

# **SECTION 3**

# **POLICY AND PROCEDURES**

## **Americans With Disabilities Act (ADA)**

To comply with Section 504 of the Rehabilitation Act and Title I - Employment, Title II - Public Services, and Title III - Public Accommodations of the ADA of 1990, Butler is committed to providing reasonable access and/or accommodations to all programs, services and facilities. Human Resources will consult with the Office of Disability Services Director regarding accommodations for employees with a documented disability.

Title I - Employment: Employment opportunities are and shall be open to all applications solely on the basis of education, experience, aptitudes and abilities.

Title II - Public Services/Title III - Public Accommodations: Services and accommodations are and shall be made available to the public (i.e., employees, students).

ADA Committee: The ADA committee is comprised of the ADA Compliance Officer, Vice President of Student Services, Director of Human Resources, Director of Facilities Management, Dean of Learning Resources and Services, one faculty member and one student appointed by the Director of Disability Services. The committee is responsible for ensuring that Butler is in compliance with all phases of Section 504 of the Rehabilitation Act, Title I, II and III of the Americans with Disabilities Act of 1990.

The committee shall recommend additions, deletions, and/or changes to any program, service, or facility in existence or those planned by Butler to comply with mandates of the ADA. The committee shall see that all changes adhere to the objectives and purposes of the College, and that they serve the interests of students, administration, faculty and staff. The committee recommendations shall be submitted to the Executive Council for approval and then to the Board for final action. (Rev. 7/09)

## **Cell Phone Policy**

The College recognizes the need for selected employees to rely upon cellular telephones and/or pagers in order to efficiently and effectively conduct official College business. In order to ensure appropriate and contained use of these electronic devices that are funded through the College's operating budget, the following policy shall be followed.

An annual inventory of cellular telephones and/or pagers purchased by the College shall be maintained in the Finance Office. The inventory and its related monthly expenses shall be reviewed by Executive Council once each year prior to approval of the following fiscal year's budget. At that time the review will include reimbursements for business calls made by an employee on a personal cell phone.

Any request for the purchase of a new cell phone(s) and/or pager(s) must be submitted to and approved by Executive Council. Requests shall include documentation stating the specific reason(s) a cellular telephone or pager is needed as well as estimated costs. The estimated costs should include the purchase of the phone as well as monthly charges.

Following approval of a request by Executive Council, the purchase of the cellular telephones and/or pagers shall be processed according to the College purchasing policy, i.e., by purchase order only.

The cost of the purchase as well as monthly fees will be paid by the College only for telephones/pagers deemed necessary to conduct official business for the College. Personal

calls must be reimbursed to the college. College provided cellular phones should not be used for personal text-messaging and personal international calls.

Each supervisor is expected to monitor all requests for reimbursement for employees who own personal cellular telephones and /or pagers and submit business related expenses for reimbursement by the College. (See appendix for reimbursement process). (Rev 7/08)

### **Commercial Sales Policy**

Company representatives who sell textbooks and educational supplies may call on instructors if such calls do not interfere with classes or other assigned duties of the instructor.

No other commercial sales shall be permitted without specific permission of the administration.

Nothing in this policy shall be construed to prohibit the sales of specialty items by an official organization of the college nor shall it pertain to those sales contracted by the college itself.

The sale or distribution of newspapers and other items considered as being covered by the free press clause of the Constitution shall be permitted in the parking lots and sidewalks as long as the sale does not interfere with the normal operations of the college. (Rev. 07/09)

### **Conflict of Interest**

No employee may engage in any activity either within or outside the college which is in conflict with his/her primary duty to the College. Ethical conduct of all employees is a matter of vital importance and the best interests of the college must be the only consideration when dealing with matters which might constitute a conflict of interest. Professional Employees, please reference the Master Agreement in regard to outside employment.

Supervisors may deem a conflict of interest exists when an employee:

- Has an outside interest or employment which encroaches on an employee's time and/or energy to the point where he/she is unable to devote his/her full abilities to the performance of assigned duties. Administrative employees shall immediately disclose to the Board, through the President, (Operational staff need to disclose information to their supervisor) any personal interest they may have in any business transaction of the college.
- Engages in any activity which interferes with decisions and/or judgment which must be rendered in discharging his/her responsibilities at the college.
- Uses college resources or enters into a relationship with the college whose results in personal monetary gain that falls outside the scope of policy guidelines and criteria for approved entrepreneurial partnerships and activities.

Supervisors should contact the Human Resources Director in the event it is determined that a conflict of interest exists.

(Revised 06/04)

### **Contract Training Revenue Sharing Model Policy**

The *Training Opportunity Payment* (TOP) Incentive and the *Department/Division Revenue Share* provide opportunities for Butler departments to access a share of contract training revenue. A Training Opportunity Payment (TOP) credit is given when a Butler faculty or staff

member refers a qualified prospective business or organization to Butler's Business Performance Group (BPG) and that referral results in successful delivery of contract training. A TOP incentive will be 5% of the contract amount. TOP incentives will be made available to the department of the faculty or staff member credited with making the referral. The Division/Department Revenue Share will be made to the Butler division and department of a faculty or staff member who serves as a trainer for a contract training project. The Division/Department Revenue Share will be 50% of contract project's net program income. (New 01/08)

## **Copyright Policy**

### **Policy Statement**

It is the policy of Butler Community College to comply with the U.S. Copyright Act of 1976. All Butler Community College faculty, staff, students are expected to act as responsible users of the copyrighted works of others which includes making informed decisions based on the fair use exemptions to the copyright laws.

### **Scope**

This policy applies to Butler faculty, staff, students and other entities performing collaborative work or service for the College, whether compensated by the College or not.

This policy extends to all works of authorship and creativity covered by federal copyright law. These works include print and electronic documents, software, databases, multimedia and audio visual materials, photographs, music, works of drama, works of art (sculpture), among other types of creative works.

### **Definitions**

**Copyright:** Under U.S. law, a work is copyrighted at the instant of creation when it is fixed in a tangible medium of expression for a period of more than a transitory duration. The author of a work is given certain exclusive rights to do or to authorize the following:

- To reproduce the copyrighted work
- To prepare derivative works
- To distribute copies of the copyrighted work publicly
- To perform the copyrighted work publicly
- To display the copyrighted work publicly
- In the case of sound recordings, to perform the copyrighted work publicly by means of a digital audio transmission

If a person or entity does not own copyright in a work, does not have permission to do the above rights, and does it anyway then that person or entity is infringing. There are many statutory exemptions to these rights. The major exemption is fair use.

**Fair Use:** The fair use exemption (Section 107, U.S. Copyright law) permits limited reproduction of copyrighted works for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research, without permission of the copyright owner. However, nonprofit educational use does not automatically establish a condition of fair use. Determination of fair use is done on an individual, case-by-case basis. The four factors being considered are:

1. The purpose and character of the use, including whether such use is of a commercial nature or is for a nonprofit educational purpose.
2. The nature of the copyrighted work (creative or factual)
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole.
4. The effect of the use upon the potential market for a value of the copyrighted work.

Statutory damages for willful infringement are significant. If a person or entity can demonstrate that evaluation of the four factors took place and lead to the belief of fair use, statutory damages can be considerably reduced.

#### Compliance/Responsibilities

College faculty and staff desiring to use copyrighted materials are responsible for compliance with federal copyright laws, including decisions on the utilization of fair use exemptions. If questions occur, the L.W. Nixon Library will provide assistance to the Butler faculty and staff in the understanding, applying and complying of copyright law. The College does not assume legal responsibility for any independent application of copyright principles made by College faculty or staff that do not meet the terms of the Copyright Act or this College's copyright policy. Permissions must be obtained in all instances where the employee determines that the desired use exceeds fair use or other limitations on the rights of copyright owners.

#### **Digital Millennium Copyright Act Policy**

##### Policy:

It may be a violation of copyright law to copy, distribute, display, exhibit or perform copyrighted works without authority of the owner of the copyright. It is Butler Community College policy that users of Internet services and equipment provided by Butler Community College are responsible for their compliance with all copyright laws pertaining to information they place on or retrieve from the Internet.

##### Responsibilities:

All individuals who use Butler Community College Internet services are responsible for their compliance with copyright laws. All instances of reported copyright violations will be reported to the appropriate College authority in accordance with the Butler Community College Employee Handbook and the Acceptable Use Policy for possible disciplinary actions.

##### Notice and Takedown Procedure:

Upon the Designated Agent's receipt of proper notification of claimed copyright infringement, as set forth in the Digital Media Millennium Copyright Act (DMCA), 17 U.S.C. 512 (3), the Designated Agent will attempt to notify the user. Information Services shall respond expeditiously by removing, or disabling access to, the material that is claimed to be infringing or to be the subject of infringing activity. Butler Community College will comply with the appropriate provisions of the DMCA in the event a counter notification is received.

##### Repeat Infringers:

Under appropriate circumstances, Information Services may, at its discretion, terminate authorization of users of its system or network who are found to intentionally or repeatedly violate the copyright rights of others.

##### Scope:

This policy applies to all users of the Internet Services provided by Butler Community College.

Enforcement:

The Chief Information Officer is responsible for monitoring and reporting compliance with this policy.

Designated Agent: Butler Community College's Designated Agent to receive notifications of alleged infringement under DMCA is:

Chief Information Officer  
Butler Community College  
901 S. Haverhill Rd.  
El Dorado, KS 67042  
Voice 316-322-3133  
Fax 316-323-6440      Email: [terwin@butlercc.edu](mailto:terwin@butlercc.edu)

### **Software Copyright and Licensing Policy Statement**

Butler Community College purchases software on a regular basis for use in college classrooms, labs and offices.

Software titles are licensed for use for college purposes only, and the college only purchases enough licenses for an exact number of machines.

You should assume that under no circumstances that software can be copied for personal use or for use on machines other than the computer of original installation.

With the exception of the Microsoft Campus Agreement, or unless you know of a specific example of some educational software title, installation of any college purchased software on a personal computer is not allowed.

Resources:

Getting Permission:

<http://www.utsystems.edu/OGC/IntellectualProperty/permisn.htm>

Cornell Copyright Decision Tree –

[http://www.copyright.cornell.edu/services/Copyright\\_Decision\\_Tree.pdf](http://www.copyright.cornell.edu/services/Copyright_Decision_Tree.pdf)

The Digital Millennium Copyright Act of 1998, U.S. Copyright Office Summary, December 1998,

<http://www.copyright.gov/legislation/dmca.pdf>

U.S. Copyright Office, Online Service Providers: Designation by Service Provider of Agent for Notification of Claims of Infringement,

<http://lcweb.loc.gov/copyright/onlinesp/>

EDUCAUSE Resource Center,

<http://www.educause.edu/content.asp?section id=11>

Joint Committee of the Higher Education and Entertainment Communities Technology/Task Force,

<http://www.educause.edu/1204>

“Technological Requirements of the TEACH Act,” ACM, ARL, and EDUCAUSE white paper,

<http://www.educause.edu/LibraryDetailPage/666?Redirect=True&ID=CSD2725>

University of Texas Crash Course on Copyright,  
<http://www.utsystem.edu/ogc/intellectualproperty/cprtindx.htm>  
(New 7/06)

## **Electronic Communications/Internet Use**

### **Acceptable Use Policy For Internet, Pipeline, and E- Mail**

The College will use its World Wide Web site to promote its activities, make its departments more accessible to the public, further its students' education, and, by adopting the latest technology, make the conduct of college business more efficient.

All Butler students, staff, faculty, administrators, and members of the communities the college serves are defined as qualified users of the college web site. The college does not guarantee the credibility, accuracy, or relevance of any item posted on the Internet. Such guarantees can come only from the people who make the posting.

Rules of Conduct:

- All employees and students must follow normal standards of ethics and polite conduct when using the Butler Web Site
- All employees and students must use his/her own computer ID when accessing the Web Site
- All employees and students must respect other users' privacy and to not access others' files or e-mail without permission
- All employees and students must use only the computer systems and processes for which they are authorized
- All employees and students must avoid downloading materials that would be described by the court system as pornographic in nature
- All employees and students must share Butler's computer resources fairly without monopolizing hardware, software or printers
- All employees and students must not tamper with the college's network security systems
- All employees and students must avoid any illegal activity. Page producers and users are responsible for understanding the laws of libel, copyright, trademark and the Buckley Amendment.

Violations of these rules may result in the immediate suspension of the employee's Internet access or further disciplinary action up to and including termination. Any violations should be self-reported or reported by the supervisor or another employee to the Director of Human Resources. The Director of Human Resources will report the violation to the President, and the appropriate course of action will be determined.

All electronic and telephonic communication systems and all communications and information transmitted by, received from, or stored in these systems are the property of the college. BCC's sexual harassment policy applies fully to the use of e-mail, and is incorporated herein by reference.

Employees who use college equipment for personal use must not allow it to interfere with performance of their assigned duties and responsibilities; furthermore, college equipment shall not be used for personal gain. If performance is affected, appropriate disciplinary action will be

taken. Further, employees are not permitted to use a code, access a file, or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from their supervisor. No employee may use a pass code that has not been issued to that employee or that is unknown to the college. Employees who violate this policy are subject to disciplinary action, up to and including termination.

To ensure that the use of electronic and telephonic communications systems and college equipment is consistent with the college's legitimate business interests, the Information Services Department, under the supervision of the Chief Information Officer, may monitor the use of such equipment on a regular basis.

(Rev. 7/05)

### **E-Mail Policy – Summary**

For details regarding the following items, please refer to the full policy document, located in the Information Services office and on the web or direct questions to the Chief Information Officer.

Butler Community College encourages the use of electronic mail and respects the privacy of users. It does not routinely inspect, monitor, or disclose electronic mail without the holder's consent. However, college employees should realize the following:

- Electronic mail, whether or not created or stored on Butler Community College equipment, may constitute a college record and can be subject to disclosure under the Public Records Act or other laws, or as a result of litigation. (The policy applies only to electronic mail in its electronic form, not to printed copies of electronic mail.)
- Users should be aware that, during the performance of their duties, network and computer operations personnel and system administrators need from time to time to observe certain transactional addressing information in order to ensure proper functioning of the system. In those situations, they may inadvertently see the contents of email messages.
- Also, if there is substantial reason to believe that violations of the law or of Butler policies have taken place, contents of email may be inspected, monitored, or disclosed without the user's consent. The Chief Information Officer, unless emergency circumstances exist, must approve these inspections, in advance and in writing.
- Electronic mail systems and services are Butler Community College facilities as that term is used in other policies and procedures of Butler, and with normal standards of professional and personal courtesy and conduct.

Access to Butler electronic mail services is a privilege, and as such may be wholly or partially restricted without prior notice and without the consent of the email user under certain circumstances.

Butler electronic mail services are to be utilized in support of the teaching, research, public service mission of Butler Community College, and the administrative functions that support this mission.

Services shall not be provided in competition with commercial services to individuals or organizations outside the college.

Services may not be used for:

- Unlawful activities.
- Commercial purposes not under the auspices of the college.
- Personal financial gain.
- Personal use inconsistent with the acceptable personal purposes listed below.
- Uses that violate other Butler policies or guidelines as they apply to intellectual property, sexual or other forms of harassment, and others.
- Activities which directly or indirectly interfere with Butler operation of computing facilities or electronic mail services, burden the college with noticeable incremental cost, or interfere with the email user's employment or other obligations to Butler Community College.

These activities include, but are not limited to:

- Sending and forwarding chain letters.
- Spam (exploiting list services, etc. beyond their intended scope).
- Letter bombs (resending the same email repeatedly to one or more recipients to interfere with the recipient's use of email).
- Sending anonymous email messages
- Relaying email to servers outside of the accepted email system (Pipeline).

Violations of this policy may result in restriction of access, or disciplinary action (up to and including dismissal).

For more detailed information and policy regarding mailbox limits, etc. please refer to the full text of the policy located under the E-Mail on the web at: [http://www.butlercc.edu/email\\_policy.cfm](http://www.butlercc.edu/email_policy.cfm) or in the pipeline portal. For further clarification of the policy, send email to the Chief Information Officer or call 316-322-3133. (Rev. 7/08)

## **Password Policy**

### 1.0 Overview

Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in the compromise of Butler Community College's entire network. As such, all Butler Community College employees (including contractors and vendors with access to Butler Community College systems) are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords.

### 2.0 Purpose

The purpose of this policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change.

### 3.0 Scope

The scope of this policy includes any stakeholders who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any Butler Community College facility, has access to the Butler Community College network, or stores any non-public Butler Community College information.

### 4.0 Policy

#### 4.1 General

- All passwords including system-level passwords (e.g., root, enable, NT admin, application administration accounts, etc.) must be changed every 90 days.
- Passwords must not be inserted into email messages or other forms of electronic communication; this includes the forwarding of emails.
- All user-level and system-level passwords must conform to the guidelines described below.

## 4.2 Guidelines

### A. General Password Construction Guidelines

Passwords are used for various purposes at Butler Community College. Some of the more common uses include: user level accounts (network accounts), web accounts (Pipeline and BASIS), email accounts, and local router logins. Since very few systems have support for one-time tokens (i.e., dynamic passwords which are only used once), everyone should be aware of how to select strong passwords.

Passwords must have the following characteristics:

- Contain both upper and lower case characters (e.g., a-z, A-Z)
- Have digits and punctuation characters as well as letters e.g., 0-9, ! % \* + - ? \_
- Are at least six alphanumeric characters long.
- Are not a word in any language, slang, dialect, jargon, etc.
- Are not based on personal information, names of family, etc.
- Passwords should never be written down or stored on-line. Try to create passwords that can be easily remembered. One way to do this is create a password based on a song title, affirmation, or other phrase.
- For example, the phrase might be: "This May Be One Way To Remember" and the password could be: "TmB1w2R!" or "Tmb1W>r~" or some other variation.

NOTE: Do not use these examples as passwords!

Passwords must not have the following characteristics:

- The password contains less than six characters
- The password is a word found in a dictionary (English or foreign)
- The password is a common usage word such as:
  - Names of family, pets, friends, co-workers, fantasy characters, etc.
  - Computer terms and names, commands, sites, companies, hardware, software.
  - The words "Butler Community College", "sanjose", "sanfran" or any derivation.
  - Birthdays and other personal information such as addresses and phone numbers.
  - Word or number patterns like aaabbb, qwerty, zyxwvuts, 123321, etc.
  - Any of the above spelled backwards.
  - Any of the above preceded or followed by a digit (e.g., secret1, 1secret)

### B. Password Protection Standards

Do not use the same password for Butler Community College accounts as for other non-Butler Community College access (e.g., personal ISP account, option trading, benefits, etc.).

Do not share Butler Community College passwords with anyone, including friends, family, or other employees. All passwords are to be treated as sensitive, *confidential* Butler Community College information.

Here is a list of "don'ts":

- Don't reveal a password over the phone to ANYONE
- Don't reveal a password in an email message
- Don't reveal a password to the boss
- Don't talk about a password in front of others
- Don't hint at the format of a password (e.g., "my family name")
- Don't reveal a password on questionnaires or security forms
- Don't share a password with family members
- Don't reveal a password to co-workers while on vacation

If someone demands a password, refer them to this document or have them contact the Chief Information Officer at (316) 322-3133.

Do not use the "Remember Password" feature of applications (e.g., Eudora, Outlook, Netscape Messenger, Internet Explorer, MSN Messenger, and AIM).

Again, do not write passwords down and store them anywhere in your office. Do not store passwords in a file on ANY computer system (including Palm Pilots or similar devices) without encryption.

If an account or password is suspected to have been compromised, report the incident to Chief Information Officer at (316) 322-3133 and change all passwords.

### C. Application Development Standards

Application developers must ensure their programs contain the following security precautions.

Applications:

- must support authentication of individual users, not groups.
- will not store passwords in clear text or in any easily reversible form.
- must provide for some sort of role management, such that one user can take over the functions of another without having to know the other's password.
- should support TACACS+ , RADIUS and/or X.509 with LDAP security retrieval, wherever possible.

### 5.0 Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

### 6.0 Exceptions

The Chief Information Officer or designee must approve any exceptions to this policy.

### 7.0 Revision History

(New 7/07)

## **Pipeline Group Policy**

The use of this system (Pipeline@Butler) is a privilege afforded to students, faculty, staff, Board of Trustee members, alumni and retirees at Butler Community College. This includes, but is not limited to, the use of communication tools for courses, approved Butler student activities (student organizations, sport teams, fine arts activities, etc.), committees, departments, faculty or staff organizations, alumni associations, professional organizations, etc. Guest users may not create or participate in Pipeline groups unless authorized.. All Butler policies, including but not limited to the Internet Acceptable Use Policy, apply to the use of Pipeline. Group members must not engage in illegal activity, violate the rights of others, or use the group in a commercial nature.

There are two categories of groups in this system: public groups and restricted groups. Public groups are those of general interest to Butler students and employees. Any Pipeline user can request and/or join a public group. A public group created using the name of a recognized Butler student organization may only be created by one of that organization's registered officers. A public group created using the name of any recognized college entity may only be created by the administrator of that entity, or by his/her designee. Membership in Pipeline groups cannot be restricted based upon discriminatory or other illegal reasons.

Restricted groups will be created only if associated with a recognized Butler student organization or associated with an academic or administrative working group at the college. A student organization's registration with the Vice President of Student Services must be current to be eligible to create, or maintain, a restricted group. That organization's student president must make the request for a restricted group. A restricted group requested by an academic or administrative working group at Butler must be requested by a faculty or staff member affiliated with that working group.

All group leaders are encouraged to read the online help files, tutorials, and/or the PDF document called the "Group Leader Administration Guide" found online. It is the responsibility of every member of a Pipeline group to read and be familiar with the group membership policy as listed on the "Join a Group" page. Additionally, it is the responsibility of the group leader to monitor the activities of his/her respective group.

Members of the Pipeline Communication Team will review and process group creation requests in a timely manner. An email notification of the decision will be sent to the requester. A group may be removed from Pipeline due to inactivity, for cause, or due to a decision by the college to suspend any part of this service. All student groups will expire June 30<sup>th</sup> of each academic year unless the activity sponsor gives prior notice to the Chief Information Officer.

The group feature of Pipeline is a recorded medium. There should be no expectation of privacy regarding participation in a group.

It is expected that use of Pipeline groups will comply with copyright laws. Material protected by copyright will not be transmitted, whether text, image, or software, when that transmission is in violation of the copyright.

Inappropriate use of Pipeline student groups should be reported (by any user) to the Dean of Student Life. Inappropriate use of Pipeline faculty/staff groups should be reported to the Director of Human Resources.

NOTE: Any violation of this policy may result in curtailment or loss of group privileges, and will be subject to any existing disciplinary procedures of Butler Community College. The Butler Web

Standards and Content Guidelines as well as State and Federal laws, including Federal Right to Privacy Laws (FERPA), will apply to all Pipeline communication tools. Violation of State and Federal law may also subject users to prosecution by state and federal authorities. In any such prosecution or investigation, Butler will cooperate with authorities. (Rev. 7/05)

### **Wireless Network Policy**

The Butler Community College wireless network access was designed to be a convenient supplement to the wireline network access. Clients may be disconnected from the wireless network at any time with or without prior notice due to disruption of service or inappropriate use of network facilities.

The scope of this policy shall apply to all wireless devices using 802.11 protocols operating in the 2.4 GHz range within the geographical boundaries of all Butler Community College campuses and locations.

#### Support decree

Wireless network communication speeds are generally 1/10 of wireline communications. Performance on a shared network will vary and cannot be guaranteed. Connections to the wireless network outside the geographical boundary of Butler Community College are not allowed or supported. Butler Community College supported systems must meet hardware and software requirements, and support 128-bit WEP. No other parties other than Information Services (IS) shall plan, deploy, develop, manage, or use wireless equipment without prior approval of the Chief Information Officer (CIO).

#### Regulations

1. All wireless devices including wireless interface cards must be approved by IS/CIO prior to installation.
2. All communication over wireless medium may be monitored under direction of the CIO.
3. Any device that interferes with the communication of the wireless network is subject to restriction or removal.
4. Users of the wireless network are subject to the terms of the Butler Community College Internet Acceptable Use Policy.
5. Only authenticated and pre-approved access is permitted.
6. All data transmitted in peer-to-peer or infrastructure mode must meet WEP standards adopted by IS. The current IS encryption standard is 128-bit.
7. Non-password file shares are not allowed
8. IS reserves the right to limit bandwidth and/or resources to ensure fair sharing of resources among wireless users.
9. Spamming or mass mailings are not allowed on the wireless network.
10. Servers or server type services are not allowed on the wireless network.
11. Any attempt to gain un-authorized access to or modify a college system is not permitted and is illegal.
12. Running any data packet collection tools will not be tolerated; it is considered data theft and is illegal.
13. All wireless devices must meet applicable federal, state, and local regulations governing wireless communication.

14. Any attempt to deliver a destructive payload will result in immediate disconnection from the wireless network and is considered vandalism.
15. If any confidential information is to be transmitted, an IS approved VPN must be established. Failure to do so will result in immediate revocation of all wireless access.
16. Wireless network access is a privilege, not a right. Abuse will not be tolerated.
17. All wireless clients must have approved virus protection including the latest definitions.

(Revised (06/04)

## **Entrepreneurial Partnerships**

### Introduction

In order to support the college's Strategic Priority to "Expand resources through entrepreneurial endeavors", the following policy, guidelines and criteria have been established for individual college employees, departments and/or divisions.

### Entrepreneurial Partnership and Activities Guidelines

To ensure quality entrepreneurial partnerships that directly meet the needs of the partners and/or targeted stakeholders **and** result in net revenue for the college, individual employees, appropriate departments and/or divisions, a set of written criteria has been established to assess the potential effectiveness of such endeavors.

It is the college's expectation that individual employees, departments and/or divisions involved in the consideration of **new** entrepreneurial partnerships or activities beginning with the 2004-2005 academic year will:

- 1) Review the written criteria for effective partnerships and activities.
- 2) Complete the Entrepreneurial Partnership and Activities Proposal Form (See appendix).
- 3) Seek the designated levels of approval prior to implementing a proposed partnership.

For existing entrepreneurial partnerships or activities that are generated by an individual college employee, department and/or division, those partnerships and activities must be reviewed by Executive Council on a semi-annual basis in March and September and a report submitted to the Board of Trustees in November. This will help to ensure that no conflict of interest exists between the college and an individual employee, department, division and other college stakeholder groups.

Following implementation of new partnerships or activities, it is the expectation that monitoring reports be submitted as noted on the partnership/activities form to Executive Council for its review and comment. Executive Council reserves the right to recommend termination of any agreement to the Board of Trustees based upon the results noted in the monitoring reports. Executive Council, upon review of the request, shall determine the percentage return.

The net revenue generated from each partnership/activity opportunity will be placed in the college's general fund. A percentage of the net revenue will be returned to the individual, department or division that creates implements and manages the partnership. The percentage of return ranges from 50-85%, depending upon the level of college support required to initiate and sustain the entrepreneurial activity.

### Entrepreneurial Partnership and Activities Criteria

Clearly Defined Expected Partnership Outcomes:

Unique program, product or service  
Improved satisfaction of stakeholders  
Demonstrated ability to generate net revenue  
Demonstrated continuous quality improvement  
Others as appropriate

Clearly Defined Services Provided by Each Partner  
Clearly Defined Expected Contributions of Each Partner to the Program  
Three Year Proforma  
Specific Measurable Performance Indicators  
Specific Measurable Performance Benchmarks  
On-going Monitoring Reports

The Entrepreneurial Partnership/Activities Completion Form is located in the appendix.  
(Rev. 7/08)

#### F.E.R.P.A.

Under the Family Educational Rights and Privacy Act of 1974, students enrolled in any post-secondary educational institution receiving federal funds are given rights concerning their education records.

As an employee at Butler, you are expected to follow the FERPA guidelines and maintain the confidentiality of students' records. Copies of Section 438 and the complete policies and procedures of Butler are available at (a) the Registrar's Office, (b) the Vice President for Student Services Office, (c) the Counseling, Advising and Placement Office, and (d) the President's Office. Following is a brief explanation of the guidelines:

- The College will not release personally identifiable educational records of a student without his or her written consent, except: (1) to Butler teachers and administrators, (2) to certain federal offices specified in the act, (3) to state educational authorities, (4) to accrediting agencies, (5) upon receipt of proper judicial orders, (6) to officials of other schools in which the students seek to enroll.
- Requests for educational records of a student should be directed to the Registrar's Office. The FERPA Compliance Officer at Butler Community College is the Vice-President for Student Services. Any questions or concerns regarding FERPA compliance should be directed to the Vice-President for Student Services.  
(Revised 7-08)

#### **"Golden Grizzly" Policy**

Senior citizens from the Butler service area (Butler, Chase, Marion and Morris counties) who are 60 years of age or older will be given, upon request, a lifetime college activity ticket entitling them to become a "Golden Grizzly". This will allow them free admission to all regularly scheduled, college-related activities\* and a tuition waiver (fees not included) for all Butler credit courses on a space available basis. Cards will automatically be issued to all Life Enrichment members. Golden Grizzly cards will be issued through the Community Education department.

\* Jayhawk conference rules prohibit free admission to regional or conference playoffs. (Rev. 7/05)

#### **Grievance Procedure**

Grievances of an employee may be filed for a work related complaint and shall be processed as follows:

**Step 1. Informal Procedure**

1. Any employee may bring a personal grievance to the attention of his/her supervisor as soon as possible, but no more than five (5) working days after it arises. The supervisor shall listen to the complaint and if it is justified, may take appropriate steps to correct it. If the grievant is dissatisfied with the results of this conference with the supervisor, he/she shall so inform the supervisor in writing within five (5) working days of the conference that a formal review is desired. Receipt of the completed form by the Office of Human Resources within five (5) working days of the conference with the supervisor shall constitute fulfillment of the requirements of Step 1 and shall constitute a request for Step 2.

**Step 2. Formal Procedure**

1. The written request for further review shall be delivered to the Division Vice-President by the Office of Human Resources. One copy of the grievance shall be submitted to the Division Vice-President's office, one to the Office of Human Resources, and one shall be kept by the grievant.
2. The Division Vice-President will review the grievance and the record of the above procedures, together with any additional information or oral argument presented by the grievant. The Division Vice-President at his/her discretion may also hear other information or oral argument. Within ten (10) days after delivery of the grievance at the Division Vice-President's office, the Division Vice-President shall render his/her written decision to the grievant.
3. If a solution satisfactory to the grievant and the administration has not been reached through the above procedures, the grievant may appeal the decision in writing to the President within five (5) days after the grievant's receipt of the Division Vice-President's decision. The President will review the grievance and the record of the above procedures and hear the matter in dispute within thirty (30) days after the matter is presented to him/her. Any pertinent evidence or argument which the grievant desires to submit or which the President deems necessary may be presented. The President will thereafter render his/her decision in writing within thirty (30) days after the evidence or information is submitted. One copy of the President's decision shall be delivered to the grievant, one copy to the Division Vice-President, and one copy to Human Resources.

**Rules**

Grievances shall be processed according to the following rules:

1. If at any stage of the grievance procedure, the grievant does not take the next step within the time allotted, the grievance shall be settled in the manner recommended or decided by the administration at the last step.
2. All reference to number of days in this procedure shall be determined to mean working school days. In the event grievances are not filed or processed by the grievant in the manner and within the times set forth above, they shall be forever barred.
3. Grievances shall be processed as rapidly as possible. The number of days indicated at each level shall be considered a maximum and every effort shall be made to expedite the process in a shorter period of time. The parties may mutually agree in writing to extend any of such time periods.
4. It is agreed that the aggrieved party may request information in the possession of the President necessary for the processing of said grievance.
5. The grievant may withdraw the grievance at any level.

6. The grievant shall have the right to have witnesses present at each phase in the formal grievance procedure. Legal counsel cannot be present during said procedures.
7. All documents, communications and records dealing with the processing of grievances shall be filed separately from the personnel files.
8. The meeting before the President will be recorded, unless the grievant requests otherwise, and the President will provide a transcript of the recording to the grievant and the Administration.
9. If the grieving employee does not agree to a time to meet within fifteen (15) work days (as designated on the Learning Calendar in effect at the time of the grievance), then the grievant waives further proceedings with the grievance and accepts the last answer to the grievance by the administration.
10. It is agreed that nothing in the above procedures shall be interpreted in such a way as to modify or reduce the rights guaranteed under the Constitution and laws of the United States and the State of Kansas.  
(Rev. 7/05)

## **Harassment and Violence Policy Prohibitions**

It is the policy of Butler Community College to maintain a learning and working environment that is free from racial, religious, sexual, national origin, age, and/or disability harassment or violence. Butler Community College prohibits any form of racial, religious, sexual, national origin, age, and/or disability harassment or violence and prohibits harassment or violence against an employee or student because the person opposed unlawful discrimination and/or participated in an investigation or complaint concerning unlawful discrimination. For purposes of this policy, these prohibitions also apply to Butler Community College Trustees, agents, volunteers, contractors, or persons subject to the supervision and control of Butler Community College.

It is a violation of College policy for any student, faculty member, staff member, administrator or other employee to harass any student, faculty member, administrator, or other College personnel because of that person's race, color, religion, sex, national origin, age, disability, and/or any other status protected by federal, state, or local law.

It is a violation of College policy for any student, faculty member or administrator or other College personnel of Butler Community College to inflict, threaten to inflict, or attempt to inflict violence upon any student, faculty member, administrator or other College personnel because of that person's race, color, religion, sex, national origin, age, disability, and/or any other status protected by federal, state, or local law.

### **Definitions:**

**Sexual Harassment:** Sexual harassment is a form of sexual discrimination that violates Title VII of the Civil Rights Act of 1964 and/or Title IX of the Education Amendment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to that conduct or communication is made a term or condition, either explicitly, of obtaining or retaining employment or of obtaining an education; or
- Submission to or rejection of that conduct or communication by an individual and uses a factor in decisions affecting that individual's employment or education; or

- That conduct or communication has the purpose or effect of substantially or reasonably interfering with an individual's employment or education or creating an intimidating, hostile, or offensive employment or educational or living environment.

**Sexual harassment may also include but is not limited to:**

- **Gender Harassment:** Generalized sexist statements and behavior that convey insulting or degrading attitudes about men or women. Examples include insulting remarks; suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons; obscene language; offensive e-mail or voice-mail; obscene jokes or humor about sex focused toward a particular gender.
- **Seductive Behavior:** Unwanted, inappropriate and offensive sexual advances. Examples include repeated unwanted sexual invitations, insistent request for dinner, drinks or dates, persistent letters, phone calls and other invitations.
- **Sexual Bribery:** Solicitation of sexual activity or other sex-linked behavior by promising a reward (a better grade, promotion, etc.) for performing the activity or behavior. The proposition may be either overt or subtle.
- **Sexual Coercion:** Coercion of sexual activity or other sex-linked behavior by threat of punishment. Examples include negative performance evaluations, withholding promotions, threats of termination, or a failing or lower grade.
- **Sexual Imposition:** Deliberate assaults or molestation, or unwanted physical contact such as patting, pinching, "friendly" arms around the shoulder or intentionally brushing against another person's body.
- **Other** conduct or behavior of a sexual nature deemed inappropriate by college employees and/or students.

**Racial, religious, national origin, age, and disability harassment:**

Physical or verbal conduct relating to an individual's race, color, religion, national origin, age, and/or disability when the conduct:

- Has the purpose or affect of creating an intimidating, hostile, or offensive working or academic environment; or
- Has the purpose or affect of substantially or unreasonably interfering with an individual's work or academic performance; or
- Otherwise unlawfully and adversely affects an individual's employment or academic opportunities.

**Procedure for Handling Complaint**

1. Any person who believes he or she has been the victim of harassment or violence by a student, faculty member, administrator, or other College personnel of Butler Community College because of race, color, sex, religion, national origin, age, disability, and/or other status protected by federal, state, or local law should report the conduct to the President of the College or to the Director of Human Resources.

Any person with knowledge or belief of conduct which may constitute harassment or violence toward a student, faculty member, administrator, or other College personnel because of that person's race, color, religion, sex, national origin, age, disability, and/or

any other status protected by federal, state or local law should report the alleged conduct immediately to his or her supervisor or to the Director of Human Resources.

2. Within two (2) working days of the initial complaint, the President or the Director of Human Resources shall designate an officer of the College who shall be responsible for investigating the complaint (such officer shall not be the party charged with having committed the alleged harassment and/or violence).
3. A written statement from the Complainant shall be obtained by the designated officer within two (2) working days of their designation and request Complainant have no contact with alleged offender pending the investigation. The officer will then immediately contact the person who allegedly engaged in the harassment or violence, inform the person of the basis of the complaint and provide the person an opportunity to respond. The investigator shall specifically request that individual have no contact with the Complainant pending the investigation. That individual will then have two (2) working days from the date of notification to make a written response to the designated officer.
4. Upon receipt of the response, the designated officer shall report in writing to the President the findings of the investigation, and shall notify the Complainant and the person who allegedly engaged in the harassment or violence of said findings in writing within fourteen (14) working days of the appointment. The President shall review the written findings to determine if harassment or violence in violation of this policy has occurred. Upon completion of the review and determination by the President, both the Complainant and the individual who allegedly engaged in the harassment or violence shall be notified separately in person and in writing by the President of his/her decision within seven (7) working days of receiving the report. The Complainant and the individual who allegedly committed the harassment or violence shall be notified if the President is unable to meet with them in person within seven (7) working days and a meeting will be scheduled as soon as possible. The President will meet separately with the individuals and will address any questions concerning the determination or resolution with the individuals during this meeting.
  1. The individual, in accordance with the College policy or the Master Agreement, whichever applies, may appeal any disciplinary actions resulting from this procedure.
  2. In the event the Complainant is dissatisfied with the President's decision, the Complainant may appeal in writing to the Board of Trustees within five (5) working days of the receipt of the President's decision.
  3. As the procedure for handling complaints alleging complaints of this policy is initiated and completed, all involved parties will be expected to respect the sensitive nature of the matter and to protect the confidentiality of the complainant, the alleged offender, and all those involved in the investigation. Butler Community College will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the College's legal obligations to investigate and to take appropriate action.
  4. Butler Community College will act to investigate all complaints, either formal or informal, verbal or written and to discipline or take appropriate action against any student, faculty member, administrator, or other College personnel who was found to have violated this policy.

5. Butler Community College will discipline or take appropriate action against any student, faculty member, administrator, or other College personnel who retaliates against any person who reports harassment or violence under this policy.

Any person who retaliates against another for testifying, assisting, or participating in any investigation or proceeding relating to harassment or violence under this policy will be subject to discipline. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

(Revised 7/06)

## **Internal Audit Policy**

### **PURPOSE:**

It is the policy of the Butler Community College Board of Trustees to have an Internal Audit function that provides an independent and objective assurance and consulting service that adds value and strives to improve the organization's operations, activities, and programs. It assists Butler Community College in accomplishing its objectives by bringing a systematic, disciplined approach to evaluate and enhance the effectiveness of the College's risk management, control, and governance processes.

### **OBJECTIVE AND SCOPE:**

The objective of Butler's internal auditing function is to assist management in the effective discharge of their responsibilities. To this end, internal auditing furnishes analysis, appraisals, recommendations, counsel, and information concerning the activities reviewed. The audit objective includes promoting effective control at reasonable cost.

The scope of the internal auditing function encompasses the examination and evaluation of the adequacy and effectiveness of Butler Community College's system of internal control and the quality of performance in carrying out assigned responsibilities. The scope of internal auditing includes:

- Reviewing the reliability and integrity of financial and operating information.
- Reviewing the systems established to ensure compliance.
- Reviewing the means of safeguarding assets.
- Reviewing operations to ascertain whether results are consistent with established objectives and goals.
- Assisting in the improvement of College processes.

### **INDEPENDENCE and AUTHORITY:**

All internal audit activities shall remain free of influence by any element in the organization, including matters of audit selection, scope, procedures, frequency, timing, or report content. To maintain independence, the internal auditor shall assert no direct operational responsibility or authority over the activities they review. Accordingly, they shall not develop nor install systems or procedures, prepare records, or engage in any other activity which would normally be audited. Audit review and appraisal does not relieve other persons of the responsibilities assigned to them. Any College activity is subject to audit.

All College offices and employees are expected to cooperate fully with Internal Audit in the performance of its duties. The Internal Auditor shall have full, free, and unrestricted access to

any and all College functions, records, personnel, and properties deemed relevant to the activity under review. The Internal Auditor shall also have free and unrestricted access to the Executive Council, the college President and the Chairman of the Board of Trustees. (New 01/08)

### **Nepotism Policy**

No employee or trustee shall participate in or influence the recruiting, hiring, evaluation, promotion or disciplinary proceedings of a member of his/her immediate family. No employee shall be hired who would have an immediate family member provide direct supervision. The college's organizational chart shall be utilized to determine whether direct supervision exists.

If any employees become related during their employment at the College and such relationship violates the provisions of this policy, the College reserves the right to review the situation on a case-by-case basis and make job reassignments as practicable.

For the purpose of this policy, "immediate family" shall be interpreted to mean the spouse, child, father, father-in-law, mother, mother-in-law, grandparent, sister, brother, sister-in-law, brother-in-law, daughter-in-law, son-in-law, or any other person who occupies such position in the family, or a person living in the same household.

This policy shall not, however, prohibit any person employed by the College as of the effective date of this policy from continuing therein on a continuous or renewal basis. This policy shall apply equally to all full-time, part-time and/or temporary employees, including student workers. (Rev. 06-04)

### **Photography and Film Rights Policy**

Butler Community College reserves the right to film or take photographs of faculty, staff, and students engaged in teaching, research, clinical practices, and other activities, as well as casual and portrait photography or film. These photographs, films, video's, pod casts will be used in such promotions or publications as catalogs, brochures, posters, advertisements, recruitment, and development materials as well as on the national media for promotional purposes serving Butler Community College. Classes will be photographed only with the permission of the faculty member and students. Release agreements will be produced in writing prior to filming. They will then be signed and kept on file by the Marketing Communications Department, Media Resources or Web Services for each respective production project. Such photographs and film—including digital media—which will be kept in the files and archives or respective Butler Community College departments afore mentioned, will remain available for use by the college without time limitations or restrictions. Faculty, students, and staff are made aware by virtue of the policy that the college reserves the right to alter photography and film for creative purposes managed through Marketing Communications Group, Media Resources, and Web Services. Faculty, students, and staff who do not want their photographs used in the manner(s) described in this policy statement should contact the Office of Marketing Communications. Faculty and students are advised that photographs taken in public places do not require signatures or authorization for publication. Butler Community College has no control over the use of photographs or film taken by third parties, including without limitation the news media covering college activities. (New 7/09)

### **Policy of Nondiscrimination (Equal Opportunity Employment)**

Applicants for admission and employment, students, parents, employees, sources of referral of applicants for admission and employment and all unions or professional organizations holding negotiated agreements or professional agreements with the institution are hereby notified that

this institution does not discriminate on the basis of any characteristic protected by law, including but not limited to race, religion, color, national origin, sex, age, disabled veterans and veterans of the Vietnam-Era, and/or physical handicap or disability in admission or access to, or treatment or employment in its programs and activities. Any person having inquiries concerning Butler Community College's compliance with the regulations implementing Title VI, Title IX and Americans with Disability Act of 1990 is directed to contact the coordinators who have been designated to coordinate the educational institution's efforts to comply with the regulation implementing these laws.

Specific complaints of alleged discrimination under Title IX (sex) and Section 504 (disability) should be referred:

Title IX Coordinator: Internal Auditor  
901 South Haverhill Road  
Walbourn Administration Building, Room 923  
El Dorado, KS 67042  
316-322-3136 (Local)  
316-733-3136 (Wichita Metro)

Section 504 Coordinator: Director of Disability Services  
Office of Disability Services  
901 South Haverhill Road  
Hubbard Center, Room 603  
El Dorado, KS 67042  
316-322-3321 (Local)  
316-733-3321 (Wichita Metro)

Title VI, Title IX and Section 504 ADA complaints may also be filed with the Regional Office for Civil Rights. Address correspondence to:

U.S. Department of Education, Region VII  
Office for Civil Rights  
8930 Ward Parkway, Suite 2037  
Kansas City, MO 64114

(Revised 7/09)

### **Probation, Suspension and Termination for Cause**

If warranted, an employee may be placed on probation, suspended or terminated for just cause. In addition, he/she may be demoted for just cause. Employment of an employee can be terminated without following the disciplinary process if it is determined that gross misconduct has occurred. Professional Employees should reference the Master Agreement for policies and procedures related to this topic.

Just cause may include conduct that contradicts Board policies and rules including, but not limited to the elimination of a position or program, conviction of a felony after employment, insubordination, failure to maintain required certification or licensure, demonstrated and documented inability to perform the duties and responsibilities associated with a specific position through more than one performance evaluation, violation of contract terms, unlawful manufacture, distribution, dispersion, possession, use of a controlled substance or abuse of alcohol on college property or as part of any college activity, failure of an employee to notify the Human Resource Office of any criminal drug statute conviction for a violation occurring within the workplace within five days after such conviction, violation of Board Policies and Procedures,

or conduct that adversely affects the safety of those within the college or the institutional values as set forth by the Board of Trustees. An absence of three (3) or more consecutive working days without notice to your supervisor will be considered a voluntary termination of employment.

#### Probation

An employee may be placed on probation for just cause at the recommendation of the individual's supervisor. In most cases, the annual or interim performance review must document the reason(s) for probationary status. Special circumstances, such as violation of the policies or guiding principles of the college, may necessitate probationary status outside the regular performance review cycle. In all instances of probation, the employee will be notified in writing after the matter has been reviewed with the Director of Human Resources and the President. Every effort will be made to help the employee improve performance, so that probationary status can be removed.

#### Suspension

An employee may be suspended with or without pay by the President or his/her designee or the Board of Trustees if, in the judgment of the President or the Board, the suspension is necessary to protect the best interest of the College. Presidential suspensions with pay are not appealable. Appeals of suspension shall be in accordance with the procedures spelled out herein.

The President or his/her designee may suspend an employee for a period up to thirty (30) working days with or without pay. Suspensions exceeding thirty (30) working days may be made by the President on a contingent basis, subject to confirmation by the Board within the first thirty (30) working days of the suspension period. In the event a suspension is followed by a recommendation by the President that the suspended employee be demoted or terminated, the matter of any appeal of the suspension shall become open for discussion.

In the event the Board determines that the employee's contract and/or employment should not be terminated or subject to demotion or suspension, the Board shall include in its decision a determination of such employee's entitlement to compensation.

#### Termination and Demotion

Whenever a supervisor determines that the employment status of an employee covered by the policy should be terminated or such employee should be demoted, the supervisor must schedule a meeting with the Director of Human Resources and the President of the college. After consultation, if the decision is made to terminate the employee, the supervisor and the Director of Human Resources shall conduct a face-to-face meeting with the employee to notify him/her of the action to be taken. This meeting shall be followed by written notification, which shall include:

- Date of termination or demotion
- Nature of determination and the effective date
- Reasons for the termination or demotion
- The right of the employee to examine his/her personnel file and examine all written evidence which has a bearing on such determination (Rev. 7/08)

#### Non-Renewal of Professional Employees

\*\*\*Professional employees need to reference the Master Agreement.\*\*\*

### Termination or Non-Renewal of Administrative/Institutional Support Employees

If there is a recommendation to non-renew or terminate an administrative/institutional support employee's contract, the employee is to be notified of that recommendation so that the employee has the opportunity to meet with the Board of Trustees. The Board of Trustees will take action upon that recommendation by the end of the fiscal, June 30<sup>th</sup>. (Rev. 7/07)

### **Progressive Disciplinary Procedure**

Butler expects all employees to comply with normal, accepted standards of behavior and job performance and to model the college's timeless institutional values and Learning College Principles. Noncompliance with these expectations must be remedied.

The college endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and opportunities to improve. The first step is informal in nature and consists of an oral warning. The second step is more formal and intended to be corrective in nature. The procedure to follow will be:

1. If an employee is not meeting behavior or job performance standards, the employee's supervisor should take the following action:
  - a. Meet with the employee to discuss the matter
  - b. Inform the employee of the nature of the problem and suggest action necessary to correct it
  - c. Prepare a memo for the supervisor and Human Resources documenting the discussion at the meeting.
2. In the event of a second occurrence\*, the supervisor should hold another meeting and take the following action:
  - a. Issue a written reprimand to the employee
  - b. Warn the employee that a third incident will result in more severe disciplinary action
  - c. Prepare and forward to the Human Resources Director a written report describing the first and second incidents and summarizing the action taken during the meeting.
3. If there are additional occurrences, the supervisor should take the following action only after reviewing the incidents with the Human Resources Director and the President:
  - a. Issue a written reprimand or warning
  - b. Suspend the employee without pay for up to five working days or suspend the employee indefinitely and recommend termination
  - c. Prepare and forward to the Human Resources Director another written report describing the occurrences, indicating the timing of the occurrences, and summarizing the action taken or recommended and its justification.

Employees who believe they have been disciplined too severely or without good cause may use the grievance procedure.

When an employee corrects his or her deficiencies and continues for two (2) years to meet all minimum standards of behavior or job performance, the employee's record will normally be cleared.

\*In disciplining employees for repeated problems, supervisors must consider the time interval between the incidents. The passage of time without additional incidents should reduce the importance of the previous incidents (see #2).  
(Rev. 07/07)

### **Registered Sex Offenders Enrolled at Butler**

Any individual considered a sex offender by the federal or state judicial system is required to register this status with the College when he/she is enrolled. Failure to register with the College will subject the student to disciplinary action which may include probation, suspension or expulsion from school. A copy of the documentation is kept in the Vice-President for Student Services office. Any faculty member, activity sponsor or the Director of Residence Life who has a registered sex offender enrolled in his/her classes, residence halls, or activities will be notified by confidential mail. This information must not be released from the faculty, activity sponsor or Director of Residence Life to anyone. Should faculty members or activity sponsors have any questions about the student, he/she should contact the Vice-President for Student Services. A list of registered sex offenders in a community is kept on file with the local police department. The website address for Registered Sex Offenders in Kansas is <https://www.accesskansas.org/registered-offender/index.html>  
(Rev. 7/07)

### **Repayment Policy**

All debts owed to the college by an employee at the time of separation will be withheld from the final paycheck. Examples include, but are not limited to, travel advances, payroll advances, tuition, parking tickets and library fines. This list is not a complete list. (Revised 06-04)

### **Safety Policy**

It is the policy of Butler to provide and maintain a safe learning and working environment and to follow operating practices that safeguard all employees and students and that result in safe, efficient operations. Your personal responsibilities will greatly enhance the college's ability to facilitate the safety of all employees and students. For additional information, see the Emergency Procedures and Crisis Management on page 171.

Butler is concerned about the on-the-job safety of every college employee. The area of safety demands continuous attention because: (1) injuries can bring about human suffering to the college's employees and their families, and (2) the direct cost of insurance premiums and indirect costs of disrupted work schedules and damaged equipment might better be spent improving employee benefits and wages. (Rev. 7/08)

### **Serious Disease Policy**

As a college which values an optimal learning and working environment, we support the provision of healthy surroundings for our students and employees. As serious diseases may affect such an environment, the college's intent is to strike a balance between the rights of the infected employee to continue employment and the rights of all other college employees and students to be free from risk of exposure.

Butler will allow employees with infectious, long-term, life-threatening, or other serious diseases to work as long as they are physically and mentally able, with or without reasonable accommodation, to perform the duties of their job without undue risk to their own health or that

of other employees, students or customers (i.e., past the contagious stage). Serious diseases include, but are not limited to, cancer, heart disease, multiple sclerosis, tuberculosis, hepatitis A and B, meningitis, German measles, chicken pox, human immunodeficiency virus (HIV), and acquired immune deficiency syndrome (AIDS).

The college will support, where feasible and practical, educational programs to enhance employee awareness and understanding of serious diseases. Education is particularly critical in the AIDS program. The education program can include printed and video materials developed by outside organizations and should identify any local experts specializing in the diseases covered.

The College administration may require a physician's statement of health or a non-contagious statement be submitted once the administration learns that an employee has contracted an infectious disease. Each reported incident of infectious disease shall be reviewed on a case-by-case basis by the employee's immediate supervisor and the Director of Human Resources to determine if the diagnosed employee will be allowed to continue working. This determination will be made after consultation with the employee's physician and/or physician designated by the college. In reviewing each case, consideration will be given to the physical condition of the employee, the type of interaction the employee will have with others at the college, and the impact on the employee and others at the college.

Employees who cannot perform their job duties may have the option to use sick leave, vacation leave or personal days and shall be required to provide Human Resources with a written release from the treating physician before returning to work.

Information relating to an employee's serious disease will not be disclosed to other employees unless the information is, in the opinion of the college, necessary to protect the health or safety of the employee, co-workers, or others.

(Rev. 07/06)

### **Severe Weather Policy**

Butler will not close unless extreme weather conditions prevail that affect the safety of students and employees traveling to and from campus locations. In the event the College remains open, students and staff are encouraged to consider their own safety when making travel decisions. Faculty and supervisors are asked to be understanding when people are absent because of weather-related circumstances. It is the college's expectation that this policy will not be misused, therefore, you will not be required to use any leave for severe weather absences.

Non-exempt employees expected to work on days when the college is closed due to severe weather or an emergency will be paid time and one-half for those hours worked. This time must be approved by the supervisor. (Rev. 8/02)

Notice of Butler facility and class closings will include El Dorado, Andover, Rose Hill, McConnell. Other locations are subject to individual facility closings, with information regarding closings available at each site. Announcement of any college closings is the sole responsibility of the Marketing/Communications Department.

A class and facility closing message will be recorded on the Butler of El Dorado switchboard if college officials are able to reach the campus. The ConnectED emergency notification system will be utilized to notify all faculty, staff and students of the closure. The message will also be

posted on Butler Community College's web page. The following list of metro and local media will be notified of closings due to inclement weather:

TV: KWCH (Channel 12) KAKE (Channel 10) KSNW (Channel 3)

Radio: KMUW (Wichita 89.1 FM), KHCC (Wichita/Hutchinson 90.1 FM), KMXW (Wichita 92.3 FM), KOTE (Eureka 93.5 FM), KDGS (Wichita 93.9 FM), KICT (Wichita 95.1 FM), KRZZ (Wichita 96.3 FM), KFH (Wichita 98.7 FM, 1240 AM), KRBB (Wichita 97.9 FM), KFDI (Wichita 101.3FM), KZSN (Wichita 102 FM), KEYN (Wichita 103.7 FM), KFXJ (Wichita 104.5 FM), KFBZ (Wichita 105.3FM), KYQQ (Wichita 106.5 FM), KKRD (Wichita 107.3 FM), KSGI (Wichita 900 AM), KFTI –AM (Wichita 1070 AM), KNSS (Wichita 1330 AM)

Media will be notified as soon as possible once the decision is made. (Rev. 7/09)

### **Smoking and Smokeless-Tobacco Policy**

This policy lessens the health risk of tobacco usage to students and all employees by prohibiting the use of tobacco products in all college owned and operated buildings and vehicles. Smoking and the use of smokeless tobacco products is permitted outside college buildings on college property (must be twenty-five feet from the entrance of any college building). The Butler of Andover 6000 Building and the Butler of Rose Hill Campus are tobacco-free facilities. Tobacco use of any kind is prohibited both inside and outside these facilities.

- Smoking and the use of other tobacco products such as snuff and chewing tobacco is prohibited in all college buildings and vehicles
  - Smokers are expected to use disposal containers provided for cigarette and cigar butts
  - All employees have a responsibility to comply and to enlist the cooperation of students and fellow employees in accommodating the needs of smokers and nonsmokers.
- (Revised 7/09)

### **Solicitation on Campus by College Employees**

A product sale or service solicitation to the college of \$1,000 or more by a college employee must be made on a competitive bid basis. For a product sale or contractual service up to \$1,000 offered by an employee to the college without prior Board approval, an invoice or a billing statement accompanied by an official requisition must be prepared by the employee and presented to the Vice President of Finance.

### **Substance Abuse/Drug-Free Workplace Policy**

Butler is committed to maintaining a drug and alcohol free workplace. To assist in the maintenance of a drug and alcohol free workplace and to comply with the Drug Free Schools and Communities Act Amendments of 1989, the following has been adopted:

Employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of illicit drugs and alcohol in conducting any college activity. Any violation is to be reported to the immediate supervisor or department head within five (5) working days and the Human Resources office must be notified. An investigation will be conducted under the direction of Human Resources, and the appropriate action to be taken will be determined. Appropriate action may include any of the following:

- Warning
- Reprimand
- Probation
- Requirement of the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved as such by federal, state, or local health, law enforcement, or other appropriate agency
- Suspension; or
- Termination

The specific action to be taken will be determined on a case by case basis by the President in consultation with the Vice President for Academic Affairs, Vice-President of Student Services, Vice-President of Finance and the Director of Human Resources.

In the event a report is received of a criminal drug statute conviction for a violation occurring in the workplace involving an employee who is employed under federal grant funds, the College will notify the federal agency from which the grants are received within ten (10) days after receiving the report.

The College shall conduct a biennial review of its program to:

- determine its effectiveness and implement changes to the program if they are needed,
- ensure that its disciplinary sanctions are consistently enforced

Employees will be given a copy of this policy. Employees will be informed that they must abide by terms of this policy as a condition of employment.

#### Drug Free Awareness Program

The College maintains a drug free awareness program to promote a drug and alcohol free workplace. The drug free awareness program will include informing employees about:

- The applicable legal sanctions under local, state or federal law for the unlawful possession or distribution of illicit drugs and alcohol.
- The health risks associated with the use of illicit drugs and the abuse of alcohol
- The availability of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs
- The College's Substance Abuse/Drug Free Workplace Policy which will be given to all employees and included in the new employee orientation packet.

#### **Telecommuting Policy**

Butler Community College considers telecommuting to be a viable alternative work arrangement in certain circumstances which, when properly implemented and administered, benefits both the College and the telecommuter. The College defines telecommuting as "a work arrangement in which some part of the regularly scheduled work is performed at an off-campus worksite such as the home, or in an office space near home." These guidelines do not pertain to employees covered by the Master Agreement.

Telecommuting is a voluntary work alternative (unless specifically stated as a condition of employment) that may be appropriate for some employees and some jobs, subject to College approval as provided in these Guidelines. It is not an entitlement; it is not a college-wide benefit; and it in no way changes the basic terms and conditions of employment with Butler. Employees remain obligated to comply with all Butler rules, policies, practices and instructions.

Failure to do so may result in the termination of the telecommuting agreement and/or disciplinary action, up to and including termination of employment. Guidelines for Defining Allowable Telecommuting Arrangements can be found in the appendix.  
(Rev. 7/05)

### **Weapons Policy**

Butler Community College prohibits the possession or use of firearms, explosives, or other weapons within any College building or facility and at any college sponsored classes, events or activities. This policy shall apply to all persons entering or upon any College location, including students, employees, and campus visitors; provided that, this policy shall not apply to authorized and full-time active commissioned law enforcement officers or others authorized by the Director of Campus Safety and Security.

Pursuant to K.S.A. 75-7c10 of the Kansas Personal and Family Protection Act, K.S.A. 75-7c01 et seq., as amended (the "Act"), no license issued pursuant to the Act shall authorize a licensee to carry a concealed weapon into any College facility that is posted in accordance with rules and regulations adopted by the Kansas Attorney General as a facility where carrying a concealed weapon is prohibited notwithstanding the foregoing, and in accordance with the Act, this policy shall not be deemed to prohibit any person licensed under the Act from possessing a firearm within a vehicle or other private means of conveyance. (New 7/08)