



Employee and Faculty Handbook

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Purpose of Handbook

Section 1.1 • Revised: September 5, 2016

Every employee should read and become familiar with the contents of the Oak Valley College Employee Handbook. The handbook provides a summary of many of the key policies, procedures, and benefits of the College. While an effort is made to maintain the accuracy of the handbook, the college reserves the right to modify, suspend, or terminate any of the policies, procedures, and/or benefits described in the handbook, with or without prior notice to employees. The contents of this handbook are not conditions of employment and do not constitute a contract between Oak Valley College and its employees.

The handbook is divided into six sections of related information. Each section consists of subsections, for ease of reference. For example, section 5 contains information about employee benefits. Within this section, the various benefits are each designated by a subsection number (e.g., information about vacation time is located in section 5.1). Using this system of numbering allows for timely updating of policies and the timely addition of sections, as new areas are addressed.

Doctrinal Statement and Applications

Section 1.2 • Revised: September 5th, 2016

The Articles of Faith, presented here as originally conceived by the founders of the organization, have been and continue to be the stated theological position of Oak Valley College and are an essential part of the College. Where "man" is used referring to the human race it includes both genders.

Articles of Faith

The Bible, consisting of all the books of the Old and New Testaments, is the Word of God, a supernaturally given revelation from God Himself, concerning Himself, His being, nature, character, will and purposes; and concerning man, his nature, need, duty and destiny. The Scriptures of the Old and New Testaments are without error or misstatement in their moral and spiritual teaching and record of historical facts. They are without error or defect of any kind.

There is one God, eternally existing and manifesting Himself to us in three Persons—Father, Son, and Holy Spirit.

Our Lord Jesus was supernaturally conceived by the power of the Holy Spirit and born of a virgin—Mary, a lineal descendant of David. He lived and taught and wrought mighty works and wonders and signs exactly as is recorded in the four Gospels. He was put to death by crucifixion under Pontius Pilate. God raised from the dead the body that had been nailed to the cross. The Lord Jesus after His crucifixion showed Himself to be alive to His disciples, appearing unto them by the space of forty days. After this the Lord Jesus ascended into heaven, and the Father caused Him to sit at His right hand in the heavenly places, far above all rule and authority and power and dominion, and every name that is named, not only in this world, but also in that which is to come, and put all things in subjection under His feet, and gave Him to be Head over all things to the Church.

The Lord Jesus, before His incarnation, existed in the form of God, and of His own choice laid aside His divine glory and took upon Himself the form of a servant and was made in the likeness of men. In His pre-existent state He was with God and was God. He is a divine person possessed of all the attributes of Deity, and should be worshipped as God by angels and man. "In Him dwelleth all the fullness of the Godhead bodily." All the words that He spoke during His earthly life were the words of God. There is absolutely no error of any kind in them, and by the words of Jesus Christ the words of all other teachers must be tested.

The Lord Jesus became in every respect a real man, possessed of all the essential characteristics of human nature.

By His death on the cross, the Lord Jesus made a perfect atonement for sin, by which the wrath of God against sinners is appeased and a ground furnished upon which God can deal in mercy with sinners. He redeemed us from the curse of the law by becoming a curse in our place. He who Himself was absolutely without sin was made to be sin on our behalf that we might become the righteousness of God in Him. The Lord Jesus is coming again to this earth, personally, bodily and

visibly. The return of our Lord is the blessed hope of the believer, and in it God's purposes of grace toward mankind will find their consummation.

The Holy Spirit is a person and is possessed of all the distinctively divine attributes. He is God.

Man was created in the image of God, after His likeness, but the whole human race fell in the fall of the first Adam. All men, until they accept the Lord Jesus as their personal Savior, are lost, darkened in their understanding, alienated from the life of God through the ignorance that is in them, hardened in heart, morally and spiritually dead through their trespasses and sins. They cannot see, nor enter the kingdom of God until they are born again of the Holy Spirit.

Men are justified on the simple and single ground of the shed blood of Christ and upon the simple and single condition of faith in Him who shed His blood, and are born again by the quickening, renewing, cleansing work of the Holy Spirit, through the instrumentality of the Word of God. All those who receive Jesus Christ as their Savior and their Lord, and who confess Him as such before their fellow men, become children of God and receive eternal life. They become heirs of God and joint-heirs with Jesus Christ. At death their spirits depart to be with Christ in conscious blessedness, and at the second coming of Christ their bodies shall be raised and transformed into the likeness of the body of His glory.

All those who persistently reject Jesus Christ in the present life shall be raised from the dead and throughout eternity exist in a state of conscious, unutterable, endless torment and anguish.

The Church consists of all those who, in this present dispensation, truly believe on Jesus Christ. It is the body and bride of Christ, which Christ loves and for which He has given Himself.

There is a personal devil, a being of great cunning and power. "The prince of the power of the air." "The prince of this world." "The god of this age." He can exert vast power only so far as God suffers him to do so. He shall ultimately be cast into the lake of fire and brimstone and shall be tormented day and night forever.

Theological Distinctives

In addition to the Articles of Faith, the following Theological Distinctives indicate the College's understanding of, and teaching position on, certain points that could be subject to various interpretations.

In fulfillment of God's historical purpose for humanity to rule and establish God's kingdom on earth (Gen. 1:28; Ps. 8:4-8; Matt. 6:10; Heb. 2:6-9), the Scriptures teach a millennial reign of Christ with His saints on earth following His literal return. The nation of Israel, having been redeemed, will play a central role in bringing blessings of salvation to all nations during the millennium in fulfillment of biblical prophecies (e.g., Is. 2:1-4, 11:1-12; Jer. 23:5-6; Ezek. 37; Amos 9:9-15; Zech. 14; Matt. 19:28; Acts 1:6, 3:19-21; Rev. 20:4-7). Following the millennium, this kingdom will be merged into the eternal kingdom (I Cor. 15:22-28).

Before these millennial events, the believers will be caught up to meet the Lord in the air (I Thess. 4:13-17). The time of this "rapture" is unknown, and thus believers are to live constantly watchful and ready.

The existence and nature of the creation is due to the direct miraculous power of God. The origin of the universe, the origin of life, the origin of kinds of living things, and the origin of humans cannot be explained adequately apart from reference to that intelligent exercise of power. A proper understanding of science does not require that all phenomena in nature must be explained solely by reference to physical events, laws, and chance.

Therefore, creation models which seek to harmonize science and the Bible should maintain at least the following: (a) God providentially directs His creation, (b) He specially intervened in at least the above-mentioned points in the creation process, and (c) God specially created Adam and Eve (Adam's body from non-living material, and his spiritual nature immediately from God). Inadequate origin models hold that (a) God never directly intervened in creating nature and/or (b) humans share a common physical ancestry with earlier life forms.

Though there may be fillings of the Holy Spirit, there is only one baptism, which occurs at the time of regeneration. The gifts of the Spirit are given to believers according to the Will of God for the purpose of building up the Church. During the foundational era of the Church (i.e., the time of Christ and the Apostles) God gave special manifestations of the overtly supernatural and miraculous gifts (e.g., tongues, healings, miracles) as "signs" to witness to the validity of those bearing new canonical revelation (c.f., II Cor. 12:12; Heb. 2:3-4). Beyond the foundational era, God in his sovereignty may grant any spiritual gift and work miraculously for the benefit of His Church at any time.

The Bible is clear in its teaching on the sanctity of life. Life begins at conception. We abhor the destruction of innocent life through abortion on demand, infanticide, or euthanasia as unbiblical and contrary to God's will. Life is precious and in God's hands.

Biblical marriage consists only of a faithful, heterosexual union between one genetic male and one genetic female, and biblical marriage is the only legitimate and acceptable context for a sexual relationship.

Expectation of All Employees

Every employee of the College must agree and support the above Articles of Faith. Any employee ceasing to believe the above Articles of Faith shall by that fact cease to be an employee of the College. No teaching or support of a position inconsistent with these Articles of Faith will be tolerated on the part of any employee of the College.

In addition to the Articles of Faith, the following elements of Theological Distinctives require the full agreement and support of all employees:

- Sanctity of Life
- Definition of Marriage/biblical context for a sexual relationship

Application of Theological Distinctives to Non-Faculty Employees

With respect to non-faculty positions, Oak Valley College does not necessarily deny employment to a person merely for a lack of personal conviction on the other elements of the Theological Distinctives. Oak Valley College will weigh carefully the understanding and personal convictions of such employees and employment applicants on these points as well as the level and nature of current and/or prospective work assignments in determining their suitability for employment.

Application of Theological Distinctives to Faculty Employees

In addition to the expectations outlined for all employees in section 1.2 of this handbook, the following will apply to faculty positions:

- Any faculty member must affirm and be able to defend the current Theological Distinctives.
- Any faculty candidate or adjunct teaching subject matters that relate directly to any of the Theological Distinctives must be in doctrinal alignment with said Distinctive(s).
- Any faculty candidate or adjunct must support the Theological Distinctives relating to the Holy Spirit and the nature of creation.
- A faculty candidate who holds to a view that is in opposition to the College's position on eschatology may not be hired. However, a faculty candidate who is not fully understanding or is not informed to the point of supporting the Theological Distinctives on Eschatology may be offered a contract. The hiring will be made with the understanding that the faculty member will be introduced to the historical context that gave birth to this distinctive at Oak Valley College.

Mission Statement

Section 1.3 • Revised: September 5, 2016

Transforming lives through applied education within a Christian community with no student loans.

This mission involves **being** a Christian college, providing education in the liberal arts. It is to be Christian in the sense that the biblical Christian worldview serves as the all-encompassing framework and integrating basis for the entire content and conduct of the institution. It is to be a college in the full traditional meaning of the term, with knowledge and understanding being generated and disseminated, with students and faculty continually developing to high levels their cognitive and affective potential, and with society being served beneficially thereby. In combining the two terms, Christian and college, considerable emphasis is placed upon the scholarly integration of biblical faith with all of the fields of learning, and also upon the practical interrelationships and interdependencies of faith, learning, and living as they are developed throughout the curriculum, co-curriculum, and the life-style.

The mission of the college includes **producing** graduates who are (a) competent in their fields of study, (b) knowledgeable in biblical studies, and (c) earnest Christians equipped to serve the Christian community and society at large. An expanded version of this statement is printed in the catalog, for the institution as a whole and also for some of the specific programs.

There are two additional “products” of the college, both of which are to be viewed as outgrowths of the task of producing graduates of its baccalaureate and post-baccalaureate programs and not as separate from it. One consists of the scholarly contributions to knowledge and understanding, which are generated by students and faculty in the disciplines and in integration with the biblical Christian worldview. The other consists of public services, as students, faculty, and staff make their professional and personal expertise available to the Christian community and to society at large throughout the world.

This mission of the college of equipping Christians in mind and character to impact the world for the Lord Jesus Christ is done primarily through the ongoing lives of its graduates but also through the in-service work of its present students, faculty, and staff.

The Mission Statement is intentionally related to and an outgrowth of the historical Oak Valley College Doctrinal Statement. Our planning, fiscal policies, and commitment to academic excellence are all directed toward the ongoing performance of the mission we have successfully pursued since 2016.

SERVICE

Students

Our objective is to enable every student to learn Christ-like character and intellectual, technical, and relational skills to serve as leaders, role models, and competent professionals.

Education

Our business is to inspire students’ learning so that they are empowered to think and practice from a Christian worldview in their fields of service.

Reach

Our faculty, students, and graduates seek to grapple with the intellectual, ethical, and cultural issues of our time by partnering in discerning Christ-centered scholarship through learning, rigorous research, publications, and performance.

Values

At the heart of our mission is **love** and **respect** for all persons, **integrity** and **diligence** in our words and deeds, and **awe** and **reverence** for God’s work. We seek His inspiration for **creativity** and **excellence** in the fulfillment of our mission. Our **vision** is to be a distinctive Christian college of service to the global community of faith.

Impact

We desire that our graduates demonstrate Christ-like character, competence, and commitment through servant leadership in their churches, communities, and professions. Being equipped for critical thinking and dialogue in respect to faith, our desire is that graduates respond with love to make a difference in society, government, the marketplace, and higher education.

Character

Mentor and serve students in a manner that nurtures strength of character and Christian community.

Evangelism

Equip men and women for Christ-centered public service and the ministry of “making disciples” at home and around the world.

Logo

Section 1.4 • Revised: September 5, 2016



The word mark “Oak Valley College” must always accompany the logo. Contact info@oakvalleycollege.org for information and uses of the the logo.

Administrative Organization

Section 1.5 • Revised: September 5, 2016

Board of Trustees

All corporate activity of Oak Valley College is conducted under the authority of the Board of Trustees. It sets broad policies and delegates to the President the responsibility to see that the college operates within those policies.

President

The President is the chief executive officer of the corporation, responsible to the Board of Trustees, and is charged with putting into effect its policies and regulations. As such, the President carries the ultimate responsibility for the day-to-day operation of the college. It is also the President’s function to represent the college to the christian and academic communities.

Vice Presidents of Enrollment and Advancement

The Vice President of Enrollment or Advancement may represent the President, when the President is unavailable.

Dean

The Dean supports the academic mission and quality control of academic matters. The Dean is responsible to bring any questions or concerns from faculty or students to the attention of the President or Executive Vice President.

Employment Relationship

Section 2.1 • Revised: September 5, 2016

All people who do work for Oak Valley College must be hired with the advance approval of the President, regardless of the intended duration of the assignment. Excepted from this requirement are guest speakers who are U.S. citizens or resident aliens, as well as independent contractors approved in accordance with the college's formal contracting procedures.

Employment of staff employees is at the will of either the employee or Oak Valley College. This means an employee may quit at any time with or without notice, and Oak Valley College may terminate an employee's employment at any time with or without notice. There is no promise that employment will continue for a set period of time, nor is there any promise that employment will be terminated only under particular circumstances. No implied contract concerning any employment-related decision or term or condition of employment can be established by any other statement, conduct, policy, or practice. Examples of the types of terms and conditions of employment which are within the sole discretion of Oak Valley College include, but are not limited to, the following: promotion; demotion; transfers; hiring decisions; compensation; benefits; qualifications; discipline; layoff or recall; rules; hours and schedules; work assignments; job duties and responsibilities; production standards; subcontracting; reduction; cessation or expansion of operations; merger or consolidation of operations; determinations regarding use of equipment, methods, or facilities; or any other terms and conditions that Oak Valley College may determine to be necessary for the safe, efficient, and economic operation of the college. No employee or representative of Oak Valley College, other than the President of Oak Valley College, has any authority to enter into any employment agreement for any specified period of time or to make any agreement contrary to the foregoing.

Employees who are under formal contract to the college (e.g., instructional faculty) may be restricted with regard to resignation/termination of employment, in accordance with the terms of his/her contract.

Declarations

Section 2.11 • Revised: September 5, 2016

All Oak Valley College employees are part of a "team," united in the role of fulfilling the college Mission. The expectation of each team, and each team member, is summed up in the declarations below.

1. We will use our positions to serve the good of the college as a whole, aligning our own goals with Oak Valley College's.
2. We will engage in difficult issues as a team with strong opinions but a Christ-honoring, loving spirit and then get behind the decisions as a team, with one voice.
3. We will expect an attitude of acknowledging our need for each other and trust in each other, willing to admit weaknesses and mistakes.
4. We will be willing to put hard issues and innovative proposals on the table and work them through, thereby fostering a new idea garden and not a new idea graveyard.
5. We will give others the benefit of the doubt before arriving at conclusions.
6. We will be a team that looks forward to our meetings together and other opportunities to work as a group.
7. We will work to minimize politics and maximize solutions, breaking down silos and building up our shared aspirations as a college.
8. We will deal with crucial issues by identifying them and calling for solutions.
9. We will think futuristically about opportunities and make informed decisions on getting there, but we will also be nimble in changing directions if need be, without hesitation.
10. We will respect one another as team members and hold each other to the high standards of biblical accountability at every level.

This is a set of guidelines that direct our work at Oak Valley College, at the senior level of administrators and throughout the community.

Employment Cornerstones

Section 2.12 • Revised: September 5, 2016

Each Oak Valley College faculty and staff employee, regardless of position, strives to have a growing, vibrant, daily relationship with Jesus Christ, utilizing God's Word to govern every part of his/her life. The following "Cornerstones" are intended, in concert with the Articles of Faith and the Standard of Conduct, to frame how employees operate as individual contributors and as a guide for management decision-making. Therefore, we will:

- **Honor God** - We do our jobs as working unto the Lord, providing our best efforts and seeking excellence.
- **Value Others** - We regard fellow employees, students, and other constituents as brothers and sisters in Christ, respecting and valuing the ethnic and cultural diversity that enriches our community.

- **Share Resources** – We commit to share information and resources with other employees/departments to maximize service to constituents.
- **Provide Proper Tools** – We provide adequate resources to accomplish job expectations, while we encourage each other to keep God first in our lives, maintaining a healthy balance of work and personal activities.
- **Consider Other Viewpoints** – We consider the views and opinions of others in making decisions. After significant decisions are made, we are thorough in explaining the basis for the decisions.
- **Compensate Employees Fairly** – We recognize that employees are Oak Valley College’s most valued resources.
- **Foster Employee Growth** – We encourage the professional and spiritual growth of employees by providing appropriate professional development, training, and guidance. Supervisors will be trained and equipped to lead.
- **Be Accountable** – We operate both as individuals and as an organization with the highest levels of honesty and integrity. We are accountable for our decisions, actions, and behavior.
- **Apply Biblical Stewardship** – We demonstrate sound biblical stewardship regarding the use of the financial, human, environmental and capital resources with which we have been entrusted.

Personal Information

Section 2.2 • Revised: September 5th, 2016

Personnel Files

Employees may have periodic access to their personnel files. The contents of a personnel file include, but are not limited to, some or all of the following documents:

- Employment application and related correspondence
- Job requisition and hiring authorization forms
- Pre-employment tests
- Current and former job descriptions
- Performance evaluation forms
- Pay increase authorization memos; documentation of payroll department number, job title, reporting relationship, and other changes initiated by the department head
- Departmental formal letters of commendation; corrective action forms
- Annual reaffirmation letter

- Information related to employee benefits

To inspect one's personnel file, contact the President.

Change of Personal Data

Changes in name, home address, telephone number, insurance beneficiary, marital status, dependents, or the number of tax withholding exemptions need to be reported to the President.

Employment Verifications

All written or oral requests for personnel information on current or former staff employees should be referred to the President. Under no circumstances will the college release information regarding performance, disciplinary actions, or reason for termination, with the exception of a bona fide government security clearance (with written approval from the employee) or where such release of information is, otherwise, legally mandated by law.

Letters of Reference

Supervisors and managers are not allowed to provide letters of reference to current or former staff employees as representing the college. However, any employee may provide a personal reference for a current or former subordinate or co-worker, if requested to do so by the employee. Such letters may not be written on college letterhead, and the language of the letter should clearly state that it is a personal reference.

Identification Card

Section 2.21 • Revised: September 5, 2016

The college may issue students, faculty, and staff an identification number. The card is nontransferable and may not be used by anyone other than the employee or student to whom it belongs. Employees are asked to surrender their ID cards when they leave Oak Valley College. There is no charge for an ID card; however, a \$20 fee applies for replacement cards—lost or stolen.

Employee Privacy

Section 2.22 • Revised: September 5, 2016

Consistent with the value of showing love and respect for all persons while demonstrating integrity in all of our words and deeds, it is the responsibility of all Oak Valley College employees to avoid actions that are intended to obtain confidential or private information regarding another member of the Oak Valley College community, where there is not a business need to have such information. Examples of actions that would fall in this category include seeking private information from employee files or electronic media, searching another employee's personal belongings, asking other members of the Oak Valley College community for confidential information about another employee, or searching another employee's work area without a valid business reason.

Employees are therefore advised that if they do store personal data or property in Oak Valley College facilities or equipment, they do so at their own risk and with the understanding that they have no right to or expectation of privacy.

Hiring Procedure

Section 2.3 • Revised: September 5th, 2016

The formal college position holds that employment is at the will of either the employee or Oak Valley College. This means that, technically, an employee may resign from a position at any time with or without notice, and Oak Valley College may terminate employment at any time with or without notice. There is no promise that employment will continue for a set period of time, nor is there any promise that employment will be terminated only under particular circumstances. However, employees who are under formal contract, such as instructional faculty, cannot resign or terminate employment at any point in time, without any notice.

No employee or representative of Oak Valley College, other than the President of Oak Valley College, has any authority to enter into any employment agreement for any specified period of time or to make any agreement contrary to the foregoing. This policy will not be modified or affected in any way by employee benefits, including retirement benefits, available from Oak Valley College.

Employment Status

Section 2.32 • Revised: September 5, 2016

Regular

Employees will be considered regular employees if they are scheduled in a position that is at least 30 hours per week, 10 months per year, and the position is budgeted to continue for more than 12 months.

Regular Part-Time

Employees are considered regular part-time employees if they are scheduled to work less than 30 hours per week, 10 months per year, and the position is budgeted to continue for more than 12 months.

Temporary

Temporary employees are assigned as replacements for regular employees or into temporary positions of 12 months or less. Where unusual circumstances warrant, exceptions to the 12-month rule may be granted. Temporary staff employees are ineligible for non-legally required benefits and paid absences.

Service time will commence on the day that a staff employee starts a non-temporary position that is at least the equivalent of 20 hours per week/12 months (1,040 hours per year). Should an employee initially take an assignment as a temporary and convert to non-temporary status in the same

assignment and without a break in service, service time will revert to the start of the temporary assignment, but no retroactive benefits will be paid.

Instructional Faculty

Faculty may be considered temporary or contract employees.

Non-Discrimination Statement

Section 2.33 • Revised: September 5, 2016

Oak Valley College does not discriminate on the basis of race, color, national origin, ethnic group identification, sex, age, or physical or mental disability. However, as a private religious institution, the college reserves the right to exercise preference on the basis of religion in all of its employment practices. All employees must demonstrate a spiritual attitude and a lifestyle consistent with the beliefs, methods, and goals of the college. It is Oak Valley College's policy to recruit, hire, and promote within all job classifications on the basis of merit, qualification, competence, and spiritual commitment. This applies to all categories of employment.

An employee who feels that he or she has experienced discrimination may meet with a person, officially designated to receive reports of discrimination, to work for resolution in such situations. This reporting procedure is outlined in section 3.21, Complaint Procedure for Discrimination/Sexual Harassment.

Oak Valley College's Doctrinal Statement remains the foundational document, regarding the theological position of the college. From its inception, Oak Valley College's position has been and remains Christian, Protestant, and theologically conservative. Prospective and existing employees must affirm that their personal theological beliefs are in agreement with the Oak Valley College Doctrinal Statement. A prospective or an existing employee's church affiliation will be considered in determining his or her understanding of and compliance with Oak Valley College's theological position.

Diversity Statement

Section 2.34 • Revised: September 5, 2016

Public Document

Oak Valley College is uniquely situated within a geographic region of great diversity in language, culture, and ethnicity for the purpose of fulfilling its mission of biblically centered education, scholarship and service.

Within this cultural milieu, the college is called, not only to respect this diversity, but to reflect it as well, for Christ intends his Church to be a multi-ethnic, multicultural, and multi-national body of believers.

We believe it is our purpose, therefore, to create an environment in which all believers, regardless of race, color, national origin, gender, age, economic status, or physical ability, can pursue knowledge and personal development as they strive to become all God intends them to be.

In order to maximize the learning of students and expose them to the diversity that exists in the culture at large, we seek to foster an understanding and appreciation of those elements in every culture, which enhances human dignity and is consistent with scriptural teaching.

We are dedicated to expanding opportunities for Christians of all cultures and ethnic backgrounds to attend Oak Valley College, to be employed here, and to participate in the fellowship and mission to which we are called, always keeping in mind our desire to pursue excellence in all we do.

We are committed to working for the establishment of a community composed of believers from every race, culture, and class who are united in their devotion to Jesus Christ, their obedience to His Word, and in their willingness to serve one another.

Internal Document

Notes on Biblical/Theological Foundations for Diversity Statement

We believe that all men and women are created in the image of God, resulting in a foundational unity, and that our racial, cultural, gender, and linguistic diversity reflects the intent and imaginative design of our Creator (Gen. 1:27; Acts 17:26-28), as well as the consequences of the fall.

We believe that God is redeeming some from “every nation, tribe, people and language” and that we, in our diverse identities, will add our unique contributions to His eternal praise (Rev. 5:9-10; 7:9-10; 21:23-26).

We also believe that today, through faith in Christ, God is creating a “new person”—a new citizenship that transcends but does not erase our individual ethnic, social, and gender distinctions. This new faith-citizenship is named in recognition of the love relationship we have with our Savior—we are “Christians” (Eph. 2:14-22; Col. 3:10-11; Gal. 3:26-28; Acts 11:19-26).

As Christians, therefore, we will imitate our Savior who crossed all social, racial, and gender boundaries to share God’s redeeming love (Matt. 9:9-13; Mark 7:24-30; Luke 17:11-19; John 4:4-42). We will imitate the early believers who yielded their cultural prerogatives in order to gather all nations, peoples, and classes into a community that demonstrated the unifying power of their faith (I Cor. 9:19-23; Acts 6:1-7, 13:1-3, 18:26; Rom. 16:1-2).

We believe, finally, that our diversities in background, thought, and practice will continue to enrich our personal lives as we submit them to be critiqued and evaluated by the authoritative words of Scripture. We are convinced of the words of our Lord: “If you hold to my teaching, you are really my disciples. Then you will know the truth, and the truth will set you free.” (John 8:31-32).

Employment of Relatives

Section 2.35 • Revised: September 5, 2016

Oak Valley College is pleased to consider, for employment, qualified applicants who are related to employees. However, an employee may not be the immediate supervisor of a relative or be positioned in the "chain of command," such that one relative would have substantial authority over the other relative or have significant influence over decisions which would impact the employment of the other relative. In addition, two relatives who are employed in the same department should normally report to different supervisors. Exceptions to this policy may be granted. Temporary employment of a relative may be allowed in unusual circumstances.

New Employee Orientation

Section 2.36 • Revised: September 5, 2016

As a new employee, Oak Valley College wants to provide the best possible start to an employee's time at Oak Valley College. In order to welcome and acclimate new employees to Oak Valley College, the college provides an orientation.

Promotions

Section 2.4 • Revised: September 5, 2016

Oak Valley College is committed to the development of its employees. One way an employee grows is through promotion -- increased job responsibility and supervising others. The addition of new responsibilities to an employee's present job or the transferring of an employee to another position could qualify as a promotion and initiate changes in one or more of the following areas: job title, classification and level, pay, and benefits.

Leaves of Absence

Section 2.6 • Revised: September 5th, 2016

Leaves of absence, which are not to exceed six months in duration, may be granted to regular employees at the sole discretion of the college.

Upon returning from a leave of absence, if an employee is able to perform the essential functions of his or her original position, the employee will be returned to that position unless, for business reasons, that position has to be either eliminated or filled with another regular employee.

If an employee is unable to return to his/her original position because of any of the above reasons, then the employee will be offered, if qualified, a substantially similar position or another position, unless doing so would substantially undermine the college's ability to operate safely and efficiently, or unless there are no such positions available. The rate of pay for any offered position will be appropriate for the position and may or may not be the same as the rate of pay the employee received prior to the leave.

Unpaid Leave

Personal Leave

Leaves of absence of up to 20 workdays in duration are granted at the discretion of the department supervisor in conformance to the provisions of this policy.

Medical Leave

Medical leave may be granted for a period of disability up to a maximum of six months. A physician's written verification of disability is required. The college reserves the right to require a second opinion, at its own expense, from a physician of its choosing, and to base its decision on the determination made by that doctor. During a medical leave of absence, an employee may use accrued sick, vacation, or personal business leave. A doctor's certification of ability to work must be presented to the President upon return to work.

Maternity Leave

With regard to leaves of absence, disability related to pregnancy is treated the same as any other medical disability. Maternity leave may only be taken for the period of time the employee is actually disabled due to pregnancy, childbirth, or related medical conditions, for a maximum of six months. An employee may use accrued sick, vacation, or personal leave for unpaid maternity leave time.

Family Medical Leave Act (FMLA)

If the need to care for a newborn child, newly-adopted child, seriously ill child, spouse, parent, or for one's own serious health condition arises, employees who have completed one year of service (and 1,250 hours of work in the last 12 months) may be granted a leave of absence for up to 12 weeks during a 12-month period. In the case of a serious health condition, medical certification is required. The leave is unpaid; however, an employee may use accrued vacation, sick leave, or personal business leave as appropriate. If a husband and wife are both employed by Oak Valley College, the total leave allowed for a specific instance is 12 weeks. During this leave, employees will continue to be eligible for health insurance with the cafeteria dollars continuing. In most cases, an employee returning from a FMLA leave is entitled to be reinstated into the same or an equivalent/comparable position.

In circumstances where the need for the leave is foreseeable, the employee is required to give 30 days of notice. In cases where the need is not foreseeable 30 days in advance, as much notice as possible is required.

Military Reserve Duty Leave

Members of an active Armed Forces Reserve or National Guard training unit who are required to serve a two-week annual tour of active duty, will be granted a leave of absence for that period.

Jury/Witness Duty Leave

Full-time employees called for jury or witness duty will be granted paid leave of absence to serve a maximum of three (3) days during any consecutive 24-month period. On any given day, if one (1) half-day or more of work time remains after the employee is excused from service, they will be expected to return to work. Employees may also use sick or vacation time for jury duty. Otherwise, any leave beyond three (3) days would be unpaid.

The granting of jury duty leave pay is subject to the proper scheduling of the service period. Since the courts will generally honor one request to reschedule jury duty to a later date to accommodate work needs, the employee wishing to receive jury duty pay will be expected to request a new service date, should his or her supervisor determine that department work needs necessitate that the employee work during the originally-assigned jury duty period. The employee may, however, choose to serve during the originally assigned period without jury duty pay.

Unscheduled Absences

Section 2.61 • Revised: September 5, 2016

Employees are expected to be on time and ready for work, each day, at the scheduled hour. All unscheduled absences must be reported to a supervisor, within 30 minutes after the start of the scheduled workday. Absences as well as tardiness can be the cause of hardship for fellow employees; therefore, repeated absences and lateness may result in corrective action.

Rest and Meal Periods

Section 2.7 • Revised: September 5, 2016

Rest Periods

Employees are authorized to take rest periods, which, insofar as practicable, shall be in the middle of each work period. The rest period time shall be based on the total hours worked daily at the rate of 10 minutes of net rest time per four hours, or major fraction thereof (which California State law defines as exceeding two hours). Rest periods are counted as time worked.

A rest period does not have to be authorized for an employee whose total daily work time is less than three and a half hours. Unlike meal periods, the supervisor does not have to insist that the employee take the rest period, but only to authorize and permit it.

If a non-exempt employee is not authorized and permitted to take a rest period, the penalty that is paid to the employee is the equivalent of one hour of wages at their regular rate of pay per day.

Meal Periods

Under California labor law, non-exempt employees may not work more than five hours without a meal break of at least 30 minutes. The meal break is unpaid and is for 30 to 60 minutes, depending on the department's schedule.

A second meal period is required if an employee works more than ten hours.

An employee may also choose to waive or delay their meal break by mutual consent between the employee and his/her supervisor in advance of the scheduled lunch period. If an employee waives or delays their meal break, a comment on the employee's timecard must clearly indicate that this was the employee's choice. Employees who choose to work during his/her provided meal and rest periods must be paid for the time worked, overtime rules applying. If a supervisor requires an employee to work without a meal break or past the five-hour mark or if business circumstances do not allow the employee a reasonable opportunity to take their meal break, the employee must be paid one hour of straight-time pay penalty per day.

Resignations

Section 2.8 • Revised: September 5, 2016

If an employee decides to leave the employ of Oak Valley College, he/she should write and present a personal letter of resignation to his/her supervisor. If the employee wants this letter added to his/her personnel file, attach a copy.

The official date of termination of employment is the last day worked or, for employees under contract, the last day of the contract. All employment benefits end on the date of termination, with the exception of medical insurance coverage, which will continue through the end of the month in which employment terminates and will then cease. Employees on maternity or other medical leaves of absence who plan to terminate employment will continue to retain employee status and benefits throughout the medically-necessary leave of absence, in accord with the provisions of the leave of absence policy (see section 2.6).

The departing employee should schedule an exit interview. These interviews routinely take from 30 minutes to 1 hour and should be conducted prior to the employee's last day, when the day's schedule can be hectic.

Employees should complete and submit his/her final time card or paid leave record one week in advance of his/her last day (anticipating the hours that will be worked up to and including that last day and paid leave usage) so that the employee's final paycheck along with EDD information is ready for pickup.

For all employees terminating employment, any accrued but not yet taken vacation will be paid. This money will be included in the person's final paycheck.

Also, any Oak Valley College keys that an employee has should be handled in accordance with section 6.33, Administration of Keys.

Student Employment

Section 2.9 • Revision: September 5, 2016

Students are temporary employees of Oak Valley College. Employment is at will, for both the student employee and Oak Valley College. This means that a student may quit at any time, with or

without notice, and Oak Valley College may terminate a student's employment at any time, with or without notice. There is no promise that employment will continue for a set period of time, nor is there any promise that a student's employment will be terminated only under particular circumstances. No employee or representative of Oak Valley College, other than the President of Oak Valley College, has authority to enter into any employment agreement for any specified period of time or to make any agreement contrary to the foregoing.

Maximum Hours & Breaks

Student employees are restricted to working a maximum of 25 hours per week. Any employee working a 4-hour shift is entitled to a 10 minute, paid break. Students are not permitted to work more than 5 hours per day without an unpaid meal break of at least 30 minutes. However, if the total work period for the day is not more than six hours, then the meal period may be waived by mutual consent between the student employee and the supervisor.

When a student leaves the College, withdraws, graduates, or is dismissed, his/her employment shall be terminated, as he/she is no longer considered a "student."

All other standards for student employment will follow the same standard as regular temporary employees

Standard of Conduct

Section 3.1 • Revised: September 5th, 2016

Oak Valley College is a community of Christians committed to the principles of Christian living found in the Bible and holds that these biblical standards are vital to our individual and corporate relationships. Maintaining these standards contributes to the kind of atmosphere in which quality Christian education and spiritual nurturing can best occur and strengthens the testimony of Oak Valley College within both Christian and secular communities. In this light, and given the clear biblical imperative for spiritual self-discipline, the college has established these "standards of conduct" to be observed and upheld by all members of the Oak Valley College community.

Consistent with the example and command of Jesus Christ, we believe that life within a Christian community must be lived to the glory of God, with love for God and for our neighbors. Being indwelt by the Holy Spirit, we strive to walk by the Spirit, "crucifying the flesh with its passions and desires" (Galatians 5:24). To this end, members of the Oak Valley College community are not to engage in activities that Scripture forbids. Such activities include, but are not limited to, dishonesty, thievery, fornication, adultery, homosexual practice, drunkenness, unscriptural divorce, and the destruction or termination of innocent human life through human intervention in any form after conception including, but not limited to, abortion, infanticide or euthanasia. Scripture also condemns other "deeds of the flesh" such as covetousness, jealousy, pride, and lust—sins that the maturing Christian should put off and replace with "fruit of the spirit:" love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control (e.g., Luke 10:27; Galatians 2:20, 5:14-24; Ephesians 2:3; 1 Corinthians 6:9-10).

As a Christian educational institution, Oak Valley College also recognizes the responsibility of its Board of Trustees, faculty, and staff to provide examples of maturing Christian character, conduct, and attitude to its students and the community at large. Therefore, as maturing Christians, the

entire Oak Valley College community will strive for the holiness of God (I Peter 1:13-19) and love Him with all our hearts, souls, and minds (Matthew 22:37). In addition, we are called to love our friends and neighbors as God has loved us (Matthew 22:39; I John 4:7-11). We will achieve this calling by walking by the power of the Holy Spirit and avoiding sins clearly forbidden in Scripture (Galatians 5:16-21; I Corinthians 6:9-11; Ephesians 5:1-14). Also, we will pursue the fruit of the Spirit from our Lord, with one another (Galatians 5:22-24).

When the Bible is not clear regarding a specific behavior, we will be guided by our desire to glorify God in our bodies as temples of the Holy Spirit (I Corinthians 6:19-20) and will discern if our behavior will cause any of our brothers or sisters in Christ to stumble in their faith (I Corinthians 8; Romans 14). If our Lord is not glorified or another Christian is harmed or offended by our behavior, then we will freely abstain from that activity, both on and off the campus of Oak Valley College. We know that many behaviors are lawful, but not all are profitable (I Corinthians 10:23-33). Therefore, we will constantly be teachable regarding those activities where the Bible is not clear and will evaluate them in light of our pursuit of holiness and love for our Lord and each other.

Our pursuit of holiness and love, a desire to avoid offending another believer, and a desire to abstain from any behavior that would cause our brothers or sisters in Christ to stumble, require that the following activities be prohibited on the Oak Valley College campus, at Oak Valley College-affiliated functions, or when representing Oak Valley College: the use of alcohol, the use of tobacco, and gambling.

These standards apply to the trustees, during their terms of service on the Oak Valley College Board of Trustees, and to faculty and staff, during their terms of employment with Oak Valley College. Oak Valley College, therefore, reserves the right to discipline or dismiss any employee who, in its judgment, does not conform to these conduct standards or to other expressed principles, policies, programs, and expectations of the college governing employee conduct.

Standard of Conduct Guidelines

Section 3.11 • Revised: September 5, 2016

The Oak Valley College Standard of Conduct for employees is designed to promote behavior that the Bible requires of all believers, to forbid behavior that the Bible condemns, and to foster godly behavior in areas that are not directly addressed by Scripture. The pursuit of holiness is integral to one's personal walk with God. Within the framework of this holiness resides the area of liberty in Christ. Some consistency in the exercise of Christian liberty is necessary within a Christian organization that serves as a model for students and as a light for an unsaved world. The following guidelines are intended to provide an understanding of Oak Valley College's expectations concerning personal liberty.

As members of a Christian educational community, employees must avoid conduct that is spiritually or morally harmful or that would reasonably cause a Christian brother or sister to be offended or to stumble in his/her personal Christian walk. Sensitivity to the impact of our behavior on others is particularly important in a residential college setting with a diverse population of students, faculty, and staff. In addition, as representatives of the Body of Christ, we should exhibit behavior that attracts people to Christ.

With this in mind, the Standard of Conduct imperative—which prohibits drinking, gambling, and smoking on the Oak Valley College campus, at Oak Valley College-affiliated functions, or when representing Oak Valley College—extends to the following:

- When formally or informally representing Oak Valley College at meetings, dinners, seminars, conferences, athletic/academic competitions, or other functions where the participation of the employee stems from his/her employment at Oak Valley College
- Department parties, dinners, picnics, or other social gatherings where participants are primarily drawn together by nature of their relationship to Oak Valley College
- During breaks in the workday, including meal breaks
- During Oak Valley College school terms, during which an employee is enrolled as an undergraduate student

The Christian walk requires discernment and self-discipline. This applies on a daily basis to numerous personal choices beyond those mentioned above. An example would be in the area of entertainment: biblically-moral discernment must be exercised in the selection of movies, television programs, live entertainment, printed material, Internet sites, and all other forms of electronic media. As models of the Christian life, we must demonstrate Christ-like behavior in all areas of our lives.

If an employee's behavior is deemed to be contrary to the Standard of Conduct or to the guidelines above, Oak Valley College reserves the right to discipline or dismiss the employee.

Institutional Policy on Divorce

Section 3.12 • Revised: September 5, 2016

Oak Valley College desires to uphold both the biblical ideal of marriage and the graciousness and forgiveness of God in making decisions regarding the employment or continued employment of people who have been divorced or are currently involved in a situation that is leading to divorce.

Careful consideration is given to the circumstances surrounding the divorce and the willingness of Christian people to recognize the work of God in his or her life. The following biblical principles are the basic parameters within which employment decisions are made at Oak Valley College.

Biblical Teachings Regarding Marriage and Divorce

Marriage was intended by God to be an indissoluble union (Gen. 2:24; Matthew 19:6) until the death of one of the spouses (Romans 7:1-3). God hates divorce (Malachi 2:16), but permits it as an accommodation to sin (Matthew 5:32, 19:8-9; I Corinthians 7:12-15).

Only God has the legitimate authority to break the bond of marriage (Mark 10:9). The biblical concessions for divorce are (1) fornication and (2) desertion by an unbelieving spouse after all available efforts for reconciliation have failed. Fornication includes all intimate sexual activity outside of the marriage relationship (Matthew 5:32; Mark 10:11-12). In the case of fornication, God does not require divorce, only permits it. The couple should be encouraged to restore the

relationship by dealing with any sin (Galatians 6:1) and working toward a forgiving reconciliation (Ephesians 4:31-32). Should one partner experience a marital situation that becomes abusive, that person may seek separation for "God has called us to live in peace" (I Corinthians 7:15).

Effect on Employment

Believers who divorce on non-biblical grounds openly reject the word of God. Christians have a responsibility to uphold the biblical ideal of marriage. It is expected that all Oak Valley College employees serve as mature Christian role models who minister to other members of this community. However, there are diverse positions of employment in the Oak Valley College community that involve varying degrees of spiritual leadership in relation to students, staff, or faculty. The effect of divorce on employment may be different, depending upon the type of position held.

Therefore, it may be deemed inappropriate to employ a divorced person in some institutional positions. Positions involving spiritual leadership in the Christian community, according to Scripture, require an exemplary maturity of life (I Tim. 3:1-13; Titus 1:5-9). The reason for this is found in the truth that biblical leadership includes examples as well as verbal teaching and instruction. Sin connected with divorce therefore disqualifies one from such leadership until the underlying problems of life leading to break-up of marriage are dealt with and the character of the person is matured to the place where his/her life is again an example of Christian maturity. This does not mean that the person is not forgiven or in fellowship with God's people, if repentance has occurred. It only means that a person should not attain a position of leadership or should step down from a position of leadership for a time until his/her character and reputation are restored.

If the marriage of an employee gives evidence that there may be an impending divorce, the employee is to inform a college administrator. While divorce does not necessarily mean that the employee must leave the college, he/she will be required to provide information as to the nature of the divorce, sufficient to determine if there exists such devastating circumstances that make it impossible for the marriage to continue, and to weigh the circumstances in relation to the Standard of Conduct imperative to avoid any "unscriptural divorce."

Should the employee have faculty status and/or hold a leadership position, the person may be asked to take a leave of absence or to accept a reassignment to other institutional duties, during which time salary and financial remuneration will be determined in accordance with the circumstances. The reason for this is threefold: (1) to give the college and the individual time to make careful decisions regarding future employment, (2) to recognize that in some situations the college would not be best served by a person struggling with a recent separation or pending divorce, (3) the faculty or staff member may need time away from regular responsibilities to process the impact of the situation.

Should the college determine that an employee has violated the Standard of Conduct regarding divorce, appropriate disciplinary action may be taken up to and including the termination of employment.

Personal Appearance

Section 3.13 • Revised: September 5, 2016

There is no formal dress code that can reasonably be applied to all Oak Valley College employees. However, employees are expected to dress in a manner that is appropriate to their occupation and position in the college and the work environment of a Christian college.

Dressing in a fashion that is unprofessional, unsafe, or which negatively affects Oak Valley College's ministry or reputation by undermining public or student confidence is not acceptable.

For certain positions, there may be more specific guidelines for suitable appearance.

Visitors

Section 3.14 • Revised: September 5, 2016

From time to time, business or personal needs may require that acquaintances, friends, or relatives visit the campus and, more specifically, an employee's department. Occasional visits are generally welcome, so long as they are not disruptive to the work that is being done. For safety, insurance, and other business considerations, visitors present for non-business reasons—friends, adult relatives, children—should not spend extended periods of time in work areas.

Conflict of Interest

Section 3.15 • Revised: September 5th, 2016

In the interest of operating the college in a way that exercises good stewardship of its funds and good faith in its business transactions, certain guidelines must be observed by employees in the performance of financial and other transactions.

Overall Expectation

Oak Valley College employees are to refrain from placing themselves, or allowing themselves to be placed in situations in which their judgment or actions on behalf of the college may be affected by personal considerations, or in which their loyalty or stewardship to the college may be compromised. The list of situations below illustrates and further defines this expectation, but is not intended to be all-inclusive. Employees facing circumstances which may be in difference to this overall expectation, but which are not specifically covered below, should discuss their situation with an administrator.

Gifts/Services

Oak Valley College employees may not accept gifts, gratuities, entertainment or favors, discounts, and services, the value or significance of which might reasonably be expected to interfere with the exercise of independent and objective judgment. Acceptable gifts should be of nominal value—generally under \$50—and be usable in one's work, rather than strictly of a personal nature.

Honoraria

Employees may accept and retain honoraria with the condition that, if the college has incurred expenses (travel, lodging, etc.) in connection with the activity generating the honorarium, the honorarium be used in whole or part to offset those expenses.

Outside Activities

Employees may accept appropriate opportunities for participation and service in ministry, humanitarian, civic, community and professional enterprises that are not incompatible with the performance of their assigned responsibilities. Participation in outside activities should occur outside normal work hours; however, if an employee wishes to attend a special function associated with this service, prior supervisory approval to be absent from work is required.

Outside Employment/Organizations

The college is open to employees accepting outside work in the form of a second job or a self-employed business activity, provided that it does not result in the following:

- Interference with an employee's regular work hours
- A negative effect on the performance of regular work duties
- The employee being at risk of an accident through fatigue or other conditions

On occasion it may be beneficial for Oak Valley College to partner with an outside organization to co-sponsor an event or activity. The responsible administrator must approve all such arrangements in advance. This is particularly important if the Oak Valley College employee making such arrangements is also affiliated with that organization. Oak Valley College employees who are affiliated with other organizations must exercise caution to avoid sharing or using confidential or privileged information acquired in the course of their employment. Such information may include private information regarding other employees, donor lists or contacts, or any information covered under FERPA.

Purchases

Employees with signature authority for purchasing should ensure that all purchases of goods and services be made on the basis of the best competitive value available to the college. In determining value, consideration should be given to price, quality, and service. Purchases from a self-owned business, a relative, a business owned by a relative, or from any organization in which an employee has a financial or other special interest should be avoided. Employees may not purchase any goods or services or in any way obligate the college for any goods or services purchased, unless approval has been granted an administrator.

Affirmation of compliance with the conflict of interest guidelines is required of all officers, managers, faculty, and staff as applicable to their particular position and associated responsibilities.

Annual Disclosure Requirement for Executive-Level Employees

To comply with IRS regulations governing non-profit organizations, employees in key positions will be surveyed annually to affirm their continued compliance with this policy and that they do not have a financial, business, or personal interest that is in conflict or appears to be in conflict with the interests of the college. For the purpose of this policy, key positions are executive-level positions.

Personal Use of Phones and Computers

Section 3.16 • Revised: September 5th, 2016

Employees are generally allowed to take advantage of Oak Valley College resources when such use does not present more than a nominal cost to the college in terms of money, materials, or productivity. In some cases, use of resources is allowed with an established fee structure (e.g., hosting outside groups in Oak Valley College facilities). In all cases, the use of Oak Valley College property or resources is not permitted for purposes that may be deemed as inconsistent with Oak Valley College's Mission, Doctrinal Statement, or Standard of Conduct. Use of any equipment other than that outlined below should be cleared with a supervisor.

Personal Use of Copiers and Printers

Personal use of these resources, including photocopying or printing of personal materials (including academic coursework) is allowed as long as the employee uses reasonable discretion regarding limiting the amount of use and restricts usage to non-working hours. Reasonable use would limit the employee to one dozen copies.

Compliance with Non-Discrimination Laws and Regulations

Section 3.2 • Revised: September 5th, 2016

Oak Valley College operates in compliance with all applicable federal and state non-discrimination laws and regulations in conducting its programs and activities and in its employment decisions. Such laws and regulations include:

1. Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, and national origin in the programs and activities of the college. This policy of non-discrimination also complies with Internal Revenue Service Revenue Ruling 71-447 required for maintaining the college's tax-exempt status.
2. Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on sex, race, religion, color, or national origin.
3. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the recruitment and admission of students, the recruitment and employment of faculty and staff, and the operation of its programs and activities.
4. The Americans with Disabilities Act of 1990 (Public Law 101-336), the purpose of which is to afford the disabled equal opportunity and full participation in life activities and to prohibit discrimination based on disability in employment, public service, public accommodations, telecommunications, and transportation.
5. The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in programs and activities of the college.

6. The Age Discrimination in Employment Act of 1967, which prohibits discrimination against persons aged 40 and over regarding employment decisions.

7. Title IX of the Education Amendments of 1972, which prohibits all forms of discrimination on the basis of sex (including sexual harassment and sexual assault) in programs and activities of the college, except where the college has been granted exemptions based on its religious tenets.

8. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC §1092(f)) (“Clery Act”) which requires colleges and universities to disclose information about crime on and around their campuses. This includes recent amendments to the Clery Act under the Campus SaVE Act and Violence Against Women Act, which deals with incidents of sexual assault, domestic and dating violence, and stalking.

As a religious institution, the college is exempted from certain provisions of the above laws and regulations relating to discrimination on the basis of religion.

Policies and Procedures Regarding Discrimination, Sexual misconduct, Domestic & Dating Violence, and Stalking (“Policy”)

I. Non-discrimination Policy

The college deplores the unfair treatment of individuals based on race, color, national origin, sex, socio-economic status, age, disability, or cultural differences regardless whether such treatment is intentional or simply resultant from careless or insensitive behavior. Rather, employees and members of the student body should embrace the expectation of Scripture to love God with all their being and their neighbors as themselves.

II. Sexual Misconduct Policy

It is the policy of Oak Valley College to maintain the college environment as a Christian community that provides a place for spiritual growth, work, and study free of all forms of sexual intimidation and exploitation. All students, staff, and faculty should be aware that the college is prepared to take action to prevent such intimidation and exploitation and that individuals who engage in such behavior are subject to discipline.

“Sexual misconduct” can include sexual harassment, sexual violence, domestic and dating violence, and stalking.

- A. **Sexual harassment:** Sexual Harassment can vary with particular circumstances, but, generally, it is defined as unwelcome or offensive sexual advances, requests for sexual favors, unwanted or uninvited verbal suggestions or comments of a sexual nature, or objectionable physical contact. This includes suggestions that academic or employment reprisals or reward will follow the refusal or granting of sexual favors, or conduct that unreasonably interferes with an individual’s work or academic performance or creates an intimidating, hostile, or offensive work environment.
- B. **Sexual Violence:** Sexual violence as used in this policy refers to physical sexual acts perpetrated without the affirmative consent of the parties or where a person is incapable of giving consent and includes, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. For additional information and definitions on sexual assault, please refer to section VII of this policy.

- C. **Domestic Violence, Dating Violence, and Stalking:** Incidents of domestic Violence, dating violence, and stalking are also processed under this policy. For definition and additional information on domestic violence, dating violence, and stalking, please refer to section VII of this policy.

None of these actions reflect a Christian attitude or commitment and adversely affect the working or learning environment. All forms of sexual misconduct constitute violations of the college's spiritual expectations and standards of conduct for the college community; and such misconduct will not be tolerated. Any individuals engaging in such conduct may also be personally liable in legal action brought against them and/or prosecuted for criminal violations.

Pursuant to the procedures set forth in this Policy, the college will thoroughly investigate all reports of sexual misconduct, domestic violence, dating violence, and stalking and will take whatever corrective action is deemed necessary, including disciplining or discharging any individual who is found to have violated the prohibitions against such conduct. The reporting student or employee will be informed of the action taken. The appropriate college officials will also take action to protect the reporting student or employee to prevent further misconduct or retaliation, and as appropriate, to redress any harm done. A student or employee who feels that he or she has been sexually harassed, assaulted, or the victim of domestic violence, dating violence, or stalking involving sexual assault or sexual harassment may meet with a person(s) designated in this Policy to work for resolution in such situations.

III. Responsible Employees Under Title IX

Under Title IX, certain individuals employed by the college are considered "responsible employees." These responsible employees are obligated to report incidents of alleged sexual misconduct that they become aware of. According to guidance from the U.S. Department of Education, a responsible employee includes any employee who has authority to take action to redress sexual violence; has been given the duty of reporting incidents of sexual violence or other misconduct by students to a person whom a student could reasonably believe has this authority or duty. At Oak Valley College, responsible employees are defined as all regular and adjunct faculty members, academic administration personnel, all staff personnel director level and above, and any employee who is supervising student employees. All other employees and all students are also strongly encouraged to share any incidents of alleged sexual violence that they become aware of to an administrator.

Procedure for Processing Complaints of Unlawful Discrimination, Including Sexual Harassment and Sexual Assault

I. Intent of the Procedure

Oak Valley College is committed to maintaining the college environment as a Christian community that provides a place for spiritual growth, work, and study free of all forms of prohibited discrimination, sexual misconduct, domestic violence, or stalking. It is the intent of these procedures to allow for the prompt and equitable resolution of all Complaints. This policy and the procedures for the processing of Complaints are intended to comply with Title IX, the guidance issued by the White House Task Force to Protect Students from Sexual Assault, the guidance issued by the Department of Education's Office for Civil Rights, the requirements of the Campus SaVE Act (and the Violence Against Women Act), and the provisions of California Education Code Section 67386.

II. General Provisions

A. Coverage:

These procedures apply to the processing of Complaints arising from alleged violations of this Policy with regard to prohibited discrimination, sexual misconduct, domestic violence, dating violence, or stalking that also involve some form of sexual misconduct are considered Complaints subject to Title IX jurisdiction. Complaints involving allegations of domestic violence, dating violence, or stalking that do not involve some form of sexual misconduct are not considered Complaints subject to Title IX jurisdiction, however, these procedures will also apply to such Complaints. Accordingly, any student, applicant for admission, employee, or applicant for employment (administrative staff or faculty) who believes that he or she is a victim of discrimination, sexual misconduct, domestic or dating violence, or stalking may file a Complaint under these procedures. Student or employee Complaints based on grounds other than discrimination or sexual misconduct, domestic or date violence, or stalking should be pursued under the grievance and appeal procedures.

B. Definitions:

1. Complainant: The Complainant is an individual or group of individuals who believe that prohibited discrimination, sexual misconduct, domestic violence, dating violence, or stalking may have or has occurred.
2. Respondent: The Respondent is an individual or group of individuals against whom an allegation of prohibited discrimination, sexual misconduct, domestic violence, dating violence, or stalking is made.
3. Complaint: A Complaint is an allegation that a student, employee, or applicant for admission or employment has been subjected to prohibited discrimination, sexual misconduct, domestic violence, dating violence, or stalking
4. Preponderance of Evidence: Standard of determining the outcome of a Complaint. Preponderance infers that "it is more likely than not," that the alleged incident did or did not occur.

C. Support:

The President and Executive Vice President maintains authority over the compliance and adjudication of all Title IX Complaints and all other Complaints of unlawful discrimination under this procedure with the exception of any Complaint of unlawful discrimination based on disability.

Students who believe they have experienced a violation of this Policy are encouraged to seek assistance.

E. Related Violation of Standards of Conduct:

Sometimes an individual may be reluctant to report an instance of sexual misconduct because of the fear of being charged with a violation of the college's Standard of Conduct, such as the use of alcohol or drugs. The college's primary concern is for the safety of its students and employees and, accordingly, the college encourages individuals to report instances of sexual misconduct and will

take into consideration the importance of reporting such instances in addressing a violation of Standards of Conduct. Any such violations of the Standards of Conduct will be addressed separately from the alleged sexual misconduct. Whenever possible the college will respond educationally rather than punitively to a violation of the Standards of Conduct associated with an instance of sexual misconduct.

F. Retaliation Prohibited:

Any retaliatory action of any kind by an employee or student of the college against any other employee, student, or applicant of the college as a result of that person's seeking redress under this Policy, cooperating with an investigation, or other participation in these procedures is prohibited and may be regarded as the basis for disciplinary action. As such, if a student, parent, teacher, coach, or other individual complains formally or informally about sexual misconduct, domestic violence, dating violence, or stalking or participates in a college investigation related to such matters, the college is prohibited from retaliating (including intimidating, threatening, coercing, or in any way discriminating against the individual) because of the individual's Complaint or participation.

Also, the college recognizes that Complaints of discrimination, sexual misconduct, domestic violence, dating violence, or stalking may be followed by retaliation against the Complainant or witnesses by the Respondent or his or her associates. When the college knows or reasonably should know of possible retaliation by other students or third parties, it will take immediate and appropriate steps to investigate or otherwise determine what occurred, protect the Complainant and witnesses, and ensure their safety as necessary. At a minimum, this includes making sure that the Complainant and witnesses know how to report retaliation by school officials, other students, or third parties by making follow-up inquiries to see if there have been any new incidents or acts of retaliation and by responding promptly and appropriately to address continuing or new problems. Furthermore, the college will also inform Complainants and witnesses that Title IX prohibits retaliation and that college officials will not only take steps to prevent retaliation, but will also take strong responsive action if it occurs.

G. Privacy:

The privacy and confidentiality of the parties shall be maintained to the extent possible during the processing of a Complaint. For further information and identification of confidential resources for reporting of Complaints, see the section entitled "Confidentiality/Legal Reporting Requirements" in Part III of this Policy.

The college's response may be hindered and limited with a Complainant desiring anonymity and/or inaction. The college may be obliged to pursue an alleged sexual misconduct through internal disciplinary procedures without the cooperation of the Complainant. In such instances, the college will inform the Complainant of its obligation to address a community safety issue.

H. Resolution Options:

Individuals are encouraged to use this procedure to resolve their Complaints of unlawful discrimination or sexual misconduct. However, they may also file a Complaint at the beginning, during, or after use of Oak Valley College's Complaint procedure with:

U.S. Department of Education

Office of Civil Rights

50 Beale Street, Suite 7200

San Francisco, CA 94105

or

U.S. Equal Employment Opportunity Commission

Roybal Federal Building

255 East Temple St., 4th Floor

Los Angeles, CA 90012

In addition, for Complaints concerning the college, including Complaints related to institutional policies or procedures, an individual may contact the Bureau for Private Postsecondary Education for review of a Complaint:

Bureau for Private Postsecondary Education

2535 Capitol Oaks Drive, Suite 400

Sacramento, CA 95833

www.bppe.ca.gov

Phone: (916) 431-6924

Fax: (916) 263-1897

III. Processing of a Complaint

Any person who believes he/she has been subjected to prohibited discrimination, sexual misconduct, domestic violence, dating violence, or stalking may file a Complaint. All individuals are encouraged to file a timely Complaint. The college's ability to investigate and respond effectively may be reduced with the passage of time.

If an individual requests that the college not investigate or seek action against the Respondent, the college will need to determine whether or not it can honor such a request while continuing to provide a safe and nondiscriminatory environment for all individuals, including the individual who reported the incident. The college will consider the following factors in weighing an individual's request not to investigate or seek action:

1. Circumstances that suggest there is an increased risk of the Respondent committing additional acts of sexual violence, sexual harassment, sexual assault, domestic violence, dating violence, stalking, or other violence against the Complainant or others in the college community, such as:

- a. Whether there have been other Complaints of sexual violence, sexual harassment, sexual assault, domestic violence, dating violence, stalking, or other violence about the same Respondent.
 - b. Whether the Respondent has a history of arrests or records from a prior school indicating a history of violence.
 - c. Whether the Respondent threatened further sexual violence, sexual harassment, sexual assault, domestic violence, dating violence, stalking, or other violence against the Complainant or others.
 - d. Whether the sexual violence, sexual harassment, sexual assault, domestic violence, dating violence, stalking, or other violence was committed by multiple people
2. Circumstances that suggest there is an increased risk of the Respondent committing additional acts of sexual violence, sexual assault, domestic violence, dating violence, stalking, or other violence under similar circumstances at a given location or by a particular group (e.g., whether the report reveals a pattern of perpetration).
 3. Whether the sexual violence, sexual harassment, sexual assault, domestic violence, dating violence, stalking, or other violence was perpetrated with a weapon.
 4. The age of the student subjected to the sexual violence, sexual harassment, sexual assault, domestic violence, dating violence, stalking, or other violence.
 5. Whether the college possesses other means to obtain relevant evidence (e.g., security cameras, physical evidence).

Additionally, individuals are strongly encouraged to report alleged incidents of sexual misconduct, domestic violence, dating violence, or stalking immediately to local law enforcement. It is the individual's decision whether or not to file a police report or to pursue civil action against the Respondent. (See section VII of this policy for further guidance.)

Individuals will have access to support and referral services on campus regardless of whether or not he/she decides to report the incident to local law enforcement.

IV. Informal Procedures

The college may counsel individuals to pursue an informal process to resolve charges of prohibited discrimination, sexual misconduct (not including allegations of sexual violence), domestic violence, dating violence, or stalking. **The informal procedure is not appropriate for cases of alleged sexual misconduct involving sexual violence. In pursuing an informal procedure, the college may seek outside counsel for support in administering an effective information process of adjudication.**

V. Formal Procedures

In all cases of alleged sexual misconduct involving sexual violence or in other situations where informal Complaint procedures fail to satisfactorily resolve the matter, the Complainant may initiate a Complaint with the President or Executive Vice President. Complainants are encouraged to submit Complaints in written form. Similar to the Informal Procedures, if the college becomes aware of a

situation that may be considered a violation of this Policy and the alleged victim has not come forward, the President or Executive Vice President will initiate a Process with that person. If the situation involves an alleged sexual assault, domestic violence, dating violence, or stalking local law enforcement will be consulted.

- A. On the Prohibited Discrimination or Sexual Misconduct Complaint, the Complainant shall submit a detailed account of the alleged prohibited discrimination or sexual misconduct and the action the Complainant requests to resolve the matter. All Complaints shall, where known, provide at least the name(s) of the individual(s) involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged prohibited discrimination or sexual misconduct. Names, addresses, and phone numbers of witnesses or potential witnesses should also be included, if possible.
- B. Within five (5) working days after the receipt of the Complaint, the President will review the Complaint to determine whether it describes the kind of prohibited discrimination or sexual misconduct that may violate college policy and may be subject to these procedures and whether the Complaint sufficiently describes the facts of the alleged misconduct.

If the complaint does not describe the kind of prohibited conduct the college investigates under these procedures, the Complainant will be notified and will be referred to the appropriate process. If the Complaint does not sufficiently describe the facts giving rise to the Complaint so that a determination can be made regarding the applicability of the policy/procedures under this section to the alleged misconduct, the Complaint will be returned and the Complainant will be invited to submit an amended Complaint providing enough factual detail to allow the above determination to be made.

- A. Within ten (10) working days of receiving the Complaint or amended Complaint, the President shall act as investigator or shall appoint one or more investigators to act alone, together, or in conjunction with the President to investigate the charges and shall notify the Respondent that a Complaint has been received and a formal investigation has begun.

For allegations involving sexual misconduct, the appropriate Title IX Coordinator will determine whether “interim actions” should be taken. This process seeks to assess the need to remove any person from campus deemed an immediate threat or danger to any member of the campus community or to take other temporary actions to protect the safety of the Complainant. The college will investigate claims of sexual misconduct even if the Complainant does not wish to pursue disciplinary or legal action. Additionally, if the Complainant desires to press legal charges, local law enforcement may also conduct a formal investigation.

- A. The investigator(s) shall commence an investigation of the Complaint within ten (10) working days of the filing of a Complaint or the referral of the Complaint to formal Complaint process. The investigator(s) shall meet with the Complainant to review:
 - 1. the nature of the Complaint,

2. provide the Complainant with a copy of this Policy/Procedures if needed;
and
3. identify the scope and nature of the investigation.

The investigator(s) shall also meet with the Respondent to:

1. present a copy of the Complaint,
2. present a copy of this Policy/Procedures if needed,
3. receive the Respondent's answer to the Complaint, and
4. review with the Respondent the scope and nature of the investigation.

Any written response from the Respondent shall be given to the Complainant.

- A. The investigator(s) shall thoroughly investigate the Complaint. Prior to completing the investigation, the investigator(s) may have additional meeting and communications with the Complainant and/or the Respondent to give an overview of the steps taken during the investigation, to ask the Complainant and the Respondent for the names of any others the investigator(s) should speak with and to request any additional information.
- A. The investigator(s) will prepare a report with a summary of the relevant information, testimony, and other facts concerning the Complaint.
- A. After completion of the investigation, the following team of three persons will be responsible for reviewing the report and evidence, making factual determinations, and reaching a conclusion (by majority vote) regarding the Complaint and appropriate disciplinary sanction, if any:
 1. A senior administrator (not the President)
 2. Faculty member.
 3. Faculty member or staff member.
- A. Within sixty (60) calendar days of receiving the Complaint, the investigation shall be completed and a determination shall be made by the decision-making team. A Preponderance of Evidence Standard will be utilized. The President or his/her designee shall concurrently forward to the Complainant and Respondent all of the following:
 1. a summary of the investigative report; and
 2. a written notice setting forth:
 - a. the findings of the decision-making team as to whether a violation of the Policy did or did not occur with respect to each allegation in the Complaint;

- b. a description of actions taken, if any, to remedy any violation of the Policy that occurred and to prevent similar problems from occurring in the future;
- c. the Complainant's and Respondent's right to appeal the determination in accordance with Section VI of this Policy.

VI. Appeal Rights

- A. If the Complainant or Respondent is not satisfied with the results of the decision, the Complainant or Respondent may appeal the determination by submitting a written appeal to the President within ten (10) calendar days of the receipt of the determination by the decision-making team. Except as required to explain the basis of new information, an appeal shall be limited to a review of the investigative report, finding of the decision-making team, and supporting documents for one or more of the following purposes:
 - 1. To determine whether a procedural error occurred that may have affected the outcome of the decision. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - 2. To consider substantive new evidence that was not available at the time that the original decision was reached and that may be sufficient to change the outcome of the decision.
 - 3. To determine whether the sanction(s) imposed were appropriate for the violation that the Respondent was found to have committed.
 - 4. To determine whether the decision reached was based on substantial information, that is, whether there were facts in the case that, if believed by the decision-making team, were sufficient to establish that a violation of the policy occurred based upon a Preponderance of the Evidence Standard.
- A. The appeal shall be considered by the following individual(s):
 - 1. Senior administrator
 - 2. Faculty member
 - 3. Staff or administrator

Note: In cases where one of these individuals is unavailable or is unable to serve due to a conflict of interest, an alternate person will be designated by the President.

Note" Any interim sanctions that are in place shall continue pending the outcome of the appeal process unless circumstances require a re-evaluation and modification of the sanctions as determined by the President.

- A. Within thirty (30) calendar days of receiving the appeal, the designated official(s) will review the investigative report, evidence, sanctions (if any), and the process that was followed and render a decision to sustain or modify the original decision. This will be the final decision of the college on the matter.

VII. Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Sexual violence is a criminal act that violates the standards of our community and is unacceptable at the college. Sexual violence can be devastating to the person who experiences it directly and can be traumatic to the person's family, friends, and larger community as well.

In addition to the above policy regarding sexual misconduct, the following information is meant as an additional resource for individuals involved in an incident of sexual violence. The Violence Against Women Act requires the college to follow certain disciplinary procedures in cases of alleged sexual assault, domestic violence, dating violence, and stalking. As such, in addition to the procedures described in Sections V and VI above, the procedures and information described below apply in cases of alleged sexual assault, domestic violence, dating violence, and stalking. Following an allegation of sexual assault, domestic violence, dating violence, or stalking, the protective measure that the college may offer include:

- Adjusting a student's work schedule for college employment
 - Changing a student's academic schedule
 - Allowing a student to withdraw from or retake a class without penalty
 - Providing access to other academic support
 - Issuing a "no contact" directive
 - Issuing a "no trespass" directive
 - Enforcement of the college's anti-retaliation policy, which prohibits retaliation against a person for complaining of sex-based incidents
- A. The college may impose any one or more of the following sanctions following the results of a disciplinary procedure for an allegation of sexual assault, domestic violence, dating violence, or stalking:
 - Reprimand/warning
 - Changing the Respondent's academic schedule
 - Disciplinary probation
 - Revocation of honors or awards
 - Restricting access to college facilities or activities (including student activities and campus organizations)

- Community service
- Issuing a “no contact” directive to the Respondent or requiring that such an order remain in place
- Dismissal or restriction from college employment
- Suspension (limited time or indefinite)
- Expulsion

In addition to above sanction(s) (except where the sanction is dismissal from employment or student expulsion), the college may require the Respondent to receive appropriate education and/or training. The college may also recommend counseling or other support services for the Respondent.

A. When an allegation of sexual violence, domestic violence, dating violence, or stalking is involved, the procedures set forth in Section V (to the extent they are not already addressed in Section V) will also include the following:

1. A prompt, fair, and impartial process from the initial investigation to the final result, which shall include a proceeding that is:

- a. Completed within reasonably prompt timeframes, allowing for an extension of timeframes for good cause;
- a. Conducted in a manner that:
 - i. Is consistent with the college’s policies and transparent to the Complainant and the Respondent,
 - ii. Includes timely notice of meetings at which the Complainant or the Respondent, or both, may be present, and
 - iii. Provides timely and equal access to the Complainant, the Respondent, and appropriate official to any information that will be used before any disciplinary action or appeal hearing; and
 - iv. Provides the Complainant and Respondent with equal opportunities to have others present at any meeting or disciplinary proceeding, including an advisor of their choice.
- a. Conducted by officials who are appropriately trained and who do not have a conflict of interest or bias for or against the Complainant or the Respondent.

Definitions:

The following terms are used as defined below by the college in our policy and procedures.

Consent: The State of California has adopted an affirmative consent standard in the determination of whether consent was given by both parties to sexual activity. “Affirmative consent” means

affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

In addition, in the evaluation of Complaints in any disciplinary process:

1. It shall not be a valid excuse to alleged lack of affirmative consent that the Respondent believed that the Complainant consented to the sexual activity under either of the following circumstances:
 - a. The Respondent's belief in affirmative consent arose from the intoxication or recklessness of the Respondent.
 - b. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented.
1. It shall not be a valid excuse that the Respondent believed that the Complainant affirmatively consented to the sexual activity if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:
 - a. The Complainant was asleep or unconscious.
 - b. The Complainant was incapacitated due to the influence of drugs, alcohol, or medication so that the Complainant could not understand the fact, nature, or extent of the sexual activity.
 - c. The Complainant was unable to communicate due to a mental or physical condition.

Sexual Assault: The term "sexual assault" is used to mean an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the Federal Bureau of Investigation's Uniform Crime Reporting program.

Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object or oral penetration by a sex organ of another person, without the consent of the victim.

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

Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence: The term “domestic violence” means a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred: or
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purpose of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Stalking: The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

For the purpose of this definition:

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

- “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

College and Community Resources:

The needs of someone who has experienced sexual assault, domestic violence, dating violence, or stalking vary from person to person and may vary over time. The college offers services and external resources, many of which may be accessed 24 hours a day, so that a person may choose what he or she would find most helpful and healing.

The college urges anyone who has experienced sexual assault, domestic violence, dating violence, or stalking to seek professional support as soon as possible to minimize and treat physical harm, assist with processing the unique and complex emotional aftermath, and help preserve and understand options for legal recourse including criminal prosecution and/or civil litigation. Even if the victim does not wish to report the event to the police or pursue civil litigation or formal college action, seeking medical attention as soon as possible is important. At any point that an individual is ready to come forward, Oak Valley College is prepared to help him or her.

Other Available Resources:

National Sexual Assault Hotline: 1-800-656-HOPE

Sexual Assault Crisis Hotline 24 hour: 714-957-2737

Local hospitals that have a SART (Sexual Assault Response Team):

Confidentiality/Legal Reporting Requirements:

The college will make every reasonable effort to preserve an individual’s privacy and protect the confidentiality of information related to sexual assault. The degree to which confidentiality can be protected, however, depends upon the professional role of the person being consulted. The professional being consulted should make these limits clear before any disclosure of facts. An individual can speak confidentially with certain persons in legally protected roles. They include counselors at the Oak Valley College Counseling Center, medical clinicians, clergy, and sexual assault counselors. Exceptions to maintaining confidentiality are set by law; for example, physicians and nurses who treat a physical injury sustained during sexual assault are required to report to law enforcement. Also, physicians, nurses, psychologists, psychiatrists, and social workers must report a sexual assault committed against a person under 18 years of age to a child protective agency. Information shared with other individuals is not legally protected from being disclosed.

Any requests for information by the press or other parties concerning incidents of sexual assault should be directed to the Oak Valley College Communications and Marketing office.

Statements on Human Sexuality and Transsexualism and Transgenderism

Section 3.21 • Revised: September 5th, 2016

In keeping with our mission and our commitment to biblical fidelity, all members of the college community are expected to follow the teaching of Scripture. We believe that the only authoritative and trustworthy norm for proper moral judgments is what God has revealed in his Word. Therefore, Oak Valley College affirms that sexual intimacy is designed by God to be expressed solely within a marriage between one man and one woman. This view of sexuality and marriage is rooted in the Genesis account of creation, reflected in the teachings of Jesus Christ himself, and is maintained consistently throughout Scripture. It is a view based on the biblical teaching of monogamy -- that God designed sexual union for the purpose of uniting one man and one woman into a permanent, lifelong, one flesh union in the context of marriage. Thus, God's design for marriage and sexuality is the foundational reason for viewing acts of sexual intimacy between a man and a woman outside of marriage, and any act of sexual intimacy between two persons of the same sex, as illegitimate moral options for the confessing Christian. Sexual relations of any kind outside the confines of marriage between one man and one woman are inconsistent with the teaching of Scripture, as understood by Christian churches throughout history. Therefore, as part of living out a consistent, biblical spirituality, one dedicated to the pursuit of Christ-likeness, all members of the college are expected to avoid sexual intimacy outside of marriage and to refrain from encouraging the same in others.

Oak Valley College's position statement regarding transgenderism, gender identity, and gender expression is grounded in our long-standing institutional religious identity. This identity, in turn, is grounded in the teachings of the Bible as understood in the Protestant Evangelical theological tradition. We follow Christ's example to love all persons, understanding such love in the context of God's revealed truth. We affirm that God's original and ongoing intent and action is the creation of humanity manifest as two distinct sexes, male and female. We also recognize that due to sin and brokenness in our world, our experience of sex and gender is not always that which God the Creator originally designed. With this foundational understanding of creation, fall, and redemption, our goal is to come alongside as a loving and accepting community anyone who is experiencing gender identity discordant with their birth sex. We do not affirm theologically the tension between one's biological sex and one's experience of gender by the adoption of a psychological identity discordant with one's birth sex. Similarly, we do not affirm attempts to change one's given biological birth sex via medical intervention in favor of the identity of the opposite sex or of an indeterminate identity. We will make institutional decisions in light of this policy regarding employment, hiring, retention, and other employment matters. We reserve the latitude to make reasonable judgments about issues outside the explicit bounds of these specified policies based on our Articles of Faith, Theological Distinctives, and Standard of Conduct.

Drug Prevention Program

Section 3.3 • Revised: September 5th, 2016

The Drug-Free Schools and Communities Act requires colleges and universities that receive federal grant funds, allocated for campus-based programs (such as the Perkins Loan, College Work-Study, and Supplemental Educational Opportunity Grant programs), to implement the regulations of the

act. The goal of these regulations is the maintenance of a drug-free workplace. Compliance with the requirements of the act is necessary to keep federal aid money available to Oak Valley College students. What follows is the required notice to employees of the steps Oak Valley College will take in order to comply with the act.

The Dangers of Drug Abuse in the Workplace

The illicit use of controlled substances and the abuse of alcohol and legal drugs, while on the job, can result in serious injury to the drug user and fellow workers. The abuse of drugs and alcohol has been proven to impair the coordination, reaction time, emotional stability, and judgment of the user. This could have tragic consequences where demanding or stressful work situations call for quick and sound decisions. Serious injury or fatality of the drug abuser, other employees, or our clientele could result from the actions (or lack thereof) by an employee under the influence of drugs or alcoholic beverages.

Known health risks, resulting from the use of illicit drugs and/or alcohol, include damage to respiratory and immune systems, malnutrition, seizures, loss of brain function, liver and kidney damage, and a variety of other possible consequences.

In addition to these physical dangers, an employee becomes subject to emotional trauma and workload hardships when he/she must work in the same department as a drug or alcohol abuser who is under the influence of those substances. Neither the abusers, their fellow workers, our clientele, nor this institution are well served when substance abuse occurs on the job.

Policy

Oak Valley College's policy is that the workplace be free of illicit drugs and alcoholic beverages and free of their use. The college wishes to provide a drug-free workplace for its employees. The on-campus manufacture, distribution, dispensing, possession, or use of a controlled substance is unlawful, violates the college Standard of Conduct and is therefore prohibited.

Treatment Program

Any employee with a drug or alcohol problem may receive limited free counseling by qualified Oak Valley College counselors and/or be referred to an outside counseling or treatment service. The President will direct the employee to any appropriate counseling agency.

Legal Sanctions

The California Penal Code states that "every person who possesses any controlled substance may be punished by imprisonment in the state prison or county jail," and that "every person who possesses for sale or purchases for sale any controlled substance may be punished by imprisonment in the state prison or county jail." Violation of federal statutes governing the possession and sale of controlled substances is punishable by imprisonment and/or fines or confiscation of personal property associated with the sale or possession of controlled substances.

Disciplinary Action

Employees found to have violated the tenets of this policy are subject to disciplinary action, up to and including the suspension or termination of employment. A review by the President of the nature of the violation will determine the particular action to be taken.

Employment Conditions

To become or remain an employee of Oak Valley College, an employee must agree to abide by this policy and agree to notify the President within five working days if he/she were legally convicted of a drug violation that occurred while on the job at Oak Valley College.

Injury/Illness Prevention Program

Section 3.31 • Revised: September 5th, 2016

The safety and health of employees is an Oak Valley College priority. The college strives to comply with all federal and state workplace safety requirements and enacts other measures, as required, to minimize the risk of injury or illness resulting from work or the work environment.

In accordance with Oak Valley College's written Injury and Illness Prevention Program, jobs are periodically reviewed for potential work hazards or hazardous conditions. These evaluations shall be done as required and many include the employee, the employee supervisor, or a safety professional. Each job that may present a hazard shall have a written Job Hazard Analysis or an ergonomic workstation evaluation.

The college's safety program may include one or more of the following:

- a new employee safety orientation training;
- a Job Hazard Analysis;
- a workstation ergonomic evaluation;
- hands-on, written, video, classroom, and computer training of employees;
- and periodic inspections of work areas and job functions.

Supervisors are directly responsible for seeing that each employee under his/her supervision uses only safe procedures and equipment and that each employee has received appropriate training for their job assignments and tools used in the performance of that job. Supervisors are also responsible for developing proper attitudes and healthy awareness toward safety, both in themselves and in those in their area of responsibility.

As they are able to do so themselves, supervisors are expected to correct any hazardous condition or practice in their departments that comes to their attention. If correction of the safety problem is beyond the supervisor's ability to correct, the supervisor must immediately terminate any hazardous work and report the safety problem to the President.

Employees are asked to report a work hazard or unsafe condition or practice either directly to their supervisor or anonymously to the President. Oak Valley College will not tolerate the subjecting of an

employee to any form of reprisal or discrimination from his/her supervisor for reporting an unsafe condition or practice, an unrecognized hazard, or a suggestion to improve workplace safety.

Corrective disciplinary action may be taken if:

- an employee knowingly violates departmental or institutional safety rules.
- an employee is injured or causes someone else to be injured as a result of dangerous horseplay.
- an employee or an employee supervisor engages in reprisals or discrimination of a coworker because the co-worker has reported an unsafe condition or practice or an unrecognized hazard.
- a supervisor fails either to correct or report for correction, in a reasonable time frame, an unsafe departmental condition or practice of which he/she has knowledge.
- a supervisor knowingly exposes an employee to imminent danger from serious hazards.

Oak Valley College desires that all facilities of this institution be safe for use by all authorized faculty, staff, students, and visitors. In striving to reach institutional objectives, the safety of the individual must have precedence over expediency and/or expense.

Injury/Illness

Employees should report all work-related injuries/illnesses and accidents immediately to their supervisors or the President and then follow the steps outlined in section 5.31, Workers' Compensation Insurance.

If a serious medical crisis strikes while on campus call 911. Victims with possible neck and/or back injuries should not be moved.

Any employee sustaining a minor work related injury/illness that may require first aid should report to a local healthcare provider for evaluation and/or treatment. Faculty members should report student injuries to the President. Accidents involving non-Oak Valley College personnel must be reported to the President.

Supervisors are responsible for proper and thorough documentation of all accidents, injuries, or incidents related to safety hazards or violations of safety rules.

Crime Prevention Program

Section 3.32 • Revised: September 5th, 2016

Reporting Procedures

If you observe a crime or suspicious incident, or if you notice a security problem, call 911 and notify the President. Also, dial 911 for police, fire, or medical emergencies. For non-emergency officer assistance, contact the President.

Any on-campus crime witnessed by a college student or employee must be reported to the Police and notify the President.

All college students, employees, and visitors should exercise responsibility for their own safety while on campus.

Reporting to Community

The Student Right-to-Know and Campus Security Act requires that colleges and universities receiving federal funds publish campus security policies, crime prevention programs, and specific campus crime statistics on a yearly basis. This information is available to employees and applicants for employment upon request.

Campus Security Authorities

The Student Right-to-Know and Campus Security Act requires colleges and universities receiving federal funds to notify community members as to whom is considered a "campus security authority." The U.S. Department of Education defines a campus security authority as:

1. An individual or organization specified in an institution's statement of campus security policy as the individual or organization that has significant responsibility for student and campus activities, but does not have significant counseling responsibilities.

Examples of campus security authorities include Faculty, Faculty Advisors, Directors, Deans, and Administrators. Campus Safety authorities are required to report criminal occurrences under the annual reporting and timely warning requirements of the Act. It shall be the responsibility of the President to investigate reports of criminal activity on campus.

When a serious crime occurs on the Oak Valley College campus, the campus community will be notified within a reasonable amount of time by email or text message.

Security Access

Section 3.34 • Revised: September 5th, 2016

Building & Campus Access Policies

The President is responsible for the maintenance of all campus facilities' security and access control systems to aid in providing a safe and secure environment.

Keys and Locks

All locks and keys are the sole property of Oak Valley College. Oak Valley College reserves the right to change locks and keys, as needed. No one may place a lock on a Oak Valley College facility, interior or exterior. All keys must be returned to Oak Valley College, upon termination of employment. For additional information please see Section 6.33 of the Employee Handbook.

Weapon Prohibition

Section 3.37 • Revised: September 5th, 2016

Possession of Unauthorized Weapons or Firearms: The possession or use of any type of weapon on Oak Valley College's campus is prohibited. Weapons include, but are not limited to: firearms, ammunition, air guns, spear guns, blowguns, airsoft guns, paint pellet guns, martial arts weapons, bows and arrows, crossbows, swords, knives, batons, clubs, TASERS, stun guns, and explosives of any type.

Anyone found in possession of any unauthorized weapon on campus maybe subject to disciplinary or criminal proceedings.

Corrective Action

Section 3.4 • Revised: September 5th, 2016

Philosophy

Certain standards of job performance and employee conduct are necessary if Oak Valley College is to operate effectively and fulfill its mission. When an employee's work or conduct does not meet acceptable standards, corrective action may be initiated to resolve the problem.

While the particular corrective action taken will vary according to the severity of and the circumstances surrounding a situation or incident, the general nature of corrective action is restorative. The intent is that the employee can be helped to restore his or her performance or conduct to a satisfactory level and consistently maintain that level. Sometimes certain corrective measures, including disciplinary measures, may be required in the restoration process. Dismissal may even be a necessary part of the process.

Nothing in this policy shall be construed to modify or affect in any way the "at will" employment relationship between the employee and Oak Valley College as set forth in the Employee Handbook and employment application.

Part 1: Discipline

Infractions of departmental or college general rules of conduct are addressed by disciplinary corrective action.

The standard college actions are:

- Oral reprimand
- Written warning
- Suspension from work without pay

- Dismissal

These standard actions may be modified or waived by the college in situations where other forms of action are deemed to be appropriate.

Guidelines

In order to provide guidelines for the corrective action to be taken in various situations, some "first-time" offenses have been listed in groups according to severity, along with the appropriate disciplinary action. The following is not intended to be a complete list of offenses and the seriousness of the offense or other extenuating circumstances may affect the action taken or sequence of actions taken in a particular incidence.

Group 1—Action: Oral Reprimand

- Tardiness
- Unexcused absences from work
- Violating parking rules
- Violating college safety rules
- Doing personal work during company time
- Personal phone call of excessive length during work time
- Arguing disruptively with another employee
- Loitering or loafing during work hours
- Use of abusive, obscene, profane, or blasphemous language
- Leaving the job to run errands or to go home for the day, during work hours, without permission
- Other offenses deemed to be of similar magnitude

Group 2—Action: Written Warning

- Repetition of any offense in Group 1
- Dangerous horseplay/prank
- Willfully neglecting or mishandling college machinery or other equipment
- Unexcused absence of one whole workday or more
- Threatening, coercing, or intimidating another employee while at work
- Showing insubordination to a supervisor

- Unapproved personal use of Oak Valley College resources or approved personal use without required college reimbursement—e.g., making photocopies, sending fax messages, or using a college phone to make long distance calls (in violation of department or college policy)
- Breach of college confidentiality or misuse of information
- Other offenses deemed to be of similar magnitude

Group 3—Action: Suspension of Work Without Pay For Up to Five Days or Dismissal

- Repetition of any offense in Group 2
- Falsifying a timecard
- Falsifying an expense report
- Use of liquor or drugs while on the job
- Reporting to work under the influence of liquor or illicit drugs
- Deliberate destruction of college property (tools, machinery, equipment, records) or an employee's property
- Sexual harassment
- Theft from the college or an employee
- False statements on the employment application
- Failure to reaffirm the college Doctrinal Statement or serious violation of college Standards of Conduct
- Physically assaulting an employee or student
- Other offenses deemed to be of similar magnitude

Part 2: Substandard Performance

Substandard performance corrective action applies where employee job performance is deemed to be at an unsatisfactory level in one or more significant areas.

The standard actions are:

- Oral counseling
- Written counseling
- Written warning
- Dismissal

Oak Valley College may modify these standard actions in situations where other forms of action are deemed to be more appropriate.

Guidelines

Certain examples of unsatisfactory job performance have been listed. The following list is not intended to be a complete list of types of substandard performance and the extent of the performance deficiency and other extenuating circumstances may affect the action taken or sequence of actions in a particular incidence.

Group 1—Action: Oral Counseling

- Inability to understand or follow instructions
- Inaccurate work; carelessness
- Not getting work done on time
- Not following established procedures
- Inability to get along with other employees
- Lack of necessary work skills

Group 2—Action: Written Counseling

Continuance of unsatisfactory job performance traits in Group 1

Group 3—Action: Written Warning

Further continuance of unsatisfactory job performance traits in Group 1

Group 4—Action: Dismissal

Further continuance of unsatisfactory job performance traits in Group 1

Disciplinary Action Definitions

Oral reprimand

An oral reprimand is the disciplinary censure of an employee by his or her supervisor through a conversation held in a reasonably private location, such as the supervisor's office. In the course of this conversation, the employee is told the exact nature of the offense and what the employee must do to remedy the situation. The employee is given a chance to present his/her views and to ask any questions or to ask for clarification. Although an oral reprimand can include mention of future corrective action, the major purpose of an oral reprimand is to firmly inform an employee that his/her behavior was unsatisfactory and to present the action that the employee must take to correct the problem. Formal, written documentation of an oral reprimand is unnecessary; however, informal notes may be made and retained for possible future supervisory reference in a situation where the unsatisfactory behavior seems to be part of a pattern.

Written Warning

A written warning provides written disciplinary documentation and is given by the supervisor of an offense. This documentation should include a clear description of the problem and a description of any previous oral or written counseling, reprimands, or warnings that addressed this particular problem. Also included are the steps the employee must take to correct the problem. Finally, the consequences of failure to correct the problem should be stated. This would include a warning of possible suspension without pay or a warning of possible termination, depending on the nature and history of the problem.

The employee should receive a copy of this warning and should be asked to acknowledge, in writing, at the bottom of the written warning that he/she has received a copy of the written warning. (Should an employee refuse to sign the corrective notification of disciplinary action or refuse to accept a copy of it, the supervisor should note that fact on the form.)

Suspension From Work Without Pay

Suspension from work without pay is a disciplinary action that is customarily used where severe action is called for, short of dismissal. The most common suspensions are a three-day suspension and a five-day suspension. The length is determined by the nature and history of the offense. There should be a written warning in the form of a suspension notice included in the suspension procedure. This warning should provide the employee with information as outlined under "Written Warning" (above).

Dismissal

Dismissal for disciplinary reasons is usually effective immediately. The employee may be told orally the reason(s) for the dismissal. The employee is not given a written notification; however, a "Release Notice" is completed and sent to the President.

Problems and Grievances

Section 3.41 • Revised: September 5th, 2016

When a problem arises or employees feel they have been treated unfairly, they should normally discuss it with their supervisors. Discussion usually leads to a better working relationship as well as a better working environment. If such discussion doesn't lead to a satisfactory resolution, employees can discuss their concerns with the person to whom their supervisor reports. If employees feel unsafe in discussing a situation with their supervisors or department heads, they can request assistance in resolving their concern from the President.

Supervisors have a joint responsibility to be aware of and to work together with employees to resolve such employee-supervisor matters in a mutually beneficial fashion. Employees who are unable to resolve a problem through the above procedure may discuss that problem with the President.

Whistleblower Policy

Section 3.42 • Revised: September 5th, 2016

Oak Valley College is committed to promoting compliance with applicable federal and state laws and regulations, as well as college policies and procedures. In addition, the college has a responsibility for the stewardship of college resources, including the support that enables the college to pursue its mission. As such, the college expects its employees to perform their duties in accordance with such laws, regulations, policies, and procedures.

This policy is intended to encourage and enable employees who have good-faith serious concerns about any unethical, fraudulent, or illegal conduct within the college, to report them to the college. This policy is intended to complement and supplement existing college policies and procedures. As such, it does not affect any rights, responsibilities or procedures set forth in other college policies and procedures addressing academic and disciplinary matters, grievances, and other matters as to which there are specific college policies and procedures.

This policy further serves to protect employees who report suspected violations from retaliation in any form. The college will not tolerate harassment, retaliation, or reprisals against an employee who, in good faith, makes a report of potential misconduct or cooperates with an investigation involving potential misconduct.

What Can be Reported?

This policy applies to serious concerns relating primarily to suspected or actual unethical, fraudulent, or illegal conduct that violates state or federal law or regulation or internal policy or procedure. Unethical, fraudulent, or illegal conduct generally means any willful or deliberate act performed with the intention of obtaining an unauthorized benefit by deception or other unethical or illegal means. Such conduct includes but is not limited to the following categories: (1) accounting and financial, (2) human resources, (3) information technology, (4) risk and safety matters, and (5) athletics.

This policy is not intended to address every concern that may arise in the workplace. Employees should be aware that the college has other policies and procedures and available channels of communication for reporting concerns that may not be covered by this policy and/or for which there may be more appropriate mechanisms for addressing such concerns. Also, this policy is not intended and may not be used for academic matters, personal or employment grievances, general compensation and benefit complaints, opinions on policies, etc. For these matters, employees are encouraged to bring their concerns directly to their supervisor or manager, the President, or other campus entity as appropriate. In addition, student conduct issues should be reported to the President, which has existing procedures in place to address such issues.

Also, discrimination and harassment issues usually cannot be addressed fully and appropriately when the complainant chooses to remain anonymous. Instead, these matters should be reported directly to the President or local law enforcement.

Procedure on Reporting

An individual may submit complaints, concerns, and information regarding suspected or actual unethical, fraudulent, or illegal conduct to their immediate manager or supervisor. However, if the individual is not comfortable speaking with his or her manager or supervisor, is not satisfied with their manager or supervisor's response, or if the concern relates to a particularly serious or sensitive issue, the individual may file a report to the President.

Individuals who choose to identify themselves when submitting a report may be contacted by a college representative to gather additional information. If the reporter's identity is known, the college will keep confidential all communications with the reporting individual to the extent permissible under applicable law.

When submitting a report, the individual should provide as much detailed information as possible, including the background and history of the concern, names, dates, and places where possible and the reasons why the situation is reason for concern. If an individual submits a report anonymously, it may be impossible to notify the complainant of the outcome of any investigation or actions.

Investigating Reports

Upon receipt of a report, the President will then forward the report to the individual who oversees the subject matter of the report (unless that person is named in the report). This individual will either conduct the investigation or delegate it to another person (if appropriate). If needed, an outside investigator may be used.

Please note that an investigation is not an indication of whether the alleged conduct has been confirmed or rejected. To protect individuals and the college, initial inquiries will be made to decide whether an investigation is appropriate and, if so, the form and scope of the investigation. Where appropriate, reports will be investigated promptly. To the extent practicable, investigations will adhere to the following procedures:

1. Potential witnesses will be identified and separately interviewed;
1. All relevant documents will be gathered and preserved;
1. All witnesses interviewed will be reminded of this policy; and
1. If known, the reporting party will be contacted periodically to ensure that no retaliatory actions have been taken against him or her.

Any employee who refuses to cooperate with an investigation or the foregoing procedures will be subject to disciplinary action, up to and including termination.

At the conclusion of an investigation, appropriate remedial and/or disciplinary action will be taken where allegations are verified and/or otherwise substantiated.

No record of a report concerning a particular employee and no record of any review or investigation will be placed in an employee's personnel file unless and until the employee has been found to have engaged in the alleged misconduct.

Retaliation Prohibited

The college recognizes that the decision to report a concern can be a difficult one to make, especially due to the fear of retaliation. As such, this policy prohibits the discharge, demotion, suspension, harassment, intimidation, or otherwise retaliation against an individual based on the individual's good-faith report of potential non-compliance, or based on the individual's cooperation with an investigation regarding a report of potential non-compliance. Such retaliation is prohibited regardless of whether the matter reported is substantiated.

Individuals who believe that they have been subject to any conduct that violates this policy may file a complaint using the procedures outlined above. Any employee who discriminates or retaliates against another employee as a result of his or her protected actions as described in this policy may be subject to corrective action, up to and including termination.

Sanctions for False or Malicious Allegation

All reports made under this policy in good faith will be taken seriously. However, an individual who files a report or provides evidence that he or she knows to be false or without a reasonable belief in the truth or accuracy of such information will not be protected by this policy and may be subject to corrective action, up to and including termination.

Copyright Ownership

Section 3.8 • Revised: September 5th, 2016

Oak Valley College encourages the production of creative and scholarly works, research and inventions, known broadly as intellectual property, among faculty, other employees and students. The products of this scholarship may create rights and interests on behalf of the creator, author, inventor, public, sponsor and the college.

This policy seeks to support and reward scientific research and scholarship, help faculty, students and staff identify, protect, and administer intellectual property matters, and define the rights and responsibilities of all involved. As a matter of fundamental policy, the college encourages the wide dissemination of scholarly work produced by members of the Oak Valley College community, including copyrightable works. Oak Valley College faculty, other employees and students are encouraged to retain a non-exclusive, royalty-free license in their published works that will allow the author to use the work in the course of teaching and research.

Definitions

Employees are any people employed by Oak Valley College in any capacity, whether they are faculty, staff, administration, or students and whether they are employed full-time, part-time, or in a temporary capacity.

Faculty are full-time and part-time

Independent Contractors and Consultants are non-employees hired by Oak Valley College.

Scholarly Works are works authored by employees as part of or in connection with their responsibilities, if any, in teaching, research, or scholarship. Common examples of scholarly works

include but are not limited to: lectures, lecture notes, scientific works, case examples, course materials, textbooks, works of nonfiction, novels, journal articles, scholarly papers, poems, lyrics, musical compositions and sound recordings, motion pictures and other audiovisual works, computer software, visual works of art, and other artistic creations, among others, regardless of the medium in which those works are fixed or disseminated.

Policy

Applicability

This policy applies to intellectual property created by all classifications of faculty, other employees, and students of Oak Valley College, and non-employees who create works on behalf of Oak Valley College unless a written agreement exists to the contrary.

Copyright Ownership - Faculty

As a general principle under copyright law, the copyright to works created by persons in the course of their employment belongs to the employer rather than to the individual creator. However, it has been the tradition at Oak Valley College and many other universities for scholarly works by faculty to be deemed the property of the author, who is considered to be entitled to determine how the works are to be disseminated and to keep any income they may produce. This tradition reflects Oak Valley College's commitment to encourage members of the Oak Valley College community to write and publish such works. In recognition of that longstanding practice, Oak Valley College does not claim ownership of scholarly works of faculty and copyright ownership of scholarly works will vest with the faculty member who created such work except in the following cases:

- 1. Institutional Works.** Oak Valley College will own the copyright to scholarly works created by faculty members where authorship cannot be attributed to any one individual or group of individuals. Such institutional works may also include works produced as a collaborative effort under the aegis of a school or department, for example, works created in a project initiated by a school or department, or works that are created and then developed or improved over time by a series of individuals.
- 2. Written Agreement.** When scholarly works are produced pursuant to the terms of a written agreement, the agreement shall specify ownership in the work. In the case of commissioned works, the college will enter into a written agreement with the faculty member specifying the work being commissioned and the commission, if any, being paid.
- 3. Outside Agreements.** Development of the scholarly works was funded as part of an externally sponsored research program under an agreement that allocates rights to the funding entity.
- 4. Exceptional Use of College Resources.** Copyright ownership of scholarly works produced with exceptional use of Oak Valley College resources shall belong to Oak Valley College unless there is a written agreement to the contrary. Exceptional use of Oak Valley College resources occurs when the college has provided substantial support specifically for production of the work with resources of a degree or nature not routinely made available to faculty and has provided notice to the professor prior to the completion of the work that such provision of substantial support constitutes exceptional use under this policy. Such substantial support may include unusual reduction of

teaching service or similar college activities, other significant institutional funding in support of the work's creation, or free use of specialized college facilities outside of classroom settings.

In those instances in which Oak Valley College holds the copyright ownership to scholarly works, faculty members have the right to use such works created by such faculty members for teaching, research, and other noncommercial purposes in connection with educational activities at Oak Valley College. Oak Valley College will also acknowledge creators of such works who have made a substantial creative contribution to the works upon request by the creators.

Copyright Ownership – Non-Faculty Employees

Works produced by non-faculty employees within the scope of their employment are considered a "work-for-hire" as defined in the U.S. Copyright Act of 1976 (17 U.S.C. §101) and Oak Valley College owns the copyright to the works produced unless there is a written agreement between the parties to the contrary.

Students

Students hold the copyright in works they author unless they authored works as employees or transferred their copyright in writing.

Independent Contractors

It is the standard practice of the college to require that independent contractors and consultants transfer, in writing, the copyright in works they create for, in conjunction with, or on behalf of the college and that the parties expressly agree in a signed writing that the work is considered a work made for hire.

Joint Works

When people collaborate to author a copyrighted work, it often results in a "joint work" in which all the rights holders jointly have nonexclusive rights to use the work. Employees or students who collaborate with each other or with non-college third parties should anticipate (perhaps in a writing) the disposition of the copyright prior to authoring the work.

Policy Interpretation and Dispute Resolution:

This policy and its implementation may require interpretation and review. college constituents should make every attempt to resolve disputes informally with the assistance of the President. The President may appoint an ad hoc committee and designate a chair. The committee will consist of a combination of administrators, faculty, staff, and/or students as appropriate given the nature of the complaint and the respective roles of the parties involved. The decisions of the committee may be appealed to the President (or his or her designee). The decisions of the President (or designee) shall be final.

Wage and Salary Administration

Section 4.1 • Revised: September 5th, 2016

Oak Valley College maintains a standard wage structure based on minimum, midpoint, and maximum are defined as follows:

- Minimum: The rate of pay for an employee who meets the minimum qualifications for the job.
- Midpoint: The rate of pay for an employee performing 100% efficiency under normal supervision (and the middle point between the minimum and maximum rates). The "average" worker will usually top out at the midpoint unless additional job responsibilities are assumed or the performance level becomes "above average."
- Maximum: The highest rate of pay for a job grade. Normally this would be paid only to an employee who performs duties well in excess of those called for in the job description and performs them at the greatest possible efficiency for many years. In other words, the space between midpoint and maximum allows room to recognize employees who perform beyond the call of duty.

A general wage and salary administration rule is that the spread (the distance between the minimum and maximum rate) is expressed as a percentage of the midpoint, and this percentage increases from lowest to highest grade. Also, the distance between midpoints (from one grade to the next) often increases as the grades increase. The increasingly wider spread within grades and the increasingly greater distance between midpoints is necessary because promotions or transfers to new jobs occur less frequently for employees in higher grades. In other words, these employees will need, on average, to spend more time in their grade and, therefore, need to have more room to grow. Also, when promotions do come, pay increases will need to be more substantial. This can compensate for the long wait and reflects the more substantial increases in responsibility that occur with promotions at this level of responsibility. Another way to look at the wider spread is to consider the fact that there is a greater difference between marginal and excellent performance at the higher graded jobs than at the lower graded jobs. The difference in degree of impact on the department made by a file clerk performing at a "marginal" level as compared to a file clerk performing at an "excellent" level is less than the difference in department impact caused by a marginal manager and an excellent manager. As the grades increase, this greater potential difference in performance level impact is reflected in a wider spread.

Hiring Offer Policy: New Employees Salary Increases/Promotions

When budgetary conditions allow, salary increases are granted to regular employees at their anniversary date. Salary increase budgets are provided to each division for this purpose. Salary plans are reviewed and approved by the President, prior to implementation of the action and notification of the employee. Salary adjustments may be granted on an individual basis during the year when there is evidence of internal or external inequity. The supervisor and President must jointly approve such adjustments in advance.

Promotions occur when there is a significant change in an employee's responsibility, such that the new job description is consistent with a higher pay grade. While not guaranteed, promotions are normally accompanied by a commensurate increase in base salary. The President must approve all non-faculty promotions and associated pay increases, prior to implementation and notification of the employee. A copy of the new or revised job description will normally be required for this approval.

Performance Reviews

Section 4.2 • Revised: September 5th, 2016

One of a supervisor's responsibilities is to help his/her employees to grow both professionally and personally. An employee's growth and success in his/her job is important, and employees should feel free to meet with their supervisors when they have questions relating to their work. Periodically, a supervisor may initiate informal meetings with an employee to explain procedures or comment on their work.

Formal performance reviews are completed for all staff employees on an annual basis, generally in June, covering the period of July 1 through June 30.

For a new employee, there will be a formal review of his/her performance at a point up to six months from his/her hire date—usually at three months for a non-exempt (hourly) employee and at six months for an exempt (salaried) employee.

If a new employee's initial review has been conducted within the past six months, prior to the annual cycle (August to mid-October), there is no need to automatically conduct another review during the annual review period. However, if either the supervisor or the employee in question requests it, another review should be done during the annual cycle, regardless of whether an initial review occurred recently.

The main purpose of performance reviews is to help an employee improve his/her job performance and to identify growth opportunities. However, performance reviews also provide input used in determining an employee's pay increase.

Payroll

Section 4.3 • Dept: Revised: September 5th, 2016

Hourly and adjunct faculty employees are paid no later than every other Friday. Salaried faculty and staff receive paychecks no later than the 15th of each month. When the pay date falls on Sunday, the pay date for that payroll period is moved to the following Monday. When the pay date falls on Saturday, the pay date for that payroll period is moved to the Friday before. If a payday falls on a college holiday, the actual payday will be the workday prior to the holiday.

Checks are mailed or handed to the employee.

If the payroll check is lost or misplaced after the employee has received it and a new check must be issued, the stop payment charge of \$10 will be passed along to the employee.

Each pay period, the employee will receive a pay statement which shows the total pay for time worked less itemized deductions, along with their check. Any questions about the amount received, adjustments made, or the deductions taken should be directed to the President.

Required tax deductions column:

- Federal income tax (FIT)
- Social security (FICA)
- State income tax (SIT)
- Disability Insurance (DI)
- W-4 information

Direct Deposit

Direct deposit may be available with most banks and offers employees quicker access to their pay. Options include direct deposit to savings and checking.

Timecards for Hourly Staff

Section 4.31 • Revised: September 5th, 2016

According to federal and state law, a record showing the time worked must be kept on all non-exempt employees. In this regard, each hourly employee is required to submit hours worked for each pay period, which may be submitted via email. It is to show the exact hours at work, total number of hours worked each day, and a summary of total hours worked per pay period. At the close of each payroll period, the employee must submit a completed hours to his/her supervisor for approval and further processing.

Timecard Preparation Instructions

1. Time is to be recorded in **quarter-hour** increments. This means that time worked and paid absences should be rounded to the nearest quarter-hour.
2. Your submission of your hours worked is your oath that all hours are recorded accurately. It is illegal to either over-report or under-report hours. The law does not allow non-exempt employees to donate their time to the college, except in roles that are completely unrelated to their department and job.
3. The following information **must** be provided by law:
 - Employee Identification Number
 - Employee's full legal name
 - Pay period end date

General Instructions to Supervisors

1. It is the responsibility of the supervisor to ensure that time reported is accurate and turned in on time.

2. Corrections to time worked must be made by the employee. The supervisor may return hours reported to the employee for correction if necessary before approving it.
3. As with the employee, your submission is your oath that the hours are accurately recorded.

How to Record Time Worked & Paid Absences

(Note: the definition of an alternate work schedule is a regularly scheduled workweek, of more than eight and no more than ten hours per day, in which overtime pay is not required per state law. Please consult the President for more information.)

1. Oak Valley College's workweek begins at 12:01 a.m. on Monday morning and ends at 12:00 midnight the following Sunday (two weeks).
2. Only time actually worked is to be counted in determining if the 8-hour, 12-hour, or 40-hour threshold defined below has been reached. The one exception to this is that, per Oak Valley College policy, holiday pay is considered time worked for the purpose of determining if the 40-hour per week threshold has been reached.
3. **Regular Hours** are the first eight hours worked in a workday. The only exceptions to this rule occur when the employee has already worked over 40 regular hours in a workweek or if the employee works on Sunday, after already working each day of the previous Monday through Saturday. Employees on approved alternate work schedules will put their normal scheduled hours as regular, per their alternate work schedule agreement.
4. **Overtime Hours** are hours worked beyond 8 and up to 12 in any workday; the first 8 hours on Sunday, if the employee has worked each day Monday through Saturday; or over 40 regular hours worked in any workweek (except where double time applies). Employees on alternate work schedules will put daily hours over the normal schedule as overtime, up to 12 per day.
5. **Double Time Hours** are hours worked beyond 12 in any workday and hours worked after 8 on Sunday, if the employee has worked each day Monday through Saturday. Employees on alternate work schedules will put all hours over 12 on regular workdays and over eight on non-regular workdays as double time.
6. **Holiday Hours** are the formal Oak Valley College holidays allotted to each employee. For each holiday, 8 hours (or one-fifth of your normal work week, if you work less than 40 hours) should be recorded here, if the employee is eligible for holiday pay, even if the employee is required to work on that day. If you work on the holiday (and you are not granted a "substitute holiday"), the first 12 hours worked are recorded in the overtime column and hours over 12 are recorded in the double time column. (See section 5.11, Holidays.)
7. **Bonus Hours** are the extra bonus days granted at the discretion of the president. For each bonus day, 8 hours (or one-fifth of your normal work week, if you work less than 40 hours) should be recorded here, if the employee is eligible for holidays/bonus days,

even if the employee is required to work on that day. If you work on the bonus day (and are not granted a “substitute bonus day”), the first 8 hours of work are recorded as regular hours, the next 4 as overtime, and anything over 12 as double time. (See section 5.11, Holidays).

8. **Jury Duty** should be recorded in the paid leave area as jury duty. Jury duty hours cannot exceed the normal number of hours the employee is scheduled. Please send the court issued certification of service to the President. (See section 2.6, Leaves of Absence.)
9. **Vacation Hours** should not exceed the number that the employee has already accrued. (See section 5.1, Vacations.)
10. **Sick Leave** is reported in the paid leave area as either sick or family sick (if used to care for an ill family member). A maximum of six days per year are allowed for the care of family members. Sick leave hours should not exceed the number that the employee has already accrued. (See section 5.14, Sick Leave.)
11. **Personal Business Leave** must not exceed the number of hours the employee has accrued and must be for reasons consistent with the policy outlined in section 5.13, Personal Business Leave.
12. For **Short Workdays** (e.g., Short Fridays), record the hours actually worked and note the excused hours in paid leave area as bonus time in the paid leave area. (See section 5.12, Short Workdays.)
13. **Bereavement** hours should be recorded in the paid leave area. (See section 5.17, Bereavement Leave)

Paid Leave Reporting for Salaried Staff

Section 4.32 • Revised: September 5th, 2016

14. All staff employees are expected to submit reports showing their usage of vacation, sick leave, and other paid leave categories on a pay-period basis. Exempt pay periods run from the first of the month through the 15th and from the 16th to the last day of the month.
15. All paid leave should be submitted by the employee and approved by his/her supervisor in the first three working days after the end of a pay period or return-to-work date (whichever is later). **Note: if the employee did not use any paid leave time in the pay period that has just ended, a blank paid leave record should be approved by the supervisor.**
16. Vacation and sick leave accruals will be tracked and shown on the employee’s check stub. For information on maximum accrual limits, see section 5.1 (regarding Vacations) and section 5.14 (regarding Sick Leave).
17. Any employee who is over the maximum vacation accrual plus two days (to allow for recording and processing) will have their vacation accrual frozen until they use sufficient vacation to be under the cap. No employee will lose any vacation that they have already accrued but simply will not accrue additional vacation while not in compliance with the

policy. (Any accrual amount lost in this manner will not be restored to the employee when they begin accruing once again).

18. Supervisors with employees who are absent for extended periods of time (e.g., on disability) should submit records for them each pay period so their leave balance is correct at any point in time.

Overtime

Section 4.4 • Revised: September 5th, 2016

The Fair Labor Standards Act and applicable state labor law govern the payment of overtime wages. Oak Valley College's policies mirror the requirements of these laws. Oak Valley College's workweek begins at 12:01 a.m. on Monday. The information below applies to non-exempt employees.

The law requires that only hours worked count toward overtime. Therefore, sick, vacation, holiday, personal business leave, and any other paid but not worked hours do not have to be counted toward qualification for overtime.

General Rules—Regular Work Schedule

Regular hours are paid for the first 8 hours of work in a workday and the first 40 regular hours in a workweek.

Overtime is paid at 1½ times the regular hourly rate for hours worked in excess of 8 and up to 12 in any workday and for work in excess of 40 regular hours per week.

Double time is paid after 12 hours on any workday.

If an employee is required to work each day, Monday through Saturday, and then is required to work Sunday, the first 8 hours of Sunday work is paid at 1½ times the normal rate of pay (even if the 40 hour threshold has not been reached). Double time is paid after eight hours.

Example: An employee normally works a 37½ hour week (7½ hours per day). The employee works Monday through Friday for 37½ total straight-time hours. The employee works 7½ hours on Saturday. The employee receives 2½ hours of Saturday work at the regular rate (37½ + 2½ = 40 hours) and 5 hours of pay at 1½ times the regular rate.

Example: An employee with accrued sick leave is sick on Monday, then works 8 hours per day, Tuesday through Friday (32 total worked hours). The employee then works 8 hours on Saturday (40 total worked hours). The employee is paid 8 hours of sick leave pay at the regular rate plus 40 hours at the regular rate for time worked for a total of 48 regular rate hours.

Example: An employee works 13 hours on Monday and 8 hours each day, Tuesday through Friday. The employee is paid 40 hours of regular pay, 4 hours at 1½ times the normal rate, and 1 hour of double time.

General Rules—Alternate Work Schedule

An alternate work schedule is a regular work schedule for a group of employees that allows the employees to work more than 8 hours per day, but no more than 10 per day, at the regular rate of pay. Such work schedules require the approval of the department manager and the President and must be voted on by the applicable non-exempt employees with a two-thirds vote achieved. All such elections are to be conducted by the President.

Regular hours are paid for the established normal day of the alternate work schedule.

Overtime is paid at 1½ times the regular rate for hours in excess of the normal work day, up to 12, or after 40 regular hours of work in any work week.

Double time is paid after 12 hours in any regular workday or after 8 hours on a day that is not a regular workday in which the employee is required to work.

Example: An employee works an approved alternate work schedule of 4 10-hour days, Monday through Thursday. On a certain week, the employee works 5 hours on Monday, using 5 hours of personal business time, and then works the normal 10-hour days on Tuesday through Thursday. The employee is then called in to work nine hours on Friday. In this example, the employee is paid 45 regular hours, 3 at 1½ times the normal rate, and 1 at double time.

Overtime Questions

Can a supervisor require an employee to work overtime?

Yes, provided reasonable advance notice is given to the employee. Reasonable notice is generally considered to be as follows:

For staying late or coming back in the evening on a regular workday: by noon of that day

For coming in on a non-workday such as a Saturday (for a Monday through Friday worker): by the close of work, two days prior to the overtime day (Thursday at 4:30 p.m. or 5:00 p.m. for Saturday work)

Disciplinary action can be initiated toward employees who, barring unusual personal circumstances, refuse to work overtime. Also, the general rule for advance notice is waived for emergency situations that reasonably could not have been foreseen.

If an employee declares "unauthorized" overtime (worked without permission) on his or her timecard (e.g., starting to work early at 7:45 instead of 8:00, working through lunch, taking work home), must it be paid?

If the supervisor were completely unaware of it, if the organization has a policy forbidding unauthorized overtime, and if that policy is enforced, then the answer is "no." However, if the supervisor observed the employee working early, working through lunch, and taking files, (etc.) home and returning with them the next morning, and the supervisor did nothing about it, then the supervisor is deemed to have permitted and, therefore, approved the overtime. The overtime pay is due to the employee whether the employee declared it on the timecard or not. A supervisor can

initiate disciplinary action toward an employee who ignores a warning to stop violating the organization's policy forbidding unauthorized overtime.

If an employee works a full day and then attends an evening class or seminar relating to work, does this require overtime pay for time in class?

If the supervisor required or requested (or indicated that the course was necessary to learn a job, keep a job, receive a good performance review, or in any other way led the employee to feel it was mandatory) that the employee attend, then the answer is "yes:" Normal overtime rules would apply. If attendance is strictly voluntary, then the answer is "no."

Must an employee's travel time to and from a required evening class or seminar be paid as overtime?

Yes.

An employee works two different jobs for the same employer (either for the same department or different departments). The employee works 8 hours per day at the first job and 2 hours per day at the second job (resulting in a total of 50 hours per week). Must overtime be paid?

Yes. The overtime rules apply just as if there were one job.

Can compensatory time off be given to avoid paying overtime?

California State Law prohibits paying compensatory time off in lieu of paying overtime. The only exception is for "make-up time." California allows employees to request, in writing, to work more than 8 hours on one day, but no more than 11 hours, at a straight-time basis, to allow the employee time off during the same workweek to conduct personal business.

Can an employee choose to work an alternate schedule, working more than 8 hours in a day at regular rate (not overtime) so they may leave early or not work another day?

Yes. An employee may request from their supervisor to work more than 8 hours in a day at regular rate (not overtime) in order to leave work early or to not work another day. Both the "short" day(s) and "long" day(s) must be in the same work week. One cannot work less hours in one work week and make them up in another work week, even if both weeks occur within the same pay period. Requests must be temporary in nature to allow the employee to attend to a specific need and such requests cannot be used to accomplish a permanent change in schedule. A letter must be kept on file indicating the request from the employee and approval from the supervisor. The supervisor is responsible for keeping this letter (which is subject to state audit at any time) and if an employee is hourly, "letter on file" must be clearly indicated on the timecard. If an employee is requesting this special schedule change in order to attend school (or other need that extends over a period of weeks), the "letter on file" process must be completed every four weeks.

Office Hours and Expectations

Section 5.01 • Revised: December 6, 2021

Oak Valley is a small workplace, and therefore, coverage during core office hours is an important way to create a professional and cohesive work culture and support the operational needs of the

college. Hours of office operations are 9:00am-5:00pm, Monday-Thursday. Employees are expected to physically report to work during those hours unless alternative arrangements have been made. Long-term, office hours plan to be extended to 9:00am-6:15pm, Monday-Thursday as enrollment grows and operational needs increase.

The College also maintains a 40-hour standard work week (eight hours per day x five days per week). The College supports and encourages employees to maintain a healthy work/life balance, therefore, flexible or alternative work schedules may be requested, and depending on operational needs, may be granted by your supervisor.

A flexible work schedule is defined as one day up to a few weeks in which you request an adjustment to your regular schedule. For example, you request to leave early or take an extended lunch and schedule make-up time. Such a request should be made with as much advance notice as possible with a minimum of two days notice required. An explanation or reason is not required, but may be requested.

An alternative schedule is a month or longer (or permanent) adjustment in your standard work schedule. For example, you wish to change from a 40-hour per week schedule to 35-hours or you wish to leave early on Tuesdays and work an extended schedule on Thursdays for eight months. Your request should be made with at least one month advance notice. An explanation or reason is not required, but may be requested.

Exempt employees are expected to work based on their employment agreement and every effort should be made to maintain the core office hours.

Scheduled Work

Employees are to report to work during their regular schedule. A 15-minute grace period is afforded due to traffic or other situations that may be unpredictable, and there is no need to report to your supervisor. Any situation that causes you to miss more than 15-minutes of your regular schedule should be reported to your supervisor.

A 30-minute minimum lunch break (unpaid) is required for all non-exempt employees. Extended lunch breaks may be requested. Additionally, you are to take two 15-minute scheduled breaks over an eight-hour work day.

Time-off requests should be made with your supervisor with one week notice. Notifications of sick time or emergencies should be made with your supervisor as soon as possible, noting that some sick or emergency requests may come in after your scheduled work day begins.

Work From Home

Work from home may be a standard expectation of your regular schedule or requested by you or your supervisor on an ad-hoc basis based on operational or situational needs.

When working from home, you are expected to maintain a standard work schedule that is established with your supervisor. You are expected to maintain a professional environment free from distractions or interruptions. For instance, when making calls, you should maintain a work environment free from background noise. You are also expected to be available and responsive to calls and emails (15 minute or less response time).

During your work from home schedule, notify your supervisor as soon as possible if for any reason you are unable to meet your obligations.

Vacations

Section 5.1 • Revised: October 12, 2022

Regular employees who work a minimum of 20 hours per week, for at least 10 months of the year, are eligible for vacation leave.

Annual Vacation Levels

The amount of vacation that a non-exempt employee receives in a year is prorated according to the employee's regularly scheduled weekly work hours and months per year. For example, a non-exempt (hourly) employee regularly working 40 hours per week, 12 months of the year will receive 80 hours of vacation leave per year and an employee working 20 hours per week, 12 months of the year will receive 40 hours of vacation leave per year.

An exempt employee working 40 hours per week and 12 months of the year will receive 120 hours of vacation leave per year.

Accrual Formula

Vacation leave is accrued per pay period. The per pay period accrual rate for a non-exempt employee is calculated based on hours worked during the pay period (two weeks). The calculation formula is the same, but the vacation leave hours/year are prorated for employees who work less than 40 hours per week and/or less than 12 months per year.

The pay period accrual rate for an exempt employee is calculated as follows: total hours of vacation leave per year, divided by the number of pay periods per year.

Vacation leave is available to be taken as it is accrued and a maximum of 240 hours of total vacation time may be accrued. Anything above 240 hours, may be paid out to the employee once the maximum is reached.

Accrual Limit

Accrued vacation days must be taken throughout the year in accordance with work schedules and as approved by your supervisor. Vacation should be taken in the year in which it is accrued or taken during the following year.

The maximum amount of vacation leave that can be accrued at any time will equal two years' total accrual. For example, a 40-hour employee, who regularly accrues a total of 80 hours (10 days) of vacation in a year, may not exceed a total accrual amount of 160 hours (20 days) of vacation. An employee, who regularly accrues a total of 120 hours (15 days) of vacation in a year, may not exceed a total accrual amount of 240 hours (30 days) of vacation. An employee, who regularly accrues a total of 160 hours (20 days) of vacation in a year, may not exceed a total accrual amount of 320 hours (40 days) of vacation. For a 37½-hour employee, the three examples (above) would be 75/150; 112.5/225; 150/300.

If an employee's total accrual reaches the allowable limit, no further daily accrual amounts will be added to the total, until the employee's accrual total falls below the limit (or, in other words, until the employee takes some vacation and it is reported/recorded in the normal way).

Accrued and available vacation time is recorded at the bottom of each employee's paycheck stub.

Vacation Usage

Non-exempt employees may take vacation in ¼-hour increments. Non-exempt employees mark their vacation in the appropriate manner on their regular time cards. Exempt employees may take vacation in either full-day (8 hours) or half-day (4 hours) increments. The Paid Leave Record should be marked with the proper number of vacation days and hours used and turned in to the President at the conclusion of the pay period in which the vacation was taken. Exempt employees should only charge their accrued vacation if they perform no work on that particular day or half-day.

All vacation, for both non-exempt and exempt employees must be scheduled and approved in advance by the employee's supervisor.

Holiday While on Vacation

In the event that an observed holiday occurs during your vacation, you are not required to use a vacation day on that authorized holiday.

Illness While on Vacation

When a major illness or injury occurs during a vacation period and is documented by a physician, available sick leave days may be substituted.

Accrual Payout at Termination

Terminating employees will receive vacation pay in accordance with the leave time records maintained in payroll for any accrued but unused vacation, as of the last day of work. Vacation leave may not be added to the last day of work to "extend" employment.

Holidays

Section 5.11 • Revised: February 9, 2023

Regular employees who work a minimum of 20 or more hours per week, for at least 10 months per year, are eligible for holiday pay. Instead of working, you will be paid your regular rate of pay on all observed holidays. Holiday pay is prorated for employees working less than 40 hours per week, based on the number of hours they are scheduled to work per week or per day.

The following holidays are observed and employees, described above, receive paid time off:

1. New Year's Day
2. Martin Luther King, Jr Day

3. Memorial Day
4. Independence Day
5. Labor Day
6. Thanksgiving Day
7. Friday after Thanksgiving Day
8. Christmas Eve
9. Christmas Day
10. Day after Christmas

Sunday holidays are observed the following Monday. Saturday holidays are observed on Friday.

If you work a non-standard work week and are not scheduled to work on the day that the holiday is observed, you may observe the holiday on another day of your choice, subject to approval by your supervisor. If another day off cannot be granted, then you will be paid the holiday hours at a straight-time rate. Holidays are paid at a maximum of eight hours per holiday, regardless of the non-standard daily work schedule.

Working on a Holiday

In certain years, the Oak Valley College academic calendar or an employee's department workload may necessitate that an employee work an observed holiday. If you are a regular, non-exempt employee and are required to work on a holiday, at your department head's discretion, you will receive 1½ times your regular rate per hour for hours actually worked, plus holiday pay, or you will receive your regular rate of pay and be given another day off with pay (substitute holiday), suitable to your supervisor and to you. If you are a regular, exempt (salaried) employee and are required to work a holiday, you will be given another paid day off as scheduled with your supervisor.

Employees with temporary work status and regular employees working less than 20 hours per week or 10 months per year do not receive holidays off with pay. However, should such an employee be required to work on a holiday observed by Oak Valley College, the employee will receive holiday pay for the hours actually worked, in addition to regular pay.

An employee who works a partial year or who is on an authorized period of absence without pay is not granted holidays that occur during the time away from work. Holidays occurring during an authorized vacation period do not count as a day of vacation.

Oak Valley College retains the privilege to give additional days off with a holiday. A non-exempt employee who works on a bonus day will be given an alternate day off or paid straight time for the work, plus eight hours for the bonus day. An exempt employee who works on a bonus day will be given an alternate day off.

Sick Leave

Section 5.14 • Revised: October 12, 2022

Sick leave is available to all regular, temporary, and student employees.

Sick leave is primarily for the purpose of continuing your pay during periods in which you are unable to perform your job responsibility due to the diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or family member. Sick leave may also be used by employees who are victims of domestic violence, sexual assault, or stalking to obtain counseling, participate in safety planning, etc. Each calendar year, up to ½ of the employee's annual sick leave accrual may be used for family members. For the purpose of this policy, family members include children (biological, adopted, or foster), stepchildren, children to whom the employee stands in loco parentis, wards, parents (biological, adopted, or foster), step-parents, persons who stand in loco parentis to an employee who is a minor child, parents-in-law, legal guardians, spouses, grandparents, grandchildren, and siblings. For regular employees, this annual limit may be waived in the case of a critical/life-threatening situation with the approval of the employee's supervisor and the President.

Accrued and available sick leave for employees is shown (in hours) at the bottom of each paycheck stub.

Regular staff employees who work at least 20 hours per week, for at least 10 months of the year.

A non-exempt employee (02) will accrue sick leave each pay period equal to the number of regularly scheduled hours worked each day (up to 8 hours), during the employee's work year. The maximum accrual is 80 hours of sick leave per year, which is accrued on a prorated basis each pay period based on actual hours worked. These hours may accrue to a maximum of 480 hours (prorated for employees who work less than 40 hours per week and 12 months per year). Non-exempt employees may use sick leave in quarter-hour increments.

An exempt employee (01) will be credited 80 hours of sick leave per year to a maximum of 480 hours. Exempt employees will charge their sick leave account in four-hour increments. Absences of less than four hours are not charged to sick leave. Sick credit, leave accrual, and usage will be prorated for exempt employees who work less than 40 hours per week and 12 months per year.

Regular staff employees who work less than 20 hours per week and all temporary staff employees.

Part-time regular employees (less than 20 hours) will accrue at least 3 days or 24 hours of sick leave per year, but accrual will be capped at 48 hours. Employees in this category may use their accrued sick leave for either personal or family needs, to the 3-day/24-hour limit noted above.

Contracted Employees (Regular and Temporary)

At the beginning of each fiscal year, employees will be credited with 24 hours of sick leave. Contracted employees are required to notify their supervisor when they are absent due to the reasons noted above for sick leave usage, but are not required to report usage to the President. Accrued sick leave will not carry over to subsequent years.

Retaliation or Discrimination Prohibited

Termination or retaliation against an employee who requests paid sick days, uses paid sick days, or both is prohibited. An employee has the right to file a complaint with the California Labor Commissioner against an employer who retaliates against the employee.

Voting Leave

Section 5.15 • Revised: September 5th, 2016

If an employee who is a registered voter does not have sufficient time outside of working hours to vote, they will be allotted time off of work to vote in statewide primary and general elections. Up to two hours of absence will be paid. More than two hours will be allowed if necessary, but the employee will need to utilize their accrued vacation time or time off without pay.

An employee who requires voting leave must schedule the absence at least one day in advance with his/her supervisor. A ballot receipt should be given to his/her supervisor on the election day or the following workday.

Parental School Visitation Leave

Section 5.16 • Revised: September 5th, 2016

If a pupil in kindergarten or grades 1 through 12 gets suspended from school by a teacher, California Education Law requires the child's parent or guardian to attend a portion of the day in his/her child's classroom and to meet with a school administrator. Further, California grants an employed parent, guardian, or grandparent, having custody, up to 40 hours of school visitation leave per year for children in kindergarten, in grades 1 through 12, or attending a licensed child day-care facility, to participate in activities at the school or facility.

An employee may use accrued personal business leave or vacation leave for this purpose. The time off work for parental school visitation should be scheduled at least one day in advance with your supervisor.

Bereavement Leave

Section 5.17 • Revised: September 5th, 2016

In the event of a death of a close family member, regular paid leave eligible employees will be excused from work with pay, commencing the date of passing through the day following the funeral, as needed to attend to arrangements and for grieving. Employees who are absent for this purpose should keep their supervisors apprised of how much time they will need to be absent so arrangements can be made to cover the work of the employees.

For the purpose of this policy, close family members are defined as the employee's spouse, children, step-children, parents, parents-in-law, step-parents, grandparents, grandparents-in-law, step-grandparents, grandchildren, siblings, and siblings-in-law. If an employee attends a funeral for

another relative or friend, they must use Personal Business Leave or Vacation Leave, in order to be paid.

Workers' Compensation Insurance

Section 5.31 • Revised: September 5th, 2016

If, while on the job, an employee suffers an injury or illness resulting from work or the work environment that requires first or non-emergency medical care, the employee should notify his/her supervisor as soon as possible and report to a health care provider to obtain treatment. If you are injured or for a life threatening emergency, call 911.

All work related injuries or illnesses must be reported to the President as soon as possible. Illnesses such as cold or flu are not covered under workers' compensation and injuries or illnesses taking place on lunch periods may not be covered. If a work injury or illness requires more than simple first aid, workers' compensation paperwork must be completed as soon as possible. The reported information will enable the college to review the circumstances surrounding the injury/illness, take corrective action, and where required, report recordable injuries and illnesses to OSHA.

Where a doctor determines that the injury requires time off work and/or a limitation of work activities, all documentation, including a release to return to work, should be submitted to the employee's supervisor and the President.

Oak Valley College's workers' compensation insurance carrier pays all medical costs up to \$10,000 before a claim is accepted. If a work injury/illness causes an employee to miss more than three days of work, the workers' compensation insurance will pay two-thirds of the employee's average wage, subject to minimums and maximums set by the state legislature, starting after the third day of missed work. Accrued sick, personal, or vacation time may be used to make up the remaining one-third of lost wages. If the employee is hospitalized or is disabled for more than 14 calendar days, the insurance carrier will pay lost wages starting on the first day.

Oak Valley College workers' compensation carrier is a part of the Medical Provider Network. An injured employee needs to have an authorization slip and go to one of the facilities listed above for his/her first appointment. Employees are allowed to request a different doctor within the Medical Provider Network after the initial doctor visit.

If an employee has pre-designated his/her own physician for workers' compensation treatment, he/she can still go to one of the facilities listed above for treatment or to his/her own physician. In order for an employee to go to a pre-designated physician, he/she must first report to the President and have a doctor signed pre-designation form on file before the date of injury.

Workers' Compensation fraud is a felony. "Any person who makes or causes to be made any knowingly false or fraudulent materials statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony and may be punished by imprisonment in county jail for one year, or in state prison for up to five years, an/or fined up to \$150,000 or double the value of the fraud (whichever is greater), and ordered to pay restitution for any medical evaluation or treatment." (Insurance Code Sec. 1871.4)

Revised: September 5th, 2016

Our hope is that the guidance found here will save you time and allow you to focus on the primary objective of equipping the men and women whom you teach, in mind and character, to impact the world for The Lord Jesus Christ.

This information is intended for those who have already been hired in an adjunct teaching role. If you are interested in being considered as a candidate for teaching, contact the President.

Briefly, two basic categories are presented here- "**Things to Do**" and "**Available Resources.**" We hope these will shorten the time it takes you to become effective in carrying out your teaching responsibilities.

Additional Faculty Information (Part-time)

Things to Do

Contract

Once you have an offer to teach, the President provides paperwork and procedures related to your hiring.

New Hire Forms

At the time of signing your contract, you also complete forms associated with your hiring, including the I-9 Employment Eligibility Verification, the W-4 Withholding Allowance Certificate, and Course Assignment Confirmation.

Once the paperwork relative to your hiring has been processed, you will should review Policy regarding *Sexual Harassment*, its prohibition and procedures for dealing with any problem situations. Because of Oak Valley College's Christian values, we seek to maintain an environment that is completely free of any undesirable behavior that would undermine our mission of biblically centered education, scholarship and service.

Faculty Dismissal and Appeal Process

Part-time faculty may be dismissed without cause by the Dean. Appeals of a dismissal should be made by the faculty member to the President. The President reserves the right to uphold the dismissal or reinstate the faculty member.

Access to Classrooms

You will be given a key to your designated classroom(s), if they happen to be locked when you arrive.

E-mail Account

E-mail is the most prevalent method of communication with students, fellow faculty and staff. You will receive an oakvalleycollege.org email account.

Populi access

The Dean will provide you access to Populi, learning management system. You should post your syllabus, online resources, and grades in Populi.

Tools within Populi

Populi includes class rosters; E-grading (Electronic submission of grades) ; create/edit your bio; and the student directory. For information on using these features, contact the Dean. **Workers Compensation**

If you ever get injured while working, there are resources available to treat you, and corresponding procedures and paperwork that need to be followed. Depending on the time of day, day of the week, and severity of the injury, you may go to a local healthcare provider. Employee Handbook Section [5.31, Workers Compensation Insurance](#).

Emergency Situations

In the event of a medical or other emergency situation while you are on campus, you should immediately dial 911.

Facilities Problems

If you encounter problems with light, a room being excessively hot/cold, a student reports a leak in an adjacent bathroom, etc., contact the Church office at 480 N. La Cadena (909) 825-3670.

Payroll Procedures

Adjunct faculty are paid every two weeks.

Copyright Issues

Procedures are outlined in the online Employee Handbook Section [6.21, Bookstore](#).

Supplies

Printing is available near the classroom. Copying is available at the Church office (notify the President of the number of copies made, so the college may reimburse the Church).

Academic Freedom

Faculty and students are called to academic pursuits at Oak Valley College. These pursuits are to be aligned with the College mission and vision. There is great freedom and responsibility under the tenets of working, living, and engaging with others at Oak Valley College.

The first step in understanding the context of this may be found in the Honor Code (www.oakvalleycollege.org/honorcode). The Code provides a broad framework, with specific examples, of how we conduct ourselves within the College community.

While some items found in the Code may be construed as “rules,” the vision of the Code is to provide a context of what it means to be part of, and belong to, the Oak Valley College community.

Academic freedom is a right at Oak Valley College. Honest pursuit of knowledge and understanding is at the heart of every academic institution, and every member of the College community should be able to enjoy this right without fear of retribution. Having said that, the College is bound by its mission, vision, and values, which may be found in the Bible and codified in the College mission statement, Catalog, Honor Code, and elsewhere. Therefore, academic freedom does not extend so far as to an individual’s right to betray the College’s core identity and mission. Where an individual betrays the College in these matters, that individual may be subject to sanctions or dismissal from the College community.

Institutional Academic Freedom

Oak Valley College is an independent nonprofit Christian college. It is bound by its Bylaws, Board of Trustees, executive leadership, and local, State of California, and Federal laws. Individuals and the institution has an obligation to allow freedom of academic speech and ideas within the framework of that understanding.

From time to time, some forms of freedom may be challenged by one or more of the competing governing bodies outlined above. When this occurs, Oak Valley shall take a proactive stance to assert its academic freedom, stating above all the freedom to exercise Christian religious convictions in such a way as to honor God and the students Oak Valley serves.

In case of a grievance. The complainant should follow Oak Valley’s [Grievance Policy](#).