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GONZAGA UNIVERSITY

PRESIDENT'S SAFETY POLICY STATEMENT

July 1998

Gonzaga University believes in the dignity and importance of the individual employee and his or her right to work in a safe and healthy work environment. With this belief, the prevention of occupational injuries and illnesses is to be given paramount priority always.

The University is committed to maintaining an accident prevention program that emphasizes the integration of safety and health measures into each job task. Safety and health, and job performance should be inseparable.

The Environmental Health & Safety Department has the immediate responsibility to oversee the University's accident prevention program. They will manage this program with the cooperative effort of a University Safety Committee consisting of faculty, supervisors and staff. Together, the Environmental Health & Safety Department and the University Safety Committee will seek to ensure an accident-free environment. They will ensure there are activities such as safety orientation for new and transferred employees, timely and appropriate safety training, all aspects of the University Accident Prevention Plan, and other activities conducive to reducing work hazards.

Safety is a cooperative venture. The administration is responsible and acknowledges its responsibility for stewardship of the accident prevention program. Each employee is responsible for wholehearted, genuine cooperation with all aspects of the accident prevention program. Employees are responsible for complying with all rules and ordinances, and for being continually safety conscious in performing their daily activities. Cooperation among all concerned will contribute to a safe environment protecting the well-being of all individuals and of Gonzaga University as a whole.

Respectfully,

Robert J. Spitzer, S.J.
President

II. ACCIDENT PREVENTION PROGRAM

- A. **Objectives:** The Gonzaga University Accident Prevention Plan contains the University's official safety policies and procedures. It is directed to all faculty, staff, administrators and student workers. It is designed to comply with, and implement federal and state laws by establishing policies and procedures to prevent accidents, injuries, and occupational illnesses. Requirements are set forth in the RCW's and WAC's and are adapted to Gonzaga University conditions and circumstances in this plan. Students and visitors are not covered by the RCW's and WAC's, but the rules that provide for the safety of employees also provide for the safety of visitors and students. The University recognizes its basic responsibilities to eliminate hazardous conditions that may be encountered by visitors and students and therefore establishes safety policies for this purpose.

The objectives are to provide for

- the physical well-being of faculty, staff, administrators, students and visitors;
- comply with Federal, State, and Local safety, health, and environmental standards; reduce employee accidents, thus reducing personal injury, property loss, time loss and related costs;
- provide effective safety orientation and training;
Ensure proper procedures are in place to investigate accidents, develop corrective action and provide for employees' needs.

This manual serves as an aid in obtaining accident prevention objectives. It is an important training tool that must be understood and applied by all managers and supervisors. It is meant to be a document designed to change as the demands of our operating environment necessitates. Management and supervision will be held accountable for an effective accident prevention effort in their own area of operations.

- B. **Responsibilities:** The University's administration has the responsibility to provide a safe and healthful learning and working environment. The Gonzaga University Accident Prevention Plan implements the requirements contained in WAC 296.

The responsibility for safety is shared among the University administration, the University Campus Safety and Health Committee, and all of those persons who supervise the activities of others, and each individual for his or her area of responsibility.

1. **University Administration's Responsibility** - The University administration recognizes, and firmly believes in, the need to provide safe working conditions and that it is the administration's responsibility to do everything reasonably possible to create an effective, accident-free environment for teaching, learning and working.

It is the responsibility of the administration to establish and maintain

- a safe and healthy working environment;
- an Accident Prevention Program;
- a program to ensure individuals may become aware of what hazards exist and how to prevent accidents;

- a system of reporting and recording accidents that will provide useful information for monitoring the effectiveness of the Accident Prevention Program;
- safety equipment for employees;
- required safety training for employees.

2. Environmental Health & Safety (EH&S) Department's Responsibility -

Environmental Health & Safety Is responsible for coordinating safety and health activities throughout the University. EH&S primarily provides consultation to administration, supervisors and employees in the areas of general safety, accident prevention, industrial hygiene, hazardous materials, hazardous waste reduction, fire prevention, protective equipment selection, and workplace ergonomics. Specific responsibilities may include, but are not limited to

- inspections to ensure the University is carrying out its responsibility to provide a safe environment for its employees, students and visitors;
- conduct safety orientation training for all new employees;
- conduct safety and health programs training for supervisors and affected employees;
- conduct fire prevention inspections;
- attend the Campus Safety Committee meetings and work with the committee in developing policies;
- assist supervisors in the investigation of accidents and injuries so that unsafe work conditions or procedures can be corrected;
- manage workers' compensation and light duty return to work programs;
- consult with Facilities Planning & Construction Department to ensure appropriate pre-planning safety measures are taken for a facilities design changes and construction plans;
- keep current with new EH&S requirements.

3. Supervisor's Responsibility - All individuals who supervise others will consider it an integral part of their responsibilities to insure working or learning conditions are safe. Specifically, each supervisor and manager should

- make every reasonable effort to ensure the safety of employees under their responsibility and make their workplace free of recognized hazards;
- report any hazards beyond his or her ability to correct;
- provide job training and work area safety procedures for all employees, especially for new and reassigned employees with new job activities;
- conduct regular work area safety inspections with assistance from Environmental Health and Safety and if needed, to discover and correct unsafe conditions and work practices;
- report all injuries on Part II of the Employee Accident/Injury Report form and forward to Environmental Health and Safety within 24 hours;
- investigate injury accidents to determine cause and to pursue the correction of any safety deficiencies;
- ensure that all necessary safety equipment and protective devices are available, and in proper working order, and used when applicable;
- respond to employees' concerns for safety in a positive manner and take appropriate corrective action.

4. Employee's Responsibility - University employees must have a common goal of keeping accidents to a minimum. Unsafe work habits cause most accidental injuries in the work environment. Therefore, all employees should continually strive to develop habits and

procedures that will reduce exposure to potential injury. All employees are required, as a condition of their employment, to observe all safety policies and procedures and to follow the instructions of their supervisors. As part of their safety responsibilities, employees are expected to do the following:

- conduct their work safely and try to maintain their work areas hazard-free;
- wear personal protective equipment as prescribed by their supervisors;
- report hazards or unsafe work practices to supervisors or to EH&S;
- maintain reasonable physical body conditioning for the tasks of the work environment;
- cooperate fully with supervisors in conducting investigations of accidents so that unsafe conditions or work procedures may be corrected;
- participate in physical restoration or vocational programs following lost-time injuries to achieve an early return to work.

5. **Campus Safety Committee** - The safety committee consists of management and employee representatives who have an interest in the general promotion of safety and health for Gonzaga University. The committee serves as an advisory group to the administration and is responsible for making recommendations on how to improve safety and health in the workplace. It has been charged with the responsibility to define problems and remove obstacles to accident prevention; identify hazards and recommend corrective actions; help identify employee safety training needs; and establish accident investigation procedures for the university.

Please see page 4-7 for the Campus Safety Committee Policy Statement.

- C. **Safety Orientation:** New employee safety orientation will be provided by the following departments as defined below. New employee orientation includes full-time, part-time, temporary, rehired and transferred employees.

1. **Safety Orientation Briefing** - All new employees will receive a safety orientation briefing by the Environmental Health & Safety Department (EH&S). The briefing will be conducted as soon as possible after the individual begins employment. Record of the completed orientation should be kept by EH&S. The briefing will include:
 - work-related accidents/illnesses reporting procedures;
 - accident prevention and reporting potential hazards;
 - function of Campus Safety Committee;
 - entitlements under the workers' compensation insurance program;
 - a review of the University's Accident Prevention Program.
2. **Job-related Safety Orientation** - Supervisors are responsible for ensuring that employees are aware of departmental safety policies and procedures. This orientation for new employees should occur on the first day of employment. A Safety Orientation Checklist form is available from EH&S. Record of completed orientation should be kept by the supervisor. Orientation should include:
 - reporting accidents to supervisor immediately;
 - first aid
 - < obtaining treatment;
 - < location and operation of emergency equipment (first aid kits, eye washes, etc.);

- < location and names of first aid trained employees;
- potential hazards on the job;
 - < what they are;
 - < how to deal with them safely;
 - < required personal protective equipment and care and use of it;
 - < what to do in the event of emergencies;
 - < exit locations and evacuation routes;
 - < location and operation of fire alarms and extinguishers;
 - < specific procedures for medical, chemical, fire emergencies and use of 911;
 - < personal work habits and safe work procedures;
 - < proper lifting techniques, avoiding slips and falls;
 - < good housekeeping, smoking policy;
 - < safe work procedures;
 - < University Safety and Health Programs related to specific job.

D. Safety Committees/Building Representatives

1. CAMPUS SAFETY COMMITTEE- POLICY AND PROCEDURE STATEMENT

a. INTRODUCTION /RATIONALE

It is the policy and duty of Gonzaga University to promote the safety and health of its employees. This commitment is based on two fundamental concepts: first, profound respect for the welfare of the individual in keeping with the University's humanistic, Catholic and Jesuit traditions; and second, pragmatic appreciation of the operational and fiscal advantages of maintaining an injury and illness free working environment. To this end, the university has established a safety committee consisting of faculty and staff representing the broad spectrum of institutional functions and activities. The basic charge or purpose of this committee is three-fold 1) To mitigate occupational and environmental hazards; 2) To promote safety and health in the work place, and 3) to establish a forum to which employees can bring safety issues and concerns.

b. ORGANIZATION

Membership: The Safety Committee shall consist of a minimum of eight members. Six shall be elected and two shall be appointed; one from the Environmental Health and Safety Department and the other from the Personnel Advisory Committee. At no time shall the number of appointed members outnumber the number of elected members. Additionally, no two members will be drawn from the same area or department. The Committee may by majority vote to pick "at large," non-voting members as it deems appropriate.

Members, elected and appointed, shall be drawn from the major areas or departments of the university with specific representation encouraged from Plant Services' maintenance and custodial staff as well as the faculty. If a candidate from each of these three groups is not elected, the committee reserves the option of appointing such representatives subject to the membership ratio above. Non-exempt status members shall be

compensated by their respective departments for committee time only if above and beyond their regular working hours.

The terms of employee-elected members shall be a maximum of one year. There shall be no term limits on appointed or "at large" members. Elected membership terms shall run February 1st to February 1st. Nominations for vacancies shall be solicited during the previous December with elections in January. Should a vacancy occur within that period, a new member shall be elected by the Committee at the next scheduled meeting.

Chairperson: A chairperson or co-chairpersons shall be elected by a majority vote of the members. Principal duties of the chairperson(s) shall include but not be limited to: 1) Calling and scheduling committee meetings; 2) Presiding over and conducting meetings; 3) Delegating committee work or projects to sub-groups or individuals among the membership; 4) Suggesting topics and/or directions for Committee consideration. The chairperson(s) shall have one vote (each) which is equal to that of the other members.

Advisors: Advisors on or for various topics or disciplines may sit on the committee at the discretion of the majority members as non-voting participants or members.

Meetings: Committee meetings shall be held a minimum of four times a year and scheduled proportionally over that period. Frequency of meetings shall be determined by the membership. Supplemental meetings may be called at the discretion of the chairperson as circumstance dictates.

Protocol: Meetings shall be conducted according to Roberts Rules of Order to the degree determined by the chairperson and members. Motions shall be offered and seconded and then voted on by the membership. Motions shall pass upon majority voice or hand affirmation.

Input/Communication: Any employee of the University can request agenda topics to the committee for consideration and/or request direct presentation before the committee. Scheduling for such request will be at the discretion of the chairperson. Meeting minutes and safety information shall be written and made available to all employees of the University by posting on clearly marked and visible safety bulletin boards. Additionally, this information may be distributed by on-campus mail delivery and/or campus intra-net access. Hard copies of the minutes shall be distributed to the individual members.

c. **EXTENT OF AUTHORITY**

The Campus Safety Committee is advisory only and answers ultimately to the University Cabinet. Within this context, the committee may make recommendations at any administrative or managerial level it deems the most appropriate. In doing so the committee recognizes the authority of the subject administrator, director or manager to disseminate the recommendation(s) to those employees within his or her realm of responsibility. Campus-wide recommendations should use the Department of Environmental Health and Safety as its principal vehicle for distribution.

d. BASIC GOAL

The Basic Goal, defined as the identified "end" or "result" the committee wished to achieve, is

"To promote a Healthful and Safe Campus Environment."

e. OBJECTIVES AND RESPONSES

The Safety Committee shall be pro-active in pursuing the following objectives and responses. "Pro-active" is defined as taking the initiative and setting the direction required to achieve the Basic Goal above. Objectives are defined as the principal "strategies" required to achieve the Basic Goal. Responses are defined as the "execution" of the objectives by more specific action. The Objectives and Responses of the Campus Safety Committee shall include but not be limited to the following:

Objective #1: Establish specific criteria on what constitutes a "healthy" and "safe" environment.

Response #1: Gather comparative criteria from similar campuses and institutions.

Response #2: Develop a University Environmental Health & Safety Policy Statement identifying criteria.

Objective #2: Foster informal and formal health and safety education.

Response #1: Refine mechanisms for receiving, updating and disseminating information.

Response #2: Review the current Accident/Illness Prevention Program; make recommendations.

Response #3: Recommend supplemental information sessions as required to address timely issues as they arise.

Objective #3: Decrease or eliminate unhealthy and unsafe conditions or practices.

Response #1: Review safety and health inspection reports.

Response #2: Investigate field conditions, procedures and practices upon request.

Response #3: Provide recommendations for accountability, alleviation, mitigation or elimination.

Objective #4: Recommend upgrade of conditions and changes in practices to meet specific health and safety criteria.

Response #1: Recommend and monitor special projects and programs to address specific upgrades.

Response #2: Identify applicable personnel, departments and related sources for interchange, advice and coordination. Potential departments may include Human Resources; Environmental Health & Safety; The Health Center; Planning & Construction; Plant Services Maintenance; Campus Security

f. SUMMATION & CAVEAT

The Campus Safety Committee recognizes and accepts the responsibility entrusted to and expected of it under these policies and procedures. However, campus health and safety is the responsibility of every employee, regardless of position. In the last analysis the degree to which the University maintains a healthy and safe environment is the measure of this community's collective and coordinated commitment.

2. **LAB SAFETY COMMITTEE**

The members of the committee consist of a representative from Environmental Health & Safety, Biology, Chemistry and Engineering labs. The committee is responsible for the development and policies set out by the Chemical Hygiene Plan.

3. **SAFETY BUILDING REPRESENTATIVES**

Each building and/or identifiable department should appoint a Safety Building Representative from that particular building or department. Selection of the representative is a management decision. Representation should depend upon the nature of the work or program, number of employees, and/or students, and separation of facilities. The Environmental Health & Safety Department is available for consultation on this matter. The name of the Safety Building Representative is posted on the building's safety bulletin board.

The Safety Building Representative will be the focal point within that particular department or building for matters of safety. The Safety Representative will represent that department or building on a subcommittee of the Campus Safety Committee.

The Safety Building Representative is responsible for

- being the single point of contact within that department or building for all safety matters;
- representing that department or building at meetings of the subcommittee of the Campus Safety Committee;
- maintaining a safety bulletin board in an area where everyone who works in the department or uses the building can see it.
- conducting safety inspections within that particular department or building and arranging for the correction of any hazards, deficiencies, or unsafe conditions detected. Training in conducting inspections will be provided by the Environmental Health & Safety Department.

- E. **Safety Bulletin Boards:** Safety bulletin boards are located in each building where all employees can see in the normal course of their daily duties. The Safety Building Representative is responsible for maintaining the safety bulletin board and their name will be posted on the boards in each building.

The safety bulletin boards, or part of an existing board, are outlined in a green border. The designated bulletin board is reserved exclusively for safety material. The following information must be displayed on the bulletin boards:

1. **Department of Labor and Industries Posters** - available from the Environmental Health and Safety Department;
 - < Job Safety and Health Protection (F416-081-000)
 - < Notice To Employees (F242-191-000)
2. **President's Safety Policy Statement**
3. **Emergency Telephone Numbers**
4. **Emergency Evacuation Map:** distributed by Environmental Health & Safety Department.
5. **Campus Safety Committee Meeting Minutes:** meeting minutes from the most recent committee meeting.
6. **Campus Safety Committee Member List**
7. **Safety Posters and Newsletters:** distributed by Environmental Health & Safety Department.
8. **Citation and Notice:** citations from a state or federal regulatory agency must be posted as required.

Other safety related information will be posted if approved by Environmental Health & Safety, a member of the Safety Committee, or Building Safety Representative.

III. REPORTING ACCIDENTS OR OCCUPATIONAL ILLNESSES

- A. **Work-related Accidents / Illnesses Reporting Procedures:** The Environmental Health & Safety Department is responsible for handling the accident/injury/illness reports and claims management for work-related accidents. The Washington Administrative Code (WAC 296-24-025) states that "employees shall make a prompt report to their immediate supervisor of each industrial injury or occupational illness, regardless of the degree of severity." The procedures to follow in reporting work-related accidents/injuries/illnesses are outlined below:

1. Employee's Responsibilities

- Report all work-related accidents/injuries/illnesses to supervisor, regardless of severity.
- Fill out the Gonzaga University Accident/Injury Report (available from Supervisor, Building Safety Representative, or Environmental Health & Safety Department - EH&S) within 24 hours of the incident.
- Continue to update their supervisor and EH&S on the status of the claim which may include continued doctor visits, physical limitations, or time off work.

2. Supervisor's Responsibilities

- The supervisor must fill out part of the Employee Accident/Injury Report form and send this report to EH&S.
- Contact Environmental Health & Safety, ext. 5852, immediately when notified of accident.

3. Medical Treatment

- An employee needing medical treatment may choose any doctor.
- The employee should inform the doctor that the condition is work-related and complete the worker's statement on the Washington State Fund Accident Report at the doctor's office.

- Have the doctor complete the Light Duty Return to Work Program form and return it in to their supervisor or the EH&S Office.
- If there are physical limitations, please see below for further instructions

4. **Physical Limitations or Off Work**

- If the doctor notes that the employee cannot return to work or has physical limitations, the employee is required to inform them that Gonzaga University has a light-duty, return-to-work program. Active participation is expected in all return to work activities. These activities may include part-time or light-duty work until able to perform regular job duties. After the initial contact with the doctor regarding light duty, EH&S will continue to actively work with the employee and the doctor on the University's proactive return-to-work program.
- The employee must bring their supervisor a statement from the doctor noting physical limitations and for what period they apply, or the doctor can fax them directly to EH&S at 323-5815.
- If the doctor notes that the employee is unable to participate in the light-duty program, the employee must check in with their supervisor a minimum of once a week while they are off work to update on progress.
- A written release from the doctor is required before returning to regular duties. They must contact their supervisor and advise them of the release, and provide them a copy once returned. Employee's are not allowed to return to regular duties without a release.
- Complete a leave of absence form from the Benefits Office if absence is four or more consecutive working days.

IV. **LIGHT DUTY RETURN-TO-WORK PROGRAM**

- A. **PURPOSE:** The University values the safety, health and well being of all employees. Should an employee become injured or ill, it is important that the individual return to work as early as is medically safe. The Environmental Health & Safety Department (EH&S) will stay in contact with the employee and the medical provider to keep up to date on the employee's recovery progress.

The University has developed light duty assignments for employees who are unable to return to their normal duties while recovering from their injuries. Medical studies show that transitional work speeds the healing process.

- B. **PROCEDURES:** EH&S will contact the injured employee's medical provider to furnish information on the nature of the work the employee performs. EH&S will ask if the employee can perform the normal duties with or without reasonable accommodation. EH&S will also provide information on other available light duty assignments.

The goals in returning an employee to light duty work are as follows:

- same job with temporary modification of duties
- another temporary job in the same department
- a temporary job in another department (all wages are paid by the original employing department)

Once an employee is released by the physician to return to light duty work, before the employee returns, the employee and the supervisor will sign a light duty work agreement. This agreement outlines the employee's physical limitations and the light duty assignment.

EH&S will monitor an employee's progress on light duty and work with the medical provider to return the individual to normal duties.

If return to light duty work is not feasible as outlined above, a vocational rehabilitation specialist assigned by the Department of Labor and Industries will work with the employee and the physician to return the employee to the same job. This return to work effort may be done with temporary or possible permanent modifications, or provide rehabilitation for alternative employment.

V. REPORTING POTENTIAL HAZARDS - Accident Prevention Statement

Accident prevention is an absolute priority for Gonzaga University. Although the Environmental Health and Safety Department (EH&S) coordinates the University's accident prevention and safety programs, preventing accidents is truly a team effort by the entire Gonzaga Community.

Employees with concerns about the safety of their work area or questions regarding accident prevention should call the EH&S Department at ext. 5852. If the situation does not pose the threat of immediate harm, employees should call the safety hotline and leave a message at ext. 5890, or contact a Safety Committee Member. As always, you should refer repairs and regular maintenance concerns to Plant Services.

An EH&S Department representative will be happy to inspect potential hazards, respond to employee questions, and recommend changes, if needed, to ensure that Gonzaga University is providing a safe place to work and study.

VI. ACCIDENT INVESTIGATIONS

- A. **Responsibilities:** The investigation of accidents and near misses is an essential part of the University's Accident Prevention Program. A thorough investigation, reconstructing the chain of events leading to an accident or near-miss, identifies unsafe acts and conditions requiring corrective action. An accident investigation and subsequent implementation of the corrective action minimizes the potential for future accidents.

The Environmental Health and Safety Department (EH&S) investigates all major accidents resulting in death, serious injury or in-patient hospitalization of employee. EH&S may investigate non-injury accidents and near misses.

The responsible supervisor conducts an investigation and completes a Supervisor's Accident Investigation Report on all reported injuries.

The Campus Safety Committee may assist in the investigation of accidents and near misses.

B. ACCIDENT INVESTIGATIONS:

1. **Near-Miss Accident/Injury/Illness:** Whenever there is an incident that did not, but could have resulted in serious injury to an employee (near-miss) the following procedures will be followed:

- the supervisor, or a team will investigate the incident, depending on the seriousness of the injury that would have occurred;
 - the "Near Miss Report" form will be used to report the near-miss. The report will be forwarded to the Environmental Health & Safety Department.
 - EH&S will work with the department to ensure that the potential hazardous condition was corrected and safety programs are followed.
 - EH&S will also report the incident to the Campus Safety Committee.
2. Minor Accident/Injury/Illness: In the case of a minor accident/injury/illness the following procedures will be followed:
- the supervisor is to immediately investigate a minor accident. The objective of an investigation is to determine the accident cause;
 - after the cause is determined, the supervisor is to provide recommendations for corrective action to the manager and EH&S. The corrective actions should eliminate or minimize the potential of recurrence.
3. Serious Accident/Injury/Illness: Whenever an accident results in serious injuries that have immediate symptoms the following procedures will be followed:
- A preliminary investigation will be conducted by the immediate supervisor of the injured person(s), a person designated by management, a member of the Campus Safety Committee, and a representative from Environmental Health & Safety.
 - The supervisor is to ensure that they preserve the accident site as it was when the accident occurred. Equipment involved in a major accident is not to be moved unless it is necessary for victim removal or accident prevention. An Environmental Health and Safety representative authorizes removal of equipment involved in a major accident.
 - The investigation team will take written statements from witnesses, photograph the accident scene and equipment involved, and note the conditions of equipment and the work area that may have had a bearing on the accident as soon as possible after the accident.
 - The team will make a written report of its finding including a sequence of events leading up to the accident, conclusions about the accident and any recommendations to prevent the accident from recurring. The report will be reviewed by the Campus Safety Committee at the next regularly scheduled meeting.
 - After the investigation, and within 48 hours of the incident, the supervisor, EH&S and Safety Committee representative completes an Accident Investigation Report and submits it to EH&S.
4. In case of fatality, probable fatality, or when two or more employees are admitted to a hospital because of an accident:
- An Environmental Health & Safety Department representative will contact the Department of Labor and Industries within eight hours after becoming aware of the accident. During weekends and evenings, the toll-free notification number is 1-800-321-6742. The notification must be a verbal conversation with a representative of the department. Fax and answering machine notifications are not acceptable. The notification must report company name, location and time of the accident, number of employees involved, the extent of injuries or illness, a brief description of what happened, and the name and phone number of a contact person.

VII. SAFETY TRAINING

University supervisors are responsible for providing initial safety training for employees and periodically reviewing applicable safety procedures and use of personal protective equipment with employees. The Safety Orientation Checklist may be used as a guide for this purpose.

Employees who work under specified conditions are to receive training as required by the indicated state of Washington (WAC) reference. In addition to training, Gonzaga University has developed written programs that explain procedures for doing certain kinds of work that have special hazards. Please contact Environmental Health & Safety (EH&S) for specific information. Specific work situation and applicable references are noted below:

TRAINING DESCRIPTION	REQUIRED WHEN.....	WAC
Blood borne Pathogens	Employees may be exposed to human blood or bodily fluids as a part of their job.	296-62-08001
Confined Space	Employees must enter a space with limited means of egress that is subject to the accumulation of dangerous vapors or oxygen deficiency.	296-62-14503
Fall Protection Plan	Employees are exposed to fall hazards of ten feet or more.	296-155-245 & 296-24-2302
Hazardous Chemical Communication Plan/Work Right-To-Know	Chemicals are used in the workplace.	296-62-054
Laboratory Safety	Employees are exposed to laboratory containing hazardous chemicals.	296-62-400
Lock-out/Tag-Out (Energy Control Plan)	Employees perform service or maintenance on machinery or equipment where the accidental starting of the machine would cause employee injury.	296-24-110
Personal Protective Equipment	Employees work where hazards are present or likely to be present then they are required to use personal protective equipment such as safety glasses, hearing protection, etc..	296-24-07501
Respiratory Protection Plan	Employees exposed, or potentially exposed, to gases, vapors or dust above OSHA/NIOSH permissible exposure limits, or AGCIH threshold limit values.	296-62-07109
Welding and Cutting	Employees work with oxy-fuel gas equipment performing welding and cutting operations	296-155-400

VIII. FIRST AID RESPONSE PLAN

- A. **FIRST AID TRAINING & REQUIREMENTS:** To assure that all University employees can be afforded quick and effective first aid attention, specified University Personnel are to obtain first aid certification. Environmental Health & Safety (EH&S) offers an American Red Cross approved basic certification course and maintains a training record of all certified personnel and expiration dates. Employees take refresher training every two years to keep the certification current.

Whenever a workplace is occupied by employees, there must be an individual holding a valid certificate of first aid training present, or available. If a demonstrated need is established, EH&S may designate additional employees to be trained/certified to surpass or augment the standard requirements. The areas listed below have first aid/CPR certified responders:

- Security Officers ext. 3222
- University Health Center ext. 4052
- EH&S Safety Programs Manager ext. 5852
- designated Plant Services personnel ext. 5656

- B. **FIRST AID KITS:** First aid kits are to be accessible to employees and student employees at all times while they are at work. First aid kits are to be labeled with emergency telephone numbers, available from the Environmental Health & Safety Department.

First Aid Kits will be available in the following areas:

- all University buildings where employees work;
- Security Officers carry first aid kits in their vehicles;
- the University's Health Center has a first aid station;
- the switchboard area of the Administration Building has a large first aid kit and is used as an after-hour first aid station;
- all motorized vehicles used to transport employees shall be equipped with not less than a ten-package first aid kit. When more than five employees are being transported in a University vehicle on any one trip, the kit shall be increased to comply with a 16, 24, or 26 package kit depending upon the number of personnel being transported.

- C. **AUTOMATED EXTERNAL DEFIBRILLATOR:** The Automated External Defibrillator (AED) is a device used to treat a person in cardiac arrest by giving their heart an electric shock. The AED is used in addition to CPR, if necessary. It is located in the Training room at Martin Center, however, only trained staff are allowed to use the AED.

IX. FIRE PREVENTION

An evacuation map for each building is posted on all safety bulletin boards and other visible locations in each building. The map shows the location of exits, fire extinguishers, first aid kits, and the gathering location outside that building.

A. In case of a fire:

- Notify another person immediately. Call or have that person call 911 and a supervisor;
- Activate the building fire alarm system;
- Notify other employees in the area to evacuate;
- Notify supervisors in other areas to evacuate the building;
- If the fire is small, such as a wastebasket fire (under 4 feet), and there is minimal smoke, one may attempt to put it out with a fire extinguisher;
- If the fire grows or there is thick smoke, do not continue to fight the fire;
- If the fire is too large to fight, leave the area and close the doors when leaving.

B. Evacuation:

Note: Building occupants are required to leave the building when the fire alarm sounds. Persons remaining in the building are in violation of the Uniform fire code and may be found guilty of a misdemeanor.

- follow the predetermined evacuation plan for the work area;

When exiting:

- Check doors for heat or smoke before opening. Close doors after passing through;
- Do not lock doors or allow doors to lock. Locked doors could preclude return should the fire prevent exit;
- If smoke is encountered, crawl rather than walk;
- Never use an elevator;
- If smoke is present in a stairwell, do not enter the stairwell. Choose another route;
- Go to the designated gathering point and verify that all employees are accounted for. If an employee is missing, do not re-enter the building! Notify the responding fire personnel that an employee is missing and may be in the building.

402.00 ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

"Gonzaga University belongs to a long and distinguished tradition of humanistic, Catholic and Jesuit education. We, the Trustees and Regents, faculty, administration and staff of Gonzaga, are committed to preserving and developing that tradition and communicating it to our students and alumni...We are inspired by the vision of Christ at work in the world, transforming it by His love, and calling men and women to work with Him in loving service of the human community." (from Gonzaga University's Mission Statement)

I. PURPOSE

In light of its Mission Statement, and concerned with the total health and well being of its members, Gonzaga University's attitude regarding AIDS is one of care and compassion for both the individual and the community.

Fundamental to this policy is an educational program for all members of the campus community, a program that provides basic information about AIDS: What is it? How does a person get AIDS? What protection is available against this virus? etc. This policy also addresses the legal and ethical considerations involved with AIDS, considerations such as confidentiality, testing, and the common good of the community.

The Director of the Health Center implements this policy and is advised by a committee of people from the University community: two faculty members appointed by the President of the Faculty Assembly (one from the main campus and one from the School of Law), the Director of Human Resources, and the Vice President for Student Life. An on-going education advisory group, consisting of representatives from the student body, alumni, parents, staff, faculty, and administration will assist the Director of the Health Center and this University AIDS Committee.

The Director of the Health Center and the University AIDS Committee will ask various University departments to formulate and update specific operating procedures for AIDS education and protection. Such departments include Athletics, Biology, Custodial Services, Dining Services, Health Center, Human Resources, Physical Education, and Residential Life. The task of reviewing and providing departmental procedures is the responsibility of the Director of the Health Center and the University AIDS Committee.

II. EDUCATION

Extensive medical research indicates that people do not get the AIDS virus through casual contact. People get AIDS by intimate sexual contact, by exposing themselves to blood or blood products, or by sharing intravenous drug needles. Through presentations and printed material, the Education Advisory Group, together with the Director of the Health Center, will assist the University community in learning about the AIDS virus.

III. CONFIDENTIALITY

Gonzaga students with AIDS, ARC or a positive HIV (HTLV-III) and antibody test are protected by the Family Education Rights and Privacy ACT (FERPA) of 1974 and the Washington State Laws against discrimination (RCW 49.60, et.seq.). The University also respects the privacy rights of its employees. Therefore, the University will keep confidential the names of its members who are infected, and will not disclose any specific medical details about an individual without the written consent of that individual. The University also will encourage all infected persons seeking medical, dental, or eye care, to advise the practitioner of their positive antibody status.

IV. NON-DISCRIMINATION AND CARE

Through its admission and employment policies, the University prohibits discrimination against persons with AIDS, ARC or positive HIV (HTLV-III). Therefore, the University does not test for HIV as part of an admission or employment requirement. However, the University strongly encourages individuals so infected to confidentially inform the University physician who will provide them with proper medical care, education and counseling, or refer them to off-campus clinical services and community resources.

403.00 CERTAIN RELATIONSHIPS BY PERSONS IN AUTHORITY

I. POLICY

A romantic (amorous) relationship or sexual relationship freely entered into between two members of the University community generally are not addressed here and are not at issue. Certain romantic or sexual relationships, however, may arise in circumstances which involve an inherent conflict of interest and present a recognized potential for sexual harassment/discrimination, or charges thereof. Those include relationships in which the following circumstances co-exist:

1. A romantic or sexual relationship between two members of the University community, and
2. One person in that relationship has actual or apparent authority to supervise, evaluate, or make decision(s) or recommendations(s) regarding the other person in respect to the other person's employment, education, or instruction at the University, or as to his or her advancement, participation, benefits or privileges in connection with or relating thereto.

Duty: If and when those stated circumstances co-exist, regardless of which occurs first, the person in position of authority is required to do the following *forthwith*: (1) discontinue exercising any authority over the other person; (2) report the relevant facts to his or her own supervisor as set forth in the PROCEDURES portion of this Policy; and (3) confer with his/her own supervisor in respect to transfer of that authority to another. Prompt action is required in fulfilling those mandatory requirements.

Violation of Duty: If the person in authority fails to fully or timely comply with those requirements, he or she will have violated this policy and will be subject to disciplinary sanctions, up to and including dismissal from employment by the University. This policy has University-wide application including without limitation relationship between: faculty/student, faculty/faculty, administrator/faculty, administrator/staff, administrator/student, advisor/advisee, or supervisor/supervisee. In this context, the term "administrator" includes the non-faculty classifications of executive, administrator, and professional.

II. PROCEDURES

A. Self-reporting:

1. The policy requires that the person in authority in such a relationship report the relevant facts to his or her own immediate supervisor. If the immediate supervisor is not readily available, report shall be made to the next available higher supervisor (e.g., faculty ordinarily would report to chair/dean/AVP as customary and appropriate; non-faculty would report to his or her supervisor/director/vice president, as customary and appropriate).
2. If for any reason the transfer of authority is not or cannot be accomplished by the supervisor to whom report is made, that supervisor should act promptly to refer such matter to a higher level or levels of authority to obtain direction and resolution of the matter.

3. Persons receiving such self-reported information are expected to maintain confidentiality by limiting communication of such self-reported information to those having a need or right to know, thereby encouraging, prompt and voluntary self-reporting of such matters.
- B. **Reports By Others**: Reports or allegations by any other person that the circumstances referenced in paragraphs 1 and 2 of the policy co-exist as to another member of the Gonzaga community, should be directed to the University's vice president having supervision of the departmental area in which that member is employed. That vice president will then coordinate with that member's immediate supervisor (and/or higher supervisors) to consider or effect any further action deemed appropriate. Prompt, accurate, honest and forthright reporting in good faith is encouraged and needed if the objectives of this policy are to be achieved. Conversely, reports or allegations made in bad faith without any foundation in fact are counter-productive to those goals and itself could give rise to serious consequences, including disciplinary action.
- C. **Discipline**: Disciplinary procedures and sanctions, if any, for violation of this policy will be (a) pursuant to the applicable provisions of the *Personnel Policies and Procedures Manual* if the alleged violation is by a non-faculty person, and (b) pursuant to Section Three, Paragraphs 306.01 to 306.23 of the *Faculty Handbook* if the alleged violation is by a faculty member. Enforcement and sanctions will seek to take into consideration all relevant factors including without limitation whether the matter was self-reported, to what extent the mandatory requirements were complied with, and the timing thereof.

III. COMMENTARY

- A. This commentary provides information as to background and context for the foregoing policy. However, this commentary is not intended to constitute an addition to or a modification of the Policy (or Procedures relating thereto). Any conflict or inconsistency between this information and that set forth in the policy or procedures is to be controlled by the language of the policy and/or procedures set forth in Sections I and II above.
- B. A romantic or sexual relationship between two members of the University community gives rise to issues of special concern for the University when, by reason of an instructional or supervising relationship, one of the participants has authority over the other in matters relating to either instruction or employment. Romantic or sexual relationships in those circumstances are recognized to entail an inherent conflict of interest. Continuation of such can result in irreparable injury and may give rise to serious legal and financial consequences for both the University and for the participants. Accordingly, a number of colleges and universities have adopted policies addressing such relationship.
- C. Such relationships involve heightened financial risks because of known, real potential for (a) claims that a *quid pro quo* ("this for that") exchange was required or was implicit, and (b) claims that the University has legal responsibility for *quid pro quo* acts of the supervisory-person even though no one in the University (other than the participants) had any knowledge or notice of the romantic nature of the relationship. For example, a recent Washington decision, Thompson v. Berta Enterprises, 72 Wn. App. 531 (Div I, 1994) held the employer "strictly liable for its supervisor's *quid pro quo* harassment of an employee" even though the only persons in the

company having actual knowledge or notice of the relationship were the two person who were intimately involved.

- D. The power of persons in authority greatly restricts the freedom of subordinate students and employees to reject romantic or sexual advances. Typically, authority to give or withhold rewards such as evaluations, grades, advancements, and recommendations limits the extent to which a romantic or sexual relations between individuals can be considered consensual. Even if a student or subordinate employee does not appear to object to participation in the relationship, this does not mean that the individual welcomes (or will continue to welcome) the relationship. Romances sometimes turn sour – and, in circumstances in which a power imbalance exists, the person having authority may become highly vulnerable and defenseless against exaggerated accusations, especially in a factual dispute between the participants as to whether *quid pro quo* consideration was required or implied. Moreover, a third party may claim that the participant in a consenting relationship unduly received preferential treatment and may file a complaint of discrimination against the person having power or authority. This policy seeks to avoid or minimize those risks and concerns.
- E. Relationship of This Policy to the University's Sexual Harassment Policy: A consensual, romantic relationship does not necessarily include or entail the elements of sexual harassment. Indeed, an essential element of sexual harassment is that the sexual conduct was not welcomed. One purpose of the present policy is to head-off and deter high-risk relationships which can give rise to accusations of the *quid pro quo* form of sexual harassment. Accordingly, this policy is not considered as an amendment to the University's sexual harassment policy but as preventative and as complementary to the sexual harassment policy.
- F. Married Persons: This policy is also considered as complementary to the University's existing policy entitled "Employment of Relatives" 407.00. Such policy provides as follows:

Employment of Relative: Relatives of University employees may be hired or transferred except where either would: 1) have authority or practical power to supervise, appoint, remove, or discipline the other; 2) audit the others work; 3) participate significantly in hiring or internal promotion; 4) be placed in circumstances where the relationship would lead to actual or potential conflict of interest; 5) create the reality or appearance of improper influence or favor. When marriage of employees would create a prohibited situation, a change in employee placement is required.

404.00 CONFLICT OF INTEREST

The highest standards of conduct and honesty are expected of all employees of Gonzaga University. It is the obligation of all personnel to avoid involvement in activities which might conflict, or which might appear to conflict, with institutional responsibilities. The conflict of interest guidelines contained in this document are intended to help employees avoid involvement in actual or apparent conflicts of interest, and to protect both the employee and the University from potential legal prosecution, damage to its reputation and financial loss.

While it is useful to provide basic guidelines to assist employees in assessing potential conflict situations, no list can be so exhaustive as to provide direction for all the variable circumstances which may arise. The personal good judgment of employees is indispensable.

The University remains committed to academic freedom and nothing in this policy should be construed as diminishing this commitment.

I. SCOPE

This policy applies to all Gonzaga personnel.

II. DEFINITION

A conflict of interest is considered to exist if an employee's actions or activities on behalf of the University result in preferential treatment or an improper gain or advantage to the employee, the individual's family or business associates, or conversely, has a detrimental effect on the University's interests. It can include an instance in which an employee fails to exercise due care, skill, and judgment on behalf of the University in the performance of the individual's duties because of a conflict of interest.

III. GUIDELINES

- A. All employees have a duty to act in the best interests of the University. Therefore, all employees have a duty to avoid conflicts of interest and to conduct themselves in a manner which will maintain the integrity and accountability of Gonzaga University.
- B. Employees who have a financial or family interest in a business which furnishes goods or services, or contracts with the University, should not undertake to act for the University or enter into negotiations or contracts with that business, either directly or indirectly, on behalf of Gonzaga University. No employee may participate in the selection, award or administration of a contract with any party with whom he or she is negotiating potential employment, or has any arrangement concerning potential employment.
- C. Employees must avoid outside employment or business activity which may conflict, or appear to conflict with University interests. Directorships or consultation agreements for which the employee is compensated must be approved in writing by the appropriate dean or area vice president.

- D. Employees must provide full written disclosure of any business, financial enterprise or activity which might influence, or appear to influence, decisions or actions concerning University matters. Disclosure should be made by completing a disclosure statement annually or whenever a significant change in interest occurs. The disclosure statement will be maintained in a confidential file by the appropriate dean or area vice president.

If an employee anticipates a conflict of interest or the appearance of a conflict may arise, he or she should seek advice from the appropriate dean or vice president. Employees should not participate in any way in the matter that is the subject of their concern until it has been resolved by the dean or vice president. Such determination will be in writing.

- E. Employees should not use confidential information or special knowledge acquired as a result of their relationship with the University to, among other things, purchase or sell securities, real property or other goods or services, or to in any way enhance their own personal financial well being by using such inside information to their own advantage.
- F. Employees may use the name of the University to identify themselves professionally, but unless they are authorized to do so, they should be careful not to represent themselves as speaking on behalf of Gonzaga University.
- G. Employees may not use students or other employees of the University to perform personal services for themselves or others if improper gain or benefit would result.
- H. Employees must not disclose information regarding the University's intentions as to investments, property development, sale or acquisition of property, or the University's purchasing and contracting activities.
- I. Employees must not make unauthorized use of University equipment, property or other resources for personal benefit or for the personal benefit of any other person.
- J. Personal gifts or favors from persons with whom the University has a business relationship should be discouraged. To avoid improper influence, or the appearance or suggestion of such, personal gifts of more than nominal value should not be accepted. Special caution has to be exercised by employees involved in awarding or administering federal or government contracts as it is a crime to solicit or accept gratuities, favors or anything of value from contractors or potential contractors.
- K. Employees may not be involved in University matters pertaining to a member of his or her immediate family, insofar as said matter affects such family member's employment, evaluation or advancement at the University, without first making a full disclosure. Such disclosure must be in writing and shall include the nature of the relationship and the impact or potential impact the employee's actions may have on such family member. The disclosure should be made prior to any action being taken with regard to the family member and should be made to the appropriate dean or vice president. (See also University policy statements concerning amorous relationships and nepotism.)

See appendix 400A for Conflict of Interest Policy Pertaining to Sponsored Projects.

405.00 COPYRIGHT

Gonzaga seeks to balance the right of fair use with the legal ownership rights of copyright holders in accordance with its philosophy and mission as a humanistic, Catholic, and Jesuit University. This policy's objective is good faith compliance with the directives and intent of the copyright law of the United States.

The copying, for research and classroom purposes of books, articles, and other copyrightable works is a concern to the entire Gonzaga community. This policy statement addresses questions about when copying may take place without the consent of the copyright owner, the extent of fair use, when and how permission to copy should be obtained, and how to reduce exposure to liability.

I. Preamble

Gonzaga University intends to adhere in spirit and principle to the provisions of the United States Copyright Law (Title 17, United State Code, Sec. 101, et seq.). This policy represents a sincere effort to conform to the requirements of the copyright act.

II. Policy

- A. **Responsibility:** The University disapproves of and forbids duplication in any form which violates copyright law. This includes, but is not limited to, duplication of printed matter, music, computer software and video/audio materials. Members of the Gonzaga community who disregard University copyright policy and guidelines do so at their own risk and assume all responsibility and liability arising from such activity, including indemnification of the University. University employees who cooperate with persons violating this policy will be subject to disciplinary action, including dismissal.
- B. **Compliance:** Members of the Gonzaga community are expected to adhere to the copyright law, fair use guidelines, licenses or contractual agreements, or other permissions.

III. Guidelines

A person may use copyrighted material without permission of the owner when such use satisfies the requirements of "fair use" or if the use is by an instructor for distribution to a class. However, in the latter case, the use must meet the requirements of spontaneity, brevity and cumulative effect.

- A. **Copyright:** A copyright grants the holder exclusive rights in the reproduction of creative works. With certain exceptions, no one may reproduce the work without express permission from the copyright holder.

A copyright is created at the time the work is created. The copyright is created regardless of whether the work is published or unpublished and the copyright immediately becomes the property of the author. If the work is created for hire, the copyright becomes the property of the hiring party. Registration with the Copyright Office is not required to protect an interest in the work. Additionally, affixing the copyright notice is no longer required to give the public notice.

However, registration with the Copyright Office is required before initiating an infringement suit. Also, affixing the copyright notice will make defense of the copyright easier.

- B. **Fair Use**: A person may make copies of copyrighted work to promote research and scholarship. The test used consists of a four level balancing test. The areas applicable to "fair use" are:

- purpose and character of the use, such as is it for commercial or non commercial use;
- the nature of the copyrighted work;
- the amount and substantiality of the portion used as related to the work as a whole;
- the effect of the use on the potential market or value for the copyrighted work.

Instructors may make copies of copyrighted material for use in preparing lectures or for distribution to students in their courses. Different guidelines apply on the intended use of the copyrighted material. Single copies intended to be used by the instructor for research or lecture preparation may consist of any of the following:

- A chapter from a book;
- An article from a periodical or newspaper;
- A short story, short essay or short poem, whether or not from a collective work;
- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

If multiple copies are desired for distribution to a class, three requirements must be met. First the copying must meet the requirements for brevity and spontaneity. Second, the cumulative effect test must be satisfied. Third, each copy must include a notice of copyright.

- C. **Brevity**: Brevity is defined differently depending on the type of work being considered. Listed below are the differing requirements for each type of written work.

1. Poetry--a complete poem is less than 250 words and printed on two or fewer pages; or, an excerpt from a longer poem not to exceed 250 words.
2. Prose--a complete article of fewer than 2,500 words; or, an excerpt not to exceed 1,000 words or 10% of the work, whichever is less. However, the minimum limit is not less than 500 words.
3. Illustration--one chart, graph, diagram, cartoon or picture per book or periodical.
4. "Special" works--those works that comprise both a prose and pictures that consist of fewer than 2,500 words.

- D. **Spontaneity**: Spontaneity is satisfied when the copying is done at the insistence of the teacher, and the decision to use the copyrighted work combined with need for quick use to gain maximum teaching effectiveness of the copyrighted material make it unreasonable for the teacher to get permission from the copyright holder.

- E. **Cumulative Effect**: The cumulative effect test limits the overall use and number of copies that can be made. The test requires that:

1. The copies made are for use in only one class in the school;
 2. No more than one short poem, article, story, essay or no more than two excerpts from the same author. Also, cumulatively, no more than three short poems, articles, stories, essays or more than six excerpts may be copied from the same collective work or periodical volume during one school term.
 3. In totality, no more than nine instances of multiple copying per course per term may take place.
- F. **Conclusion:** The copyright rules concerning reproductions made for individual research are easily followed. As long as reproductions of only the sections needed for research are used, no violation should occur.

The copyright rules that allow an instructor to use copyrighted works for class are straightforward. However, the requirement that could be most easily overlooked would be the one requiring that the copyright owner's notice be attached. This is because the notice may or may not be on the page or pages reproduced and might be overlooked if the copier is in a rush.

406.00 DRUG-FREE WORKPLACE

I. PURPOSE

In compliance with the Drug-Free Workplace Act of 1988 and consistent with its Mission Statement, Gonzaga University promotes a workplace free from illegal use, possession, or distribution of controlled substances or drugs.

Gonzaga University personnel have the responsibility and the right to perform their jobs in a safe, conscientious, and effective manner. Consequently, the workplace environment must be drug-free and insure personnel are free from the effects of controlled substances or drugs.

It is unlawful and strictly prohibited for Gonzaga personnel to manufacture, distribute, dispense, possess, or use without medical authorization a controlled substance or drug in the workplace. Gonzaga University encourages personnel who might have a substance abuse problem to seek assistance through outside sources or to contact the Human Resources Office for referral to an agency providing rehabilitative and counseling services.

VIOLATIONS OF THE DRUG-FREE WORKPLACE POLICY MAY RESULT IN DISMISSAL.

II. PROCEDURE

- A. **Administration and Education:** With support from the Assistant Director of Human Resources, Environmental Health and Safety, the Director of the Health Center, and the Director of Government Relations, the Director of Human Resources is responsible for administering the Drug-Free Workplace Policy.

The Drug-Free Workplace Policy is posted on University bulletin boards and a copy is given to all new personnel during the new hire orientation session.

A drug-free awareness program provides educational material from the Health Center, special events through Student Life, and counseling options provided through Human Resources.

- B. **Reporting:** Any personnel observing or having knowledge of others in a condition adversely affecting their ability to perform job responsibilities or posing a hazard to the safety and welfare of others, shall promptly report such condition to the appropriate supervisor.

Personnel are required to report any criminal drug statute conviction for a violation occurring in the workplace. This report shall be made to the immediate supervisor within five days of the conviction. The supervisor must immediately notify the Director of Human Resources.

- C. **Violations:** For policy violations, the Director of Human Resources will discuss the degree of Counseling and Corrective Action and or/ discipline with the appropriate supervisory levels and recommend actions ranging from mandatory participation in a drug rehabilitation program up to and including dismissal from employment.

- D. **Notification:** When appropriate, the Director of Human Resources will notify Gonzaga's Director of Government Relations. As required by law, the Director of Government Relations will notify the appropriate government agency within ten days after receiving notice of a violation occurring within the workplace. The Director of Government Relations will provide copies of the University's Drug-Free Workplace Policy to all personnel involved with federal funded grants or contracts.

407.00 EMPLOYMENT OF RELATIVES

I. EMPLOYMENT OF SPOUSE

University policy prohibits discrimination in employment and personnel actions solely on the basis of marital status. No employee, prospective employee, or applicant will be denied employment or benefits of employment solely on the basis of marital status. However, Gonzaga University retains the right to: 1) refuse to place one spouse under the direct supervision of the other spouse where the potential exists for creating an adverse effect on supervision, safety, security, or morale; 2) refuse to place both spouses in the same department, division, or facility where the potential exists for creating an adverse effect on supervision safety, security, morale, or involves a potential conflict of interest.

When marriage of employees would create a prohibited situation, a change in employee placement will be required consistent with the above policy.

II. EMPLOYMENT OF OTHER RELATIVE

Relatives, other than spouses, of University employees may be hired or transferred except where either would: 1) have authority or practical power to supervise, appoint, remove, or discipline the other; 2) audit the other's work; 3) participate significantly in hiring or internal promotion; 4) be placed in circumstances where the relationship would lead to actual or potential conflict of interest; 5) create the reality or appearance of improper influence or favor.

4.08 FACULTY HANDBOOK BENEFITS BULLETIN

Faculty hired in a 9, 10, or 12 month regular or visiting contract receive the benefits described below:

1ST YEAR BENEFITS: Begin on the first day of the faculty contract (for contracts effective the first day of a month, otherwise, the first of the following month).

MEDICAL PLAN - Full-time (75% + contract): the University pays the entire premium for you and 50% of your dependent premiums. **Part-time (50 to 74% contract):** the University pays one-half of your premium and you are responsible for all dependent premiums.

Premiera Blue Cross PO - This plan was designed to provide maximum benefits when Preferred Providers in the Spokane area, or National Blue Card providers are chosen. There is a \$300 deductible per person, per calendar year; maximum \$900 per family, and 80% payment for most other covered benefits. The following are not subject to deductible: 100% for preventive care (up to contract limits), \$25 co-pay for office visits, and prescription co-pays. Prescription retail co-payments are: \$10 generic drugs; \$25 for preferred name brand drugs; \$50 for non-preferred name brand drugs. Maximum out-of-pocket expense is \$2,000 (plus deductible). This plan has a 9-month waiting period for pre-existing conditions (credit will be given for time covered under another medical policy).

GROUP LIFE INSURANCE- Full-time only: term life plan equal to two times the annual base salary to a maximum benefit of \$400,000. The University pays the entire premium.

FLEXIBLE SPENDING PLAN- Full-time and Part-time: the plan allows the faculty member to pay group insurance premiums, out-of-pocket medical/dental, and dependent care expenses with pre-tax dollars.

VOLUNTARY LONG TERM CARE INSURANCE- Full-time and Part-time: Long Term Care insurance pays benefits when a physician certifies that the faculty member or a family member have lost the ability, for a period of 90 days, to perform at least two of six Activities of Daily Living (ADLs), or an individual suffers severe cognitive loss (like Alzheimer's Disease). Guaranteed benefits (with no medical underwriting) for faculty member at time of initial eligibility only. Premiums are based on age at time of enrollment. Group rates are available for your spouse, parents/grandparents (including in-laws), siblings, and children. The benefit is fully portable when employment ends.

SUPPLEMENTAL LONG TERM DISABILITY INSURANCE- Full-time only: Disability insurance pays you benefits for a medically certified disability after a 90 or 180 day waiting period. You have a guaranteed benefit for up to \$1500 per month (based on eligible salary)- with no medical underwriting - at time of initial eligibility only. Premiums are automatically deducted from your paycheck. The benefit is fully portable when employment ends.

VOLUNTARY VISION PLAN- Full-time and Part-time: the plan covers an annual eye exam, prescription glasses, contact lens care and discounts for other vision services.

2ND YEAR BENEFITS: Begin on the first day of the contract after one year of service (for contracts effective the first day of a month, otherwise, the first of the following month).

DENTAL INSURANCE - Full-time only: Preferred Provider plan insured by Washington Dental Service. Coverage is 100% - Class I/basic visits; 70% - Class II/restoratives & extractions; 50% - Class III/major. There is a \$25 annual deductible per person, per calendar year; maximum \$75 per family (deductible does not apply to Class I). Annual benefit limit is \$1,500. Orthodontics is not a covered benefit. The University pays your premium in full; you are responsible for dependent premiums. You may participate during the first year by paying the entire premium.

SHORT-TERM DISABILITY - Full-time only: the plan is self-funded by the University and is designed to provide continuation of full salary and benefits for periods of a medically certified disability for up to six months.

LONG-TERM DISABILITY- Full-time only: the plan pays the faculty member two-thirds of the base salary to a maximum of \$13,000 per month for a medically certified disability lasting longer than six months. The University pays the entire premium.

DEFINED CONTRIBUTION RETIREMENT PLAN - Full-time and Part-time who work a minimum of 1,000 hours in a year: the program is a 403(b) tax-sheltered annuity plan. Participation in the plan is mandatory. Faculty contribute 5% and the University contributes 8.5% of the faculty member's base salary.

Faculty may voluntarily contribute during the first year of employment, and may also contribute more than the mandatory 5%, up to the IRS limits. Faculty have a choice of two pension plan providers - TIAA/CREF and Fidelity Investments. **Faculty are fully vested from participation date.**

457(b) DEFERRED COMPENSATION RETIREMENT PLAN- Full-time and Part-time who work a minimum of 1,000 hours in a year, and who have maximized voluntary contributions to the 403(b) plan. The program is a 457(b) voluntary tax-sheltered plan. By enrolling in the 457(b) plan, Faculty are eligible to tax-shelter additional contributions beyond the 403(b) plan limits, up to the 457(b) IRS limit. There is no University matching contribution. TIAA/CREF is the pension plan provider for this plan.

OTHER BENEFITS:

TUITION WAIVER- Full-time and Part-Time: See section 312.00.

MANDATED BENEFITS-

Social Security/Medicare- Consistent with the Social Security Act of 1938, the University contributes one-half of Social Security and Medicare taxes for all faculty members. Faculty pay the other half as an automatic payroll deduction.

Worker's Compensation- In compliance with Washington State law, the University provides industrial insurance to protect faculty who sustain work-related injury or illness. The University pays the majority of the premium, which is based on hours worked. Faculty also

pay a share of the premium.

Unemployment Compensation- As a Washington State employer, the University contributes to the State Employment Security Fund. Faculty who meet the legal requirements are eligible to receive unemployment compensation.

RETIREE MEDICAL INSURANCE - The University offers medical insurance continuation to faculty who choose to retire early. Eligible faculty have the opportunity to continue coverage in the University's medical insurance plans by self-paying the premium to age 65. Medical benefits-eligible faculty, with a minimum of 10 years of service who are at least age 55, may participate in this plan. An eligible faculty member's spouse may also continue participation in the plan until age 65. Dependent children may continue to participate until age 23, or until the last parent turns age 65, whichever comes first.

ADDITIONAL PRIVILEGES - Full and Part-Time: the faculty identification card provides faculty free access to a variety of activities and facilities on campus: Rudolf Fitness Center; Foley Library; Law Library; athletic events; and discounts at theatrical, musical presentations, and the campus bookstore.

THE STATEMENTS MADE IN THIS SUMMARY BULLETIN ARE ACCURATE BUT BY NO MEANS COMPLETE. Contact the Human Resources Office at (509)313-5852 for more information.

Updated 06/09

409.00 FAMILY AND MEDICAL LEAVE

I. GENERAL PURPOSE

In accordance with the Federal Family and Medical Leave Act (FMLA), it is the University's policy to grant up to 12 weeks of unpaid leave during a 12-month period, if the procedures in this policy are followed and leave is requested for any of the following reasons:

1. To care for an employee's child after birth, adoption, or foster care placement;
2. To care for an immediate family member with a serious health condition;
3. A serious health condition of the employee that renders the employee unable to perform his or her functions.

An eligible employee must have one year of service and have worked at least 1,250 hours during the 12 months preceding the leave request. Employees are limited to a maximum of 12 weeks unpaid leave for any of these purposes; an employee cannot take 12 weeks parental leave and 12 weeks sick leave during the same 12-month period. If the leave is for birth, adoption, or foster care placement, the leave must be completed within 12 months of the date of birth or placement.

II. PROCEDURES

- A. Employees applying for Family and Medical Leave must complete a Leave of Absence Request Form, accompanied by the Certification of Physician or Practitioner form, available in Human Resources.
- B. Request for leave must be submitted 30 days in advance, if possible.
- C. Employees are required to use all available paid leave (i.e., vacation and/or sick leave, when applicable) before going to unpaid status.
- D. The 12 weeks must be taken continuously (in one block) if for birth or adoption. It may be taken intermittently to a total of 12 weeks for a serious health condition, when certified as medically necessary by a health care provider.
- E. The University has the right to require a second medical opinion from a health care provider selected, and paid for, by the University. A third opinion may also be required.
- F. While on leave, employees are requested to report periodically to their supervisor regarding the status of the medical condition, and their intent to return to work.

III. DEFINITIONS

- A. "serious health condition" is a physical or mental condition that requires inpatient care or continuous treatment by a health care provider.

- B. An "immediate family member" includes the employee's spouse, son, daughter or parent (but not a parent "in-law"). A "son" or "daughter" is any child under 18 who is the biological child of the employee, who is adopted by the employee, or whom the employee supervises on a day to day basis and for whom the employee is financially responsible. A "son" or "daughter" is also a child over 18 who is incapable of self-care because of a mental or physical disability. A parent is a biological parent or individual who assumed day-to-day and financial responsibility for the employee when the employee was a child.
- C. A "health care provider" is any doctor of medicine or osteopathy, podiatrist, optometrist, and nurse practitioner, or nurse midwife performing within the scope of their practice as defined under state law.
- D. The "12-month period" will be calculated by determining the amount of leave used by an employee for the 12 months prior to each day for which leave is requested and subtracting that number from the total days equal to 12 work weeks. This is referred to as the "rolling" method of calculation. Employees will be advised when requesting leave of the amount of Family and Medical Leave they have available.

IV. HEALTH BENEFITS

- A. Health benefits will be continued during the leave on the same basis as before the leave. The employee is required to continue to pay the employee portion of any health insurance premiums normally deducted from the employee's paycheck and shall pay such amounts at the time contributions are normally deducted. All the amounts due the University because of unreimbursed health benefits provided during the leave will be deducted from the employee's pay upon return.
- B. An employee may self-pay on other group benefits during the unpaid leave.

V. INTERMITTENT LEAVE OR A REDUCED WORK SCHEDULE

- A. The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take it periodically when needed over the year), or under certain circumstances may use the leave to reduce the work week or work day, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 weeks over a 12-month period.
- B. The University may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.
- C. For the birth, adoption or foster care of a child, the University and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule.
- D. At the supervisor's discretion, intermittent leave may be granted for an employee taking leave for a serious health condition or because of the serious health condition of a family member.

VI. REINSTATEMENT

- A. An employee taking leave under this policy will be returned to the employee's same position or to an equivalent position, at the election of the University unless the employee would have been terminated in the absence of any leave.
- B. Before returning from a leave for the employee's serious health condition, the employee must have a release from a health care provider authorizing the return and stating any applicable work restrictions.
- C. Upon receiving notice that the employee is not returning to employment with the University, or should the employees simply fail to return or return to employment with the University for less than 30 days after leave has ended, the employee shall owe the University the cost of any benefits provided during leave, including both the employer and any employee premiums. No such amount shall be owed if there is a recurrence or onset of a serious health condition.

***410.00* FUND RAISING PROJECTS**

Because of the University's fund raising needs, the administration and Board of Trustees have established University-wide priorities. Due to the limited number of supporters for these key programs, the University seeks to minimize asking individuals, corporations and foundations to support more than one Gonzaga Program.

The Vice President for University Relations is responsible for all university fund raising. Therefore, all fund raising efforts for any Gonzaga University endeavor must be cleared through that office to avoid conflict.

411.00 EVENTS POLICY

Preamble

Gonzaga University is an academic community dedicated to the advancement of learning. It is guided by a humanistic, Catholic, and Jesuit, mission to advance the Gospel values of faith and justice through teaching, advocacy and example. To serve these objectives, members of the University community must be free to engage the full range of views on a variety of subjects. They may, therefore, consistent with these processes and standards, invite speakers to campus and produce events on campus that promote the University's values, as well as those that express ideas or opinions that are contrary to Catholic doctrines and teachings. The following standards and procedures govern such activities.

Standard

1. Permission to invite a guest speaker or to host an event for the public on campus may be denied altogether if:

(i) The speech or event would not constitute a legitimate educational experience or otherwise contribute to the University's mission; or

(ii) The speech or event is likely to confuse the public or students about or offend the University's core values or mission as a Catholic, Jesuit, humanistic institution by advocating positions or activity contrary to Catholic teachings and the person or group seeking permission refuses to accept provisions for appropriate response or counter-programming; or

(iii) There is a substantial risk that the speech or event would conflict with University policies concerning the creation of a hostile learning environment; or

(iv) The speech or event poses a substantial risk to the physical safety of members of the University community; or

(v) There is a substantial risk that the speech or event would disrupt classes, obstruct access to campus facilities, or otherwise interfere with other ongoing University events or activities; or

(vi) The speech or event would violate the law.

Process

2. A student or student group wishing to invite a guest speaker to campus or to host an event for the public on campus must follow the policies and procedures adopted by the Vice President for Student Life regarding guest speakers and events. This will require obtaining advance approval from the Vice President for Student Life (or designee), so that the standards of paragraph 1 will be applied before any invitation is made.

3. Because faculty are representatives of the University and implementers of its mission, faculty wishing to invite a guest speaker to campus or to host an event on campus shall seek the

advice of colleagues, the most appropriate department chair, and their dean before extending an invitation or planning an event that is likely to confuse the public or students about or offend the University's core values or mission as a Catholic, Jesuit, humanistic institution. If the faculty member's judgment about a speaking invitation or event is questioned, the Academic Vice President shall make the initial determination as to the propriety of the speech or event, in light of the rationale and considerations offered by the faculty supporting the event.

4. In reviewing any request for a guest speaker or event, the Vice President for Student Life (or designee) or Academic Vice President may impose conditions to ensure consistency with the standards of paragraph 1. Any decision of the Vice President for Student Life (or designee) or the Academic Vice President to grant, deny, or condition permission for a guest speaker or event must be provided to the interested parties and may be appealed to the President. The President shall have final authority to grant, deny, or condition usage of University property for any guest speaker or event.

5. In exercising this authority, the Vice President for Student Life (or designee), Academic Vice President, and President shall:

(a) Give due consideration to the standards of paragraph 1; the educational content and value of the proposed speech or event; the degree of faculty involvement in planning the speech or event; the academic or educational context for it; and the amount of co-sponsorship by faculty and campus organizations.

(b) Seek, where possible, modifications to the speech or event which, short of prohibiting it, would address the concerns about it. Such actions may include issuing disclaimers, requiring that a question and answer period immediately follow the speech or event, creating counter-programming at a different time, balancing the speech or event with opposing views, changing the date of the speech or event, or otherwise providing appropriate context for those attending

(c) Give the persons and groups supporting or opposing the speech or event an opportunity to be heard.

6. To avoid unnecessary future conflict and facilitate future decision making by members of the University community, when the President exercises his authority to permit, condition, or deny permission for a guest speaker or event, he shall communicate to the University Community his reasons for doing so in a timely manner.

Disclaimer

An invitation to a guest speaker or production of an event does not in any way imply approval, endorsement, or sponsorship by the University or by those making the invitation or planning the event of the views expressed by the speaker or any aspect of the event.

412.00 HARASSMENT AND DISCRIMINATION POLICY

Consistent with its Statement on Non-Discrimination and its Mission Statement and values, the University is committed to providing a positive learning and working environment and therefore will not tolerate harassment and discrimination which violates University policy and or state/federal law. The University has established specific policy statements and complaint resolution procedures for harassment and discrimination, as described below and in the Faculty Handbook, Student Handbooks, and the Personnel Policies and Procedures Manual. Recognizing the sensitive and serious nature of harassment and discrimination, the University strives to provide an environment that encourages individuals to safely address incidents within the Gonzaga community. Complainants receive confidential advice and support and issues are resolved at the lowest possible level. Any community member who feels he or she has experienced harassment, discrimination or retaliation should contact the University's EEO Compliance Officer for advice and assistance.

HARASSMENT AND DISCRIMINATION POLICY

POLICY STATEMENT ON HUMAN DIGNITY

Gonzaga University recognizes the inherent dignity of all individuals and promotes respect for all people in its activities and programs and in the relationships it shares with students, faculty, staff, and the public. Further, the University expects all community members to promote dignity and respect in their daily interactions with each other.

HARASSMENT DEFINED

Consistent with its mission, the University seeks to assure that all community members are able to learn and work in an atmosphere free from harassment. Harassing conduct is contrary to the positive educational environment the University wishes to foster and maintain. Because harassment undermines the University's mission and threatens the well being of its community members, it is a serious policy violation and will not be tolerated. The University prohibits harassment on the basis of race, sex, gender, religion, national origin, ethnicity, age, sexual orientation, disability, or any other harassment prohibited by federal or state law. This policy applies to all University community members, including faculty, employees, and students. Vendors, independent contractors, visitors and others who conduct business with the University are also expected to comply with this policy. The University will take appropriate action when this policy is violated.

Harassment can take many forms. It can include slurs, comments, rumors, jokes, innuendos, unwelcome compliments or touching, cartoons, pranks, and other verbal or physical conduct. Generally, physical and verbal conduct is considered harassment when it meets one or more of the following criteria:

- 1) Submission to the undesirable conduct or communication is made, either explicitly or implicitly, a term or condition of ones employment or academic status, OR
- 2) Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting the individual's employment or education, OR

- 3) The conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creates an intimidating, hostile, or offensive employment or academic environment, OR
- 4) The conduct or communication would not have occurred but for the protected category of the individual(s) or group to whom it is directed or who are affected by it.

SEXUAL AND RACIAL HARASSMENT

This section describes examples of both sexually and racially harassing behavior that occurs with some frequency and where regulatory agencies have provided guidance.

SEXUAL HARASSMENT is objectionable verbal and/or physical conduct that is sexual in nature or gender-based. Unwelcome sexual advances, requests for sexual favors, sexually motivated physical or verbal conduct may be sexual harassment. Other behavior that is not sexual in nature but is motivated by a person's gender may also be sexual harassment.

Examples of behaviors which might be considered sexual harassment include but are not limited to:

- Demeaning sexist statements, off-color jokes, crude sexual remarks, offensive stories, remarks of a sexual nature about a person's clothing or body, remarks about sexual activity or experiences
- Display or circulation of written materials or pictures degrading to individuals or gender groups
- Inappropriate, unnecessary, or unwelcome physical contact, such as touching, patting, pinching, hugging, kissing, or brushing against an individual's body
- Undue and unwanted attention, such as repeated flirting, compliments about clothing or physical attributes, staring, or making sexually oriented gestures
- Pressuring an individual to become involved in sexual activity
- Making a student's work or an employee's job more difficult because of that person's sex
- Using a position of power and authority to: 1) threaten or punish, either directly or by implication, for refusing to tolerate harassment, submit to sexual activity, or for reporting harassment, or 2) promise rewards for sexual favors
- Physically assaulting an individual, such as rape, sexual battery, sexual molestation, or attempts to commit such assaults. Such actions may also constitute a violation of the criminal code
- Engaging in demeaning verbal and other expressive behavior of a sexual or gendered nature in instructional settings.

To be considered sexual harassment, the conduct must meet one or more of the criteria outlined above in HARASSMENT DEFINED.

RACIAL HARASSMENT AND HARASSMENT BASED ON NATIONAL ORIGIN, ETHNICITY, OR COLOR is objectionable verbal and/or physical conduct which meets one or more of the criteria outlined in HARASSMENT DEFINED.

Gonzaga University seeks to provide equal educational opportunities for all students and to cultivate the ethical and moral values of a just society. To do so, the University must maintain an environment free from racial harassment, intimidation, and humiliation as expressed by communication, threats, acts of violence,

hatred, abuse of authority, or ill-will that assault an individual's self-worth. Racial harassment interferes with or limits an individual's or groups' ability to participate in or benefit from University programs, services, activities, or amenities. Racial harassment dishonors the University and its members and diminishes the stature of the academic community. Gonzaga unequivocally condemns racist behavior in any form.

Following are examples of behaviors which, if based on race, ethnicity, or national origin, may constitute racial harassment:

- Making demeaning remarks to an individual or group or in the presence of an individual or group. This includes name calling, racial slurs, epithets, jokes, and racial put downs if the intention or result is to demean a person or group, treat individuals or groups differently because of race, ethnicity, national origin, or color, or create a hostile environment
- Displaying, circulating, or placing visual or written material demeaning race, ethnicity, national origin, or color in a University living or working area, when the intention or result is to make the education, working, or living environment hostile or demeaning
- Damaging, defacing, or destroying the University's property or the property of any member because of race, ethnicity, national origin, or color
- Using "fighting words"; expressing in words, pictures, or symbols commonly understood to convey hatred or contempt, based on race, color or ethnicity, with the intent to inflict emotional distress
- Engaging in intentional acts based on race that obstruct or attempt to obstruct or seriously impair University activities in or outside University buildings or in other locations where University-sponsored activities occur
- Physically threatening or assaulting, intentionally engaging in physically violent acts, malicious injury to person which intentionally or recklessly imperils the safety of others; engaging in malicious harassment in violation of state and federal law
- Engaging in demeaning verbal and other expressive behavior of a racial nature in instructional settings.

The University will *make every effort to* address racial incidents even if the perpetrator has not been identified.

HARASSMENT BASED ON OTHER PROTECTED CATEGORIES is treated the same as sexual and racial harassment in this policy. The courts have also traditionally applied the standards established for sexual and racial harassment to other types of harassment. Under this policy, objectional conduct may be considered harassment if it meets one or more criteria in B. Harassment Defined.

DEMEANING VERBAL AND OTHER EXPRESSIVE BEHAVIOR IN INSTRUCTIONAL SETTINGS

The College and University Personnel Association and the American Association of University Professors have developed guidelines for handling allegations of harassment arising in an instructional setting. A modified version of these guidelines pertaining to faculty and academic staff is outlined below and, where applicable, will be used in processing complaints.

Definitions

An "instructional setting" is a situation in which a member of the faculty or academic staff is communicating with a student(s) concerning matters the faculty or academic staff member is responsible for teaching the student(s). These situations include, but are not limited to, such communication in a classroom, laboratory, during a field trip, or in a faculty or academic staff member's office.

"Expressive behavior" is conduct in an instructional setting whenever a faculty or academic staff member seeks to communicate with students. It includes, but is not limited to, the use of visual materials, verbal or written statements, and assignment of visual, recorded, or written materials.

Protected Expressive Behavior

Expressive behavior related to subject matter: A faculty or academic staff member's selection of instructional materials shall not be the basis for discipline if the material selected is germane to the subject of the course. However, if the Faculty Harassment/Discrimination Committee finds, at a formal hearing, that the faculty or academic staff member's claim that the materials are germane to the subject of the course is clearly unreasonable, it shall not be an acceptable defense to the use of such material.

A faculty or academic staff member's expressive behavior shall not be the basis for discipline if the behavior constitutes an opinion or statement germane to the subject matter of the course. However, if the Faculty Harassment/Discrimination Committee finds, at a formal hearing, that the faculty or academic staff member's claim that the expressive behavior is clearly unreasonable, it shall not be an acceptable defense to the use of such behavior.

Expressive Behavior related to teaching techniques: A faculty or academic staff member's selection of teaching techniques shall not be the basis for discipline unless the Committee at the formal hearing finds clearly unreasonable the faculty or academic staff member's claims that the objective cannot be accomplished as effectively by techniques less likely to cause harm.

Application

Unprotected expressive behavior, other than that described in Definitions above, is subject to discipline.

REPORTING AND INVESTIGATING HARASSMENT

Gonzaga community members may bring complaints or concerns about harassing behavior to faculty, supervisors, department heads, vice presidents, the Human Resources Department, or the University's EEO Compliance Officer. In addition, students may bring complaints to their advisors, chairs, deans, Student Life personnel, or to the Academic Vice President's office. Any of the above to whom a complaint or concern has been reported must promptly notify the EEO Compliance Officer, who will begin an investigation or recommend an investigation by a qualified individual from inside or outside the University. Complaints will be handled through the applicable procedures described in the Faculty Handbook, Student Handbooks, and the Personnel Policies and Procedures Manual.

FALSE REPORTS

Submission of a good faith complaint, concern, or report of harassment will not affect the complainant's or reporter's employment, grades, academic standing, or work assignments. However, an individual found to have made a false complaint or report or to have knowingly and willingly given false information during an investigation, will be subject to disciplinary action.

CONFIDENTIALITY

The University will handle all reports of harassment as discreetly as possible, sharing information on a need to know basis only. To properly investigate an allegation of harassment, the University may need to divulge the identities of individuals involved. The University will comply with discovery or disclosure obligations as may be legally required.

RETALIATION

Retaliation will not be tolerated against anyone who has reported perceived harassment or a concern about harassing conduct or has participated in an investigation, complaint process or hearing, or filed a complaint alleging harassment. Retaliation includes but is not limited to any form of intimidation, reprisal, or harassment. Anyone found to have acted in a retaliatory manner will be subject to appropriate disciplinary action.

HARASSMENT POLICY COMPLIANCE

This harassment policy defines and prohibits harassment on the basis of federal and state law as interpreted by the courts. If statutory provisions or court interpretations change or conflict with this policy, the University's policy will be deemed amended to assure continued compliance. This harassment policy is also intended to comply with statutes and guidelines of other regulatory agencies, such as the US Office of Civil Rights guidelines for student-to-student harassment.

HARASSMENT COMPLAINT PROCEDURES

Harassment - The University's harassment complaint handling procedures are outlined in the Faculty Handbook, Student Handbooks, and the Personnel Policies and Procedures Manual.

Discrimination - The University's procedures for handling complaints of discrimination on the basis of race, religion, sex, national origin, age, marital or veteran status, sexual orientation, disability, and other legally protected categories are described in the Faculty Handbook, Student Handbooks, and the Personnel Policies and Procedures Manual.

COMPLAINT RESOLUTION PROCESSES

With the objectives of timeliness and fundamentally fair procedures for all parties, the University's complaint processes are designed to: 1) decide if the behavior alleged in the complaint took place and constituted harassment, 2) stop the offending behavior, 3) restore the complainant's working or learning

environment, 4) take steps to prevent retaliation and repetition of the harassment, and 5) educate, sanction, or discipline the harasser consistent with the seriousness of the offense.

The University is committed to investigating and resolving all complaints of harassment, or information which creates a reasonable belief that harassment has occurred. Because of the sensitive nature of most harassment incidents and the emotional and moral complexities involved, effort is made to resolve problems fairly and informally as they arise, so that they do not become an ongoing source of grievance to be pursued through the formal hearing process or administrative action. The University retains complete discretion as to the terms and conditions upon which matters may be resolved by informal means.

The EEO Compliance Officer (the Ombudsman for Harassment) is available to discuss general concerns or specific complaints about harassment and to answer questions about the various procedures for initiating a complaint. Any member of the campus community may bring questions about procedures, seek informal advice, or present a complaint to the Ombudsman, either verbally or in writing. Individuals can speak with the Ombudsman confidentially without filing a complaint. Sometimes suggestions may be provided which enable the complainant to deal directly with the offender. Other cases may require intervention, administrative action, or a formal hearing. The University believes that, while most cases can be resolved through intervention and education before a complaint is filed, separate and specific procedures have been developed to resolve harassment complaints both through informal and formal means.

Harassment complaints, concerns, or information which creates a reasonable belief that harassment has occurred, are channeled through the Dean of Students' Office or the Ombudsman for Harassment depending on whether the accused is a (1) student, (2) employee (Executive, Administrative, Professional, Staff) or (3) faculty member.

- (1a) Allegations against students by students are referred to the Dean of Students' office and reviewed by the Director of Student Activities or the Director of Cultural Diversity through the procedure outlined in the Student Handbook;
- (1b) Allegations against students by employees, or faculty members are referred to the Ombudsman and reviewed through the procedure outlined in the Student Handbook;
- (2) Allegations against employees by other employees, students, or faculty members are referred to the Ombudsman and reviewed through the Procedures for Resolving Complaints When the Accused is an Employee.
- (3) Allegations against faculty members by other faculty, employees, or students are referred to the Ombudsman and reviewed through the Procedures for Resolving Complaints When the Accused is a Faculty Member.

Approved by Board of Trustees February 18, 2000

413.00 INSTITUTIONAL MEMBERSHIPS

As an educational institution and as a corporate citizen, Gonzaga University holds membership in a wide variety of organizations. These institutional memberships range from the Association of Jesuit Colleges of Universities, the Independent Colleges of Washington, the West Coast (athletic) Conference, and the Association of American Law Schools to the Spokane Area Chamber of Commerce and the Sister Cities Association.

In addition to these institutional memberships, a significant number of Gonzaga faculty and non-faculty belong to professional, civic, and community organizations. When deemed to be in the best interest of the University, funding is at times made available for these individual memberships as well.

In an effort to control increases in expenditures for institutional and University-funded individual memberships, specific approval of institutional or University-funded individual memberships must be secured from the appropriate area vice president. Approval is required for both annual membership renewals and requests for new organizational or individual memberships. The Purchasing Office will not accept a requisition nor will the Controller's Office make payment without such approval.

Questions regarding this policy should be directed to the appropriate area vice president.

414.00 MEDIA AND PUBLIC RELATIONS

A. Media Relations

The University has established the following procedures to distribute news and information to the news media.

1. All news and information except that directly related to the Athletic Department should be released to the media through the Director of Public Relations. Athletic Department news and information should be released through the Sports Information Director.
2. The decision to release information, date and content of release will be the responsibility of the Director of Public Relations and/or the Vice President for University Relations.
3. When information released to the media affects University policy or reputation, the following University officials will be notified in the order listed:
 - Vice President for University Relations
 - University President
 - Academic Vice President, Vice Presidents for Student Life, Finance, and Vice Presidents of the University.

After the Vice President for University Relations and the President are notified, the vice president directly affected will be contacted first and all others as quickly as possible thereafter.

If the President and all vice presidents are unavailable, the Director of Public Relations will seek advice from other University officials knowledgeable about the affected area and make whatever announcement is deemed prudent, and continue attempts to reach the President and vice presidents.

4. Individuals contacted for comments, opinions, or as experts in their fields of study are encouraged to respond, at their own discretion, to questions relating to their areas of expertise. As a courtesy, they should notify the Director of Public Relations that a media representative has contacted them.
5. When faculty, administrators or staff are questioned about University operations, they should refer all questions to the Director who will then involve the appropriate University spokesperson.

As with any written policy, all contingencies cannot be anticipated but common sense should prevail in any course of action.

B. Public Relations

The Director of Public Relations must be notified as soon as possible when situations or events occur which ultimately may require a public statement of University position. When the Director of Public Relations is not immediately available, the Vice President for University Relations will be the spokesperson.

1. The Director of Public Relations must be:

- apprized of circumstances
- involved in early discussions concerning the situation
- informed about facts pertinent to the situation
- made aware of other University policies that bear on the event
- made aware of positions taken by the President and/or the Board of Trustees which may affect specific situations

2. Administrators speaking on behalf of the University should review prepared statements, questions which may arise, and direction on University policy with the Director of Public Relations.

3. Early involvement of the Director of Public Relations will enable the Director to:

- review all aspects of the situation
- arrange a system of obtaining information
- help those involved develop an official University position
- anticipate questions from the media
- prepare a list of questions to be avoided
- respond to negative situations in the manner most favorable to the University

In an emergency situation, those directly involved will address the issue, and the Director of Public Relations will respond to questions from the public.

415.00

MOVING EXPENSES

The University will assist new full-time faculty members with the expense of moving household and other personal goods from their former place of residence. Information concerning reimbursement procedures and maximum allowance is available from the Dean or the Academic Vice President.

416.00 NETWORK AND COMPUTER RESOURCE ACCEPTABLE USE POLICY

I. INTRODUCTION

- A. This policy is established to make users of Gonzaga University's computing resources aware of their privileges and responsibilities.
- B. This policy is established to maximize the value of those resources to the university community while permitting maximum freedom of use consistent with law, the University's mission statement, the Student Handbook, the Personnel Policies and Procedures Manual, the Faculty Handbook, and a productive environment. Any use of Gonzaga University computing resources which violates policies contained in these manuals and handbooks also violates this policy; nothing in this policy shall contradict existing University policy.
- C. Violation of this policy can result in reprimand, reduction or loss of computing privileges, and/or referral to University authorities for disciplinary action. Violation of law may result in referral to appropriate authorities.
- D. This policy provides general guidelines regarding the use of *GUnet*. Refer to <http://www.gonzaga.edu/tech/aup/> for specific examples of acceptable and unacceptable uses of GUnet as defined by this policy.

II. DEFINITIONS

- A. *GUnet* -- the physical network media and the attached computers and software owned or controlled by the University. *GUnet* includes ZagNet, the student network connecting the residence halls to the campus network.
- B. *Internet* -- the global computer network composed of millions of computers and thousands of networks.
- C. *Logged on* -- connected to a service with a non-public user identification (e.g., personal account).
- D. *Resource* -- any computing device, peripheral, software, or related consumable (e.g., paper, disk space, central processor time, network bandwidth) owned or controlled by the University.
- E *Service*-- any software that makes a computer's files or other locally stored information available for use by another computer or facilitates the transfer of data between two remote computers. Services include, but are not limited to, web, file, and e-mail server software.

- F. *Spam* -- unsolicited mass e-mail for the purpose of advertising a service, personal gain, or other inappropriate use.

III. GENERAL USAGE STATEMENT

- A. Network and computing resources at the University are provided primarily to support the mission of the University. Users may occasionally use *GUnet* for personal needs as long as such use is consonant with established University policy and does not inhibit academic or administrative use of *GUnet*.
- B. The University cannot provide, and will not be responsible for, software kept on personally owned computers, nor are they responsible for the installation, repair, maintenance or upgrade of personally owned hardware.
- C. Users should not leave a computer logged on if the user will be away from the computer for an extended period of time (e.g., two hours) or the computer is in an unsecured area. Data on local hard drives should be secured either through password protection or physical security (e.g., locked office) when the user is not present.
- D. Personal accounts are private and should not be shared with others.
- E. The use of University resources, including *GUnet*, for political gain or exclusive personal gain shall not be permitted.
- F. The University may restrict the use of computing and network resources. This includes blocking spam messages and deleting user files and mail to conserve disk space on University owned computers.
- G. Employees, students, and other authorized users may post electronic documents and images (e.g. web pages) for public access provided that those documents conform to policies contained within the documents listed in Section 1{b} and United States and international copyright law.

IV. UNACCEPTABLE USES

- A. Using *GUnet* for any unlawful activity.
- B. Sending spam or creating or retransmitting chain e-mail messages.
- C. Sending e-mail from another user's account.
- D. Altering the header of an e-mail message to prevent the recipient from determining the actual sender of the e-mail.
- E. Logging into or using any computer account or accessing, modifying, or creating any files without the account owner's permission.

- F. Introducing new services or resources (e.g., personal web server) or altering existing services or resources (e.g., registering personal domain name) on *GUnet* without the approval of Information Technology Services.
- G. Transmitting, without authorization, information proprietary to the University or information that could be construed as a statement of official University policy, position, or attitude.
- H. Distributing information encouraging the patronage of network sites containing material prohibited by policies contained within the documents listed in Section 1{b}.
- I. Wasting resources such as print services, disk space, and network bandwidth.
- J. Intercepting network traffic without authorization.
- K. Using *GUnet* for any activity that results in degradation of University provided services, denies services to other *GUnet* users, or jeopardizes the security or capabilities of *GUnet*.

V. PRIVACY

- A. Under ordinary and normal circumstances, a user's computer files -- including electronic mail -- are considered private. In order to correct system problems or investigate misuse of resources, it may be necessary for system administrators to examine users' files (including e-mail and network traffic). In such cases, user privacy will be respected to the extent possible consistent with University policy and the law.
- B. Personal web pages and e-mail addresses may be listed on University directories unless the user specifically requests that this information be kept confidential.

VI. AGREEMENT

- A. I understand that access to *GUnet* is a privilege and not a right. I acknowledge that failure to conform to this policy statement may result in revocation of my *GUnet* account(s) and/or network access. Furthermore, disciplinary action consistent with University policy may be taken by the appropriate University officers (e.g., Student Life, Department Chair, supervisor) and illegal activities may be referred to the appropriate authorities.
- B. I understand the above stated conditions for accessing *GUnet* and the Internet, and I agree to abide by these terms and conditions. I understand that certain material found on the Internet is offensive to some people and that I access the Internet of my own free will. Furthermore, I request access to Gonzaga University computing resources and/or an account on *GUnet*.

Revised 10/29/98

417.00 NON-DISCRIMINATION STATEMENT

Gonzaga is an equal opportunity, affirmative action University. The University does not discriminate against any person on the basis of race, religion, sex, national origin, age, marital or veteran status, sexual orientation, a physical or mental impairment that substantially limits a major life activity, or any other non-merit factor in employment, educational programs, or activities which it operates.

All University policies, practices, and procedures are consistent with Gonzaga's Catholic, Jesuit identity and Mission Statement, and comply with federal and state regulations, including Sections 503 and 504 of the Rehabilitation Act of 1973.

To inquire about the University's non-discrimination policy, please contact:

EEO Compliance Officer
414 East Sharp Avenue
Spokane, WA 99202
(509) 323-6910

Gonzaga University's Equal Employment Opportunity and Affirmative Action Plan is designed to develop and maintain equal employment opportunity for all personnel and to insure the utilization of women and ethnic minorities at all levels and in all segments of the University, particularly where they are underutilized in relation to their availability in the work force. This plan's goals are to:

- S recruit and employ all personnel according to the foregoing policy statement
- S advise recruiting sources of Gonzaga's commitment to equal employment opportunity and affirmative action
- S continue to develop new and non-traditional recruiting sources, particularly those specializing in or oriented to placing women and ethnic minorities, with the goal of increasing applicants from these sources.

The Affirmative Action Plan document is maintained in Human Resources.

418.00 NON-UNIVERSITY EMPLOYMENT

Non-University Employment: The University may prohibit non-University employment if it results in conflict of interest, adversely affects job performance, or brings discredit to the University. Any non-University employment that adversely affects job performance is discouraged; serious and continuous interference with University interests caused by non-University employment may result in termination.

419.00 PATENTS

This policy establishes guidelines for inventions, improvements, and discoveries resulting from the work of Gonzaga University faculty, administrators, staff, students, research associates, visiting scholars, and anyone employed by the University.

The University's main interest in research is training future scientists and engineers, and promoting new knowledge and understanding for the general benefit of humankind: not to financially benefit from inventions. However, marketable inventions or discoveries may result from university research activities. In such cases, it is in the best interest of the inventor, the University, and the public that a patent be applied for and obtained, if possible, as outlined in this policy.

I. PATENTABLE INVENTIONS

A. Preamble

Gonzaga University considers and, where appropriate, assists in the patenting and commercial development of any discovery or invention accomplished with University support. This policy encourages creative intellectual effort, furthers the advancement of knowledge for the public benefit, protects the respective interests of all parties involved, and assists the inventor and the University in realizing tangible benefits from inventions, improvements and discoveries.

B. Applicability of the Policy

This policy applies to all inventions, improvements and discoveries, whether patentable or not, which are conceived or reduced to practice through research and development supported by University-owned or administered funds, equipment, facilities, materials or services. Such inventions, improvements and discoveries will be referred to as "University inventions," and the term "inventor" will refer to Gonzaga University faculty, administrators, staff, students, research associates, visiting scholars, or anyone employed by the University.

Inventions resulting from an inventor's efforts on his or her own time and without the aid of University facilities and/or equipment are the sole property of the inventor. The University does not claim any rights to inventions resulting from outside duties, or use of University facilities and/or equipment.

C. Disclosure of Inventions

As soon as reasonably possible, the inventor will disclose in writing his or her invention to the dean of his or her academic area. The dean will inform the Academic Vice President, who will convene the Patent Committee. The Dean of the College of Arts and Sciences and the Dean of the School of Engineering are ex-officio members of the patent Committee, and will annually alternate the Chairpersonship of the Committee. Other

committee members are: one trustee appointed by the Chairperson of the Board of Trustees for a three-year term, one regent appointed by the President of the Board of Regents for a three-year term, and three faculty elected by the Faculty Assembly for staggered three-year terms. The committee must be kept fully informed, in writing, about the progress of research and development of an invention. Committee decisions will be in written form and a copy forwarded to the inventor.

D. Ownership and Disposition of Inventions

As to each University invention, the Committee shall decide whether:

1. the invention will be submitted to Research Corporation Technologies or to another similar non-profit organization for patenting, marketing, etc., subject to the reservation of agreed upon rights, and upon acceptance, assigned and transferred to such organization;
2. the invention will remain in the ownership of the University. In the event patents shall be applied for by the inventor at the expense of the University and, if a patent or patents are granted, the inventor will assign the patent or patents to the University for administration.
3. the invention will be released to the inventor who may apply for a patent at his or her own expense. Under this alternative, the inventor shall grant to the University a royalty-free, irrevocable, non-exclusive license to make or use the invention for its own purposes.

Depending upon the circumstances of each case, all decisions of the Patent Committee will be made promptly. If the Committee fails to act within six (6) months of the original disclosure notice, it will be presumed that the Committee determined that the invention will be released to the inventor who may apply for a patent at his or her own expense.

E. Distribution of Royalties from Inventions

To recognize the meritorious services of the inventor and to encourage basic applied research, Gonzaga University will share the proceeds from patents with the inventor. The inventor or inventors will receive sixty (60) percent of the net royalties received by the University, and the University will retain forty (40) percent. The University's share will be maintained in a separate account dedicated to the support of research. In each instance of the receipt of net royalties, one-half of the University's share will be allocated to the inventor's department. Net royalties are defined as the total proceeds received by the University from marketing and sales of the invention less expenses incurred by the University, including patent and/or litigation costs, consulting and professional fees, commissions paid to others travel expenses, telephone and reproduction costs, and any other identifiable expenses.

If the inventor receives release time from his or her regular duties to work on the invention, a separate agreement for the distribution of royalties will be entered into and signed by the University and the inventor. This agreed distribution may vary from the formula stated in the preceding paragraph.

F. Sponsored Research

If the research and development is financed jointly by the University and one or more third parties, or solely by one or more third parties, the University and the principal investigator (inventor) will confer with such third party or parties concerning a mutually satisfactory agreement regarding ownership, licensing, royalties, and use of any results from the work. Most agreements provide that the University will take title to inventions and will grant certain license rights to the sponsor.

G. Resolution of Disputes

Any inventor requesting an exception to this policy or challenging a patent decision made by the patent Committee on behalf of the Inversed may appeal to the Academic Vice President. The appeal must be in writing and may be submitted by the inventor as argument in opposition to the Committee's report. A copy of the inventor's written argument in opposition to the Committee's report. A copy of the inventor's written argument will be submitted to the Committee, and the Committee may submit a written answer to the inventor's argument. If the Committee submits such answer, the inventor will be given the opportunity to respond.

The Academic Vice President will establish a time schedule for filing the documents in the appeal process. Such schedules will be strictly adhered to unless the Academic Vice President grants an extension or extensions.

The Academic Vice President's decision on the appeal will be final and will be explained in writing to the inventor.

II. EFFECTIVE DATE, AMENDMENTS AND REVISION

The Patent Committee will review this policy at least every five (5) years, or more frequently by request of the President or the Academic Vice President. Before taking effect, revisions recommended by the Committee must be approved by the Academic Vice President, the President and the Board of Trustees.

420.00 PAYROLL

Payday: All employees are paid on the last working day of the month.

Direct Deposit: The Automated Clearing House (ACH) is the preferred method of payment. Through direct deposit, payroll is automatically deposited into the employee's designated checking and/or savings account; Payroll provides earnings statements to each employee on payday. Direct Deposit Authorization forms and a detailed explanation of the program are available in the Payroll Office.

Pay Advances: The University offers faculty a pay advance once a year, before Christmas. Otherwise, pay advances are permitted only for emergencies. Repeated advances are not permitted. Information regarding pay advances should be discussed with the Payroll Office.

When making public expressions of personal views, Gonzaga personnel must take steps to assure they are not identified as University spokespersons or representatives. Therefore, using University letterhead, e-mail systems or position titles in such circumstances is always inappropriate.

As a tax-exempt organization, the University is prohibited from participating in political activities. This prohibition includes, for example, endorsing candidates for political office or engaging in lobbying activities related to legislative initiatives. Therefore, University personnel are cautioned to take extraordinary steps to assure that personal involvement in such activities does not infer endorsement or support by the University.

422.00 RETIREMENT PLAN

I. RETIREMENT PLAN OBJECTIVES

Gonzaga University wants each faculty member and employee to have income to supplement Social Security benefits at retirement. Gonzaga's formal 403(b) retirement plan allows participants to

- accumulate a substantial portion of retirement benefits for long term service with the University.
- accumulate retirement benefits which can be added to benefits from other employers for those who have served the University for a shorter time.

II. PROVISIONS

A. **Participation:** Beginning the first day of the month following one year of service, all employees working a minimum of 1,000 hours per year enroll in the University's defined contribution pension plan. Participants contribute 5% of gross monthly salary through payroll reduction, matched by the University contribution of up to 8.5% which will be implemented on the following schedule:

- a. June 1, 2003 - increase contribution 1% (employees at 5% increase to 6%, 6% to 7%, and 7% to 8%);
- b. June 1, 2004 - increase contribution an additional 1%, or to the full 8.5% for employees with 11 or more years of service (employees at 6% to 7%; 7% to 8%, and 8% to 8.5%);
- c. June 1, 2005 - increase an additional 1%, or to 8.5% for employees with 6 to 10 years of service (7% to 8% and 8% to 8.5%);
- d. June 1, 2006 - increase to 8.5 % for those employees with less than 6 years of service (8% to 8.5%).

Participants may voluntarily contribute during the first year of employment, or make additional voluntary contributions beyond the required 5%. The University does not match voluntary contributions. Voluntary contributions are subject to IRS limitations.

All contributions to the 403(b) plan are tax-deferred, and reduce the employees' gross taxable income by the contribution amount.

B. **Investment Options:** Gonzaga's policy is to use investment vehicles that provide a reasonable return to all participants. Many investment options are available. However, given the nature of retirement funds, the University selects only those investment options deemed prudent. To minimize risk, the University uses major financial service organizations with high industry ratings, substantial size, and experience.

Individuals have varying financial needs and investment goals depending on their age, length

of service, personal financial status, and risk tolerance. To accommodate these variances, the retirement plan allows participants to select fixed income and/or common stock options.

While the University cannot advise individuals on investment selections, the plans will enable participants to make changes in their investment options during the course of their careers.

- C. **Pension Committee:** University administrators, including but not limited to the Vice President for Administration and Planning, the Vice President of Finance, The Director of Human Resources, and the Associate Director for Benefits and Safety, will meet annually to review the program in light of current economic conditions, benefit plan trends, and investment performance. University personnel may be represented on the Pension committee by the chair person of the Faculty and Staff Benefits Committees.

423.00 SMOKING

Gonzaga University recognizes an obligation to provide an environment reasonably free of health hazards and contaminants which may adversely affect the safety and health of University personnel and students.

While the University acknowledges that some individuals may wish to smoke, such action should not be permitted to endanger the health of non-smokers nor to cause them unreasonable discomfort or annoyance. The preponderance of findings from medical research is that the health of non-smokers is endangered by exposure to secondary smoke. Therefore, smoking is not permitted in University facilities or vehicles. Smoking will be permitted outdoors, and the Office of Student Life may designate certain residence hall and rental unit areas in which smoking is permitted.

Supervisors or other persons of authority who observe violations should remind smokers of this policy so as not to provide tacit approval by their silence.

I. PURPOSE

Gonzaga University is a Catholic University committed to supporting the faith life of its Roman Catholic members and supporting the faith development of University community members from other faith traditions. The University also educates the entire Gonzaga community on its Jesuit, Catholic, and humanistic character.

II. GUIDELINES

- A. The University makes no active attempts to proselytize these individuals through its programs or sponsored activities. Similarly, Gonzaga University does not allow any individual or organization to proselytize using facilities, programs, or activities controlled by the University.
- B. This policy should not be used to discourage open dialogue among community members concerning their religious beliefs and values. Representatives of all faith traditions may, with approval of the Director of University Ministry, provide on-campus religious functions for students who are likewise affiliated. Students of all faiths are encouraged to create recognized groups to support their own religious beliefs and practices. These groups are sponsored through the University Ministry Office.
- C. No individual or organization, either internal or external to the University, may sponsor activities on campus that have the express purpose of proselytization, that is to make converts of members of the University community to join another church or religious affiliation. The University reserves the right to limit or restrict the on-campus activities of any organization or individual whose purposes are contrary to the University's religious and ethical values.

III. ENFORCEMENT

The University also reserves the right to enforce a policy of nonduplication of services. If approved organization is already functioning to provide for the faith needs of a particular segment of students, then the University can deny access to a similar group. The Director of University Ministry will evaluate and implement this policy as necessary.

For more information contact the University Ministry office.

425.00 TRAVEL GUIDELINES

I. GENERAL GUIDELINES

- A. Since travel costs represent a sizeable portion of the University's total expenditures, appropriate efforts must be made to contain and control these costs. The University seeks the cooperation of all employees to maximize cost saving opportunities. While the University recognizes the need for flexibility in administering travel guidelines, few exceptions will be allowed. Requests for reimbursement or payment of expenditures which appear to be in conflict with the intent of these guidelines will be submitted to the employee's supervisor for review.
- B. These guidelines are intended to provide employees, who are duly authorized by their budget officer to travel on behalf of the University, with adequate levels of transportation, lodging, meals and other services necessary to conduct the University's business. The University intends that employees should travel in reasonable comfort when away from home on business. However, accommodations, meals, transportation and services used should be in keeping with those to which the individual is accustomed in normal circumstances and should never be lavish or extravagant. Travel funds should be expended as though they were coming from one's own pocket.
- C. Since departmental travel funds are limited, supervisors and/or budget officers, at their discretion, may impose additional restrictions on expenditures and/or may authorize only partial reimbursement of travel expenses.
- D. Normally, requests for travel advances should be limited to approximately \$125.00 per day. Such requests may be submitted to the Controller's Office when making travel arrangements, but not less than five full working days in advance of the date the funds are needed. A check will normally be issued approximately one week before departure date. Travel advances must be signed for in the Controller's Office. Checks will not be mailed to travelers.
- E. The expense record (travel advance/request for reimbursement) should be submitted within 15 working days of the last day of the trip. A second travel advance will not be approved if a prior expense report is overdue. The University retains the right to deny travel advances to any individual who has not submitted documentation in a timely manner for a previous advance.

All persons requesting reimbursement or reporting expenditures incurred on behalf of the University must submit the appropriate documentation (payment voucher, expense report, etc.) to their supervisor/budget officer for approval prior to submission to the Controller's Office.

- F. The Internal Revenue Service imposes specific requirements for business expenses. Therefore, travel expenses must be adequately documented and accounted for. In the absence of proper accounting and documentation, IRS regulations require that expense reimbursements be considered taxable wages. For reimbursement of incurred expenses, the following must be documented in the space provided on the travel expense voucher form:

- 1. The business purpose

2. The dates and amounts of each item of expense
3. The business relationship to Gonzaga of those entertained, if such entertainment is required

The University requires that original receipts be submitted for all expenses. In the case of hotel bills, the folio account from the hotel is necessary. Credit card slips alone are not adequate documentation. All purchases of gasoline or other supplies for rental cars should be documented with a receipt. For business entertainment, one must indicate in the appropriate space the names and affiliation of those entertained, the purpose and justification of the entertainment, when and where the business discussion took place. It is expected that business entertainment will be kept to a minimum.

II. AIR TRANSPORTATION

- A. *Air transportation must be reserved and ticketed through one of the travel agencies designated by the University.* Effective October 1, 2000, the approved agencies are Century/Carlson Wagonlit Travel (telephone 327-9585 or 800-848-3488) or Travel Management Incorporated (telephone 459-0411 or 800-975-7775). If it is necessary to revise flight schedules or obtain tickets when away from home, these agencies can be reached nationwide via their toll-free numbers.
- B. Tickets purchased through these agencies must be placed on a purchase order.
- C. All domestic and foreign travel should be booked in excursion class. Airfare booked at other than the lowest available class will be charged back to the employee to the extent that it exceeds the lowest available fare.
- D. To maximize discount fare possibilities, air travel arrangements should be reserved as far in advance of the travel date as possible. Restricted fares provide opportunities for saving funds, but the traveler should weigh carefully the savings potential against the risk of change or cancellation. To be a cost effective traveler one should plan early and carefully. Acquaint yourself with the airline's policies of missed, delayed or cancelled flights.
- E. The University's guidelines allow frequent flyer awards to be retained by the employee. If the IRS classifies these awards to be an additional tax burden, the employee will be responsible for the resulting tax liability. Any employee found to be incurring unnecessary travel expense (additional trips, circuitous routes, unwarranted use of higher cost airline, etc.) for purposes of building bonuses, will be considered to be defrauding the University and will be subject to disciplinary action.

III. GROUND TRANSPORTATION

- A. *AIRPORT TRANSFERS* The airport to downtown limousine/bus service should be the preferred method of transportation to a hotel or meeting site. Taxis, private limousines or rental cars should be used only when they represent a more reasonable alternative or are essential because of time constraints.

- B. TAXIS The use of taxis should be limited, with preference given to public transportation or car rentals. If public transportation is unavailable or inadequate for local travel, then taxis may be used. Trips should be of minimal length and each trip should be separately identified on the travel expense form.

C. CAR RENTAL

1. Whenever possible, use Budget Car Rental, which is the preferred vendor. Make certain that the Washington State contract number (V515846) is on the Budget billing and use a Gonzaga "authorized representative" card. The Controller's office has these credit cards for the following vendors: Budget, National, Alamo, or Avis. Purchase orders or cash will be necessary for any other vendors.
2. Rent the automobile in the name of THE CORPORATION OF GONZAGA UNIVERSITY. *Do not rent it in the traveler's name. Should the automobile be rented in the name of the individual, and NOT the Corporation of Gonzaga University, insurance coverage is not automatic (see paragraph C below).* Should the automobile be rented in the name of an individual, it is HIS OR HER responsibility to assure that insurance coverage is purchased at the time of rental, or that proper coverage is available through the individual's personal automobile insurance.
3. Do not purchase physical damage insurance (CDW or Collision Damage Waiver). As long as the automobile is rented in the name of THE CORPORATION OF GONZAGA UNIVERSITY, the University is covered for rental car physical damage for rentals of *less than 30 consecutive days*. This is true for autos and vans with a value of \$50,000 or less. Coverage for a bus or vehicle exceeding \$50,000 value should be arranged with Pam Siedhoff, Assistant to the Vice President for Finance (509) 323-6139.
4. Prior to taking possession of a rental vehicle, employees should make a thorough inspection to assure that any existing damage is noted on the rental agreement.
5. In the case of an accident involving a rental vehicle refer the rental company, injured party or anyone claiming injury to Pam Siedhoff, Assistant to the Vice President for Finance (509) 323-6139 or to Payne Financial Group, Inc. personnel at 1-877-455-6767 or 509-455-6767. The fax number is 509-455-6006. Be prepared to furnish the following information:

Rental Vehicle: Driver's Name
 Make, year and license number of vehicle
 Rental contract number
 Name, address & phone number of passengers
 Renter's home & business phone numbers
 Damage incurred
 Date of loss
 Time of loss
 Address where accident/loss occurred

Other Vehicle or Property:	Driver and owner's name
	Address and phone number
	Make, model, year, license number, state of registration
	Name of insurance company
	Name, address & phone number of passengers
	Damage incurred
General Information:	Police officer's name & badge number
	Name, address & phone number of witnesses
	Explanation of accident, including: description of accident
	Street names, weather and road conditions, direction moving, date, hour and location
	File an accident report if required by law.

6. The employee should use good judgment to minimize the situation as if it were her/his own problem.
7. Employees are encouraged to plan their travels to return rental cars to the renting location to avoid unnecessary drop-off charges. Such charges can substantially increase rental costs.
8. Employees should always attempt to refill the gas tank before returning the car. Service station prices for fuel are considerably less than the charge imposed by rental companies.

D. PERSONAL AUTOMOBILES: Staff members must use University vehicles whenever available. If a personal automobile is used, reimbursement will be based on the following:

1. The University authorizes 32 cents per mile. A log, with date, destination, travel purpose and mileage must be submitted to the Controller's Office.
2. Mileage from home to work is considered a personal expense and is, therefore, not reimbursable by the University.

If an employee is authorized to use a personal automobile in lieu of alternative transportation, reimbursement will be based on the least costly of the normal public transportation or the automobile allowance. Should two or more employees travel together in one personal automobile, reimbursement will be made only to the employee whose vehicle is used for the travel.

If an accident occurs when, a University staff member is driving his or her privately owned vehicle, that individual's insurance is primary and will be utilized prior to Gonzaga's possible provision of any excess liability protection.

IV. **HOTEL ACCOMMODATIONS**

The University's policy is to use quality commercial grade hotel facilities. The authorized travel

agencies can assist in making recommendations and reservations. When making such reservations, request the "government," "education" or "corporate" rate. Some hotels will request the University's tax ID number (91-0236600). While hotel rates vary significantly from city to city, a range of \$60 - \$10 per night is suggested. Federal guidelines for major cities are available in the Controller's Office.

- A. When travel arrangements are such that arrival is later than 6:00p.m., it may be necessary to guarantee late arrival. The employee is responsible for any changes or room reservation cancellations. Any "no show" charges will normally be the direct responsibility of the employee. To avoid incurring such costs, employees are encouraged to cancel in a timely manner and record the cancellation number assigned when the room is released.
- B. Reimbursement is limited to a single room rate unless the room is to be shared with another University employee. Any additional charges incurred as a result of non-approved spousal accompaniment should be deducted before submitting a *Travel Expense Voucher*. Room service charges are discouraged.

V. MEALS

It is the University's policy to provide a per diem meal allowance of \$35 per day. However, the University also recognizes that actual meal costs vary widely throughout the country. Therefore, with supervisory/budget officer approval, the University may reimburse meal expenses which exceed the per diem allowance. Actual receipts are required for reimbursement of all such meal expenditures.

The University depends on its employees to exercise prudence in the selection of restaurants. Meals should always be commensurate with the traveler's normal eating practices. The University will not reimburse meal costs that are deemed to be lavish or otherwise extravagant.

The following guidelines apply in situations where reimbursement of actual meal expenses are authorized.

- A. Breakfast reimbursement is permitted if travel begins earlier than 7:00 a.m. and no meal is served on the transportation used.
- B. Lunch costs will be reimbursed on all out of town assignments. Normally, luncheon costs in the Spokane area are not reimbursed.
- C. Dinner costs will be reimbursed when the traveler is out of town for the evening meal or returns after 7:00p.m. and no meal was provided by the transportation company enroute.

Any meal costs which appear to be excessive will be referred to the supervisor in charge of the department for final approval. Expenditures for alcoholic beverages for personal consumption are not authorized.

VI. LOCAL BUSINESS MEALS AND ENTERTAINMENT

The University does not permit one employee to entertain another at a business meal. To incur a legitimate expense, a non-University business associate must be present. If business is to be conducted solely between University employees, the meal is the responsibility of the employees.

Good business practice may include the necessity from time to time of hosting business contacts under conditions conducive to business discussion but removed from University offices. Such entertainment must not be lavish or extravagant and must be reasonable and appropriate to the conduct of business. Expenditures for alcoholic beverages must have supervisory/budget officer approval before submission to the Controller's Office. The practice of a quiet meal with a business associate that includes no discussion of business is not allowable.

The IRS requires documentation to support each instance of business entertainment. Included with the expense voucher should be a receipt that identifies the establishment and includes the city and the date on which the entertainment occurred. It also must contain the name and affiliation of those entertained and the business purpose.

VII. TIPS

Tipping should be reasonable and follow the guidelines below:

1. Waiters: Up to 15% of the check may be included with the meal charge on your Travel Expense form.
2. Taxis: Up to 15% of the fare may be included with the taxi charge.
3. Bellhops/porters: \$1.00 per bag may be identified in the miscellaneous expense column on the travel expense form. (No receipt or voucher is required.)

VIII. PERSONAL SERVICE

Laundry, cleaning and pressing charges are allowed only when a traveler will be away from home base more than seven days. Reimbursement for such charges will be limited to \$25.00 for each seven-day period.

Reimbursement will not be allowed for personal expenses such as video rentals, premium TV channels, movies, car washes, personal hygiene items or flowers. These expenses are considered the responsibility of the employee.

The University will not be responsible for costs incurred as a result of illegal actions by an employee, even if the employee is conducting University business. This includes vehicular violations.

IX. TELEPHONE

When using the phone, be aware of excessive hotel fees, which vary from one hotel to another. If using a University calling card, be sure to use an AT&T line. Always be aware of your surroundings. Avoid

speaking the card numbers aloud in a crowded area. Use the magnetic charge strip whenever possible. Expenditures for personal long distance calls will not be reimbursed.

X. CREDIT CARDS

University issued credit cards may be used for business meals and travel only. Charges for retail items are not allowed. The traveler will be charged for purchases that are not in compliance with this policy or for purchases for which receipts are not provided. Original receipts, not credit card slips, are required for reimbursement. Should an employee require a credit card for extended travel, the Controller's Office has gasoline, telephone and car rental cards available for checkout. These cards must be returned within two business days following completion of a trip.

Should a credit card be stolen or misplaced, inform the Controller's Office (509-323-6371) immediately. If you cannot reach anyone in the Controller's Office (i.e., on a weekend), cancel the card with the company immediately. (Keep the card number and phone number separate from the card.)

XI. SPOUSAL ACCOMPANIMENT

As a general rule the University does not reimburse for spousal accompaniment. Under no circumstances will expenses for spousal travel be reimbursed unless supervisory approval has been granted in advance. If a spouse accompanies an employee for personal purposes, the difference in hotel charges, if any, for a double room must be deducted before the expense report is submitted. If breakfast or other meals are charged to one's hotel account, only the amount for the employee's meals can be charged to the University.

Travel Guidelines
HHS
revised April 4, 2004

426.00 WELLNESS

Gonzaga University has established a wellness program to provide optimal working conditions and to enhance the physical and emotional health of the employees of the University. The wellness program coordinates the many resources existing at the University that facilitate individual health and well-being.

A wellness committee composed of representatives from faculty and employees of the University directs the program and chooses positive approaches to wellness. The committee encourages health knowledge/practices and presents activities that are enjoyable and promote self-esteem and self-acceptance.

The Director of Human Resources serves as advisor to the committee.

427.00 WORKPLACE VIOLENCE POLICY

I. PURPOSE

Respect for the individual is one of the core values of Gonzaga University's Mission Statement. Consistent with this value, the University has adopted a "zero tolerance" policy for threatening or violent behavior in the workplace. Verbal threats, threatening behavior, or acts of violence by an employees against other employees, students, vendors, or campus visitors will not be tolerated. Violation of this policy will result in appropriate disciplinary action, including potential dismissal. Arrest and criminal prosecution by off-campus authorities is also possible.

Threats or acts of violence will be taken seriously and will be immediately investigated by the University. Employees who make substantial threats, exhibit threatening behavior, or engage in violent acts on University property will be removed from the campus as quickly as safety permits.

II. PROHIBITED BEHAVIOR

While it is not possible to describe all the actions which might constitute threatening or violent behavior, the following behaviors are strictly forbidden in the workplace:

- possessing or consuming illegal drugs
- possessing or consuming alcoholic beverages not specifically authorized as part of a University function
- working under the influence of alcohol or illegal drugs
- using threatening, intimidating, or abusive language and/or gestures
- using or possessing firearms, explosives, knives, or other types of weapons
- stalking or similarly harassing behavior toward employees, students, or campus visitors
- destroying University property, computer files, and/or other acts of workplace sabotage
- physically attacking another person
- verbally threatening to harm another person or destroy property

Employees disciplined for violating this policy may appeal through the **Grievance Procedure, Appendix 300D**.

III. REPORTING REQUIREMENTS

- A. University personnel are responsible for notifying their supervisor, Campus Security, or Human Resources of any threats which they have received, witnessed, or have otherwise been made aware.
- B. Employees should also report any action which, in their judgment, has the potential to become threatening or violent without appropriate intervention. In all instances, the University will use such information with as much discretion as possible.
- C. Human Resources must be notified of ALL threats or acts of violence in the workplace and

immediately consulted if there is a concern that violence may occur.

- D. It is highly recommended that Human Resources be notified of personal situations, such as domestic violence, which have the potential to involve the workplace.
- E. Human Resources must be notified if a restraining order lists Gonzaga's workplace as a restricted location. Human Resources will in turn notify Campus Security.

IV. ASSISTANCE

Human Resources staff members are available to assist employees and supervisor to help prevent workplace violence through counseling, anger management, mediation, and other resources. Supervisors are encouraged to seek Human Resources' assistance during high risk situations such as employee dismissals, work restructuring, or instances in which an employee's medical condition may be a contributing factor. Human Resources will respect the confidentiality of the employee involved, balanced with need to provide a safe, secure environment for all personnel.

Human Resources will conduct periodic training sessions to provide information concerning potential workplace violence, including recognizing early warning signs of a troubled or potentially violent person, and procedures for responding to and reporting such incidents.

428.00 PHASED RETIREMENT PROGRAM

I. Purpose

The Gonzaga University Phased Retirement Program ("The Program") provides an opportunity for eligible full-time tenured faculty members ("Eligible Faculty Members") to make an orderly transition to retirement through reduced teaching and advising loads and a reduced commitment to service. The goal of The Program is to provide additional flexibility and support for individual faculty members who are nearing retirement, while allowing the University to continue to benefit from the wisdom, experience, and institutional memory of its more senior faculty. The Program is entirely voluntary and will be entered into by a written agreement between the Eligible Faculty Member and Gonzaga University. The effective date of the program is May 15, 2007.

II. Eligibility and Approval

- A. The Program is available to all full-time tenured faculty members who are at least 60 years of age and have at least 15 years of full-time service at Gonzaga University as of the date participation would begin. A faculty member who received credit towards tenure when hired for a tenured or tenure-track position may count the years with which they were credited towards the 15 year service requirement, provided the faculty member has served a minimum of 10 full-time years with Gonzaga University. Faculty who occupy full-time administrative or staff positions are not eligible for The Program until they vacate the administrative or staff position and assume a faculty appointment. Thus, services rendered while in phased retirement will be only teaching and other duties under faculty appointment. Time spent in full-time administrative or staff positions will count towards the required 15 years of service. Faculty time spent on approved sabbaticals shall be counted towards the years of full-time service with Gonzaga University required for participation in the phased retirement program. Faculty time spent on leaves of absence shall not be counted.
- B. The decision to elect to participate in The Program rests entirely with Eligible Faculty Members. An election to participate in The Program must be submitted between June 15 and August 15 of the year prior to the beginning of the academic year in which the faculty member would like to begin participation in The Program. (For example, a faculty member wishing to begin participation in The Program in the 2009-2010 academic year would need to submit their request between June 15 and August 15 of 2008.)
- C. Participation in The Program is subject to administrative approval. Criteria used to determine whether a faculty member's election is accepted will be the general welfare of the University, the ability of the University, college, school, and/or department to maintain academic quality, current staffing needs of the school or department, and the seniority of the applicant. The University will not unreasonably withhold approval. Nevertheless, the request to enter The Program and terms of the Individual Phased Retirement Plan are subject to final approval by the Academic Vice President. The decision of the Academic Vice President cannot be grieved.
- D. Should an Eligible Faculty Member be denied participation in The Program, the faculty member can request that the Academic Vice President provide the reasons for the denial. Said request

should be made in writing to the Academic Vice President within 15 days after receipt of the denial. The Academic Vice President shall provide the reasons, in written form, within 30 days after receiving the request.

E. To apply for The Program:

1. The Eligible Faculty Member will complete and submit a Request for Phased Retirement form along with an Individual Phased Retirement Plan, specifying a proposed teaching, advising, and service load. The request form and the faculty member's Individual Phased Retirement Plan shall be submitted to his/her department chair and dean.
2. After receiving these documents, the dean and department chair will review the request. The chair and dean may request that the faculty member revise his or her Individual Phased Retirement Plan. The specific teaching, advising, and service assignments during the period of phased retirement are to be individually negotiated with the Eligible Faculty Member by the appropriate department chair and/or dean, and are subject to final approval by the Academic Vice President (as specified below).
3. Within 30 days after receiving the request form and Individual Phased Retirement Plan, the dean and department chair will forward it to the Academic Vice President, along with a recommendation for either acceptance or rejection of the faculty member's request for participation in The Program.
 - a. If rejection is recommended, the chair and dean shall also submit reasons for such rejection.
 - b. If approval is recommended, the dean and department chair will also prepare and send the Academic Vice President a plan for covering the courses that the faculty member would have taught. When a faculty member enters The Program, there is no automatic guarantee that his/her department will receive authorization to hire a tenure-track replacement during the phase period or at final retirement. If the department wishes to make a request for such a replacement, it will need to go through the standard search authorization process for positions vacated by retirement or other separations from service.

F. Faculty will be notified of the status of their request (acceptance or rejection) no later than November 15 of the year in which they elect to participate.

G. Once participation has been mutually agreed to by faculty member and the University, and the required Older Workers Benefits Protection Act (OWBPA) review and revocation periods have been satisfied [see below at III. B.], participation in The Program is irrevocable.

III. Terms and Conditions

A. Phased retirement under The Program is subject to the following terms and conditions:

1. While participating in The Program, a faculty member will retain tenure. At the conclusion of The Program, the faculty member will retire from the University, relinquish tenure, and end employment at the University as a tenured faculty member.

2. Phased retirement under The Program may be for a period of up to 3 years. Once The Program has been approved for an individual faculty member, he or she may reduce the number of years in The Program but may not increase the number of years.
3. During the phased retirement period, a faculty member may choose a one-half or two-thirds load. The choice of load will be specified on the Phased Retirement Request form submitted to the chair and the dean (see II.E. above). Faculty may request different workloads (one-half v. two-thirds) for each of the years of the phased retirement period.
4. Participating faculty members enter into reduced teaching, advising, and service activities during The Program. For those electing a half- time load during the phase period, the activities may consist of full-time activities for one semester or half-time activities spread over two semesters of an academic year. Duties for those faculty electing full-time activities for one semester should take into account the faculty member's unavailability for advising and service commitments. For those electing a two-thirds load during the phase period, the activities must take place over two semesters of the academic year. For all plans, The Program enrollment period begins with the fall semester.
5. The "Base Faculty Salary" during the phase period is the nine-month salary the faculty member would normally receive during that academic year times the load (one-half or two-thirds) requested by the faculty member and approved by the administration. The Base Faculty Salary does not include any administrative or other stipends. Compensation is paid over nine, ten, or twelve months, irrespective of the pattern of duties under the faculty member's work plan and irrespective of load during the phased retirement period. Faculty salaries are paid consistent with contract dates. Participating faculty members are eligible for salary increases on the Base Faculty Salary using the criteria established by their respective departments and colleges.
6. The individual faculty member and the respective department chair and/or dean will each make a good faith effort to develop a mutually acceptable Individual Phased Retirement Plan to be used by the faculty member during the period of phased retirement. The faculty member will also make a good faith effort to fulfill the responsibilities agreed to under the Individual Phased Retirement Plan.
7. Participating faculty members will retain their professional rank during The Program. Voting rights for participating faculty members will be decided based on departmental policy. Use of office, laboratory, and other University space will also be dependent on departmental policy, subject to availability of such space. Faculty members are not eligible for promotion during the phased retirement period.
8. Participation in The Program precludes outside employment except as permitted pursuant to the *Faculty Handbook*.
9. During the phase period, participating faculty shall remain eligible for participation in fringe benefit plans offered by the University as follows:
 - a. Medical insurance – The University will pay 100% of the faculty member's premium, while the faculty member will pay all dependent and spousal premiums. The faculty member understands that he/she will be responsible for all federal and social security taxes on 50% of the employee's premium, which is being provided by the University as a supplement under this Program. Such taxes are to be deducted from each paycheck.
 - b. Life Insurance - The University will continue to pay life insurance benefits equal to two times the faculty member's Base Faculty Salary.

- c. Dental Insurance – Faculty member's are eligible to continue coverage on the University's dental plan by paying 100% of the faculty member's, dependents, and spousal premiums.
 - d. Flexible Spending Plan – Medical and dental insurance premiums, out of pocket medical/dental expenses and dependent care expenses are deducted pre-tax,
 - e. Short Term Disability Insurance – The University will provide continuation of salary and benefits for a medically certified disability for up to six months.
 - f. Tuition Waiver- IRS dependent children remain eligible for 100% tuition waiver.
 - g. Retirement Plan – The University will continue to contribute 8.5% of eligible earnings, and faculty members will be required to contribute 5% of eligible earnings to the 403(b) plan. Voluntary contributions into the 403(b) and 457(b) plan are allowed up to the IRS limits. Participating faculty members should contact the Benefits Office to confirm current benefits coverage and changes in coverage that may occur.
10. Participating faculty members will remain subject to all policies of Gonzaga University, including the *Faculty Handbook*, except that participating faculty will not be subject to post-tenure review during the phase period.
 11. Participation in The Program does not preclude or guarantee part-time teaching after the phased retirement period. Such teaching would take place at regularly compensated adjunct rates for the faculty member during the fall, spring, or summer semesters.
- B. In conjunction with the Phased Retirement Agreement executed under The Program, an Eligible Faculty Member must execute a waiver of rights under Older Workers Benefits Protection Act (OWBPA) and other laws (the "Release").
1. The Release will fully comply with the requirement for knowing and voluntary waivers as provided in the OWBPA. The Release will be offered to the Eligible Faculty Member upon acceptance by the Academic Vice President of the faculty member's request to participate in the program. The Eligible Faculty Member will have no fewer than twenty-one (21) days within which to consider the Release.
 2. Eligible Faculty Members are advised to consult with an attorney prior to executing the Release. The Release does not become effective and enforceable for the period of seven (7) calendar days following execution, and during such period the Eligible Faculty Member may unilaterally revoke the Release. If the Eligible Faculty Member elects to revoke the Release within the seven (7) day period, the Eligible Faculty Member will retain the same full-time tenured employment status as he or she held prior to execution of the Release, and the Agreement will become null and void. Revocations must be in writing, personally signed by the affected faculty member, and effected by personal delivery or posting by United States mail to the Academic Vice-President's office.

IV. Term of Phased Retirement Program

The Phased Retirement Program for tenured faculty will remain in effect for a period of five years; eligible faculty members may submit applications no later than August 15, 2011 for phase-out periods beginning no later than academic year 2012-2013. Extension or continuation of The Program after the initial five-year period will be at the sole discretion of Gonzaga University and will be based upon consideration of factors such as prevailing financial considerations and overall faculty participation. If the Program is not continued after the initial five-year period, those faculty already in the phase period

will be permitted to remain in the Program for the duration of their agreed-upon phased retirement schedule.

V. General Provisions

Nothing in The Program precludes a participating faculty member from terminating his or her employment with Gonzaga University at any time, nor does it preclude the participating faculty member from accepting a buyout agreement should one be offered during the period the phased retirement program is in effect. If a buyout agreement is offered and accepted by a participating faculty member, his or her participation in the Phased Retirement Program will end.

Gonzaga University
Request for Faculty Phased Retirement Program
Application and Agreement

Application deadline: No later than September 15 of the year prior to the beginning of the academic year in which the faculty member would like to begin participation in The Program.

Name (please print): _____

Academic Department School/College: _____

If accepted in this program, I agree to the following work and salary levels for one to three academic years:

_____ Semester 20 _____ :	_____ %	_____ Semester 20 _____ :	_____ %
_____ Semester 20 _____ :	_____ %	_____ Semester 20 _____ :	_____ %
_____ Semester 20 _____ :	_____ %	_____ Semester 20 _____ :	_____ %

By my signature below, I certify that:

1. I voluntarily seek to participate in the Faculty Phased Retirement Program. I have read its full description and I understand its provisions.
2. Attached is my Individual Phased Retirement Plan, including percentage of time teaching, advising and service load.
3. I have consulted with the University's Human Resources Benefits Office and I understand any changes/limitations to my full-time benefits that will commence upon approval of The Program.
4. If accepted into The Program, I hereby resign my tenured faculty position, and retire from Gonzaga University at the conclusion of _____ semester, 20____. I understand that this resignation is irrevocable, and I may resign sooner but not delay it. I further understand that this agreement supersedes any other agreement or understanding between the University and myself regarding the date and terms of resignation of my faculty position.
5. I understand that the University must approve my participation in The Program, and that approval is not complete until this agreement is signed by the Academic Vice President.

Faculty Member's Signature _____ Date _____

I support this application and have reviewed the faculty members voting rights based on departmental policy, and use of office space. I have also attached a plan for covering the courses that the faculty member would have taught had he/she been full-time:

Department Chair _____ Date _____

Dean _____ Date _____

The following signature represents concurrence with the above terms of The Program:

Academic Vice President _____ Date _____

RELEASE AGREEMENT

This Release Agreement is entered into between _____ on [his or her] own behalf, and Gonzaga University, and [he or she] has freely, knowingly and voluntarily decided to the Phased Retirement Plan as follows:

1. Given a period of time of at least twenty-one (21) days, consistent with the Older Workers Benefits Protection Act, (OWBPA): to review this Agreement; and to discuss the information and documents with friends, family members, counselors and financial advisors; and to seek legal advice from an attorney of his or her choice after having been advised to do so by the University.
2. May exercise [his or her] right to revoke this Agreement within seven (7) business days after signing it. Unless so revoked by NAME in writing, this Agreement shall be effective at 5:00 p.m. on such seventh day.

I accept the terms and conditions of this agreement.

Print Name

Signature

DATE

WAIVER AND RELEASE

I, _____, understand that, under the Older Workers Benefits Protection Act (OWBPA), I have 21 days from today, in which to consider and sign the Phased Retirement Plan, and Gonzaga University is granting me the 21-day notice period.

By my signature below, I voluntarily and of my own free agree to waive this 21-day notice period, and accept today the plan as written.

Print Name

Signature

DATE

APPENDIX 400A: CONFLICT OF INTEREST POLICY PERTAINING TO SPONSORED PROJECTS

10/1/95

SUMMARY: THIS POLICY SETS FORTH PROCEDURES AND GUIDELINES THAT ARE TO BE FOLLOWED IN RESOLVING ACTUAL AND POTENTIAL FACULTY CONFLICTS OF INTEREST AND COMMITMENT PERTAINING TO SPONSORED PROJECTS. THIS POLICY APPLIES TO ALL SPONSORED PROJECTS FUNDED BY (A) COMMERCIAL SPONSORS; (B) THOSE FEDERAL AGENCIES HAVING SPECIFIC CONFLICT OF INTEREST REQUIREMENTS; AND (C) PURCHASE ORDERS AND SUBCONTRACTS ISSUED BY GONZAGA UNIVERSITY UNDER ITS SPONSORED PROJECTS IRRESPECTIVE OF THE SOURCE OF FUNDS.

The University and its faculty often benefit from the faculty's participation in both public and private outside activities. The University has no interest in setting forth detailed rules that may interfere with faculty members' legitimate outside interests.

Faculty members, in turn, must also ensure that their outside obligations, financial interests, and activities do not conflict or interfere with their commitment to the University. This obligation pertains to both full-time and part-time faculty.

The areas of potential conflict may be divided into two categories. **Conflicts of Interest** are defined as situations in which faculty members may have the opportunity to influence the University's business decisions in ways that could lead to personal gain or give improper advantage to members of their families or to associates. **Conflicts of Commitment** are defined as situations in which faculty members' external activities interfere or appear to interfere with their paramount obligations to their students, colleagues, and the University.

In those circumstances in which the University is engaged in or intends to engage in a sponsored project with a commercial organization, or has subcontracted or intends to subcontract to an external organization under one of the University's sponsored projects, a conflict of interest may occur when a faculty member's affiliation with the external organization meets any one of the following criteria:

- a. The faculty member is an officer, director, partner, trustee, employee, advisory board member, or agent of an external organization or corporation either funding a sponsored project or providing goods and services under a sponsored project on which the faculty members is participating in any capacity.
- b. The faculty member is the actual or beneficial owner of more than five percent (5%) of the voting stock or controlling interest of such organization or corporation.
- c. The faculty member has dealings with such organization or corporation from which he or she derives income of more than \$10,000 per year, exclusive of dividends and interest.
- d. The faculty member's immediate family (spouse, parents, parents-in-law, siblings, children, or other relatives living at the same address as the faculty member) meet any of the criteria stated in

(a)-(c) above.

Each faculty member participating in a sponsored project covered by this policy must disclose whether or not he or she has external affiliations that may constitute a conflict by falling within the criteria stated in paragraphs (a)-(d) above. A disclosure must be completed prior to the University's acceptance of the sponsored project or issuance of a purchase order or subcontract for the acquisition of goods and services. The disclosure form (Attachment 1) is to be sent to the Government Relations Office *via* the faculty member's department chair or dean. Positive disclosures will be reviewed by a Conflict Review Committee consisting of the Executive Assistant to the President, the Associate Academic Vice President, the Corporation Counsel, and the Director of Government Relations.

In reviewing the positive disclosures, the Conflict Review committee will be guided by the following practices and apply them as may be appropriate:

- a. Assure adherence to relevant University policies the Conflict Review Committee may deem appropriate.
- b. Consider the nature and extent of the financial interest in the relationship of the faculty member and the external organization.
- c. Give special consideration to the terms and conditions of sponsored project agreements that may mitigate or complicate the given situation.
- d. Consult with and obtain additional information from the faculty member as either the Conflict Review Committee or the faculty member feel may be helpful in resolving actual or potential conflicts.
- e. Act in a timely manner so as not to delay unduly the conduct of the sponsored project.
- f. Conclude that the University may take one of the following actions:
 1. Accept the sponsored project award.
 2. Do not accept the sponsored project award.
 3. Accept the sponsored project subject to suitable modification in either the sponsored project award document or the external organization affiliation(s) of the faculty member or faculty member's family.

If the faculty member is dissatisfied with the Conflict Review Committee's conclusion, the faculty member may appeal to the Academic Vice President who will consult with the faculty member and Conflict Review Committee as the Academic Vice President deems necessary and appropriate to the particular circumstance. The decision of the Academic Vice President shall be final.

Violations of this policy, such as willful concealment of financial interests, may result in sanctions being

imposed upon the violating individual. The Conflict Review Committee will review allegations of violations and will make recommendations regarding the imposition of sanctions to the Academic Vice President. The decision of the Academic Vice President with regard to the imposition of sanctions shall be final.

The Government Relations Office shall maintain the records pertaining to each disclosure in strict confidence. Access to such records will be limited to the faculty member, the Conflict Review Committee, the Academic Vice President, and others who have a legal right to review the records.

Certain sponsors, particularly federal agencies, may have requirements that differ from this policy with regard to the timing and frequency of faculty disclosures and other conflict of interest considerations as well. In the case of such discrepancies, the sponsors' requirements will generally prevail.

GONZAGA UNIVERSITY

**FACULTY DISCLOSURE STATEMENT
REGARDING EXTERNAL AFFILIATIONS**

NAME _____ **TITLE/RANK** _____

SCHOOL DEPARTMENT _____

TITLE OF SPONSORED PROJECT _____

NAME OF FUNDING SPONSOR _____

PROJECT PERIOD _____

CERTIFICATION: **I have read and understand the Gonzaga University Conflict of Interest Policy pertaining to Sponsored Projects.**

1. Are you or any member of your immediate family (spouse, parents, parents-in-law, siblings, children, or other relatives living at the same address as the faculty member) an officer, director, partner, trustee, employee, advisory board member, or agent of the external organization funding this sponsored project or of any organization from which goods and services will be obtained under the sponsored project?

_____ Yes (if so, describe in detail the nature and extent of the affiliation on an attached sheet)

_____ No

2. Are you or any immediate family member the actual or beneficial owner of more than five percent (5%) of the voting stock or controlling interest of the external organization funding this sponsored project or any external organization from which goods and services will be obtained under this sponsored project?

_____ Yes (if so, describe in detail the nature and extent of the equity interest on an attached sheet)

_____ No

3. Have you or any member of your immediate family derived income within the past year or do you or any member of your immediate family anticipate deriving income exceeding \$10,000 per year from the external organization funding this sponsored project or any external organization from which goods and services will be obtained under this sponsored project?

_____Yes (if so, described on an attached page the amount of the income and the reason for which it was or will be derived)

_____No

4. Do you have any affiliation with the external organization that would diminish your ability to fulfill your paramount obligations to your students, your colleagues, or the University; or have you involved any graduate student in a proprietary capacity with the external organization?

_____Yes (if so, describe on an attached page the nature of the affiliation and the amount of time per week you dedicate to it)

_____No

Signature of Faculty Member_____Date_____

Signature of Dean/Department Chair_____Date_____

APPENDIX 400B: ACCESS AND ACCOMMODATION FOR PERSONS WITH DISABILITIES

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I. UNIVERSITY-WIDE POLICY STATEMENT

Gonzaga University seeks to provide equal access for persons with disabilities ~ students, employees (employees [executive, administrative, professional, and staff]), and the public ~ to all educational programs, employment, activities, events, and services which it operates, consistent with applicable Federal and state laws and University policies, including the University's non-discrimination policy.

Reasonable accommodations, academic adjustments, and public access will be provided to persons with disabilities to ensure that they are provided an equal opportunity to participate in or benefit from any University program, activity, event, or service.

This policy is based on the **Americans with Disabilities Act** (Titles I & III), the **Rehabilitation Act (Sections 501 and 504)**, and the **Washington State Law Against Discrimination** (RCW Ch. 49.60 as Related to Disabilities), and the University's Mission.

The University is committed to providing reasonable accommodations for students and University personnel at study abroad venues to the extent feasible given other countries' accessibility standards.

The University provides reasonable accommodations to persons with temporary disabilities.

II. SCOPE

This policy applies to all students, employees with disabilities, and to public access.

The University's goals are to provide:

- access and accommodations for an equivalent academic and non-academic experiences and learning opportunities for **students** with disabilities, while maintaining academic integrity and standards
- reasonable accommodations for qualified **employees** with disabilities that will allow them to perform the essential functions of their positions, unless the accommodation is an undue hardship, or a direct threat to self and/or others is established
- a welcoming environment that affords all qualified individuals with disabilities equal opportunity for full **public access** and participation in campus programs, activities, events, and services

Procedures, Sections VIII, IX and X outline access and accommodation processes for Students with Disabilities, Employees with Disabilities, and Public Access for Persons with Disabilities.

III. INSTITUTIONAL AUTHORITY ASSIGNED

A. The Director of Disability Resources, Education, and Access Management (DREAM) functions as the University's ADA Coordinator. DREAM is formally designated to:

- evaluate and determine the existence of a disability
- through the interactive process, determine appropriate accommodations, academic adjustments, auxiliary aids, and adaptive/assistive technology for students, work-study students, and employees with disabilities
- work with all parties toward implementing appropriate accommodations, auxiliary aids, physical facility alterations, adaptive/assistive technology

- consult with appropriate entities throughout the institution to develop university-wide access and accommodation procedures
- consult with university officials during initial development stage for any new or upgraded program, activity, event or service, including technology and facilities so that disability access is integrated proactively
- create educational initiatives about disability access and inclusion for students and employees
- manage initial intervention stage of access and accommodation complaint process
- work with the Equal Opportunity Officer on new or revised policies and procedures, educational efforts, and complaint processes
- work with Plant and Construction Services and sponsors to assist with public access for University facilities, programs, activities, events, and services

B. The Equal Opportunity Office is formally designated to:

- oversee University-wide consistency with and adherence to these policies and procedures, participate in revising policies and procedures as needed to remain current with the law
- consult with Corporation Counsel and university administration on disability access and accommodation issues
- manage and investigate access and accommodation grievances not resolved at the initial intervention stage
- respond to inquiries from the U.S. Office of Civil Rights, Human Rights Commission, Equal Employment Opportunity Commission, or other external agencies
- assist in educating students and employees about disability access and accommodation
- serve on University Disability Action Council

IV. DISABILITY INFORMATION

DREAM will maintain a confidential file regarding the disability of each person who provides documentation of disability to the university. The file contains all pertinent information and medical records related to accommodation, academic adjustment, or other services.

Procedures, Section IV, Records outlines records management standards.

V. CONFLICT RESOLUTION

The University has established processes for addressing conflicts with disability access and accommodation, depending on the status of the complainant - student, employee, and public access.

VI. UNIVERSITY DISABILITY ACTION COUNCIL

The University Disability Action Council serves in an advisory capacity to the Director of DREAM to:

- propose initiatives that create a welcoming environment for persons with disabilities
- help identify campus disability access and accommodation issues
- assist in community communication and education regarding disability access and accommodation
- steer the university toward implementing universal design concepts in all facilities, programs, events, activities, or services
- support disability access and accommodation from the broader context of equal opportunity, diversity, and social justice

VIII. STUDENTS with Disabilities

Overview

The provision of reasonable accommodation for students with disabilities is a cooperative effort, involving administrators, faculty, staff, students, and the Office of Disability Resources, Education, and Access Management (DREAM). Reasonable accommodations may include, but are not limited to (1) academic flexibility, such as modifying exam arrangements and priority registration; (2) adjustments in nonacademic services, such as accessible housing; (3) auxiliary aids and services, and (4) adaptive/assistive technology.

Gonzaga University, as required by applicable law and the university's mission, actively seeks to make those modifications to its programs, events, activities and services to ensure that they (1) do not discriminate, or have the effect of discriminating, against a student with a disability based on that disability, (2) do not impose an undue burden on the University or require a fundamental alteration of essential program requirements, (3) are not considered a personal service.

Reasonable accommodations will be provided to students with disabilities in the initial inquiry, application, admissions, course registration, financial aid, course work, academic participation and services, food services, housing programs owned and operated by the University, and non-academic programs, activities, events and services.

A qualified student with a disability at Gonzaga University is defined as one who has completed the interactive process for self-identifying as a student with a disability. The student's relevant history, combined with medical and other supporting documentation, current best practices in the field of disability access and accommodation, and assistive technology are reviewed to create programmatic access in all areas of the university.

A. Interactive Process for Requesting Access and Accommodations

Process

Inquiry

The student contacts the Disability Resources, Education, and Access Management Office (DREAM), independently or by referral, to request information about the access and accommodation process. DREAM provides the student with information including documentation guidelines.

Documentation Review

The student provides documentation demonstrating the need for accommodations. Documentation is reviewed for adequate content and information to determine eligibility, and may take up to 10 business days from receipt. DREAM may request additional information from the student and/or the medical provider. DREAM sends a letter to the student requesting that the student set an appointment for an intake interview session.

Intake Interview

The student schedules and participates in an intake interview session with DREAM staff. The intake interview includes considering appropriate accommodation options, reviewing the student's rights and responsibilities, signing release of information forms, and instructing on accessing and implementing disability accommodations. The determination of a disability and the need for accommodations is a two-stage process: (1) determining the existence of a disability; and (2) if a Disability is present, the need for accommodations. If the student's disability requires accommodation,

Disability Access and Accommodation Letters are distributed to appropriate university personnel for implementation, subject to the limitations described below.

Implementation via Interactive Process

University personnel, in cooperation with the student and DREAM, create an implementation plan for the designated accommodations. DREAM consults with university personnel in determining access and accommodations before accommodations are implemented in these circumstances: 1) limits in implementation such as undue administrative burden, fundamental alteration of a course or program of study, undue financial hardship, and 2) complex accommodations or potential conflict with technical standards of a course or program of study.

If University personnel and the student are unable to implement designated accommodations, either may initiate an interactive process with DREAM to determine an alternative, effective accommodation. When an alternative is determined, DREAM informs all parties and DREAM issues a new Disability Access and Accommodation Letter.

Accommodation Denial Process

Sometimes, in appropriate instances, DREAM denies an accommodation request for one or more of these reasons, including and not limited to: undue administrative hardship, fundamental alteration of a course or program, and undue financial burden. The University President or his designee determines undue financial burden. Even in the case of denial, the university is obligated to consider alternative, effective accommodations through the interactive process. If the interactive process described above reaches an impasse or a requested accommodation is denied, DREAM informs the student of the University-Wide Grievance Procedure on Access and Accommodation for Persons with Disabilities.

Current Student Participation

Students are required to participate in regular meetings with DREAM staff each semester to discuss their disability access and accommodation plans. Disability access and accommodation plans for a subsequent semester are based on information from this interactive process. DREAM sends Disability Access and Accommodation Letters to university personnel after this process is completed each semester.

Grievance

If at any time during the access and accommodation procedure, the student is denied a requested accommodation or asserts that an alternative accommodation designated by DREAM does not achieve a reasonably similar outcome to the student's original reasonable accommodation request, DREAM will inform the student of the University-wide Grievance Procedure on Access and Accommodation for Persons with Disabilities.

B. Documentation

To fully evaluate accommodation requests, auxiliary aids, or assistive technology and to determine eligibility for services, DREAM requests that the student provide documentation of the disability. The student pays for this assessment, evaluation, or documentation. Documentation guidelines are on file in the DREAM office.

C. Disability Determination and Eligibility

DREAM takes these steps to determine disability and eligibility:

- review for definition of impairment and evidence of a substantial limit to a major life function
- read and evaluate documentation for thoroughness and compliance with university documentation guidelines
- contact the treating/diagnosing professional for additional information if the documentation is unclear
- request a reasonable amount of additional documentation to determine eligibility and accommodation, if needed, the student pays for additional documentation
- consult with a professional provider of equal licensure or qualifications to clarify the existing documentation at university's discretion and cost
- analyze treatment and medication side effects for impact on major life functions in addition to the condition itself
- consider substantial limits to major life functions in relation to condition, manner, and duration that a student with a disability has as compared to the average person without a disability

Consideration of Functional Losses and Limitations

Functional losses and limitations are:

- directly related to the disabling condition and the major life function substantially limited by that condition
- determined by documentation, student narrative and history, and a current literature review of the condition, as needed
- those that place the student with a disability in a less than ~ rather than in an equal ~ position with peers

Determining Appropriate Academic Adjustments, Auxiliary Aids, and other Accommodations

- DREAM considers academic adjustments, auxiliary aids, and other accommodations in direct relationship to functional losses and limitations defined by the disability, and considering impact on a major life function.
- Accommodations are designed to place the student at an equal position with peers. Accommodations are not designed to provide the student with an unfair advantage; rather they are designed to level the playing field for students with disabilities.
- DREAM determines accommodations by all legally permissible means, including applicable laws, university policy, documentation, student narrative and history, best practices, reasonableness, effectiveness, functional losses and limitations, available technologies, undue administrative or financial hardship, and fundamental alteration of a course.

- DREAM always considers recommendations from treating/diagnosing professionals, but maintains discretion to implement accommodations based on the totality of applicable information.

D. Disclosure of Medical or Disability Information to University Faculty or Staff

Overview

When participating in or inquiring about university programs, students may disclose medical conditions or disability information, or request accommodations in their interaction with university personnel. Medical or disability information may be disclosed in many different circumstances, including and not limited to study abroad, teacher certification, internship placement, participation in extracurricular activities, academic and non-academic meetings, disciplinary hearings, advising and readmission processes.

University personnel who receive medical or disability information should take these steps to ensure that disability and/or medical information is appropriately considered for access and accommodation or as factors for participating in University programs:

Process

If the student's medical or disability related information is pertinent to participating in a university program, university personnel work with DREAM as follows:

- University personnel are required to consult with DREAM as soon as reasonably possible after medical or disability information is disclosed or accommodation is requested and refer the student to the DREAM office, including taking the student, if needed, to the DREAM office to begin the process described above.
- DREAM works interactively with appropriate university personnel and the student to discuss the information needed to make an informed decision about the student's disability access and accommodation needs for participating in the university program.
- DREAM continuously reviews university personnel and student input, disability documentation or records, and provides a disability verification report and other information pertinent to the specific decision-making process.
- If university personnel need additional information to make an informed decision regarding student participation, he/she contacts DREAM to reengage the interactive process described above.
- DREAM maintains a record of this interactive process.

IX. EMPLOYEES WITH DISABILITIES

Overview

The provision of reasonable accommodations for employees with disabilities is an interactive and individualized process involving the employee with a disability, his/her supervisor, Human Resources Department, and DREAM.

Reasonable accommodations are provided to qualified employees with disabilities in all aspects of their employment and work environment that allow qualified employees to:

- participate in the job application process (includes persons who are not yet employees)
- to perform essential job functions
- to enjoy the benefits and privileges of employment equal to those enjoyed by employees without disabilities

Reasonable accommodations include, and are not limited to:

- acquiring or modifying equipment or devices
- restructuring job duties
- modifying structural physical facilities
- adjusting work or reporting schedules
- reassigning to vacant position
- modifying training materials, policies, documents and forms
- providing appropriate assistance to sight or hearing-impaired employees

Process

The University uses an interactive Disability Assessment and Accommodation Process that involves employees, their supervisors, Human Resources Department and Disability, Resources, Education, and Access Management (DREAM) to: 1) determine if the employee has a medical condition which is a disability as defined by law, 2) determine if the employee is able to perform the essential functions of the position (e.g., is a qualified disabled employee), 3) evaluate, implement, and monitor reasonable accommodations that would allow the employee to perform the essential functions of his/her position.

Consistent with federal and state law and university policy, the university responds to all situations in which an employee indicates that he/she has a medical, including psychological or emotional condition which may be affecting his/her ability to work. The indication may result from a performance discussion and/or an employee returning from medical leave who has difficulty performing the job. The condition(s) may be physical and/or mental/emotional, temporary or on-going, may have a gradual onset and be progressive, may be the result of an accident or illness, and may be acute, episodic, or chronic.

The interactive Disability Assessment and Accommodation Process begins when the employee's supervisor has knowledge that the employee has a medical condition which may be affecting the employee's ability to work. This knowledge may not include a specific request for accommodation. In any event, the supervisor should immediately consult with Human Resources to begin the Disability Assessment and Accommodation Process. Human Resources will contact the Director of DREAM and coordinate the interactive process. If the employee is ultimately determined not to be a qualified person with a disability, the University may, at its discretion, elect to provide voluntary accommodations.

With information from the employee, supervisor, and health care provider, DREAM, after consulting with Human Resources, makes the final determination as to whether the employee is a qualified person with a disability, and the reasonable accommodations, if any, the university will provide to allow the employee to perform the position's essential functions. Consistent with HIPAA best practices, the supervisor may not know the specific medical diagnosis unless informed by the employee. The supervisor will know how the condition affects the employee's ability to perform essential functions.

The interactive process invites the employee to suggest accommodations. The university will consider them; however, is not required to provide them, and may present reasonable alternatives. The university will consider reassignment to an existing vacant position, but is never required by law to establish a new position.

If this process does not result in agreement on reasonable accommodations, the employee will be referred to the Grievance Procedure on Access and Accommodation for Persons with Disabilities,

X. PUBLIC ACCESS

Overview

Gonzaga will accommodate individuals with a disability at university-sponsored and/or hosted events, programs, and activities which are open to the public. Reasonable accommodations for public access is an interactive process involving the person with a disability (member of the public), the event sponsor, and DREAM.

All scheduled events and venues open to the public at large must occur in accessible locations. The event sponsor is responsible for guaranteeing access. Reasonable accommodations include, and are not limited to: assistive listening devices, interpreters, or captioning services for the hearing impaired; Braille, large print, or other alternative format for information disseminated at the event; moving the event to an accessible location, if the building or site is not physically accessible.

Events Open to the General Public

Gonzaga University's policy is that all events held on campus that are open to the public are accessible to attendees with disabilities, in compliance with the Americans with Disabilities Act, equivalent state laws, and university mission. Public events are open to the public who are not Gonzaga students or employees. These events include, and are not limited to, theatre and music performances, gallery exhibits, seminars and colloquiums, graduation ceremonies, and athletic events.

Process

Advertising and Marketing the Event

Materials announcing public events should state that the event is accessible, and that special accommodations may be made for people with disabilities. Announcements of public events should include a statement similar to this (when appropriate):

"Individuals needing disability access information or accommodations should contact (name of event sponsor) at (phone number and e-mail address) at least five (5) days before the event."

When an Individual with a Disability Requests Accommodation

The event sponsor is responsible for receiving requests for access accommodations and arranging for funding of and payment for disability accommodations.

Medical documentation of the disability is not required to secure access and accommodation for public events.

The event sponsor or designee contacts DREAM to create an access and accommodation plan. This process is interactive and may require multiple contacts to finalize arrangements.

Gonzaga reserves the right to, and assumes the responsibility for, denying a request for accommodation from a member of the public when (1) the request is not made according to the directions in the public access accommodation announcement; (2) creates an undue administrative or financial burden; or (3) fundamentally alters the event, program, or activity.

Conflict Resolution

Individuals with a disability who request information about internal complaint and grievance processes regarding public access at a university event are referred to the Director of DREAM for assistance.

XI. RECORDS

Confidentiality and Release of Information

DREAM has institutional accountability to maintain confidentiality of materials pertaining to persons with disabilities who have received services from DREAM. All information in the record is in DREAM's custody.

All written material obtained by DREAM is used to determine the existence of a disability, reasonable accommodations, and plan for appropriate implementation through the interactive process. Disability information may be released only when a person has signed a "Release of Information" form giving written permission for the information to be shared with the appropriate individual or department.

DREAM and individuals/departments receiving information recognize these exceptions to a signed release:

- reports from the person with a disability of current child abuse or molestation
- the person has been determined to be a danger to self and/or to others by the Director of DREAM or designee
- a health or safety emergency
- compliance with judicial order or subpoena
- other lawful exceptions

Files are stored in a secured area. Archived files are kept for a period of seven (7) years consistent with best practices in the state of Washington.

All official processes requiring a documented history of accommodation, including requests for accommodations with another professional entity or academic institution will be completed by DREAM.

Guidelines for medical information and records confidentiality are consistent with the university's commitment to the Health Insurance Portability and Accountability Act (HIPAA) best practices model. All university personnel are expected to maintain confidentiality of disability information.

XII. UNIVERSITY DISABILITY ACTION COUNCIL

The University's Disability Action Council has the following purpose, membership and meeting schedule:

Purpose:

The University Disability Action Council is advisory to the Director of DREAM to:

- propose initiatives that create a welcoming environment for persons with disabilities
- provide a forum to discuss disabilities and help identify campus disability access issues
- provide advocacy for persons with disabilities and disability issues
- assist in community communication and education regarding disability access and accommodation
- steer the university toward implementing universal design concepts in all facilities, program design, and development

- support disability access and accommodation issues from the broader context of equal opportunity, diversity and social justice in consonance with Gonzaga's mission.

Membership:

Members are appointed by the Vice President for Administration and Planning. The committee will be comprised of the following array of members:

Housing and Residence Life Professional (1)

Student Government Representative (1)

Dean of Student Formation (1)

Library faculty or staff representative (1)

Chief Information Officer or designee (1)

Academic Vice President or designee (1)

Faculty Senate President or designee (1)

Faculty (6)

Human Resources Professional (1)

Associate Mission Vice President for Intercultural Relations (1)

Director of Plant and Construction Services (1)

Law School Dean or designee (1)

Equal Opportunity Officer (1)

Director of Disability Resources, Education and Access Management (1)

Meeting Schedule

The Committee will meet a minimum of two (2) times per year.

Working sub-committees will be established as needed.

XIII. UNIVERSITY-WIDE GRIEVANCE PROCEDURE ON ACCESS AND ACCOMMODATION FOR PERSONS WITH DISABILITIES

Gonzaga University has adopted these internal procedures to provide prompt and equitable resolution of complaints alleging any violation of the university's policy on access and accommodation for all educational programs, activities, events, and services, employment, and public access for persons with disabilities. This procedure applies to Sections 501 and 504 of the Rehabilitation Act, Titles I and III of

the Americans with Disabilities Act (ADA), and/or the Washington State Law Against Discrimination (RCW Ch. 49.60 as Related to Disabilities), and their implementing regulations.

Normally the best interests of the complainant and the university are served if complaints are resolved as soon as possible at the lowest possible level. These procedures provide both initial intervention and appeal to higher levels without prejudice so that parties may be assured of fundamental fairness.

APPLICATION

A grievance under this procedure is deemed to be against the University and not against an individual.

All complainants ~ students, employees and the public ~ should use this procedure for grievances alleging any violation of policies, laws and regulations related to access and accommodation for persons with disabilities.

This procedure is used for any complaints involving **academic or non-academic situations related to disability access and accommodation for university education programs, employment, activities, events, and services.**

Examples of academic access situations might be **students** with disabilities who believe they are not being appropriately or reasonably accommodated regarding coursework and studying arrangements

Examples of non-academic access situations might be:

- **students** with disabilities who believe they have not been appropriately or reasonably accommodated for services, activities and events, living arrangements or access to campus facilities
- **employees** with disabilities who believe they have not been appropriately or reasonably accommodated in their jobs
- **members of the public** who believe they have been denied access to campus facilities, services, activities, or events based on disability

It is anticipated that all steps of the grievance procedure will be completed in sixty (60) calendar days. If extenuating circumstances dictate a delay, the Equal Opportunity Officer will notify all parties in writing with an estimated time frame for completion.

STEPS IN THE GRIEVANCE PROCEDURE

Step I: INITIAL INTERVENTION ~ this step is designed to resolve the situation informally through discussion and agreement. Resolution at STEP I is not intended to determine if any policies or laws were violated.

- A. The complainant should file the grievance by contacting the Director of Disability Resources, Education, and Access Management (DREAM) at:

Disability Resources, Education, and Access Management
Foley Library, Second Floor
(509) 313-4134
shearer@gonzaga.edu

The complaint does not have to be in writing.

- B. The Director will conduct a preliminary inquiry by gathering information and attempting to resolve the situation by:
- Working directly with faculty, chairs, deans, program directors, supervisors and administration to clarify policies and procedures, enhance communication and understanding, and agree on a resolution;
 - Assisting the complainant to articulate issues and serving as liaison between the complainant and the University

Normally, most situations are positively resolved through intervention within a reasonable time frame. If the situation is urgent, the Director of DREAM will work diligently to expedite resolution. The Director will notify the parties if additional time is needed due to extenuating circumstances, and will communicate progress and/or resolution in writing to all parties.

- C. If the complainant does not believe the situation has been appropriately resolved at Step I, he/she may file a formal grievance. The Director of DREAM will inform the complainant of the formal grievance process and refer the individual to the Equal Opportunity Officer.

STEP II: FORMAL GRIEVANCE ~ the formal grievance is designed to address problems that the complainant believes were not resolved at Step 1: Initial Intervention. This step is designed to:

1. determine whether a violation of university policy and/or law occurred
2. implement consequences for violation
3. correct the access or accommodation situation and restore the complainant's employment or academic environment or public access issue which led to the grievance
4. initiate steps to prevent the problem from recurring

- A. Meeting with university official: The complainant should make an appointment with the Equal Opportunity Officer at:

Equal Opportunity Officer
College Hall, Room 206
(509) 313-6910 or 313-6289
loveland@gu.gonzaga.edu

- B. Submitting the grievance: The complainant will submit the grievance in writing with this information:
- the name and address of the person filing the grievance (the complainant)
 - a statement of the alleged discriminatory actions, including the date(s) the action(s) occurred and the name(s) of the persons involved and the nature of their involvement
- C. Investigation: The Equal Opportunity Officer will interview the complainant, other persons, contact the Director, DREAM for relevant information, and conduct a formal investigation. The EO Officer will work with the appropriate Vice Presidents to insure a complete and thorough investigation.
- D. Hearing the Grievance:

1. **Student Grievances** regarding academic access and accommodation are heard by the Academic Vice President or designee
2. **Student Grievances** regarding non-academic access and accommodation are heard by the Vice President for Student Life or designee
3. **Employee Grievances** regarding employment access and accommodation and the **Public** regarding access to facilities, activities, events and services are heard by the Vice President for Administration and Planning or designee.

The designated Vice President will hear and resolve the grievance. The VP may meet with complainant and other persons as appropriate, or make a determination only on the written investigative record.

- E. Communicating the Resolution: The Vice President will communicate the decision in writing to the complainant and the University within a reasonable time frame after the complaint is filed.
- F. Grievance Records: The Equal Opportunity Officer will maintain all files and records of the grievance. A copy of the written decision will be sent to DREAM for the complainant's official file.
 - Grievances alleging harassment or discrimination other than access or accommodation are filed under the University's Harassment and Discrimination Policy and Complaint Procedures. If the grievance involves both access/accommodation and harassment/discrimination, the Equal Opportunity Officer will determine the appropriate grievance procedure(s).
 - Grievances in which an individual faculty member is accused of harassment or discrimination will be handled according to the Faculty Handbook, Section C300, PROCEDURES FOR RESOLVING COMPLAINTS WHEN THE ACCUSED IS A FACULTY MEMBER. Any accused faculty member can waive the C300 procedure. If that occurs, the grievance will be handled under this procedure.

STEP III ~ APPEAL TO THE PRESIDENT

1. Either the complainant or the university, if dissatisfied with the Vice President's decision at Step II, may appeal in writing with the Equal Opportunity Officer after the parties receive the Vice President's written decision. The document should outline the reason for appeal. The Equal Opportunity Officer will provide a copy of the appeal to the other party or parties to the complaint, who will have the right to respond in writing. Any response should be filed with the Equal Opportunity Officer, who will provide a copy of the response to the party filing the original appeal.
2. The appeal will be resolved by the

President of Gonzaga University
Gonzaga University Spokane,
WA 99258
(509) 313-6103

who will either personally review the matter or designate another person to do so.

The President may request anyone to meet with him to discuss the appeal and/or request anyone to submit written materials. The President may rule only on the written record.

- i. The President, or designee, normally will issue a written decision as to the appeal within a reasonable time after the appeal is received. The decision will determine the validity of the appeal and its resolution, if any. Copies of the appeal decision will be sent to the complainant and the university.
 - ii. This appeal is the final recourse within the university.
5. The Equal Opportunity Officer will maintain all official documentation of the appeal and resolution.
6. A copy of the written decision will be sent to DREAM for the complainant's file.

Step IV ~ OUTSIDE REMEDIES

Complainants are not required to use this grievance procedure or other internal remedies before pursuing remedies through state and federal agencies.

These agencies are:

WASHINGTON STATE HUMAN RIGHTS COMMISSION
Programs
Information and Complaints
1-800-233-3247
1-800-622-2755 (Spanish)

Washington State Human Rights Commission
Rock Point Plaza III
1330 N. Washington St., Suite 2460
Spokane, WA 99201
(509) 568-3196

U.S. Department of Education
Office of Civil Rights
915 Second Avenue, Room 3310
Seattle, WA 98174
(206) 220-7880
TDD (206) 220-7907

Washington State Employment Security Dept.
130 S. Arthur
Spokane, WA 99202
(509) 532-3000

U.S. Department of Labor
Office of Federal Contract Compliance
1111 Third Ave., Suite 610
Seattle, WA 98101
(206) 553-4508

Equal Employment Opportunity
Federal Office Building
909 First Ave, #300
Seattle, WA 98104
(206) 669-4000

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0011
(202) 514-2000