roommates regardless of the students’ sex, gender, sexual orientation, or gender expression” (<http://lgbtq.virginia.edu/grounds-connections>).

<sup>17</sup> See Ohio Wesleyan University, “Gender Inclusive Housing,” creating an option for gender-inclusive housing and noting that “gender inclusive housing is an option in which two or more students mutually agree to share a multi-occupancy bedroom or suite regardless of students’ biological sex or gender identity.” Details appear at: <https://www.owu.edu/student-life/housing-dining/housing-options/gender-inclusive-housing/>. Cornell University offers gender-inclusive housing with well-designed admissions criteria ([http://living.sas.cornell.edu/live/apply/apply\\_undergrad/gender\\_inclusive\\_housing.cfm](http://living.sas.cornell.edu/live/apply/apply_undergrad/gender_inclusive_housing.cfm)).

<sup>18</sup> This section closely tracks Article IV of The Fairfax County School Board Policy 1450.6 (Revised 7 May 2015), available at <https://www.boarddocs.com/vsba/fairfax/Board.nsf/goto?open&id=867SAA2A6973>.

<sup>19</sup> “Adopted unanimously by the NASCUMC members attending the semiannual meeting of the organization in a plenary session in Washington, DC, on February 2, 2015.” For the full statement, see: <http://www.justiceanddignity.org/resolution>. See also: <https://www.gbhem.org/article/nascumc-explores-wesleyan-identity-takes-action-justice-and-dignity-campuses>.

<sup>20</sup> *Ibid.* (I have “and expression” is added to the original language.)

<sup>21</sup> *Ibid.* (I have substituted after “gender” “identity and expression” for “preference” as it appears in the original text.)

<sup>22</sup> See, e.g., Kansas Wesleyan’s “*Statement of Connection*” (<http://www.kwu.edu/about-kwu/statement-of-connection>), as adopted by KWU’s Board of Trustees on June 20, 2015.

Kansas Wesleyan University has seen many transformations in our history but one constant has been our view that education is part of the redemptive work of the Church. The Kansas Wesleyan University community embraces the vision of the National Association of Schools and Colleges of the United Methodist Church expressed by Five Faith Commitments:

- Connect and resource supportive opportunities that nurture faith traditions and journeys of students, faculty and staff; connect and resource supportive opportunities that nurture faith traditions and journeys of students, faculty and staff;
- Uphold the vital principle of academic freedom where there is an open and honest pursuit of knowledge and wisdom without restriction;
- Prepare students, regardless of social standing, ethnic identity, gender, gender identity or sexual orientation, for lives of intellectual vigor, moral integrity, spiritual fulfillment, and for personal and societal benefit.
- Emphasize through teachings and example the worth and dignity of each person, with an emphasis on service and international relations.
- Affirm this relationship between the United Methodist Church and Kansas Wesleyan University openly and with pride in our mutual history and shared potential for the future.

As the Disciples received their great commission (Matthew 28:16-20) the faculty and staff take up our commission by pledging our support to provide quality education, to be a vital and vibrant Christian faith community, and to prepare individuals for lives of committed service.

See also “Beloved Friends and Allies: A Pastoral Plan for the Support and Holistic Development of GLBTQ and Heterosexual Students at the University of Notre Dame,” available at <http://friendsandallies.nd.edu/>. This thoughtful and sensitively-argued document recognizes, and attempts to bridge the differences between, the dignity interests of the LGBTQ community and the traditional claims of the Roman Catholic faith. Needless to say, Methodist institutions of higher learning confront the same challenges of fitting the legitimate demands of the LGBTQ community within Church doctrine. While aware of the doctrinal issues in play, the present draft transgender policy for VWU makes no attempt to address, let alone resolve, these issues, but instead responds to the moral and legal commands that VWU must ensure that members of the LGBTQ are fully integrated into the VWU community and suffer no discrimination. (On this point, see especially note 4 above.)

Outside the realm of church doctrine, a balanced debate on the tension between the civil rights claims of the LGBTQ community and the religious freedom claims of traditional Christians within a constitutional framework is John Corvino, Ryan T. Anderson, and Sherif Girgis, *Debating Religious Liberty and Discrimination* (New York: Oxford University Press, 2017).

# **VIRGINIA WESLEYAN UNIVERSITY**

## **Non-Fraternization Policy**

### **POLICY/PROCEDURE**

Virginia Wesleyan University is committed to creating and maintaining a working and learning environment in which all of its community members feel they are safe. Mutual trust and respect are essential elements in the educational process and employment relationship; care must be exercised to assure that employees' safety and comfort are not damaged. This policy applies to all employees, including volunteer employees.

#### **A. Definitions**

1. "Employee" is defined as a person employed by the University, in any capacity, whether faculty or staff.
2. "Employee fraternization" is defined as an employee's engagement in a relationship involving another employee or student in a way that falls outside of normal work-related interactions and communications. Such a relationship is usually, but not exclusively, romantic or sexual in nature. It also may include, for example, a private employment relationship.

#### **B. Core Principles**

1. No employee shall pursue, have, or maintain a romantic or sexual relationship with any student. Significant social (outside of educational, mentoring/advising, or athletic) relationships between University employees and students are also prohibited. Even where there is no such relationship, employees are expected to exercise a high level of professionalism and avoid situations that may create the appearance of an inappropriate relationship.
2. The University strongly discourages romantic or sexual relationships between employees, especially among those within the same department, and prohibits them between employees in supervisory relationships. These relationships create concerns about consent and fairness of treatment of the involved employees and others in the department, may create a conflict of interest, and may damage the trust and respect within the University and its community members.
3. A relationship that contravenes the provisions of either B-1 or B-2 also may constitute a violation of the University's non-discrimination and sexual harassment policies and, thus, may be subject to disciplinary actions under those policies.

## **C. Special Circumstances**

1. There are circumstances in which employees work with students that have other potential for the exploitation of the students.
  - a. A student may be asked to perform services that go beyond the normal student relationship; providing child care for a faculty member's children is an example.
  - b. A student may hold an employment relationship with the University and be asked to perform services that are beyond the normal scope of the student employment; running a personal errand for a staff member is an example.
  - c. In all such cases, it must be clear that:
    - i. The student may decline to perform such additional services without any adverse consequences,
    - ii. If accepted, the student must provide the assistance voluntarily and receive a fair wage for those personal services, and
    - iii. The student's choice to perform or not to perform such personal services shall have no impact or relationship to the continuation or evaluation of the student's regular University employment.
2. There may be exceptional circumstances in which the spouse, partner, or family member of a faculty or staff member is a student at the University; or, there may be a relationship that pre-exists the enrollment in, or employment at, the University. Such exceptional circumstances or relationships must be reported to the Director of Human Resources at the time of employment or enrollment. Under no circumstances will an employee be permitted to supervise another employee involved in such a relationship or a family member.

## **D. Violations**

1. An employee of the University who becomes aware of a relationship prohibited by this policy or not disclosed as required under this policy shall report such relationship to the Vice President of Student Affairs (if the person engaged in the relationship is a student) or the Director of Human Resources (if the person engaged in the relationship is an employee; including volunteers). Violations involving a faculty member shall be disclosed to the Vice President for Academic Affairs. All disclosures are kept confidential.
2. Relationships reported as being in violation of this policy will be reviewed by

the Director of Human Resources and the Vice President overseeing the specified department to assure there is no conflict of interest or risk of damage to the University, its students, or other employees as a result. If such a risk is determined to be present, the University may take steps to eliminate the risk such as a change in supervision or work assignment.

3. Violations of this policy are considered to be unprofessional conduct and may be grounds for disciplinary action with consequences up to and including termination of employment for administrators or staff members, or dismissal for cause in the case of faculty members.

## **HR 7.1 Whistleblower**

### **Policy Purpose and**

#### **Applicability**

The purpose of this policy is to set forth procedures under which an employee of Virginia Wesleyan University can report suspected unlawful and/or unethical behavior by an employee or official of the University and be protected against retaliation in the form of an adverse employment action.

#### **Statement of Policy**

Virginia Wesleyan University expects its employees and officials to perform their duties in accordance with applicable federal, state, and local laws and regulations, University policies, and the highest ethical standards. At the same time, the University recognizes that improper conduct, whether intended or not, may occur. The University, therefore, encourages each employee to report any illegal or unethical conduct by an employee or official of the University. Such conduct may include, but is not limited to, the following kinds of activities:

- Forgery or alteration of documents
- Questionable accounting and internal controls
- Unethical business practices
- Unauthorized alteration or manipulation of computer files
- Fraudulent financial reporting
- Misappropriation or misuse of University resources, including funds, supplies, or other assets
- Authorization or receipt of compensation for services not received or not performed, or hours not worked

#### **Reporting Improper Activities**

Virginia Wesleyan University has a responsibility to investigate and report to appropriate parties' allegations of suspected improper activities and to report the actions taken by the University. Any allegations of improper activities that may result in subsequent actions bringing disciplinary charges against a faculty or staff member shall be coordinated with the applicable faculty or staff personnel conduct and disciplinary policies.

1. All employees are encouraged to report possible improper activities to his or her immediate supervisor or department head and to the President.
2. Members of contracted services, including Food Service, Physical Plant, Student Health Center and Athletic Training operations, as well as other external campus-based organizations are encouraged to follow the policies and

procedures of their respective organization. The campus- based representative should report improper activities to their University Administrator and the President.

3. Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation.
4. Under this policy, an employee that believes that there is a conflict of interest on the part of the person to whom the allegations of suspected improper activities are to be reported, the next higher level of authority shall be contacted.
5. In the event the employee is uncomfortable reporting the alleged matter to the above referenced parties, the employee may instead contact the Campus Hotline service by calling 757-493-2161. This is a secure voicemail system that will be received by the Director of Human Resources. The Chairperson of the Board of Trustees Audit Committee will also receive an email notification of the received voice mail message. Upon receipt of such, either directly or as received through the Campus Hotline, the Director of Human Resources shall consider the disclosure and take whatever action is determined to be appropriate under University policies, the law and the circumstances of the disclosure.
6. In the case of disclosure alleging misconduct by the President, the disclosure shall be directed to the Chairperson of the Virginia Wesleyan University Board of Trustees.
7. The disclosure recipient, the party to whom the comment is made, will be responsible for:
  - a. Ensuring all investigations are carried out in a fair and unbiased manner.
  - b. Ensuring that those making complaints and/or reporting compliance concerns are treated fairly, their confidentiality is protected to the extent the law allows, and no retaliation takes place.
9. Employees reporting suspected improper activities may do so orally, but they are encouraged to make such reports in writing so as to assure a clear understanding of the issues raised. Written allegations of suspected improper activities should include the following information:
  - a. The name, address and position of the complainant
  - b. The name and title of the VWU employee or official against whom the complaint is made
  - c. A detailed description of the time, place(s), and manner in which the misconduct occurred along with a reference to any records that might document the misconduct

### **Process for Disclosure**

1. The disclosure recipient shall handle the matter in accordance with the relevant policies of Virginia Wesleyan University in a fair and unbiased

manner.

2. To ensure that the Whistleblower Policy is being adequately enforced, the Director of Human Resources shall prepare and submit to the Chairperson of the Board of Trustees Audit Committee a report annually on the number of complaints submitted, the disposition of the complaints, and an account of significant actions undertaken as the result of meritorious complaints. The Audit Committee may use this information to identify important trends requiring further consideration outside of the policy, but important to best practices of Virginia Wesleyan University.

### **Complaints of Retaliation as a Result of Disclosure**

1. If an employee believes that he or she has been retaliated against in the form of adverse employment action for reporting possible misconduct under this policy, he or she may file a written complaint requesting an appropriate remedy. An employee who reports suspected improper activities and who believes that he or she has been retaliated against may file a written complaint with the Director of Human Resources.
2. For purposes of this policy, an adverse employment action shall be defined as actions including: discharge, demotion, suspension, being threatened or harassed, or in any other manner discriminated against with respect to compensation, terms, conditions or privileges of employment. This policy does not prohibit an employment action that would have been taken regardless of a disclosure of information.

### **Penalty for Intentionally False Report**

An employee who knowingly makes false allegations of alleged wrongful conduct shall be subject to discipline, up to and including termination of employment, in accordance with University rules, policies and procedure.