



ST. LOUIS COLLEGE *of* PHARMACY

Staff Handbook

December 2016

REGARDING THESE POLICIES, PROCEDURES AND BENEFITS

We consider the staff of St. Louis College of Pharmacy our most valuable resources. This handbook has been written to serve as the guide for the employer/employee relationship and does not constitute a contract of employment or a legal document.

This handbook contains only general information and guidelines. It is not intended to be comprehensive or address all the possible applications of, or exceptions to, the general policies and procedures described. Other policies may apply to faculty and staff and can be found in the College's library or other policy compilations (such as student code or academic catalog). Any questions regarding application of or exception to these guidelines should be directed to the Office of Human Resources.

The College reserves the right, through its Board of Trustees, its president and all authorized members of its management staff to carry out all customary functions of management, including the right to revise and discontinue policies, procedures and benefits at any time with or without notice to faculty and staff.

Following principles of shared governance changes in policies or new policies affecting faculty and staff will include an effort to inform and get feedback on policy prior to implementation. In some instances, such as legal compliance or change in regulation, the College may enact a policy without input if there is not sufficient time to do so. Changes in *Faculty Bylaws*, *Faculty* (policies on members, P&T, others traditionally titled "Faculty"), *Faculty Rights, Duties and Obligations*, will involve review by the appropriate faculty committee as stated in these documents.

Neither this handbook nor any other College document confers any contractual right, express or implied, to remain in the College's employ, and does not guarantee any fixed terms or conditions of your employment. Your employment is not for any specific time, unless specified otherwise in an appointment letter. The College may terminate employment at will, with or without cause and without prior notice, and you may resign at any time.

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1 Organization and Administration

1.1 The College

Founded in 1864, St. Louis College of Pharmacy is the third-oldest and among the largest colleges of pharmacy in America. The College primarily admits students directly from high school, and the curriculum integrates the liberal arts and sciences with a professional program leading to a Doctor of Pharmacy (Pharm.D.) with an integrated Bachelor of Science (B.S.). The College offers a full student life experience, including more than 60 student organizations and intercollegiate athletics.

The College is chartered as a nonprofit corporation and operates under the regulations of the Missouri “Not for Profit Corporation Law.” The College has been at its present location since 1927.

Since 1927, the College has been located on nine acres in the heart of one of the world’s finest biomedical and patient-care centers – the Washington University Medical Campus. The College is actively forging partnerships with nearby institutions such as Washington University in St. Louis, Barnes-Jewish Hospital and Goldfarb School of Nursing.

St. Louis College of Pharmacy’s Doctor of Pharmacy (Pharm.D.) and integrated Bachelor of Science (B.S.) programs are accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools. The Pharm.D. is also accredited by the Accreditation Council for Pharmacy Education.

1.2 Vision, Mission and Values

1.2.1 Our Vision

St. Louis College of Pharmacy will be globally prominent in pharmacy and health care education, interprofessional patient-centered care, and collaborative research.

1.2.2 Our Mission

St. Louis College of Pharmacy is a supportive and enriching environment for growth, advancement, and leadership and prepares our students, residents, faculty, staff and alumni to positively impact patients and society.

1.2.3 Our Values

- Integrity in all that we do

- Desire to make a positive difference
- Personal development—continuous/lifelong learning/inquisitiveness/curiosity, and innovation
- Diversity—openness to differing cultures, ethnic groups, and ways of thinking
- Professionalism

1.3 Board of Trustees

The College is governed by a Board of Trustees consisting of not more than twenty-four members, none of whom are members of the faculty or employed by the College. Not more than four members may be elected from nominees submitted by the Alumni Association. Trustees serve for terms of three years and are limited to no more than three consecutive terms.

1.4 President of College

The president serves as chief executive and administrative officer for the academic and non-academic components of the College. The president is responsible to the Board of Trustees for all academic departments and administrative areas of the College and for administration of policies and procedures as determined by the Board.

1.5 President's Staff

The President's Staff is a cabinet comprised of members of administration who report directly to the President or manage a significant function at the College. The following positions serve on President's Staff:

- Dean of Pharmacy
- Dean of Arts and Sciences
- Special Assistant(s) to the President
- Vice President, Advancement
- Vice President, Culture and Campus Life
- Vice President, Marketing and Enrollment Services
- Vice President, Finance/CFO
- Vice President, Information Technology/CIO
- Assistant Vice President, College Services
- Director, Athletics, Fitness and Recreation
- Director, Human Resources
- General Counsel
- Institutional Events Manager

1.6 School of Pharmacy

The dean of pharmacy provides leadership in pharmacy professional education and practice, including research, scholarly activities, and service. The dean is responsible for ensuring that all professional pharmacy program accreditation requirements are met. The dean oversees the following academic departments:

1.6.1 Department of Pharmacy Practice

This department consists faculty and support staff in four divisions - acute care pharmacy, ambulatory care pharmacy, specialty care pharmacy and experiential education.

1.6.2 Department of Pharmaceutical and Administrative Sciences

This department consists of faculty and support staff in the areas of pharmaceutical science (medicinal chemistry, pharmacology/toxicology, and pharmaceutics) and pharmacy administration.

1.6.3 Office of Postgraduate Education

This office administers the College's postgraduate pharmacy residency programs and continuing professional development.

1.6.4 Office of Student Services

The dean of pharmacy is also responsible for managing the pharmacy career center and professional student services.

1.7 **School of Arts and Sciences**

The dean of arts and sciences provides leadership in undergraduate education at the College. The dean is responsible for ensuring that all prepharmacy and undergraduate program accreditation requirements are met. The dean the following academic departments:

1.7.1 Department of Basic Sciences

This department consists of faculty in disciplines such as mathematics/statistics, chemistry (general, bio- and organic chemistry), anatomy, physiology, physics, microbiology, and related staff.

1.7.2 Department of Liberal Arts

This department consists of liberal arts faculty in disciplines such as communications, history, English and literature, political science, psychology, sociology, art and music, as well as related staff.

1.7.3 Office of Student Services

The dean of arts and sciences is also responsible for managing the student activities, groups, and clubs for undergraduate students.

1.8 **Appointment of Academic Administrators**

1.8.1 Department Chairs

The chair of the department reports to the dean of the school and has broad responsibilities for the overall operations of the academic programs within the department. The chair is appointed for three to five years, and the duties and performance of the chair are reviewed on an annual basis.

The chair will serve as a mentor, facilitator and administrator for faculty and staff within the academic department as they carry out their responsibilities and goals. The chair will act as the representative of the department to the College's administration and outside constituencies and act as an advocate for the mission of the department to those groups.

1.8.2 Pharmacy Practice Division Directors

Academic division directors report to the chair of the department of pharmacy practice and have broad responsibilities for the overall operations of the academic programs within the division. The division director is appointed on a three to five year basis, and the performance and duties of the division director are reviewed by the chair, Department of Pharmacy Practice on an annual basis.

The division director will serve as a mentor, facilitator and administrator for faculty and staff within the academic division as they carry out their responsibilities and goals. The division director will act as the representative and advocate for the mission of the division to the chair.

1.8.3 Assistant/Associate Deans

As needed, the dean may appoint a faculty member to serve in assistant or associate dean roles to assist in administration of the respective school. The assistant or associate dean is appointed on a one to three year basis, and the performance and duties of the assistant or associate dean are reviewed by the dean on an annual basis.

1.8.4 Faculty Fellow

The faculty fellow position in the Office of the President is a 60-percent, part-time administrative appointment for two academic years. The opportunity is intended to broaden the faculty fellow's understanding and experience in academic administration. The fellow will develop, implement and lead initiatives related to priorities of the College, the Office of the President and the offices of the vice presidents and deans.

1.9 Academic Leadership Team

The Academic Leadership will provide overall guidance for academic matters at the College. The committee includes each dean, assistant and associate deans, department chairs and directors of student services for each school.

2 College Policies on Conduct and Behavior

2.1 Code of Ethical Conduct

St. Louis College of Pharmacy is committed to maintaining a campus environment that offers a wide range of professional, social and cultural opportunities and where the well-being of students is the primary focus of all decision-making and actions. In order to ensure that the highest ethical standards are maintained, the College adopts the following statements of ethics and professional conduct for its administration, faculty and staff:

- All employees will carry out their duties with honesty, integrity and respect, and all employees will expect honesty, integrity and dignity from others. Specifically, using one's position to harass or intimidate another member of the administration, faculty, staff or students is a serious violation of this code.
- All employees will support the principle of fairness, protect the civil and human rights of others, and obey local, state and national laws. Except in unusual circumstances, employees will normally be given advance notice and an opportunity to respond to complaints of misconduct or performance issues.
- All employees will understand and have the opportunity to contribute to the formulation and evaluation of the College's mission and policies. Employees will be willing to work with others to support the College in its endeavors to implement this mission.
- All employees will recognize the potential for conflict of interest and will refrain from engaging in activities that may interfere with The College's mission. Employees will not use their positions for personal gain through political, social, religious, economic or other influences when those activities interfere with the College mission. Oversight for this responsibility shall lie with the Faculty Governance Committee (for faculty), Office of Human Resources (for staff) and Board of Trustees (for administration).

Employees have the right to expect to work in a professional and supportive environment and within the scope of their authority to perform their duties without disruption or harassment. Employees also have the right to refuse to work in unsafe conditions or engage in actions in violation of this code or any laws.

Employees will communicate potential ethical or law violations to the appropriate dean (for faculty) or Human Resources (for staff). If the person outlined above is party to a potential problem or ethical violation, an employee may report the matter directly to the general counsel, president or Board of Trustees (in incidents where the president is party to the problem or violation). Employees will not be threatened with retaliation or punished for reporting alleged unethical or illegal behavior in others.

The administration will ensure that these standards of conduct are communicated throughout the College to administration, faculty, staff and students. Managers and supervisors will monitor compliance in their areas.

Failure to adhere to this Code of Ethics will result in disciplinary action as outlined in the Faculty Handbook and Staff Handbook.

This Code of Ethics will be reviewed periodically by a committee composed of the general counsel, director of human resources, the chair of the faculty governance committee and vice president of culture and campus life to ensure its effectiveness in furthering the mission of the College.

2.2 Policy Against Harassment, Sexual Misconduct, Relationship Violence and Stalking

2.2.1 Policy Statement

St. Louis College of Pharmacy (“STLCOP” or “College”) prohibits harassment, sexual misconduct, relationship violence and stalking (as defined below), both on and off campus. It also prohibits direct or indirect “retaliation” (as defined below) against any person filing a complaint or taking part in an investigation under this Policy. The College takes the safety and well-being of its students, faculty and staff seriously and offers many forms of education and support to prevent harassment, sexual misconduct, relationship violence and stalking and to support the College community in the event that sexual misconduct and stalking does occur.

College personnel and students who violate this policy are subject to the grievance and disciplinary procedures of the College and such civil and criminal laws as may apply. The College will impose sanctions against personnel and students for violations of this policy including, but not limited to, suspension, involuntary separation and referral to appropriate law enforcement authorities. The College will notify third parties, such as other employers and educational institutions, of violations by outside persons, representatives or students under their control. Additionally, the College will assist victims to file complaints with law enforcement authorities for violations of this policy that involve criminal conduct. The College will take steps to promptly investigate reports of policy violations, to initiate interim measures to protect victims and minimize disruption on campus, to provide a fair and impartial hearing and appeal process, to impose sanctions or discipline reasonably

calculated to prevent future violations, and to correct the discriminatory effects of a violation on victims and other members of the College community.

2.2.2 Purpose

St. Louis College of Pharmacy's mission is to be a supportive and enriching environment for growth, advancement and leadership, and prepare our students, residents, faculty, and staff to positively impact patients and society. The College seeks to advance its mission by promoting awareness, reporting and prevention of harassment, sexual misconduct, relationship violence and stalking. Reporting incidents involving harassment, sexual misconduct, relationship violence and stalking is essential to ensuring that all persons receive equal opportunities and the benefits and privileges of working, learning and participating in the programs and benefits offered by the College. Reporting provides the opportunity for effective intervention, support and remediation, and most importantly, to help prevent such incidents from occurring.

This policy and associated procedures are designed to achieve the following goals:

- Cultivate a climate of empowerment and education in which behavioral standards and prohibited conduct are understood by the entire campus community.
- Create an environment that facilitates the prompt reporting of sexual misconduct and stalking offenses through clear and easily understood processes.
- Provide prompt and compassionate support services for claimants (individuals bringing the complaint), respondents (individuals accused of violating this policy), and other parties involved in or affected by an incident.
- Ensure that the College is made aware of incidents that require criminal or other reporting and ensure that such reporting takes place in a prompt and effective manner.
- Provide clear reporting procedures and clear explanations of confidentiality and privacy issues.
- Provide effective investigation, evaluation and adjudication of reports of harassment, sexual misconduct, relationship violence, and stalking guided by principles of fairness while maintaining the College's obligation to the safety and security of its community.
- Comply with the requirements of the Clery Act, Violence Against Women Act, Title VI, Title VII, Title IX, the Rehabilitation Act of 1973, the Americans with Disabilities Act, and applicable state and federal laws.

2.2.3 Covered Persons

This policy applies to all faculty, staff, students and others (guests, contractors and visitors) (collectively referred to as "covered persons").

2.2.4 Definitions of Prohibited Conduct

The term “prohibited conduct” for the purposes of this policy shall include any or all of the defined terms listed below.

2.2.4.1 Harassment

St. Louis College of Pharmacy strives to provide an educational environment free from discrimination based on an individual’s membership in a protected group including race, color, religion, national origin, age, sex, gender, gender identity, disability, genetic information, veteran status and sexual orientation. Harassment is a form of discrimination that is strictly prohibited and will not be tolerated. For purposes of this policy, sexual harassment is defined separately.

Harassment is defined to include any unwelcome verbal, written, or physical conduct that is designed to threaten, intimidate or coerce another person, or any unwelcome behavior that due to its severity or persistence, interferes with an individual’s work, education, or living environment.

Harassing behavior can occur in person, by phone, by publication or through the use of electronic means including internet, email or social media.

Examples of behavior that may amount to harassment depending on the severity and persistence include, but are not limited to, the following:

- Using slurs, derogatory or demeaning terms directed at a protected group
- Telling jokes or stories that are derogatory toward members of a particular protected group
- Displaying writings, cartoons, photographs or other derogatory, explicit, suggestive or insulting items directed at a protected group
- Sabotaging, damaging or interfering with the work of anyone because of her or his membership in a particular protected group
- Threatening or intimidating anyone because of her or his membership in a particular protected group

2.2.4.2 Sexual Misconduct

The term “sexual misconduct” includes any or all of the following defined terms: sexual harassment, sexual assault, nonconsensual sexual contact, nonconsensual sexual intercourse and sexual exploitation.

2.2.4.3 Sexual Harassment

Sexual harassment is any unwelcome conduct of a sexual nature. This can include unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature. Sexual harassment also encompasses nonsexual conduct, provided the behavior is unwelcome, is based on sex or sexual stereotyping, gender or failure to conform to stereotypical notions of masculinity or femininity, and has the effect of interfering with a person's ability to participate in or benefit from a school program or employment. Sexual harassment can occur between members of the same or opposite sex/gender. Harassment based on an individual's sex or actual or perceived gender or sexual orientation is sexual harassment.

2.2.4.4 Sexual Assault

Sexual assault includes nonconsensual sexual contact and nonconsensual intercourse.

2.2.4.4.1 NonConsensual Sexual Contact

Nonconsensual sexual contact is defined as any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Examples include bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or other bodily contact in a sexual manner. This contact can be perpetrated by a member of the same or opposite sex.

2.2.4.4.2 NonConsensual Sexual Intercourse

Nonconsensual sexual intercourse is any sexual penetration or oral copulation, however slight, by a person upon another person that is without consent and/or by force. Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation by mouth or genital contact or genital to mouth contact.

2.2.4.5 Sexual Exploitation

Sexual exploitation occurs when a person takes nonconsensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples include, but are not limited to, invasion of sexual privacy, prostitution, nonconsensual video or audio taping of sexual activity, going beyond the boundaries of consent (such as allowing others to secretly watch you having consensual sex or distributing sexual photographs without the person's consent), engaging in voyeurism, knowingly transmitting a sexually transmitted disease or HIV to another person, exposing one's genitals in nonconsensual circumstances, inducing another to expose their genitals and/or administering alcohol or drugs to another person without his or her knowledge or consent ("date rape" drugs).

2.2.4.6 Relationship Violence

St. Louis College of Pharmacy uses the term “relationship violence” to mean domestic violence and dating violence.

2.2.4.6.1 Domestic Violence

Domestic violence refers to an act of violence that is a misdemeanor or felony by a current or former spouse, intimate partner, cohabitant or similarly situated person, a person with whom a victim shares a child in common or anyone else protected under domestic or family violence law.

2.2.4.6.2 Dating Violence

Dating violence is defined as physical violence or the threat of physical violence by a person who has been in a romantic or intimate relationship with the victim. Whether a relationship exists will depend on the statement of the accusing party as well as the length, type and frequency of interaction. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of abuse.

2.2.4.7 Stalking

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to a) fear for his or her safety or the safety of others or b) suffer substantial emotional distress. Stalking can be perpetrated physically or virtually through the internet or other electronic means.

2.2.4.8 Retaliation

It is a violation of policy to retaliate against or intimidate in any way an individual seeking guidance, filing a complaint or taking part in the investigation or any proceeding involving a complaint of prohibited conduct. An individual who retaliates against or intimidates another will be subject to the full range of corrective action, up to and including discharge or expulsion.

2.2.5 Consent and Relationships

2.2.5.1 Consent

St. Louis College of Pharmacy defines consent to be affirmative consent. This definition provides a higher requirement for consent than some criminal definitions. However, the College believes that this higher standard is appropriate for the personal and professional standards required of all students. Consent to engage in sexual activity must be given

knowingly, voluntarily and affirmatively. Consent requires the presence of a yes, not an absence of a no. Consent may not be inferred from silence, passivity, lack of resistance or lack of rejection. Consent is demonstrated through clear, unambiguous words (for example, “Yes”) and clear, unambiguous actions that demonstrate a willingness to engage freely in sexual activity. Sexual contact without consent is a violation of this policy and, in many instances, a crime.

- Each participant is expected to obtain and give consent to each sexual activity and each sexual encounter. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent cannot be inferred from a current or previous dating or sexual relationship. Past consent does not imply future consent.
- Consent may be withdrawn at any time.
- Silence or absence of resistance does not imply consent.
- An individual who is physically incapacitated from alcohol and/or other drug consumption (voluntarily or involuntarily), or is unconscious, unaware, or otherwise physically helpless is considered unable to give consent. For example, a person who is asleep cannot give consent. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, being unaware of circumstances or surroundings, or being unable to communicate for any reason. Consent cannot be forced or coerced through duress or deception. An individual physically forced to participate cannot provide consent. When an individual is intimidated, coerced, threatened – even a perceived threat, isolated or confined, consent cannot be granted.
- Consent cannot be obtained from a person who lacks the mental capacity to authorize the sexual conduct and when such mental incapacity is known.
- Consent cannot be obtained from a person who is a minor.
- Consent cannot be inferred from an individual’s attire, physical appearance, or participation in non-sexual social activity (social media, dating, dancing).

2.2.5.2 Consensual Relationships between Staff, Faculty and Students

Consensual sexual or romantic relationships among faculty, staff and students often create a conflict of interest and have the potential for adverse consequences including potential for sexual harassment or retaliation. This is especially the case in instances where an asymmetry of power occurs (when one person has an employment or academic supervisory role over another person). A consensual relationship between faculty, staff and students where there is any instructional or administrative relationship is strongly discouraged. Any employee involved in or who commences a consensual relationship with someone over whom he or she has supervisory power (employment or academic) must disclose the existence of the relationship to Human Resources (employment) or the appropriate dean (academic).

2.2.6 Section 504 & Title IX Coordinator/Deputy Coordinator for Students

Pursuant to College policy, Section 504 of the Rehabilitation Act of 1973, and Title IX of the Higher Education Amendments of 1972, the College has designated a Section 504 & Title IX coordinator to implement and coordinate this policy. Additionally, the College has designated a deputy Section 504 & Title IX coordinator for students (“deputy coordinator for students”) who reports to and assists the Section 504 & Title IX Coordinator to effectively administer this policy for students. If you have questions about the policy, if you believe that you are being harassed or retaliated against in violation of the Retaliation section of this policy, or if you observe someone else being subjected to such conduct, you can report the conduct to the Section 504 & Title IX coordinator. Complaints against students can also be reported to the deputy coordinator for students. The Section 504 & Title IX coordinator or the deputy coordinator for students will oversee the complaint process to enable the College to best assess, respond and investigate complaints to eliminate events, prevent their recurrence and address the effects on the complainant and others. Additionally, the Section 504 & Title IX Coordinator is responsible for coordination and oversight of the administration of this policy including processing and investigation of complaints, disciplinary proceedings and sanctions, reporting, education and awareness of prohibited conduct and this policy, training of personnel, and conducting an annual review of the effectiveness of the College’s prohibited conduct programs.

Contact information for the Section 504 & Title IX coordinator and deputy coordinator for students is listed below:

Section 504 & Title IX Coordinator
 Daniel Bauer, PHR
 Director, Human Resources
 314-446-8308
 Jones Hall, Room 1309
Daniel.bauer@stlcop.edu

Deputy Section 504 & Title IX Coordinator for Students
 Rebecca Jones
 Director, Academic Support Services
 Student Success Center, Room 2124
 314-446-8352
Rebecca.Jones@stlcop.edu

2.2.7 Educational and Prevention Programs

St. Louis College of Pharmacy engages in comprehensive educational programming to prevent incidents of prohibited conduct. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees as well

as ongoing awareness and prevention campaigns for students and faculty that identify and define prohibited conduct, identify and define consent, provide safe and positive options for bystander intervention, provide risk reduction information, and provide information regarding the Clery Act and the Annual Security Report.

The College has developed an annual educational campaign consisting of several media to reach the intended audiences including presentations and distribution of educational materials to new students, presentations during new employee orientation and annual policy updates for faculty and staff, continuing speaker series, awareness weeks and web-based training for faculty, staff and students throughout the school year.

The College recognizes that at times many community members may put themselves in dangerous or risky situations and encourages all community members to offer help and assistance to others in need by taking reasonable and prudent actions to prevent or stop an act of prohibited conduct from occurring.

2.2.8 Reporting Complaints and Confidentiality

The College has initiated a complaint procedure designed to encourage any faculty, staff, student or visitor to report any instance of Prohibited Conduct. A complainant does not have to decide whether or not to request criminal reporting, or pursue College conduct processes, to make a complaint.

The College encourages victims of prohibited conduct to talk to somebody about what happened – so they can get the support they need, and so the College can respond appropriately. Different employees on campus have different abilities to maintain a complainant's confidentiality.

2.2.8.1 Options for reporting:

2.2.8.1.1 Privileged and Confidential Communications

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the College community (including those who act in that role under the supervision of a licensed counselor) are generally not required to report any information about an incident to College personnel without a victim's permission.

Counselors in the Student Counseling Center are examples of professional counselors. For more information about counseling services contact the Counseling Center at 314.446.8138 or counselingcenter@stlcop.edu. STLCOP currently does not have any pastoral counselors.

2.2.8.1.2 Reporting to “Responsible Employees”

A “responsible employee” is a College employee who has the authority to redress prohibited conduct, who has the duty to report incidents of prohibited conduct or other student misconduct (see Section 10 titled “Clery Requirements, Timely Warning and/or Emergency Notification”), or who a student could reasonably believe has this authority or duty (i.e. coaches, athletic directors, residence assistants, residence life staff, student activities staff, advisors to student organizations, faculty, administrators). The College has designated all employees other than those employed as a professional counselor as a responsible employee under this policy. A report to a responsible employee is considered a report to the College.

When a victim tells a responsible employee about an incident of prohibited conduct the College will take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Section 504 & Title IX coordinator/deputy coordinator for students all relevant details about the alleged prohibited conduct shared by the victim and that the College will need to determine what happened – including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the College’s response to the report except for instances of mandated reporting in Missouri, such as professionals reporting suspected child abuse or neglect.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee’s reporting obligations and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the College will consider the request, but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Section 504 & Title IX coordinator/deputy coordinator for students, the responsible employee will also inform them of the victim’s request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim’s wishes, including for the College to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to do so.

All faculty and staff, whether they are full-time or part-time, are responsible for supporting and assisting in the administration of this policy. Security Services staff and any employee, with the exception of a professional counselor, is required to immediately contact the Section 504 & Title IX coordinator/deputy coordinator for students if prohibited conduct is reported to them or they become aware of information indicating that such conduct has occurred.

2.2.8.1.3 Anonymous Reporting

The College encourages victims to talk to someone. Currently the College does not provide an online form for anonymous reporting, but a person may contact security at 314.446.SAFE (7233) or security@stlcop.edu 24 hours a day, seven days a week.

2.2.8.1.4 Requesting Confidentiality from the College: How the College Will Weigh the Request and Respond

If a complainant discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College must weigh that request against the College's obligation to provide a safe, non-discriminatory environment for all students, faculty, staff and visitors, including the victim.

If the College honors the request for confidentiality, a victim must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

Although rare, there are times when the College may not be able to honor a victim's request in order to provide a safe environment for all students, faculty, staff and visitors.

The College has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of an incident of alleged prohibited conduct:

- Section 504 & Title IX Coordinator
- Deputy Coordinator for Students
- Title IX Investigators

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX coordinator/deputy coordinator for students and appropriate College officials will consider a range of factors, including the following:

- The legal obligations of the College
- The increased risk that the alleged perpetrator will commit additional acts of Prohibited Conduct or other violence, such as:

- Whether there have been other complaints about the same alleged perpetrator
- Whether the alleged perpetrator has a history of arrests or records from a prior institution indicating a history of violence
- Whether the alleged perpetrator threatened further Prohibited Conduct or other violence against the victim or others
- Whether the Prohibited Conduct was committed by multiple perpetrators
- Whether the Prohibited Conduct was perpetrated with a weapon
- Whether the victim is a minor
- Whether the College possesses other means to obtain relevant evidence of the incident (e.g., security cameras or personnel, physical evidence)
- Whether the victim's report reveals a pattern (e.g., illicit use of drugs or alcohol) at a given location or by a particular group

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the victim's request for confidentiality.

Even if the request for confidentiality is granted the College may take steps to limit the effects of the alleged misconduct and prevent its recurrence without initiating a formal action against the alleged perpetrator or revealing the identity of the student. This may include increased monitoring, security or additional training or communication efforts for students or employees.

2.2.8.1.5 If the College determines that it cannot maintain a victim's confidentiality

The College will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response.

The College will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College employees, will not be tolerated.

The College will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, visa and immigration assistance, and legal assistance both on and off campus (see portion of policy identifying these)
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules

(including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests

- Inform the victim of the right to report a crime to local law enforcement and provide the victim with assistance if the victim wishes to do so

The College may not require a victim to participate in any investigation or disciplinary proceeding.

Because the College is under a continuing obligation to address the issue of prohibited conduct campus-wide, reports of prohibited conduct (including non-identifying reports) will also prompt the College to consider broader remedial action such as increased monitoring, supervision or security at locations where the reported prohibited conduct occurred, increasing education and prevention efforts including to targeted groups, conducting climate assessments/victimization surveys, and/or revisiting its policies and practices.

2.2.8.1.6 If the College determines that it can respect a victim's request for confidentiality

If the College determines that it can respect a victim's request for confidentiality, the College will also take immediate action as necessary to protect and assist the victim.

2.2.8.2 Off-campus Counselors and Advocates

Off-campus counselors, advocates and health care providers will also generally maintain confidentiality and not share information with the College unless the victim requests the disclosure and signs a consent or waiver form. Confidentiality is maintained as long as it is within the limits of the law (i.e. no harm to self, others, and no current abuse of a child or other vulnerable persons).

2.2.9 Interim protective Measures

Upon receipt of a report, the complainant or respondent may request or the College may impose reasonable and appropriate interim measures to ensure the safety of all parties, the College community, and/or the integrity of the process. Interim protective measures will be considered by the Section 504 & Title IX coordinator/deputy coordinator for students and appropriate administrators (Security Services, Culture and Campus Life for students, Human Resources for staff, and appropriate dean for faculty).

Potential interim measures include:

- A College "no contact" order
- Access to counseling services and assistance in setting up the initial appointment.
- Rescheduling of exams and assignments

- Change in class schedule or transferring section including late withdrawal from a class without penalty
- A change in work schedule or job assignment
- Change in Residence Hall assignment
- Providing an escort to ensure safe movement between classes and activities
- Academic support such as tutoring
- Leave of absence
- Assistance with filing an order of protection with the St. Louis City Circuit Court (Civil Courts Building, 9th Floor, Adult Abuse Office, 10 N. Tucker, St. Louis, MO) or other appropriate jurisdiction.

2.2.10 Immediate Assistance for Prohibited Conduct

If you are a victim of sexual misconduct, relationship violence or stalking, or any incident of prohibited conduct involving violence or a threat of violence please contact the Office of Public Safety immediately by calling 314.446.SAFE (7233) and/or the St. Louis Metropolitan Police Department at 314.444.5385. All other incidents of prohibited conduct should be reported to the Section 504 & Title IX coordinator or deputy coordinator for students.

Upon receipt of a report of sexual misconduct, relationship violence, stalking or any incident of prohibited conduct involving a threat or act of violence the College's priority response is to address the safety of the victim. If the victim is uncomfortable contacting the Office of Public Safety or the St. Louis Metropolitan Police Department, he/she can notify a staff member of Culture and Campus Life, Residential Life or Counseling Center for assistance. These College personnel will assist the victim in notifying the appropriate law enforcement authorities upon request. Students, faculty or staff who are victims of prohibited conduct will receive information regarding counseling opportunities on and off campus. Students can contact the Counseling Center at 314.446.8338 for further information. Faculty and staff can contact the Employee Assistance Program H&H Health Services at 314.845.8302 or 800.832.8302.

A victim should report the incident to Office of Public Safety and/or St. Louis Metropolitan Police Department, even if the victim does not want to press charges. This will allow the authorities to gather important evidence should the victim later change his/her mind. The victim may choose to pursue the investigation through the criminal justice system and/or the College conduct/discipline system.

The Office of Public Safety will help the victim get to a safe place and assist the person in seeking immediate medical treatment. Sexual assault victims will be instructed on getting

medical treatment in order to preserve potential evidence by completing a Sexual Assault Forensic Examination (SAFE). There is no cost for the exam. Sexual assault victims should make every effort to save anything that might contain the perpetrator's DNA, therefore a victim should not bathe or shower, use the restroom, change clothes, comb hair, clean up the crime scene or move anything that may have been touched.

Even if the victim has not yet decided to report the crime, receiving a forensic medical exam and keeping the evidence safe from damage will improve the chances that the police can access and test the stored evidence at a later date. A victim does not have to give his/her name to receive the exam.

A victim may also want to keep a journal to record detailed information about the incident.

2.2.11 Coordination with Law Enforcement

St. Louis College of Pharmacy encourages victims to pursue criminal action for incidents of prohibited conduct that may also be crimes under Missouri or federal law. The College will also assist victims in making a criminal report and will cooperate with law enforcement agencies to pursue the criminal process to the extent permitted by law.

The College's policies, definitions and burden of proof may differ from Missouri and federal law. A complainant may seek resolution through the College's complaint process, may pursue criminal action, may choose one but not the other, or may choose both. Law enforcement's determination whether or not to prosecute, or the outcome of any criminal prosecution, are not determinative of whether a violation of the College's policies has occurred. The College will not wait for the conclusion of a criminal investigation or proceeding to investigate and process a complaint of prohibited conduct.

2.2.12 Clery Requirements, Timely Warning and/or Emergency Notification

Certain campus officials, known as campus security authorities (CSAs), have a duty under the Clery Act to compile and publish an annual report reflecting statistical information regarding forcible sex offenses (rape, sodomy, sexual assault with an object, fondling), non-forcible sex offenses (incest, statutory rape), dating violence, domestic violence, and stalking, as defined by this policy and applicable federal law. All personally identifiable information is kept confidential, but statistical information must be passed along to campus security regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the College's Annual Security Report. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. The Office of Public Safety must record this same information in a campus crime log which is available for public inspection. College administrators must issue immediate timely warnings for incidents reported to

them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

2.2.13 Amnesty for other less serious policy violations

St. Louis College of Pharmacy believes violations of this policy to be very serious offenses. The College will generally offer any student, whether the complainant or a third party, who reports violations of this policy limited immunity from being charged for policy violations related to alcohol use and/or drug use, provided that such violation(s) did not and do not place the health and safety of any person at risk. The College may choose, however, to pursue educational interventions with those individuals.

2.2.14 False Reports

Due to the seriousness of these matters an individual who knowingly alleges a false claim against another will be subject to the full range of corrective action, up to and including termination or expulsion.

2.2.15 Written Explanation of Rights

Regardless of whether a victim elects to pursue a criminal complaint or pursue a College investigation, the College will assist victims of prohibited conduct by providing them with a written explanation of rights. Should an alleged perpetrator be named as respondent and a claim is investigated, the respondent will also receive a written explanation of rights.

2.2.16 Sanctions/Discipline for Policy Violations

The responsible administrator will determine the appropriate sanction or disciplinary action based on the seriousness of the violations, the respective ages and positions of the complainant and the respondent, and whether there have been other complaints against the respondent. Note that while investigation records are private, sanctions become part of student records or personnel files.

- Faculty and staff discipline will be determined based on established guidelines in the Faculty Staff Handbook and Faculty Bylaws. Disciplinary action for offenses could include mandated counseling, written warning, suspension and/or termination.
- Student sanctions will be determined based on established guidelines in the Code of Student Conduct. Disciplinary action for offenses may include, but are not limited to, formal warning, non-academic disciplinary probation, mandated counseling

- assessment, denial of the right to hold an office in a student organization or to participate in College-sponsored extracurricular activities, campus restrictions and/or other educational sanctions and non-academic suspension or dismissal from the College.
- If the offender is neither a student nor faculty or staff member and thus not subject to the College's direct control, the College will take such measures as it deems appropriate to remedy the matter. This may include barring the offender from College property and filing a complaint with an employer, professional association or law enforcement authorities.

2.2.17 Investigating and Adjudicating Complaints

The College's investigation policy provides a prompt, fair and impartial investigation and resolution process where the complainant and respondent are entitled to have the same opportunities to due process. The College approaches these investigations impartially and seeks to determine the facts and weighs those facts and evidence against the appropriate standards of evidence to determine violations of policy.

- Individuals investigating complaints will receive annual training on issues related to Prohibited Conduct as defined in the harassment, sexual misconduct, relationship violence and stalking Policy. This training includes instruction on how to conduct an investigation and adjudication process that protects the rights of the complainant and respondent and promotes accountability.
- Both the complainant and the respondent have the opportunity to be advised as described in the resources section of this policy.
- Appropriate College officials, the complainant and the respondent will be provided timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings subject to the privacy requirements under the Family Educational Rights and Privacy Act ("FERPA").
- The complainant and respondent will be notified simultaneously in writing of the results of any disciplinary proceedings, as well as any changes to those results or sanctions/disciplinary actions prior to the time that such results become final. This shall include the rationale for the result and the sanctions consistent with Section 17.6, Notice of Outcome and Results.
- The complainant and the respondent each have the right to appeal the results of any disciplinary hearing/determination and will be notified simultaneously in writing of the final outcome after the appeal is resolved.
- The College may extend the timeframes provided in this policy for good cause with written notice to the complainant and respondent of the delay and the reason for the delay.

Human Resources is responsible for overseeing disciplinary proceedings involving staff members. The appropriate dean is responsible for the disciplinary proceedings involving faculty. Culture and Campus Life handles non-academic disciplinary proceedings involving students. In some instances an appropriate administrator will be designated to assist.

2.2.18 Complaint or Notice of Complaint

Any responsible employee who becomes aware of violations of this policy is required to immediately contact the Section 504 & Title IX coordinator/deputy coordinator for students. See sections titled “Reporting Complaints and Confidentiality.” Office of Public Safety staff made aware of complaints will immediately share them with the Section 504 & Title IX coordinator/deputy coordinator for students. The appropriate administrator or designee (dean for faculty, vice president, culture and campus life for students, or vice president, administration for staff) will work with the Section 504 & Title IX coordinator/deputy coordinator for students and help coordinate interim protective measures, and/or conduct or disciplinary hearings.

At the time of the complaint, the complainant will be informed in writing about resources (community and interim protective measures) and the institution, including the Office of Public Safety, will assess immediate safety needs of the complainant and need for timely warning/emergency notification.

Should a complainant or respondent feel there is a conflict of interest, in any step of the process, with the Section 504 & Title IX , Deputy Title IX Coordinator for Students, assigned Title IX investigators, or appropriate administrator for conduct/disciplinary proceedings listed below, written notice of the potential conflict should be submitted to both the Section 504 & Title IX Coordinator or Deputy Coordinator for Students and the appropriate administrator (Vice President, Culture and Campus Life; Assistant Vice President, College Services; Dean; or Vice President, Administration for staff) within three (3) business days. A panel of three consisting of at least one administrator and at least one trained Title IX investigator will review the potential conflict and determine if a conflict exists. If a conflict exists, an alternative coordinator, investigator or administrator will be assigned by the panel. The determination will be shared with the Section 504 & Title IX coordinator/deputy coordinator for students, complainant and respondent.

2.2.19 Step 1: Preliminary Review and/or Conference

The Section 504 & Title IX coordinator/deputy coordinator for students, or trained investigator will review the complaint and determine if the complaint alleges any facts that suggest prohibited conduct occurred. This review will include a review of the complaint as

received and a review of related prior disciplinary action or sanctions of the people allegedly involved. Additionally, a review of Title IX records will be included to see if complainant, respondent or witnesses have been involved in other incidents.

- If the complaint fails to allege sufficient facts to support a violation of this policy the Section 504 & Title IX coordinator/deputy coordinator for students will notify the complainant that the complaint fails to state a violation under this policy. The complainant will be notified within five (5) business days of the complaint being received. The complainant may submit an amended complaint within five (5) business days after receiving the notice or file an appeal according to the appeal policy.
- If the complaint alleges sufficient facts to support a policy violation and the claimant wishes to pursue the complaint through the College's conduct or disciplinary processes the Section 504 & Title IX coordinator/deputy coordinator for students will work with the appropriate administrator or designee (vice president, administration for staff, appropriate dean for faculty, vice president, culture and campus life for students) to recommend sanctions and meet with the respondent within ten (10) business days of receiving the complaint.
 - If respondent accepts responsibility for the policy violation(s) outlined in the complaint and agrees to the sanction(s) the appropriate administrator will deliver the sanctions and notify the Section 504 & Title IX coordinator/deputy coordinator for students. This information will be shared with the complainant. Either side may appeal according to the process described below.
 - If the respondent accepts responsibility, but rejects the sanctions he/she will be part of an administrative conference to validate the appropriateness of the sanctions. The outcome is subject to appeal procedures listed below. All parties will be notified simultaneously of the outcome, rights to appeal and final determination.
 - If the respondent does not accept responsibility for policy violation(s) and/or rejects the sanctions both the claimant and respondent will be notified simultaneously within ten business days (10) of receipt of a complaint of the need to investigate.
- If there is reasonable cause but the claimant does not want the complaint to be investigated the College may still investigate the complaint, but may be limited in its ability to do so.

The Section 504 & Title IX coordinator/deputy coordinator for students will serve as a resource to the administrator or designee to ensure that any sanctions or discipline and

remedies will adequately address the harm to the victim, educate the respondent, and prevent the recurrence of future violations. Additionally, the Section 504 & Title IX coordinator/deputy coordinator for students will coordinate additional actions to address the impact of a policy violation on others such as, but not limited to, counseling and awareness training or programs.

2.2.20 Step 2: Investigation

The Section 504 & Title IX coordinator/deputy Title IX coordinator for students or trained investigators whom they select for a particular case are responsible for investigating complaints of prohibited conduct. The parties directly involved in the investigation will be informed in a timely manner regarding the process and progress of the investigation. During the investigation period, the investigator will gather information, evidence and interview witnesses. Questioning or evidence about a complainant's prior sexual history will not be considered by the investigator except where the complainant and respondent have a prior intimate or sexual relationship and it may be deemed relevant to a determination of consent. After the investigation, Section 504 & Title IX coordinator, deputy coordinator for students will submit a written report including findings of fact and a determination of whether it was more likely than not that the respondent committed any violation(s) of this policy or other College policies to the appropriate administrator (dean for faculty, vice president culture and campus life for students, or vice president, administration for staff). If a designated investigator conducts the investigation, the investigator will submit a report containing the findings of fact and culpability to the Section 504 & Title IX coordinator/deputy coordinator for students and appropriate administrator.

This process will not exceed thirty (30) calendar days from investigation start date except in rare circumstances. A confidential file of the investigation will be kept on file with the Section 504 & Title IX coordinator/deputy coordinator for students.

2.2.21 Step 3: Formal Conduct Panel/Disciplinary Proceedings

- After reviewing the investigation report, the appropriate administrator (dean for faculty, vice president culture and campus life for students, or vice president, administration for staff) will simultaneously notify the complainant and respondent within five business days (5) of the close of the investigation of the investigator's findings. If the investigation shows that it was more likely than not that no policy violation occurred, either party may appeal. (See Section 16.5). If the investigation shows that it was more likely than not that a policy violation occurred then the procedures outlined below shall be followed.

- Normal conduct panel procedures or disciplinary proceedings will be followed for students, faculty and staff according to the conduct or disciplinary process for the respective party.
- However, mediation is never appropriate in sexual assault or stalking cases.
- The College may establish special hearing guidelines where cross-examination is allowed that prevent the respondent from personally cross-examining the complainant (set up a screen, etc.)
- Any investigation, hearing, review or appeal procedure will use a preponderance of the evidence standard of proof (i.e. more likely than not).
- If the hearing/proceeding determines that a violation of policy has occurred, prompt and appropriate sanctions/corrective action will be taken as deemed appropriate by the College.
- Both parties will be simultaneously notified within three (3) business days of the result and their rights to appeal.
- In the case of non-tenured faculty, staff and students, the appeal process outlined in Step 4 of this policy supersedes the appeal processes contained in the Faculty Handbook, Staff Handbook and Student Conduct Code. Any case involving dismissal of a tenured faculty member may be appealed consistent with the procedures set forth in the Faculty Handbook.

2.2.22 Step 4: Appeal

Either party may file an appeal within three (3) business days of the delivery of the hearing determination letter. The appeal must be submitted to the president in writing and must specifically state the reason for appeal. Appeals are limited to the following grounds:

- Question of Fact: Either party may appeal questions of fact by introducing new evidence that would significantly affect the outcome of the case. Evidence that was known to the appellant at the time of the original hearing, but was withheld, shall not constitute a question of fact nor is it to be considered upon appeal.
- Question of Procedure: The party filing an appeal must demonstrate that procedural guidelines established in this document were breached, and that the errors affected the outcome of the case.
- Severity of Sanction: Appeals based on the severity of the sanction shall be considered only when the penalty imposed exceeds the recommended range of sanctions for the specific violation. The respondent can request leniency in cases where it is clearly demonstrable that the imposition of a sanction is inconsistent with previous practice, even though it may be within the range of acceptable action. Mere dissatisfaction with the sanction is not grounds for appeal.

The president will select an appeal review board consisting of five members, male and female, to hear the case. These five persons will be selected from various constituencies of the College (students, staff and/or faculty). Selection will be made in such a way as to ensure appropriate representation on the appeal review board, that the members are trained appropriately and that there are no foreseeable conflicts of interest. It may examine all documentation and evidence relating to the case; and it may elect to call additional witnesses in the case. The responsibility of the appeal review board is to conduct a closed and confidential hearing and advise the president of its findings. The president will make a determination based on the report of the appeal review board and has ultimate authority in all decisions and recommendations. The determination of the president is considered final and not appealable. Both parties will be informed of the final outcome and results of the appeal.

2.2.23 Notice of Outcome and Results

Whenever a complaint is resolved at any level in the process provided under this policy, the College will inform the complainant in writing regarding whether or not it found that a violation of policy occurred, any individual remedies offered or provided to the complainant, any sanctions imposed against the respondent that directly relate to the complainant, and other steps the school has taken to eliminate and prevent the recurrence of a hostile environment, if any, is found to exist by the College. The respondent will not be notified of any individual remedies offered or provided to the complainant. In cases that involve a complaint of dating violence, domestic violence, stalking, sexual assault, or a forcible sex offense (rape, sodomy, sexual assault with an object, fondling) or non-forcible sex offense (incest, statutory rape), the College will inform the complainant and respondent of the result of the proceeding, any sanctions that are imposed on the respondent, and the rationale for the result and the sanctions consistent with its obligations under the Clery Act and the Violence Against Women Act of 2013. All notices will be simultaneously provided to the complainant and respondent within the time frame specified in this policy.

2.3 **Alcohol Policies**

1. Employees are prohibited from consuming or being under the influence of alcohol on campus, unless at an event sanctioned by the president or their designee.
2. When alcoholic beverages are officially sanctioned for College events, employees are expected to comply with all federal, state laws or local ordinances related to alcohol and act responsibly. It is a violation to be intoxicated while working or attending College events. Some specific positions performing some types of work (for example,

- technicians working with potentially dangerous equipment) are prohibited from alcohol consumption while working.
3. All employees attending college-sponsored student events shall abide by the College's student policies on use of alcoholic beverages, on and off campus.

2.4 Drug Free Workplace

The College certifies that a drug-free workplace will be provided in which personnel may perform their responsibilities. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on any College property or while conducting College business. Personnel in violation of this prohibition may be required, at the discretion of the College, to participate in a drug abuse counseling or rehabilitation program at the employee's expense, or may be subject to suspension or termination of employment without notice.

2.4.1 Drug-Free Awareness Program

A Drug-Free Awareness Program has been established by the College for the benefit of employees. This program will be maintained and communicated to employees at least annually. Information on the dangers of drug abuse in the workplace, drug counseling and rehabilitation programs, and penalties for drug abuse violations in the workplace are shown below:

- a. Chemical or alcohol abuse resulting in individual impairment provokes significant negative impact within the workplace. This negative impact is manifest through degeneration of work habits including decreased ability to communicate, failure to fulfill responsibility, lack of dependability and the potential for serious injury to self and others.
- b. The College can make available a clinical psychologist for initial assessment and referral counseling. Should it be found necessary, the employee will be referred to a treatment-diagnostic facility for total diagnosis. Diagnostic findings determine the need, the mode and the intensity of rehabilitation to be employed. The employee will be liable for all costs, except to the extent they are covered by health insurance.
- c. Measures and/or penalties assessed for drug violations in the workplace are dependent on the nature of the violation, and shall be within the sole discretion of the College.
- d. An assessment committee chaired by the director, human resources, including the employee's division director or department chair and a resource person knowledgeable in the field of chemical impairment will recommend actions to

be taken. Findings of this committee are advisory to the director, human resources and/or the dean. The president of the College will make the final determination. Actions may vary from suggested counseling and possible rehabilitative efforts to suspension from or termination of employment.

2.4.2 Notification to Human Resources

As a condition of employment with the College, each employee agrees to:

- Abide by the terms of this statement.
- Notify the director, human resources, of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

2.4.3 College Notification to Federal Agency

The College is required and agrees to notify appropriate federal agencies (U.S. Department of Education) within ten days after receiving notice of an employee's conviction for a drug abuse violation.

2.4.4 Further Action by College

In addition, the College, within 30 days of receiving notice of an employee conviction for a drug abuse violation occurring in the workplace will take one of the following personnel actions against such an employee, up to and including:

- Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency
- Termination

2.4.5 Good Faith Effort

St. Louis College of Pharmacy will make a good faith effort to continue to maintain a drug-free workplace through implementation of the procedures outlined in this statement.

2.5 Workplace Violence

St. Louis College of Pharmacy believes that all faculty, staff and students are entitled to a safe, non-threatening workplace environment. Any form of violence, whether actual or perceived, physical or verbal, may be in violation of this policy. This includes, but is not limited to:

- Disruptive, intimidating, threatening or hostile behavior, including loud, abusive language

- Threats via email or voicemail
- Possession of a weapon
- Violation of restraining orders
- Fighting
- Verbal abuse
- Stalking
- Sabotage or misuse of equipment or College property
- Any behavior that is perceived as threatening

It is the responsibility of all employees to show that the College is serious about prohibiting and preventing violence in the College. If an employee becomes aware of any action, behavior, or perceived threat that may violate this policy, they are responsible for immediately contacting the Office of Public Safety, the appropriate dean or, the Office of Human Resources.

An employee or student who believes that he or she has been subjected to or has been the witness of threatening or intimidating behavior by a fellow employee (faculty or staff), a student, a family member, or someone else, should report such conduct according to the procedure outlined below. Any employee or student who violates this policy may be subject to disciplinary action, up to and including discharge from the College.

Violence, or the threats of violence, whether committed by faculty, staff or students, is against College policy and may be considered unlawful as well. All employees are responsible for taking action against threats or acts of violence by employees, students or others, including family members.

This policy prohibits retaliation against anyone who brings a complaint of violent, threatening or intimidating behavior. The person making a complaint will not be adversely affected in terms and condition of employment, student status or discriminated against because of the complaint.

2.6 Whistleblower Policy

St. Louis College of Pharmacy is committed to maintaining a campus environment where the well-being of students and the college is the primary focus of all decision making and actions. Employees reporting potential problems or ethical violations should follow the established reporting guidelines and are afforded certain protections.

An employee who reports an activity that he/she considers to be illegal, dishonest or a violation of the College's Code of Ethical Conduct will be considered a whistleblower as defined by this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. Appropriate management officials are charged with these responsibilities.

If an employee has knowledge of or a concern of illegal or dishonest and/or fraudulent activity, the employee is to promptly contact the director of human resources who is responsible for investigating and coordinating corrective action. Alternately the employee may contact the general counsel or president of the College. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to discipline.

Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. The College will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the director of human resources immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Employees with any questions regarding this policy should contact the director, human resources.

2.7 General Conduct Expectations

All employees of the College are expected to conduct themselves in a collegial, professional manner. Numerous descriptions are included in College policies and procedures outlining expected behavior. While these do not create an exhaustive list of additional expectations, it is expected our employees will:

- Follow reasonable direction and work requests from supervisors provided that work does not violate another College policy or procedure or violate the Code of Conduct.
- Perform all work with care and dedication to ensure a high quality.
- Be respectful of College property and resources, taking care to ensure use is appropriate and responsible.
- Take great care with sensitive or confidential information including social security numbers, student and employee records, budget information and health information.
- Familiarize and follow proper safety policies and procedures. Specific policies for hazard communications, teaching labs, research areas, personal protective equipment, blood borne pathogens and other safety matters can be found in respective safety policies.
- Represent the College in a respectful, professional manner to students, parents, alumni and the community.

2.8 Staff Performance Issues/Progressive Discipline Policy

The College employs a fair, objective and consistent approach to staff performance issues and disciplinary action. Human Resources provides strategic support to management to assist in evaluating and addressing staff performance issues.

2.8.1 Progressive Discipline Policy

The guidelines that follow will apply in most situations. However, some infractions are so serious that a step or steps may be skipped.

Human Resources must review any situation where disciplinary steps are to be omitted.

Each step allows an employee the opportunity to reflect on the problem. The intent is to have the employee realize the seriousness of the problem and to take the responsibility for correcting the situation.

Early misunderstandings or minor infractions may be handled through verbal counseling. When policies, regulations or standards are violated and formal disciplinary action is necessary, the following steps should be utilized.

At each step the supervisor will:

- Identify the specific problem(s)
- State the desired performance in a specific and measurable way
- Describe a specific timeframe where violations will result in next step disciplinary step

The employee will be notified and sign that they have either had an opportunity to discuss the disciplinary action and/or agree to the disciplinary record.

2.8.1.1 Progressive Discipline Steps

1. Verbal warning and/or verbal corrective action – this may be formal or informal. Record of verbal warnings will be considered in future disciplinary steps.
2. First written warning – A formal warning that brings the problem to the attention of the employee, emphasizes the seriousness of the situation, and presents suggestions or instructions to resolve or correct the problem.
3. Second written warning – A second written warning documents the occurrence and the severity and usually warns that further violations will result in suspension without pay or termination. It may be a final opportunity to improve.
4. Suspension without pay– This step is taken as a final warning, or in the event of major or continual misconduct, may result in termination. Supervisor will determine the length of the suspension, usually one to three days. At Step 4 the employee must report directly to the supervisor prior to resuming work and present a written plan for correcting the problem. The employee will not be allowed to return to work before

acceptance of this plan. If the employee refuses to present an action plan, the employee should be placed on indefinite suspension without pay pending further investigation and review of the case. If discharge is found to be appropriate the case will be presented to the president or his designee for approval.

5. Termination

2.8.1.2 Duration of disciplinary records

In order to create a positive environment, the following actions will be taken where employees have performed well without the need for further disciplinary action:

1. If an employee performs satisfactorily for one year without further warnings, all previous Step 1 and Step 2 actions will not be considered with regard to disciplinary or employment action. A note will be entered into the personnel file.
2. If an employee performs satisfactorily for an additional two years without disciplinary action being taken, all Step 3 disciplinary actions will not be considered with regard to disciplinary or employment action. A note will be entered into the personnel file.

2.8.2 Suspension for Investigation

If, at any time, a problem or violation is significant enough that it may warrant termination (such as harassment, theft, violence, or the safety of others) but the facts are not completely clear, the employee may be placed on indefinite suspension without pay pending the investigation of the case. If the investigation finds no fault on the part of the employee, the employee may be paid for the period of suspension.

The complaint resolution process is available to an employee who believes improper disciplinary action was taken.

2.8.3 Other Disciplinary Actions

Depending on the severity of the offense and the situation other disciplinary action may occur such as transfer, reduction in pay, withholding salary increases, demotion and requirement to participate in counseling/coaching sessions.

2.8.4 Performance Improvement Plan - Staff

Occasionally performance issues are pervasive despite the absence of a single policy, procedure or standard being violated. In these circumstances Human Resources may recommend a performance improvement plan to a supervisor. This written plan contains a listing of behaviors or conduct to be improved as well as duties or responsibilities that need to be completed. Plans are delivered in writing using specific, measurable, attainable,

relevant and time bound (SMART) objectives. If significant improvement is made in performance by the end of the time outlined in the plan (usually 60-90 days) relative to the measurable goals the employee exits the plan and its specific monitoring. However, if significant progress has not been made suspension or termination may result.

2.8.5 Discipline Appeal Process – Staff

The College will resolve staff complaints resulting from discipline in a fair and prompt manner. The director, human resources is available to employees for assistance with the complaint procedure. This complaint resolution process is not intended for use of non-discipline issues, i.e. performance evaluation, reduction in staff.

1. Immediate Supervisor/Director:

The complaint should be presented to the immediate supervisor within five working days of the occurrence on which the discipline is based.

2. Vice President/Dean/President's Staff Member:

If the matter has not been satisfactorily resolved with the supervisor, the staff member may appeal to the appropriate vice president/dean/president's staff person. Normally a response will be given within five working days.

3. Ad Hoc Committee:

If resolution has not been accomplished with the vice president/dean/president's staff person, the staff member may submit a written complaint within five working days to the director of human resources for a hearing.

An ad hoc committee will be appointed by the director, human resources to hear the complaint within ten working days. This committee will include person(s) who have a familiarity with the area of discipline of the complaint and members not from the department where the complaint was originated. Generally, the committee will be composed of one at-large staff member, one at-large supervisor from another department and a President's Staff member at-large. If the complainant is a supervisor then the committee will be composed of two supervisors, an at-large President's Staff member and the president. The term supervisor refers to a College employee who supervises other faculty or staff. The director, human resources will facilitate the meeting. The decision of this committee is final. There is no further appeal. The final written decision will be completed within five working days from the end of the hearing.

The committee has no authority to make a decision which is in conflict with any of the Colleges policies and procedures.

3 Employment Policies

3.1 Non-Discrimination, Equal Employment Opportunity and Affirmative Action

St. Louis College of Pharmacy does not discriminate on the basis of race, color, religion, national or ethnic origin, disability, age, gender, gender expression/identity, sexual orientation, veteran status or other protected class in admission, financial aid, athletics, or any of its educational policies and programs.

In addition, the College provides and promotes equal employment and equal employment opportunities without regard to race, color, religion, national or ethnic origin, disability, age, gender, gender expression/identity, sexual orientation, veteran status or other protected class.

This employment policy shall be supported through a continuing affirmative action commitment, that embodies the standards of equal employment opportunities for all persons in regard to human resources policies including but not limited to, employment, promotion, demotion or transfer, recruitment or advertisement, layoff or termination, rates of pay or other forms of compensation, and selection for training.

As a federal contractor covered under Executive Order 11246, the College is required to be an Affirmative Action employer. Affirmative Action is the implementation of special recruitment and development efforts to overcome the under-representation of targeted groups to achieve a balanced workforce. Targeted groups include persons of color, women, persons with disabilities, disabled veterans, and Vietnam era veterans. All persons are afforded equal opportunity. It is our policy to recruit, hire, train, promote and in all ways provide fair treatment on the basis of merit. The Affirmative Action Plan is available for viewing upon request in the Office of Human Resources.

In order to help ensure the effective implementation of this policy, the director, human resources has been designated as the Equal Employment Opportunity Coordinator. The coordinator shall make regular reviews of the College's human resources policies, including employment practices to ensure consistency with the principles stated in this policy.

3.2 Employee Classifications

3.2.1 Faculty/Staff

Employees are either designated as faculty, staff or student. Staff are typically employed at-will and do not have a primary responsibility teaching. See the handbook section on Student Workers for more information on student employment.

3.2.2 Full-Time Status

A full time equivalent employee is regularly scheduled 37.5 hours per week. An employee regularly scheduled at least 30 hours or more (80% full time equivalent) is also considered full time. The full-time designation includes faculty or staff with academic year (9- or 10-month appointments) or fiscal year or annual appointments (12 months) who meet the previously described full-time designation during their appointment terms.

3.2.3 Part-Time Status

Part-time employees are those who are regularly scheduled and work less than 30 hours per week. Part-time employees are typically not eligible for paid time off or insurance benefits.

3.2.4 Temporary Status

Temporary employees are employed for specific assignments, projects or as short term/interim help. Temporary employees are not eligible for any benefits offered by the College. In addition, the College is under no obligation to offer continued or future employment to any temporary employee.

3.2.5 Exempt/Non-Exempt

Employees will be designated as exempt or non-exempt from overtime according to the Fair Labor Standards Act (FLSA) designation. Human Resources will determine status by reviewing each position and its duties, responsibilities and qualifications and requirements.

3.3 **Minimum and Maximum Age for Employment**

Persons sixteen (16) years of age are eligible for employment in positions where all requirements of State and Federal laws regulating the employment of minors can be met. There is no maximum age for employment eligibility.

3.4 **Volunteer Policy**

The normal and customary work of St. Louis College of Pharmacy is accomplished by its employees. The College has established this policy pertaining to volunteers because we

frequently have persons interested in providing their services to the College as a nonprofit charitable organization on a volunteer basis, without expectation of any compensation, benefits or other consideration for the their donated time and work.

In order for the College to work with volunteers and accept their services, the following guidelines should be followed.

Volunteers are not:

- To serve as a primary replacement to perform any type of service that the College normally employs a faculty or staff member to perform. Volunteers may supplement functions for which faculty or staff are employed.
- Employees of the College, and they receive neither compensation of any type, nor do they receive any benefits.
- To perform services involving personal or sensitive information such as protected health information (PHI), student records, employment records, or social security numbers.
- Covered by the college's worker's compensation insurance.

Volunteers are:

- Expected to conform to the college policies and procedures, particularly those related to security, safety, and ethical conduct if they wish to continue to volunteer.
- Covered by the College's conduct policies (such as code of ethics, and discrimination/harassment, sexual misconduct, relationship violence and stalking) and should report to the appropriate administrator any behavior that they feel is contrary to a stated policy.
- Required to sign an agreement with Human Resources clearly explaining their volunteer status and expectations

3.5 Student Workers

Student employment is available through Work-Study or College payroll.

1. Federal Work-Study

The Office of Financial Aid must approve the employment of all students to verify their eligibility of Federal Work-Study awards and/or determine whether their employment will endanger other financial aid they have been awarded. Each office or department has a student salary budget which must be respected. Employees are encouraged to employ students who are eligible for Federal Work-Study. Care must be taken to see that they do not work more hours than allowed on the Work Authorization. A "Work Authorization Form" is available in Financial Aid.

2. College Payroll

Students on the College payroll, and Work-Study, are paid at rates set by Human Resources. Hours worked are tracked by payroll and must be approved by the student's supervisor. The pay period runs from the 16th thru the 15th and is paid on the 28th, or last working day before the 28th, of each month. Checks are distributed through the Business Office.

3.6 Americans with Disabilities Act (ADA) and Employment

St. Louis College of Pharmacy is committed to providing reasonable accommodations for eligible individuals with documented disabilities as defined by federal and state law in the most timely and effective manner possible under applicable laws and regulations. The College's intent is to ensure every employee (faculty, staff and student employees) who makes a request for an accommodation under the Americans with Disabilities Act (ADA) is properly advised of the accommodation process.

Qualified people with disabilities will be treated without discrimination in all employment practices including but not limited to employment, promotion, demotion or transfer, recruitment or termination.

Individuals with disabilities may request a reasonable accommodation to complete an application or perform the essential functions of a position.

It is the individual's responsibility to notify Human Resources that an accommodation is needed. When accommodation is requested, the College will begin a dialog with the individual in order to make a reasonable attempt to meet the request for accommodation or provide a reasonable alternative the requested accommodation presents undue hardship on the organization or present a direct threat to the individual or others.

Human Resources may request documentation demonstrating a disability that is not obvious. Medical information obtained in this process is to be kept separate from personnel records. Supervisors may be involved in this dialog regarding restrictions on work or duties and regarding necessary accommodations. The individual with the disability will be notified of the College's response to the requested accommodation.

3.7 Drug and Alcohol Testing

At this time the College does not require new hire drug tests for most positions. Some positions, such as pharmacy practice positions with patient care responsibility, may require a pre-employment drug test as a condition of employment.

The College reserves the right to require an employee to undergo alcohol and/or drug testing when there is a reasonable suspicion that the employee might be under the influence of alcohol or drugs. If an employee is found in violation of College policy, federal or state

laws, or local ordinances, the circumstances accompanying each individual case will be considered when determining the consequences. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. Refusal to undergo alcohol or drug testing will be treated as a positive test.

3.8 Pre-Employment Physical Examination

Some College positions require that an applicant satisfactorily complete a pre-employment physical examination to determine whether the employee is capable of performing the essential functions of the position as a condition of the employment offer. Physical examinations are given by the College's designated provider at no cost to the applicant. However, if the provider finds it necessary to perform procedures other than those required by a routine exam or to refer the applicant to an outside specialist, those additional expenses will be the responsibility of the applicant.

3.9 Background Checks

To determine suitability for employment or continued employment, the College has the right to check the education, criminal conviction, credit and/or driving records of any employee.

Human Resources will conduct a thorough background check of all employees after an offer of employment is made. Background checks may also be made during employment. The College will comply with Fair Credit Reporting Act (FCRA) guidelines where applicable.

A record with a negative outcome (criminal, credit and/or driving) will be examined on a case-by-case basis by the Office of Human Resources with notification of the appropriate dean or President's Staff person responsible for the position. Consideration will be given to the relationship between the conviction and the responsibilities of the position that is or will be held. A relevant, job-related conviction is grounds for termination of employment. Conviction is defined as including all felonies and misdemeanors except minor traffic violations in relation to any position which does not require driving. Items found on a driving record (such as suspension or revocation of license, driving while intoxicated, leaving the scene of an accident, excessive speed over 19 MPH over the limit) may limit use of college vehicles and in instances where driving is a requirement for a position, result in termination.

Falsification of application materials, including failure to disclose criminal convictions is grounds for termination of employment.

Records are retained by Human Resources safely and securely separate from the personnel file.

3.10 Employment Records

Maintaining necessary employment records in an appropriate format is vital to the operation of the College's payroll, benefits, employee management systems, and

compliant with legal recordkeeping requirements. Information below provides a summary of the policy. For additional questions contact Human Resources.

The policy of the Office of Human Resources pertaining to access to records maintained in Human Resources safeguards against improper disclosure and protects employees' rights to privacy. Records about the employment of student are considered employment records under the Family Educational and Right to Privacy Act.

Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, and records of hiring, firing, disciplining or promoting an employee of the College are and shall be considered sensitive.

The institution generally supports employees accessing Personnel Files. Access to records may be granted to individuals under the following circumstances:

- The employee who is the subject of the file requests to view their personnel file. Employees who want to review a file with a representative such as an attorney or financial planner should schedule an appointment with Human Resources.
- Supervisory employees who are considering the employee for promotion, transfer, reassignment, demotion, dismissal or other personnel actions.
- A College attorney or other appropriate officer when needed in connection with any action brought by the employee against the College
- Other persons acting in compliance with federal, state or local laws such as auditors, equal employment opportunity investigators, etc., or in response to a lawfully issued subpoena or court order.
- College supervisory or administrative personnel who can reasonably establish a need to know in order to perform the duties of their position.
- Security and emergency response personnel will be given access in connection with emergency or safety and security matters.

The file shall be reviewed in the Office of Human Resources in the presence of a member of the Office of Human Resources staff. Employees may take notes or request copies. Employees have the right to insert concise information in their files in response to material they deem unfair or incorrect.

It is the policy of the College that former employees are not entitled to access their closed personnel records (absent subpoena or other legal process), nor may they access the personnel records of any other employee whether former or currently employed.

3.11 Employment Verifications/Release of Employment Information

The College will release name, title and hire date to third parties requesting an employment verification and keep a record of whom that information was released to. In addition, if a request is in writing, an employee's written consent will be required to provide additional information. Human Resources manages these verifications and releases.

3.12 Workplace Lactation

St. Louis College of Pharmacy provides a supportive environment to enable breastfeeding employees to express their milk during business hours.

Nursing Mother Room

St. Louis College of Pharmacy has designated a private and sanitary location on campus so that faculty, staff and students may express their milk during business hours. The designated lactation rooms are in the Residence Hall Room 2144 and ARB 331. Please use appropriate signage to denote when these rooms are in use for this purpose.

The room provides an electrical outlet, comfortable chair and nearby access to hot running water and soap. Breastfeeding employees are responsible for keeping the general lactation room clean for the next user. If employees prefer, they may also express their milk in their own private offices, or in other comfortable locations agreed upon in consultation with the employee's supervisor.

Reasonable Break Times

Employees shall be granted flexible and reasonable breaks, using their normal break periods and meal times, to accommodate milk expression. For time that may be needed beyond the usual break periods, employees may make up the time as negotiated with their supervisors provided they meet overtime and scheduling policies.

Employees who wish to express milk during the work period should keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the department. Nursing mothers who feel they have been denied appropriate accommodations are encouraged to contact Human Resources.

3.13 Dress Code

The College has a business casual dress code on a year round basis. Appropriate business casual attire includes slacks, skirt or dress, blouses, shirts with collars, and appropriate shoes. Jeans, shorts, t-shirts, hoodies, tank tops, gym clothes and flip flops are not appropriate attire. Some positions require a uniform and may have additional guidelines regarding clothing and footwear. For some positions appropriate footwear may be required as personal protective equipment (maintenance boots, closed-toe shoes in labs, etc.)

It is important to remember that you are representing the College to the community that includes current and prospective students, their families, alumni and prospective donors. It is important that you be neatly dressed, properly groomed and that you present yourself in a dignified manner. Employees should dress according to accepted standards of modesty, dignity and good taste. Clothes must be clean, fit properly and not extreme in design or fashion.

Employees should dress appropriate to the type of work being performed and appropriate to the level of responsibility and position. Periodically, when necessary for particular situations such as business meetings or presentations, employees should dress in professional business attire. In addition, department heads may, at their discretion and at any time, request that an entire department dress in professional business attire for an event or meeting.

It shall be the responsibility of supervisors and department heads to enforce the dress code policy. If there are any questions regarding appropriateness of dress, it should be directed to a supervisor, department head or Human Resources.

3.14 Tobacco and Smoke Free Campus

St. Louis College of Pharmacy seeks to provide a healthy, comfortable and productive work and educational environment for its employees, students, patients and visitors. To further this objective, tobacco use and smoking (including use of cigarettes, cigars, pipes, hookahs, e-cigarettes, other devices and smokeless/chewing tobacco) is strictly prohibited on campus and within all parking lots, vehicles and College owned/leased buildings. In addition, smoking within twenty feet of College buildings entrances is prohibited.

3.15 Attendance Standards

Attendance and punctuality are essential elements of efficient and effective job performance. Employees are expected to maintain a good attendance record. A good attendance record means:

- Employee starts work at the scheduled time
- Employee works until the end of their schedule
- Employee is not tardy (typically 15 minutes late)
- Employee clocks in/out (as appropriate for the position) and returns from meal periods appropriately

In the event an employee is unable to meet these expectations, he/she must provide proper notice and approval from their supervisor in advance. Failure to provide proper notice and/or get approval makes an absence unexcused. Supervisors may evaluate extraordinary circumstances of a tardy or absence and determine whether or not to count the incident as excused. Verified absences or illnesses covered under approved family medical leave, worker's compensation, and/or the American's with Disabilities Act accommodation are considered excused.

The fact that an employee has accumulated time off available does not diminish the importance of a providing notice and getting approval. Paid time off policies describe proper notice approval procedures for use of sick time, vacation and holidays.

Any employee member whose attendance record reflects an unacceptable pattern of unexcused tardiness and/or absences will be notified of the problem. Excessive unexcused

tardiness and/or absences will result in disciplinary action and affects performance reviews, requests for promotion and possibly continued employment. For example, more than two unexcused incidents per month of not meeting attendance standards or not providing proper notice or approval is considered excessive. Failure to report to work and provide any notice (no-call/no-show) is considered a first written warning. Three consecutive no-call/no-shows are considered job abandonment. Departments have discretion to establish more restrictive standards with Human Resources approval.

Human Resources is available to advise supervisors and employees on this policy and help supervisors evaluate extenuating circumstances and assignment of absences as excused or unexcused.

3.16 Personal Use of Phone/Personal Phone Calls

While it is expected that it will be necessary for employees to make or receive personal phone calls periodically, it is expected that the frequency will not interfere with the quantity and/or quality of work. Employees should also refrain from personal use of cell phones during work hours.

3.17 Employment Eligibility and Sponsorship

3.17.1 Employment Eligibility

It is the policy of the College, in accordance with the Immigration Reform and Control Act of 1986 (IRCA), to hire only U.S. citizens and foreign nationals authorized to work in the United States. The College is a participating employer of the E-verify Program. All new employees require approval by the Department of Homeland Security (DHS) to determine eligibility to work in the United States.

All employees (faculty, staff, and student) will complete a form I-9 and produce acceptable documents within three days of starting work. Every effort will be made to have I-9 information completed by the start date.

Only authorized college personnel will complete the employer section of the form and verify documents. For faculty and staff positions this authorized person is in Human Resources. For students the person is in Enrollment Services or Human Resources. A copy of presented documents will be kept with the I-9.

Human Resources will review all I-9s to ensure accuracy and follow up on missing information. Human Resources will coordinate use of E-Verify system including data entry. If follow-up is necessary Human Resources will communicate with the employee, monitor deadlines and determine if the matter has been resolved.

Information will be stored electronically in secure, password protected databases and securely as physical records in Human Resources.

No employee will be allowed to work if I-9 information and E-Verify is not completed within three days. Notices that the College participates in E-Verify are posted in Human Resources and other places on campus that employment posters are posted.

3.17.2 Sponsorship

Employees who are authorized to work under a non-immigrant visa must report any change in personal information or status to Human Resources.

Additional information regarding sponsorship requests and approvals can be found in the Human Resources Employment Eligibility and Sponsorship Policy.

3.18 **Employment of Relatives**

The College supports equal employment opportunities and seeks to hire and retain the best employees possible. Employment of relatives may create actual or perceived conflicts of interest, favoritism or adverse treatment. For these reasons:

- Relatives of employees may be employed only if it can be demonstrated that the related candidate is better qualified than other candidates and the potential for favoritism, conflicts of interest and adverse treatment are thoroughly explored, documented and determined to be minimal.
- Employees may not directly supervise or participate in employment related decision-making processes affecting the appointment, retention, tenure, work assignments, promotion, demotion, termination or salary of other relatives.
- For the purposes of this policy, “relative” shall be defined as the following: Spouse or domestic partner, mother or father, sisters or brothers, daughters or sons, (or their in-law equivalents), aunts, uncles, cousins, nieces, nephews or anyone residing in the employee’s home on a legal guardianship basis or who are not legally married but live together in a marital-like relationship.
- If two employees become related subsequent to employment the employees transfer to another department (if a job is available) or resignation of one individual may be required to ensure the employees do not directly supervise or participate in a decision-making process affecting the appointment, retention, tenure, work assignments, promotion, demotion, termination or salary of other relatives.

Candidates for employment and employees are required to disclose relations. Should a hiring manager seek to hire a relative of an employee they must document how the hiring meets the requirements above. The Human Resources department is responsible for reviewing requests to employee relatives and documenting eligibility for employment under the policy.

3.19 Work Related Injury or Illness

- All employees (faculty, staff and student workers) are covered by Worker's Compensation insurance and will receive benefits in accordance with Missouri Worker's Compensation Law. Employees have a right to report a work-related injury; STLCOP can't discriminate or retaliate against a person for reporting an injury. Following are the procedures to be followed in the event of a work-related injury or illness.
 1. Contact the Office of Public Safety at extension SAFE (7233). Explain nature of employee injury so security can respond appropriately with proper equipment (AED, first aid equipment, if necessary).
 2. Obtain treatment for injury/illness.
 - a. First aid - Public safety officers are trained in first aid, CPR and AED use. Many faculty and staff are also CPR or first aid certified.
 - b. For emergencies - Public Safety will respond as well as contact 911. Public safety officers will coordinate emergency personnel. For work-related, life threatening injuries the employee will be transported to an in-network hospital such as BJC Emergency Medical Department. Human Resources will coordinate follow up treatment.
 - c. For non-emergencies - Human Resources will provide authorization prior to the employee receiving treatment at the appropriate facility, such as BarnesCare Midtown.
 - d. For body substance exposure - Immediately contact 1-877-POST-EXP (877-767-8397) for 24-hour consult regarding exposure to blood and/or body fluids due to a needle stick and/or splash.
 3. Notify your supervisor and Human Resources of the injury or illness. If the injury occurs outside normal college hours, Public Safety will contact the medical authorizer listed below, if seriousness of the injury is significant (life and limb).
 4. Complete an Injury Report immediately and submit to Human Resources. This report must be completed as soon as possible. The form is available on <https://my.stlcop.edu> in the Forms section and available from security if the injury occurs after hours.
 5. Notify Human Resources when injured employee returns from treatment. Medical expenses for work-related injuries are the responsibility of the College pursuant to Missouri Work Comp laws.

Transportation to Treatment: Security, as available and if needed, can transport employees to BarnesCare Midtown or to Barnes Hospital Emergency Department. In many instances a supervisor may authorize another employee to provide transportation or the injured employee may transport themselves if the injury isn't serious and it is safe to do so.

Authorized Treatment Facilities: In the state of Missouri employers can authorize treatment at specific providers. For St. Louis College of Pharmacy initial treatment will be received at:

First Aid:

On campus by trained and authorized personnel

Emergency Care:

Barnes-Jewish Hospital Emergency Department
400 S. Kingshighway Blvd.
St. Louis, MO 63110
(314) 362 - 9123

Non-Emergencies and Urgent Care:

BarnesCare Midtown
5000 Manchester Ave
St Louis, MO 63110
Phone:(314) 747-5800
Fax:(314) 747-5866

Concentra - Midtown
6542 Manchester Ave
St. Louis, MO 63139
Phone:(314) 647-0081

7:30 a.m.-6 p.m. Monday through Friday 8 a.m.-5 p.m. Monday through Friday

Body Substance Exposure:

1-877-POST-EXP (877-767-8397) for 24hr consult

Personnel who can authorize treatment: Authorization is necessary for non-emergency/urgent care treatment. The Medical Authorization Form for non-emergency treatment is available in Human Resources and the security base station in the Children's Place Garage. The appropriate administrator may complete a form for the employee to take with them to treatment, fax the form or call to authorize treatment.

3.20 Solicitation and Distribution

Other than College-sanctioned campaigns, St. Louis College of Pharmacy prohibits solicitation of any type and for any purpose during the working time of the soliciting employee or the employee being solicited.

Use of College email distribution groups for solicitation, distribution of circulars, handbills or literature of any type during working time are not permitted. Bulletin board postings must be approved by appropriate student affairs, student services, Culture and Campus Life, Residential Life, or Human Resources staff member.

Solicitation and distribution by any person, not employed by the College, is prohibited without prior authorization. Solicitation for any College-sanctioned campaigns, such as the United Way, is permitted under this policy.

3.21 Recognition Awards

1. An award for outstanding contributions to pharmacy education is selected annually by the undergraduate members of the Beta Kappa chapter of Rho Chi Society.
2. The Joe E. Haberle Outstanding Educator Alumni Award recognizes faculty of the College for their commitment to educational excellence. Nominations are open to all full-time faculty members with three years of service (on the College payroll). Past recipients of the award are ineligible for a period of five years from the time they were selected. Nomination forms are distributed to students, faculty and staff. The award recipient is selected by the nominations and awards committee of the Alumni Association, using specific criteria determined by the association. The award is a monetary stipend, a suitably engraved award from the Alumni Association, and an inscription on the Outstanding Educator plaque located in the College library and a reserved parking space for 12 months. The award is presented at Commencement.

3. Staff Excellence Award:

The Staff Excellence Award recognizes a staff member who meets the following criteria:

- Performs duties and responsibilities in a sustained, outstanding manner
- Consistently exceeds expectations or has made an exceptional contribution or provided exceptional service to the College;
- Demonstrates our values of integrity, a desire to make a positive difference, personal growth and development, supportive of inclusion and diversity and professionalism
- Contributions lead to making the College a more supporting and enriching environment for growth, advancement and leadership

4. Faculty Excellence Award:

The Faculty Excellence Award recognizes a faculty member who meets the following criteria:

- Performs duties and responsibilities in a sustained, outstanding manner. This includes outstanding performance in teaching, scholarship/research, clinical practice (where applicable) and service
- Consistently exceeds expectations or has made an exceptional contribution or provided exceptional service to the College
- Demonstrates our values of integrity, a desire to make a positive difference, personal growth and development, supportive of inclusion and diversity and professionalism
- Contributions lead to making the College a more supporting and enriching environment for growth, advancement and leadership

3.22 Copyright Policy

3.22.1 Introduction

St. Louis College of Pharmacy encourages faculty, staff and students to be creative in their teaching, research, scholarly and artistic endeavors, patient care and work activities to advance their careers and reputations and contribute to the reputation and prestige of The College. The College's policy on copyright ownership establishes guidelines on copyright ownership, use, and revenue sharing that are reasonable and appropriate to compensate creators and support copyrightable works by STLCOP.

Copyright law protects the tangible expression of original works of authorship. Ideas are not protected under copyright but may be protected under patent law if they meet the criteria for a patent. Copyright owners have certain exclusive rights to reproduce works, make derivative works, and disseminate works through performance, display, distribution, sales and licensing. These rights are limited by some exceptions, including "fair use" of insubstantial portions of copyrighted materials for teaching and other academic purposes. This policy sets forth the rights and responsibilities of the College, its faculty, students and employees in their roles as members of the College community in creating and using copyrighted works. The copyright policy is subject to College policies addressing conflicts of interest, conflicts of commitment and patents.

3.22.2 Scope

This policy shall apply as a condition of employment or study to all faculty, staff and students including without limitation, members of the faculty and staff holding appointments at or employed by the College. Additionally, this policy is also applicable to all persons, including research collaborators, visiting researchers, consultants and contractors who are not employed by or affiliated with the College whose copyrighted works result, in whole or in part, from the use of the College's facilities or resources.

3.22.3 Policy

3.22.4 Scholarly Works

The College supports faculty use and dissemination of works of original authorship by recognizing faculty copyright ownership of scholarly and artistic works such as books, monographs, journal articles, abstracts, musical compositions, and artwork, in whatever format they are created, print or electronic, regardless of any College resources used in whole or in part to create them.

Faculty, teaching assistants, and graduate assistants also own copyright to pedagogical materials, including materials in electronic format or posted to a website, that they develop

in the regular course of their teaching duties using resources ordinarily available to all or most faculty members (as described in the section of this policy concerning Use of Substantial College Resources), with the exception of the following: (1) course syllabi; (2) course proposals; and (3) lectures and related original materials created pursuant to an express, written work for hire agreement between the College and the faculty member. Copyright to works created by a teaching assistant or graduate assistant at the direction of a faculty member or the College typically will be owned by the faculty member or the College. Students typically will own the copyright to works created as a requirement of their coursework or degree program. As a condition of matriculation, students grant the College an irrevocable license, at no cost to the College, to use student works for pedagogical, scholarly and administrative purposes.

The faculty and the administration recognize that technology and innovation will continue to impact future modalities and methods of instruction and learning. As technologies change, the norms for delivering educational content and materials will also change. The College and the faculty member will enter into a specific written agreement regarding compensation and copyright ownership of any copyrightable materials developed in connection with courses that are delivered through emerging technologies adopted at the College.

All persons covered by this policy grant the College an irrevocable license, at no cost to the College, to use copyrightable materials that they have created and used as part of their College activities whenever they are unable to perform their duties and for other noncommercial and administrative uses such as accreditation, assessment, and emergency or humanitarian purposes. Additionally, any person who voluntarily separates from employment with the College grants the College a limited license to use such copyrighted materials for the purpose of education and research, at no cost to the College, for the lesser of the following period: (1) the remainder of the academic year in which the person departs the College plus the following academic year and interim summer sessions, or (2) eighteen (18) months from the date of the College's receipt of a written notice of resignation. The College will provide appropriate attribution and notice that Copyright ownership in the materials is held by the creator.

Subject to the traditional freedom to publish scholarly and artistic works, the College owns the copyright to works created by faculty, students, staff and visitors as follows:

- Works created at the College's direction, unless the College enters into a written agreement or establishes a written policy that provides otherwise
- Works created by staff within the scope of their employment
- Works created by students in their capacity as employees of the College

- Works created as a result of external funding where the terms of the funding require that copyright be in the name of the College

With the exception of traditional scholarly and artistic works as noted above, the College also may elect to own the copyright to works created using substantial College resources (as described in the section of this policy concerning Use of Substantial College Resources).

Copyrightable works that also qualify for protection under patent laws as inventions or discoveries or that arise from matters that also are covered by STLCOP's patent policy, shall be owned by STLCOP and governed by STLCOP's patent policy, unless STLCOP elects not to file a patent application or otherwise commercialize information that has been disclosed to it, or unless STLCOP assigns its rights in the invention or discovery to the creator. STLCOP claims no ownership of copyright to un-patentable software unless the software was created at STLCOP's direction, made use of substantial STLCOP resources, or was created by nonfaculty employees working within the scope of their employment.

Rights pertaining to copyright ownership may be allocated or shared with others. Works created collaboratively by students, staff, faculty, and/or others may be owned in whole or in part by STLCOP if they fall within one of the categories described above. When works are created collaboratively with other entities or institutions, STLCOP's interests and rights in such works shall be recognized and protected consistent with this policy. Individuals who are not regular employees are routinely engaged by various STLCOP units to prepare specific works which support the functions of the unit and STLCOP. For the unit and STLCOP to retain control of such a work for all purposes, copyright law requires that the individual execute both a written agreement known as a work for hire agreement and an assignment of copyright with respect to the work. Accordingly, when consultants or contractors are retained the consultant or contractor should execute an agreement which includes the required assignment prior to the work being performed. Consult with the General Counsel for assistance.

In cases where STLCOP owns the copyright, STLCOP ordinarily will recognize that faculty creators have: recognition of their contribution as creators; the first opportunity to make revisions of the work (subject to reasonable deadlines and peer review); the right to request a revision or update; the right to have their names removed from a work; and the right to use the work in professional contexts, such as expert witness testimony and consulting, provided the use of such work does not result in a conflict of interest.

STLCOP also will consider written requests by the creators of works to which STLCOP may assert copyright ownership by virtue of this policy to transfer copyright of the work to the

creator. A non-exclusive, royalty-free license will be extended to the creator if STLCOP has not taken affirmative steps to use the works within one (1) year after receiving notice of creation of the works from the creator. The creator will not use the works covered by the license in any manner that competes with STLCOP without STLCOP's written approval and a written agreement covering mutually agreed upon financial terms. STLCOP may also require the creator to reimburse STLCOP for all or a portion of the College's resources expended to support the creation of the works. STLCOP will act expeditiously in considering such requests.

In cases where the creator owns the copyright, the creator is encouraged to acknowledge, in a form appropriate to the nature of the work, STLCOP's support in the creation of the work. STLCOP retains exclusive rights to determine whether STLCOP's name or logos, including those of any unit of STLCOP, may be used in the provenance of the work, although the name of STLCOP or unit may be used to identify the affiliation of the creator. STLCOP's name shall not be used in a manner that suggests endorsement or commercial association.

In the interest of the broadest dissemination of new knowledge for the public good, STLCOP supports and encourages creators who assign their copyright to retain the right to use their work within STLCOP for educational, research, and public service, and to retain the right to make their work available in publicly accessible electronic archives

3.22.5 Use of Substantial STLCOP Resources

The use of substantial STLCOP resources refers to the use of STLCOP funds, facilities, equipment, or other resources not ordinarily available for all or most faculty members. Use of substantial STLCOP resources may include research funding, payment of salary from restricted funds, paid or release time awarded to support the creation of the copyrightable work, use of STLCOP laboratories, computers for modeling or special instrumentation, and dedicated assistance by STLCOP employees. This is a listing of examples which in particular circumstances may constitute the use of substantial resources; the list is not intended to be exhaustive nor would use of resources in these categories always constitute use of substantial STLCOP resources.

Exceptions may occur in situations where creators use STLCOP facilities and resources in the creation of works of artistic imagination.

Use of any or all of the following resources ordinarily available to all or most faculty are not considered "use of substantial STLCOP resources:" academic year salary and benefits,

salary received on sabbatical, office space, library resources, personal computers and STLCOP's computer infrastructure, normal use of secretarial staff and supplies, use of instructional support services, teaching excellence centers, and small awards to faculty from internal grant programs.

If a faculty member embarks on creating a work that may make use of substantial STLCOP resources, the faculty member may consult with his or her department chair/director or dean for advice on copyright to the created work. When a substantial use of STLCOP resources is expected in the creation of a copyrightable work, the dean will consult with the President and make this determination before the work is created. The deans shall promptly inform the faculty member(s) of the President's determination.

3.22.6 Commercialization

It is the mission of STLCOP to further education and research. STLCOP resources are to be used solely for STLCOP purposes and not for personal nor for any other non-STLCOP purposes. Any commercialization of intellectual property should be consistent with these overriding principles.

Before commercializing any work to which it owns the copyright, STLCOP shall consult with the principal creator. Where there are commercial opportunities for a copyrightable work in which STLCOP may have an ownership interest, the creator shall promptly disclose the work to STLCOP. In cases of commercialization where direct competition with STLCOP might exist, the creator shall consult with his or her dean prior to commercializing a work to which he/she owns the copyright. When the creator owns the copyright, he/she will provide STLCOP with the first opportunity to commercialize a work.

If the creator/copyright owner commercializes a work, the creator/copyright owner shall endeavor to retain for STLCOP a non-exclusive, non-transferable, royalty-free right to use the work within STLCOP for educational, research, and public service purposes. In cases where STLCOP commercializes a work, any revenue sharing with the faculty creator shall be determined by a negotiated written agreement.

3.22.7 Copyright Notice and Administration

Copyright to all STLCOP-owned works shall be held in the name of the St. Louis College of Pharmacy.

The individual decanal or administrative unit and area in which the work was created will ordinarily have primary responsibilities for the administration of copyrights and permissions for those works. Any commercial sale or licensing of STLCOP-owned, copyrightable works shall follow STLCOP procedures and policies including the Contracts Administration and Signature Authority Policy.

If STLCOP retains or receives an assignment of copyright ownership, the appropriate dean or chief administrator for the affected division will consult with the General Counsel regarding filing an application to register the copyright.

3.22.8 Fair Use

The fair use provision of the copyright law is an important exemption to the exclusive rights of copyright owners. Because there is no blanket exemption in copyright laws for educational or scholarly use of copyrighted works, each use must meet the fair use test. STLCOP encourages members of the STLCOP community to exercise fair use rights appropriately in their teaching, research, and service activities.

Fair use guidelines developed between representatives of publishers and higher education, describe “safe harbors” for uses of copyrighted works. STLCOP encourages individuals anticipating the use of a copyrighted work to consult the guidelines before using the work. If the use of a copyrighted work does not fall clearly within the guidelines, an individual anticipating the use of a copyrighted work is encouraged to conduct a good faith fair use analysis for each such use. Permission shall be obtained for each use of a copyrighted work that does not fall clearly within the guidelines or when a clear and convincing finding of fair use cannot be made. Faculty seeking assistance may submit a request through the appropriate dean to the General Counsel.

3.22.9 Administration of the Policy

Any individual covered by this policy shall disclose a copyrightable work other than traditional scholarly works to the appropriate Dean or chief administrator. The creator should include a statement of copyright ownership and the basis for the creator’s position along with any request for STLCOP to release its ownership rights in the copyright at the time of disclosure. The appropriate dean or chief administrator will consult with the General Counsel and respond to the creator in writing regarding copyright ownership within thirty (30) days of the disclosure.

3.22.10 Advisory Committee

The president will establish a Copyright Policy Advisory Committee comprised of faculty to advise the president and the deans on the resolution of disputes on copyright matters arising under this policy including ownership. The committee shall consist of five (5) voting members jointly appointed by the deans and the president of the Faculty Senate. Committee membership shall consist of one (1) faculty representative from the School of Arts & Sciences, one (1) faculty representative from the School of Pharmacy, and three (3) at-large tenured members of the faculty. A majority of members shall constitute a quorum. The committee will annually elect a chair from among the members. Either the creator(s) or the administration may submit a written request to resolve a dispute to the chair of the committee. Copies of the request will be provided to the affected parties and areas including the creator(s), appropriate dean or chief administrator, the president of the Faculty Senate, and the general counsel. Within ten (10) business days of receiving the request, the chair will convene the committee to review the request and develop a plan for collecting information from the creator(s) and the appropriate administrator(s). The committee will review the information collected and make written recommendations by a majority vote. In the case of faculty or student related disputes, the committee will send its recommendations to the appropriate dean. Recommendations involving staff related disputes will be sent to the chief administrator. The dean or chief administrator will issue a written decision including a summary of the findings and supporting evidence within ten (10) business days after receipt of the committee's recommendation. Either the creator(s) or the administration may appeal the decision to the president by submitting a written statement outlining the issues and the reasons why the decision should be modified or reversed within ten (10) days after receipt of the dean's or chief administrator's decision. Upon receipt of the appeal, the president will review the dean's or chief administrator's decision and the statement of appeal. The president may seek additional clarifying information from the parties and discuss the initial recommendations and subsequent decision with the Copyright Policy Advisory Committee and the appropriate dean or chief administrator. Within thirty (30) days after receipt of the appeal, the president will issue a written decision including a summary of the findings and supporting evidence. The president shall have final and binding authority to interpret, enforce, and resolve any disputes arising under this policy.

3.22.11 Timeliness of Decisions

STLCOP shall make every reasonable effort to act expeditiously under the circumstances in arriving at all decisions under this policy. From the time of disclosure, creator(s) will work in close collaboration with the general counsel who will monitor progress through the STLCOP

process. Under normal circumstances a creator can expect an initial response to a disclosure from the appropriate dean or chief administrator for the division within thirty (30) days. Creator(s) may seek assistance with issues relating to timeliness by filing a grievance with the Copyright Policy Advisory Committee.

Policy_Copyright_approved by Board of Trustees 3.16.2016

3.23 Patent Policy

3.23.1 Introduction

St. Louis STLCOP of Pharmacy (“STLCOP”) is dedicated to advancing the knowledge and practice of pharmacy and the health sciences through its mission of education, research, scholarship, and patient care. STLCOP strives to provide an environment that encourages and supports innovation and promotes the discovery of new knowledge and inventions. STLCOP may seek to protect and reduce new knowledge or inventions to practice whenever there is the potential to make a significant contribution to STLCOP’s mission or the greater good for the general public. This policy provides a framework for establishing ownership of patentable inventions while rewarding inventors and sustaining the research enterprise at STLCOP.

3.23.2 Scope and Applicability

This policy shall apply as a condition of employment or study to the following individuals:

1. All personnel, including but not limited to members of the faculty and staff holding appointments at or employed by STLCOP, persons holding any form of research appointment, visiting professors or visiting scientists, undergraduate and professional students, graduate assistants, teaching assistants, post-doctoral fellows, and residents.
2. All other persons with inventions that result in whole or in part from use of STLCOP facilities or resources.
3. In the event that any person to whom this policy shall ordinarily apply is subject to an agreement or policy elsewhere under the terms which prohibit assignment of patent rights to STLCOP, it shall be the obligation of that person to inform the president, through the appropriate academic dean or chief administrator, before entering upon a program of study at, entering the employment of, accepting any form of support from, or using the facilities of STLCOP. Upon such notification, STLCOP will enter into a specific, written agreement respecting the rights and obligations of each involved party in regard to patentable discoveries. In the absence of such written agreement, the provisions of this policy shall apply.

4. STLCOP faculty and staff who have reached an agreement with STLCOP to pursue inventions not owned by STLCOP, and in which they have full rights. In return for this support and related services, the individual will be required to assign to STLCOP his/her rights to the invention, which then will be administered as all other inventions subject to this policy.

3.23.3 Requirement to Disclose and Assign Rights to STLCOP

This policy shall not be construed so as to infringe upon the rights of all persons connected with STLCOP to freely pursue research and publish the results. However, it is the obligation of the inventor to disclose his/her invention or discovery, including improvements and reductions to practice, to STLCOP in accordance with this policy before disclosure is made of research results by publication or through any other medium.

Any person identified in Section A who conceives or makes or reduces to practice any invention, discovery, improvement or reduction to practice that is conceived or made during the course of or related to his/her STLCOP activities, shall promptly, before he/she makes a public disclosure and soon enough to permit timely filing of a patent application in the United States and in foreign countries, disclose the invention, discovery, improvement, or reduction to practice to the appropriate dean, chief administrator, and the general counsel. All persons who are subject to this policy are required to assign to STLCOP their individual rights to inventions, discoveries, improvements, and reductions to practice to STLCOP, including, without limitation, United States and foreign patent rights and the right to claim priority under the terms of any international patent agreement. In the event that such a person's invention, discovery, improvement or reduction to practice arises out of an agreement between STLCOP and another party, then that person will be bound by the terms of that agreement.

Student inventions created as a part of the student's coursework are owned by the student inventor(s) provided that: (a) the coursework is not part of a sponsored research agreement, or (b) no STLCOP personnel contributed intellectual property to the invention, or (c) STLCOP funds, facilities, or resources were not used in whole or in part in connection with the discovery or reduction to practice.

STLCOP employees, who as participants in consulting activities are required to enter into agreements concerning assignment of patents or rights in discoveries or inventions, must forward these agreements to the appropriate dean or chief administrator for their area to review. This includes, without limitation, consulting activities involving specific research at

STLCOP or with STLCOP facilities or resources by the employee or by others under the employee's direction. The appropriate dean or chief administrator will in turn seek legal review by the general counsel to be certain that such agreements do not inappropriately assign STLCOP's rights to third parties. In no case will STLCOP employees assign to others rights to any invention or discovery which has been conceived or reduced to practice in whole or in part using STLCOP facilities or resources without the approval of the appropriate dean, chief administrator, and the president. This prohibition will apply to work performed under all consulting agreements, unless STLCOP is party to an agreement and has specifically agreed to such an assignment.

Laboratory notebooks and all other documents pertaining to research activities are the property of STLCOP. These records are necessary for STLCOP to document an invention or discovery and to support a related patent application.

3.23.4 Return or Assignment of Rights

If STLCOP elects not to file a patent application or otherwise protect or commercialize information which has been disclosed to STLCOP on or following the effective date of this Patent Policy, this decision will be promptly communicated by the President to the appropriate dean or chief administrator and to the person who made the disclosure. If such person, or if any other person requests that STLCOP permit him/her to file such a patent application or to have assigned to him/her STLCOP's rights, STLCOP may, at the President's sole discretion and under conditions he or she deems appropriate, grant such permission and assign or license to such person or persons some or all of STLCOP's rights to such information and to all related derivative inventions. In reviewing the request, STLCOP's President shall take into account the following factors: the public interest; the interests of sponsors, including the provisions contained in an agreement with a sponsor executed prior to the initiation of the research activity which led to this discovery; the interests of the inventor and STLCOP; and such other considerations as it deems appropriate. In every case, STLCOP will retain a world-wide, non-exclusive, royalty-free license to practice the invention for internal STLCOP purposes.

If STLCOP elects to contract for outside evaluation, protection, or commercialization of a disclosure, this decision will be communicated promptly by the president to the appropriate dean or chief administrator and the person who made the disclosure. Moreover, the person who made the disclosure periodically will be briefed on the strategy and progress of the outside contractor in meeting its obligations under the contract.

3.23.5 Reservation of Rights in Sponsored Research

Ownership of patents arising from work sponsored by Federal agencies shall be subject to the provisions of Public Law 96-517, the Bayh-Dole Act as amended, other applicable law, and the provisions of this patent policy. The Bayh-Dole Act gives nonprofit institutions a right of first refusal to title in inventions resulting from research performed with the support of Federal contracts and grants.

Ownership of patents arising from work funded by other external sponsors shall be subject to specific provisions contained in research proposals and agreements with those sponsors which have been executed by an appropriately authorized individual in accordance with STLCOP regulations.

3.23.6 Licensing of Rights to Inventors

STLCOP faculty, staff, or student inventors may submit a request for a license to commercially develop their STLCOP-owned inventions to the appropriate dean or chief administrator for their area where such licensing will enhance the transfer of the technology, is consistent with the STLCOP's obligations to third parties, and does not involve an impermissible conflict of interest. The appropriate dean or chief administrator will forward the request along with their recommendation to the President for final review and a determination. The president will notify the appropriate dean or chief administrator and the person who submitted the request of the final decision.

3.23.7 Distribution of Licensing Income

STLCOP will share with inventors the revenue which it receives on patents according to a schedule of distribution designed to recognize the inventor's creativity, the academic unit as an innovative environment, STLCOP's mission, and the administrative leadership necessary for inventions to be commercialized successfully. STLCOP reserves the sole right to enter into licensing agreements that may or may not generate income on inventions, discoveries, improvements, reductions to practice and related patents that enhance the mission of STLCOP. These agreements may include terms, such as nonexclusive and royalty-free, which could influence or even obviate licensing income. STLCOP also may contract for outside patent management, and any share of income to a patent management organization will be deducted before revenues on patents for distribution are calculated. All monetary consideration received by STLCOP in exchange for licensing rights to use an

invention which it owns, shall be subject to the following distribution schedule of net income after deducting direct expenses assignable to the specific patent that are not paid by a licensee. These expenses include patent filing, prosecution and maintenance fees, and marketing and litigation costs incurred in commercializing and defending the specific invention.

Distribute Net Income as indicated below:

Inventor 35%
STLCOP 25%
Department 20%
Dean/Director 20%

The inventor may, at his/her option at the time of annual distribution of these funds, deposit in a STLCOP account all or part of the inventor's share to support his/her research in his/her research unit. The inventor's personal share shall survive termination of affiliation with STLCOP and, in the event of death of the inventor, shall pass to his/her estate.

In the absence of a specific agreement to the contrary filed with the appropriate dean or chief administrator and the president, STLCOP will distribute the Inventor's share of licensing income 1) equally among multiple inventors, and 2) equally among all income-producing patents covered by a single license.

Before filing for a patent, the appropriate dean or chief administrator will consult with the inventor and with the chair/director of all units in which the inventor is budgeted or affiliated to attempt to determine the relative contributions of the different units, and precisely where the research that resulted in the invention was conducted and funded. The appropriate dean or chief administrator will then use this information to make a recommendation to the president with respect to the research unit and/or department to receive licensing income.

The president may modify the distribution of licensing income in the event of new information relating to inventors' contributions to the invention or other extraordinary circumstances that require a change in distribution to avoid an inequitable result. The allocations of licensing income to research units and departments are intended to recognize and reward these units and departments for providing an environment that fosters creativity and innovation. However, in using licensing income, consideration will be given to the contributions made by individual faculty members to the generation of this income. Allocations of licensing income to research units and departments generally will remain unchanged should the inventor relocate within or outside the STLCOP, and in the event of

death or retirement of the inventor. Should a research unit or department receiving licensing income be disestablished, its share of licensing income will be assigned to STLCOP.

In the case of a patentable discovery made jointly by STLCOP'S personnel and personnel from an external organization or institution or an individual inventor without institutional affiliation, distribution of licensing income will be governed by the terms of any contractual agreement entered into by STLCOP upon the initiation of the activity which led to the patentable discovery. In the absence of such a contractual agreement, the President or his/her designee will negotiate an agreement concerning the distribution of licensing income.

3.23.8 Equity Holdings

STLCOP has the right, at its sole discretion and under conditions it deems appropriate, to enter into agreements involving equity. The terms of agreement involving equity and the distribution of income on equity will be negotiated by the appropriate dean or chief administrator for review and approval by the President.

3.23.9 Advisory Committee

The president will establish a Patent Policy Advisory Committee comprised of faculty to advise the president and the appropriate dean or chief administrator on the resolution of disputes on patent matters arising under this policy including inventorship and ownership. The committee shall consist of five (5) voting members jointly appointed by the deans and the president of the Faculty Senate. Committee membership shall consist of one (1) faculty representative from the School of Arts and Sciences, one (1) faculty representative from the School of Pharmacy, and three (3) at-large tenured members of the faculty. A majority of members shall constitute a quorum. The committee will annually elect a chair from among the members. Either the inventor(s) or the administration may submit a written request to resolve a dispute to the chair of the committee. Copies of the request will be provided to the affected parties and units including the inventor(s) and the appropriate dean or chief administrator, the president of the Faculty Senate, and the general counsel. Within ten (10) business days of receiving the request, the chair will convene the committee to review the issues and develop a plan for collecting information from the inventor(s) and the appropriate administrator(s). The committee will review the information collected and make written recommendations by a majority vote. In the case of faculty or student related disputes, the committee will send its recommendations to the appropriate dean. Recommendations involving staff related disputes will be sent to the chief administrator. The

dean or chief administrator will issue a written decision including a summary of the findings and supporting evidence within ten (10) business days after receipt of the committee's recommendation. Either the inventor(s) or the administration may appeal the decision to the President by submitting a written statement outlining the issues and the reasons why the decision should be modified or reversed within ten (10) days after receipt of the deans' or chief administrator's decision. Upon receipt of the appeal, the President will review the dean's or chief administrator's decision and the statement of appeal. The President may seek additional clarifying information from the parties and discuss the initial recommendations and subsequent decision with the Patent Policy Advisory Committee and the appropriate dean or chief administrator. Within thirty (30) days after receipt of the appeal, the president will issue a written decision including a summary of the findings and supporting evidence. The President shall have final and binding authority to interpret, enforce, and resolve any disputes arising under this policy.

3.23.10 Timeliness of Decisions

STLCOP shall make every reasonable effort to act expeditiously under the circumstances in arriving at all decisions under this policy. From the time of disclosure, inventors will work in close collaboration with the general counsel who will monitor progress of the invention through the STLCOP process. Under normal circumstances an inventor can expect an initial response to a disclosure from the appropriate dean or chief administrator for the division within sixty (60) days. Inventor(s) may seek assistance with issues relating to timeliness by filing a grievance with the Patent Policy Advisory Committee.

Policy_Patent_approved by Board of Trustees 3.16.2016

3.24 **No Weapons on Campus**

St. Louis College of Pharmacy prohibits all persons from possessing, transporting, storing, using, or selling weapons on its property, regardless of whether the person is licensed to carry the weapon or not, to the fullest extent allowed by law. This includes persons holding a Conceal Carry Weapons permit. Authorized law enforcement officers and College security personnel are not subject to this policy. Examples of weapons include but are not limited to handguns, firearms, explosives, BB/air guns, archery equipment or other deadly or dangerous weapons.

The policy covers all property owned by or operated by the College, including buildings and surrounding areas such as sidewalks, walkways, driveways and parking areas under

College ownership or control. Vehicles owned or managed by the College are covered by this policy at all times regardless of whether they are on College property at the time or not.

Visitors to campus who violate this policy will be denied access or removed from the premises. Employees violating this policy will be subject to disciplinary action up to and including immediate termination or dismissal. Students violating this policy will be subject to sanctions outlined in the Student Code.

3.25 Reasonable Search

The College reserves the right to conduct searches of any person or vehicle that enters College property. This provision includes searches of clothing, lockers, purses, bags, backpacks or briefcases, and vehicles on the property.

3.26 Job Descriptions – Staff

A current job description shall be written for all existing staff jobs at the College. A standard format shall be used as provided and directed by the director, human resources. Directors and administrators shall be responsible for developing and maintaining current, accurate job descriptions for jobs in their respective departments. All job descriptions for College staff will be maintained and kept on file in the Office of Human Resources.

To ensure that job descriptions remain current, staff will review them on an annual basis. During the review process staff will notify their supervisors of suggested changes. Supervisors will review the job descriptions and make changes as necessary to positions.

3.27 Performance Evaluation Program - Staff

3.27.1 Staff Performance/Annual Review

During the months of May and June preceding fiscal year start on July 1, employees will be evaluated on performance. Employees will be measured on the extent to which regular duties and responsibilities and previously established goals and objectives have been met as well as on knowledge, skills and abilities necessary for the position. Also, goals and objectives for the next year will be established.

Employees may reflect on their performance and self-evaluate. Supervisors will evaluate each employee and get their supervisor's signature on the performance review prior to giving the review. Performance evaluations should be recorded on the appropriate evaluation form. Supervisors will rate employees with an overall rating. The employee and supervisor then meet and discuss performance over the past fiscal year. Should an evaluation need to be changed after the meeting the supervisor and second level supervisor must sign off on the change.

Performance reviewed as clearly unsatisfactory falls below outlined standards. That employee must improve significantly to remain in the position. Often a performance improvement plan will be initiated immediately. An employee with a clearly unsatisfactory rating will be re-evaluated in no more than 90 days and will not receive any merit pay adjustment. In circumstances where there are documented policy violations or significant history of subpar performance the employee may be terminated.

3.27.2 Staff Performance Review Appeal

Employees who would like to appeal their review based on inaccurate fact or unreasonable bias may submit an appeal in writing to the director, human resources within five business days. The director, human resources will consult with the appropriate President's Staff person, and if necessary the president, to ensure that the review and final overall evaluation was conducted fairly and according to policies and procedures.

3.27.3 Staff Orientation Period - 90 Day Review

New staff employees are subject to a three-month orientation period from the date of hire. This will allow both the employee and employer to determine the suitability of the employment relationship. It shall be characterized by close and frequent coaching, and may be both formal and informal. Managers will review a new employee's performance 90 days into the job using a similar process and format at the annual performance evaluation. A record will be kept by Human Resources. The supervisor can recommend an extension of the orientation period based on documented evidence that the normal orientation period provided insufficient time for the employee's job suitability to be determined. Alternatively, if work is judged to be clearly unsatisfactory, employees may be dismissed at any time during the orientation period.

3.28 Consulting or Outside/Additional Employment - Staff

Employees are expected to be able to perform their work as efficiently and effectively as possible at all times. While work outside a person's primary position at the College is not prohibited, hours worked in outside employment must not coincide or conflict with hours of work for the College unless approved by the employee's supervisor. Additional employment opportunities may be available at the College for some employees (for example an exempt staff employee teaching an evening class). Outside or additional employment must not detract from the primary position's work responsibilities at the College nor create a conflict of interest. Outside work should not use the College's name or imply that the employee is operating in an official capacity. Additionally the work should not use College resources, facilities or equipment without written permission. Questions

about whether an outside activity or other employment would constitute a conflict of interest should be directed to supervisors or the director, human resources.

3.29 Transfer and Promotion – Staff

Occasionally opportunities may arise for a staff member to transfer to another open position at the College. Employees wishing to transfer should discuss the opportunity with their supervisor prior to applying for the open position. Application is not a guarantee of transfer. Qualifications and all relevant application and employment records will be reviewed. Should a current employee and best outside candidate be equal the employee will be given preferential treatment.

Employees who wish to apply for a staff position that would be considered a promotion should discuss this with their supervisor. Employees wishing to apply for a new position considered a promotion should complete an application. Qualifications and all relevant application and employment records will be reviewed. Promotions will not be approved for employees with less than 12 months of service and/or who do not meet expectations in their current job with a preference for exceeding expectations. Exceptions require the president's approval. Should a current employee and best outside candidate be equal the employee will be given preferential treatment. Positions (with incumbent employees) that are being redefined or reclassified as a different position or a higher grade do not require application if the current employee in that position represents the ideal candidate for the position.

4 Compensation Policies

4.1 Business Hours, work schedules, work week

St. Louis College of Pharmacy's normal business hours are 8:30 a.m. to 5 p.m. with one hour for lunch. Specific work schedules may differ by position and are established to meet operational and service objectives.

The work week for employees runs from Sunday to Saturday.

4.2 Lunch Periods

An hour-long lunch period may occasionally be reduced to one half hour if needed to "make up" time due to an appointment or tardiness if the lost time is less than one-half day and can be made up during the same week. However, employees are expected to take at least one-half hour for lunch. Hourly/non-exempt employees must clock in and out for lunch and are not expected to conduct any work while on lunch.

4.3 Payroll Procedures

Payments to College employees must be made through the payroll system. This includes remuneration for additional services rendered for which pay over and above the base rate is due. All wages are required by federal law to be reported to the Internal Revenue Service. This includes, but is not limited to, base wages, honorariums, lecturer fees, consultant fees and salary replacement dollars from grants and contracts.

Requests for additional pay must be timely and submitted to Human Resources on a "Personnel Action Request" form 15 days prior to pay date. Unless extenuating circumstances dictate otherwise, and if approved by vice president finance/CFO, no off-cycle pay checks will be generated.

Direct deposit is available for all faculty, staff and student workers to the payee's bank of choice. Multiple accounts may be set up for deposit. If a pay date falls on a weekend or holiday it will be moved to the last working day before the weekend/holiday.

The College operates separate payroll cycles for faculty, staff and students. Payroll services are managed through the Business Office.

4.3.1 Staff Payroll

Administrative staff will be paid on a semi-monthly basis (13th and 28th) with the exception of maintenance and housekeeping who will be paid weekly on Fridays.

Semi-monthly, hourly employees using the electronic timekeeping system will be paid on the 13th for time collected from the 16th through 31st of the previous month, and on the 28th

for time collected from the 1st through the 15th. Weekly pay for maintenance and housekeeping will be collected from Wednesday through Tuesday.

Any semi-monthly employee hired prior to the implementation of the electronic timekeeping system is paid current even though the pay check dates indicate time worked in the previous pay period. Therefore, pay due on termination is pay for time worked in the period current, at the time of termination, plus any unused vacation, if applicable.

4.3.2 Student Payroll

It is the responsibility of faculty and staff who employ student workers to manage student worker timecards. Time is collected from the 16th to 15th of each month, and paid on the 28th. Payroll will provide instruction on timecard approval, and send reminders when approval is due. Failure to approve student worker timecards may result in a delay of pay. Special checks will not be written merely for failure to timely approve hours worked by students. Student pay must be at College established rates unless an exception has been approved.

4.4 **Merit Salary Increases**

Salary increases will be determined by the College's budget, and budgeted salary changes are established as a merit pool. Merit increases will be awarded to employees who satisfy the performance standards established by their supervisors each year at the beginning of the fiscal year, July 1 or beginning of the next academic year period (August 1 or September 1). Employees will not receive more than one increase per twelve month period except in extenuating circumstances approved by the president.

For consistency across the College, the president will establish guidelines for employees who meet expectations or are fully successful based on the merit pool approved.

Each member of the President's Staff reviews the overall performance of his/her employees and determines the merit increase of each employee based on the guidelines for the year. He/she is responsible for ensuring that his/her budget does not exceed the merit pool established for his/her area(s) of responsibility and that the average annual increase does not exceed the approved percentage. Any pool associated with vacant or new positions cannot be used without permission from the President. Market adjustments and promotions/position upgrades should be budgeted separately from merit increases.

Merit increases must be submitted on a Personnel Action Request (PAR) and must be approved by the appropriate President's Staff person, Human Resources and resident prior to communication to employee.

Exceptions to this policy are subject to approval by director, human resources and the president.

4.4.1 Merit Increase Eligibility

Employees at maximum salary for a given position may receive a lump sum payment in lieu of an increase.

New employees with less than four months of service by the time a merit increase would be effective are ineligible. For example, an employee hired March 3 would not be eligible for increase July 1. An exception may be made when specific terms have been agreed to as a condition of employment. Employees with less than one year of service in the review period may be subject to a pro-rata adjustment based on service at time of evaluation.

4.5 **Supplemental pay**

4.5.1 Supplemental pay - staff

Circumstances may arise where supplemental or additional pay for staff employees is appropriate. For exempt employees additional pay is not appropriate when required to work additional hours to complete work or special assignments, only for extraordinary work requirements over an extended period of time above and beyond the employee's job description. Additional compensation must be paid to non-exempt employees for any hours worked over 40 hours a week. Examples include an employee doing work unrelated to their primary position (such as an employee teaching a course as an adjunct) or filling in on interim basis for a supervisor or administrator for more than one month. Supplemental pay must be requested by a supervisor on a Personnel Action Form prior to the start of the work for the additional pay to be authorized and approved by Human Resource.

4.6 **Separation of Employment**

An employee's last actual day of work shall represent the official termination day or separation from employment in instances of resignation or dismissal (voluntary or involuntary). If an employee is on an approved leave of absence, such as FMLA, the final day of leave shall be the termination/separation day.

4.6.1 Final payment and recovery of assets

Payroll will process a final paycheck as soon as administratively possible no later than the next payday when an employee terminates. The employee is responsible for ensuring that all College assets/property (computers, equipment, keys, ID, etc.) are returned prior to issuance of a final paycheck. College assets or property that is not returned will be withheld from the final check.

4.7 **Flextime**

Flextime refers to a range of flexible hours that permit employees to choose the times they will start and end work (start/leave early or start/leave late relative to normal business

hours). An employee's supervisor, appropriate President's Staff person and director, human resources must agree to the flextime schedule. While employees may request consideration of a flextime schedule allowing for a specific arrival and departure time, approval of the request will be granted only when specific conditions are met.

- Flextime scheduling must not interfere with office productivity, adversely affect other departments or diminish services
- Flextime must not increase staffing costs or force overtime
- Flextime schedules must be established in advance to be set for one pay period at minimum. It cannot change from day to day or week to week
- Flexible schedules are permitted at the supervisor's discretion
- Employees are required to work the core hours of their shift, typically 10 a.m. to 3:30 p.m. for an 8:30 a.m. to 5 p.m. position
- Flextime doesn't reduce or change the total hours/work load for a given position
- Flextime schedules will be reviewed regularly and may be changed or revoked by the supervisor at any time

4.8 Time Cards/Records – Staff

The Fair Labor Standards Act (FLSA) requires that employers maintain basic payroll and times of work records for each non-exempt staff employee. Non-exempt means those employees who are subject to, and not exempt from, the FLSA's minimum wage and overtime requirements; sometimes referred to as hourly employees, e.g. clerical, custodian, and maintenance.

St. Louis College of Pharmacy has an electronic timekeeping system to be utilized by non-exempt staff members and student workers who are paid through payroll. All hourly and student workers are required to clock in/out on a computer workstation.

The filling out of another employee's time record, or clocking in or out for another employee or falsifying a time record is prohibited and may be grounds for disciplinary action up to and including termination of employment. If the employee is not available to complete the time record, the supervisor will complete it for the employee.

The payroll administrator will send timely reminders via email to supervisors in advance of each pay date.

4.8.1 Employee responsibility:

- Clock in and out within appropriate department
- Take scheduled breaks and lunch periods
- Refrain from reading email and working on breaks or outside of established work hours on personal electronic devices or computers without the supervisor's approval
- Review time worked on daily or weekly basis
- Notify supervisor of errors and exception time (i.e., vacation, sick)
- Obtain approval for overtime

- Accuracy of record

Failure to complete these responsibilities may result in an employee not getting paid.

4.8.2 Supervisor responsibility:

- Exception edits to time record
- Approval of employee time records on daily or weekly basis
- Accuracy of record
- Overtime approval

4.9 Overtime – Staff

Non-exempt staff employees as defined in the Fair Labor Standards Act will be compensated for overtime in accordance with the following procedure:

1. Overtime is defined as all hours WORKED in excess of 40 hours in the work week.
2. Overtime must be scheduled and approved before it is worked.

4.10 Compensatory time – Staff

Exempt staff employees, as defined in the Fair Labor Standards Act, may be granted time off in lieu of pay. A President's Staff member may approve compensatory time off if given in the same work week. Since exempt employees are not paid overtime and hours are not tracked, compensatory time is not a tracked time off.

4.11 Pay Practices for Campus Emergencies, Inclement Weather, Events

4.11.1 Definitions

<u>Term</u>	<u>Definition</u>
Campus emergency	A serious event that occurs on campus that seriously inhibits safety, security or normal operations. Examples include flooding, fires, extended power outages, property damage due to inclement weather, shooter on campus, reputational crisis, etc. Emergency levels are defined in the Emergency Operations Plan.
Critical personnel	This term is fully defined in the College's <i>Critical Personnel and Continuity of Operations COOP Planning Policy</i> and generally means employees who are required to work to maintain essential operations (power, HVAC, campus safety, IT infrastructure, security and safety, etc.) Who is deemed critical personnel may vary by type of situation. Employees will be notified if they are in a position that is considered critical.

Event	An event is a specific college function designed as a gathering of a group of individuals. Examples include, but are not limited to, White Coat, Commencement, Reunion Weekend, Preview Day, etc. Events must be approved through the Institutional Events Manager and be College sponsored.
Inclement weather	Naturally occurring weather that seriously disrupts operations or presents a situation that compromises safety and security of the campus, faculty, staff and/or students. This includes tornadoes, severe thunderstorms, flash flooding, snow, ice, sleet, etc.

4.11.2 Pay practices for campus emergencies and inclement weather

4.11.3 Campus Closure

1)

a) Full-day campus closure for emergencies and/or inclement weather

- i) Full-time staff and faculty will be paid a regular day's pay (7.5 hours) when the College is closed for either an emergency on campus or inclement weather.
- ii) Part-time regular (non-temp, non-student, non-intern) staff will be paid their scheduled shift pay if they are scheduled to work on a day the campus closes for a campus emergency or inclement weather.

b) Partial-day campus closure for emergencies and/or inclement weather

- i) Closing early - Exempt employees will be paid a full day's pay if the College closes early for an emergency or inclement weather. Non-exempt employees will receive hours added to actual work time to total no more than 7.5 hours (or no more than their normal shift scheduled hours) if the closure occurs during their shift. This additional time does not count as work time towards calculating a non-exempt employee's overtime.
- ii) Late start - In the event the College starts late due to inclement weather or a campus emergency exempt employees will be paid a full day's pay. Non-exempt employees will receive pay for actual hours worked. All employees are expected to arrive at work at a reasonable time considering conditions. Employees may make up missed work time during the day or make up missed time during the remainder of the work week with supervisor approval. Critical personnel cannot start their shift late.

c) Extended campus closure for emergencies and/or inclement weather

- i) Should the campus be closed for an extended period of time (other than a few days) due to a campus emergency or inclement weather it will be determined by the president what the duration of pay will be for faculty and staff. It is possible that

alternate work sites, remote work or different work hours will be established and work will be required for payment.

d) Consideration for paid time off

- i) Employees who have already requested or used paid time off (sick, personal holiday or vacation) on a day with either a full closure or partial closure will not be allowed to change or rescind that request and will be charged their requested paid time off.
- ii) Closure pay for emergencies or inclement weather does not count as work time towards calculating a non-exempt employee's overtime.

e) Employees designated as critical personnel required to work when campus is closed due to emergency and/or inclement weather

- i) Exempt staff or faculty who are critical personnel or those employees required to come on campus due to extraordinary circumstances may be given an equivalent amount of time off at a later date, preferably in the same pay period, at their supervisor's discretion.
- ii) Non-exempt critical personnel required to work their entire shift during a campus closure will be paid for actual hours worked in the work week and will receive an alternate day off in lieu of the closure day to be used at a later date. This day must be scheduled and approved by their supervisor. Non-exempt critical personnel already at work when a closure is in effect who are required to finish a shift will receive closure hours plus their regular hourly pay. Closure hours do not apply toward overtime.
- iii) Critical personnel cannot start their shift late, so snow schedules or late starts do not apply to them.

4.11.4 Pay practices for staff supporting college events

Hourly, non-exempt staff will be paid time and a half (1 ½) for a minimum of four hours if directed to work (for example, working sign-up, set up, or other similar work) an event that starts and ends outside their position's regular scheduled shift and/or outside department/position normal hours. Employees working an event will not receive both event pay (1 ½ times) and overtime pay for the same hours. Salaried, non-exempt staff would be eligible for overtime for working an event.

Staff whose schedule is changed to come in early or stay late to work an event, but still work a regular shift, will not be entitled to a four hour minimum or event pay. The time worked early or late will be added to hours for the day. The supervisor may allow for the person to leave early or late from his/her normal shift to keep the length of the workday normal. For example, staff coming on campus an hour early to set up an event on Friday would get regular pay for the time worked. Regular overtime rules apply.

4.11.5 Shift premium for non-event work outside of regular work hours

- f) Call Back: Hourly, non-exempt staff deemed to be critical personal will be paid time and a half (1 ½) for a minimum of four hours if they are called back to campus to work outside of regular work hours for their position. Only actual work hours for employees called back to work can be considered in calculating overtime. Salaried, non-exempt staff would be eligible for overtime.
- g) Shift Change: Staff whose schedule is changed to come in early or stay late but still work a regular shift resembling regular College business hours or position hours, will not be entitled to a four hour minimum or shift premium. The time worked early or late will be added to hours for the day. For example, staff required to come on campus an hour early to remove snow when the school is open will get regular pay for the day. Regular overtime rules apply.
- h) Weekend work:
 - i) Hourly, non-exempt, non-critical personnel required to work on weekend will be paid a shift premium of 1 ½ times regular pay for time worked if the work is not part of the position's regular schedule. Salaried, non-exempt staff would be eligible for overtime for work on a weekend. Employees will not receive weekend premium pay (1 ½ times) and overtime pay for the same hours.
 - ii) The weekend rate does not apply to scheduled work shifts to accommodate regular work schedules for a position or scheduled work that can only take place during off-peak hours such as maintenance, cleaning or construction that are scheduled and must be done outside normal business hours. These are paid at straight time; regular overtime rules apply. For example, public safety or maintenance staff who work weekends as part of their position's regular hours are not eligible for a weekend premium.
- i) Holiday Premium:
 - i) Exempt Staff required to work on a College holiday may be given an equivalent amount of time off at their supervisor's discretion.
 - ii) Non-exempt staff (full-time, benefits eligible and part-time, non-benefits eligible) scheduled to work on a College holiday that is also a federal holiday will be paid holiday hours plus straight pay for actual hours worked. Non-exempt staff who are scheduled and work on a day the College has deemed a holiday that is not a federal holiday (year-end holiday, day before or after Thanksgiving), will receive an alternate day off for use at a later date. This day must be scheduled and approved by their supervisor.
 - iii) Holiday hours do not count toward overtime pay. Call backs or events that occur on holidays are paid at the call back or event premium rate and subject to the call back or event minimum.

4.11.6 On call time

- j) Some employees may be put on call as part of their job responsibilities. Exempt faculty and staff may have job requirements to respond to calls outside of normal work hours. This is considered part of the regular work for those positions.
- k) Non-exempt staff may also be placed on call. Generally, time on call is not work time if STLCOP is not requiring the employee to be close to campus or prevent the employee from engaging in personal activities. Most on call situations will not require multiple or frequent responses while on call.

Non-exempt staff must track and report their actual hours worked in response to work arising from calls. There is no shift premium for being on call. However, hours worked are subject to call back, weekend, holiday or closure premiums. Only actual work hours contributing to hours worked each week count toward overtime.

In the event that an employee is remotely working as a result of responding to a call, actual hours should be recorded but the employee will be tracked as a minimum of one hour for the day.

Supervisors are required to notify employees if there are restrictions on the employee being far from campus or from engaging in personal activities. An employee who is told the use of their time is significantly restricted will be paid regular hourly wages for the on-call time. Regular overtime rules apply. For example, if an employee is told to be near campus from 6:00pm to 10:00pm to quickly respond to the needs of a college event he or she will be paid four hours pay. If they are not restricted, then they will only be paid if there is a need to respond.

Employees on call are expected to respond to their supervisor or the department who called within 15 minutes. Should an employee on call have situations that may limit their ability to respond they should communicate with their supervisor.

While on call, it is expected that all employees refrain from activities that would inhibit their ability to do their job in a safe and effective manner and/or respond when called. Please see the Drug and Alcohol Handbook for more details.

5 Time Off

5.1 **Absence Requests/Report**

All full-time regular employees who are entitled to paid leave benefits must request leave from their supervisor in advance and record absences taken using the appropriate system. Individual departments may require employees to request vacation, personal holidays or scheduled sick days a specific time period in advance.

Excessive absences, particularly those without notice, may affect an employee's annual performance review.

Exempt employees may request and take off in half-day increments. Payroll will monitor exempt staff to ensure salary and pay is appropriately tracked and exempt staff are not being paid less than their salary's compensation.

Non-exempt staff may request and take vacation or personal holiday time off in half-day increments. Sick time may be applied in hour long increments.

5.2 Status Changes and Credit for Work History for Time off Benefits

Employees who change status from full-time to part-time are allowed to retain all of their sick and vacation balances for use while part-time. However, once in a non-benefit eligible status they do not accrue time.

Employees who change from part-time to full-time or are rehired into a full-time position will be granted valid service years for each full year of full-time service. Service as a student worker is not eligible. Part-time service will be prorated to a full-time service equivalent. For example, a person working part-time as a 0.25 FTE for four years who goes full-time would receive one year service credit. Service years will apply toward staff vacation levels allowing these employees to benefit from their prior service to the College. This policy does not apply toward promotion or tenure for faculty.

5.3 Family and Medical Leave Act (FMLA)

5.3.1 Basic FMLA Leave and Active Duty Leave

Provided certain requirements are met, those employees who have been employed for at least 12 months and for at least 1,250 hours during the previous 12 month period may be entitled to up to 12 weeks of leave *during a rolling twelve month period measured backward from the date leave first begins*, under the following circumstances:

- The birth of a child and to care for such child or placement for adoption or foster care of a child
- To care for an immediate family member (spouse (as determined by FMLA), child under 18 years old or 18 or over that is incapable of self-care, or parent) with a serious health condition
- Because of a serious health condition which renders the employee unable to work
- Because of any qualifying exigency arising out of the fact that your spouse (as determined by FMLA), son (of any age), daughter (of any age) or parent, defined as a covered military member, is on active duty (or has been notified of an impending call or order to active duty) in the National Guard or Reserves or is a retired member of Armed Forces or Reserves and has been notified of an impending call or order to active duty in

support of a contingency operation (Please note certain exigencies are limited to a certain number of days of leave.)

5.3.2 Military Caregiver Leave

An employee also may take Military Caregiver Leave to care for a spouse (as determined by FMLA), son (of any age), daughter (of any age), parent or next of kin (as defined) who is a current member of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A covered service member incurs a serious illness or injury for purposes of this paragraph when he or she is medically unfit to perform the duties of his or her office, grade, rank or rating.

Eligible employees are entitled to a total of 26 weeks of unpaid Military Caregiver Leave during a single 12-month period. This single 12-month period begins on the first day an eligible employee takes Military Caregiver Leave and ends 12 months after that date.

The leave entitlement described in this Section applies on a per-covered service member, per injury basis. However, no more than 26 weeks of leave may be taken within a single 12-month period by any covered employee. Even in circumstances where an employee takes other leave covered by the federal FMLA under numbers 1-4 in the Basic FMLA Leave and Active Duty Leave section above, the combined leave shall not exceed 26 weeks during that 12-month period.

5.3.3 FMLA Definitions

5.3.4 Serious Health Condition

A “serious health condition” referenced in numbers (2) and (3) of the Basic FMLA Leave and Active Duty Leave section above means an illness, injury, impairment, or physical or mental condition that involves:

- In-patient care (i.e., an overnight stay) in a hospital or other medical care facility (including any period of incapacity or any subsequent treatment in connection with such in-patient care)
- Period of incapacity of more than 3 consecutive full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves (i) treatment 2 or more times by a health care provider or under the supervision of a health care provider within 30 days of the start of the incapacity, or (ii) treatment by a health care provider on at least one (1) occasion within 7 days of the start of the incapacity which results in a regimen of continuing treatment under the supervision of a health care provider

- Any period of incapacity due to pregnancy, or for prenatal care
- Any period of incapacity due to a chronic serious health condition requiring periodic visits of at least twice a year for treatment by a health care provider
- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, during which the employee (or family member) must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider
- Any period of absence to receive multiple treatments by a health care provider or under the supervision of a health care provider, either for restorative surgery after an accident or other injury, or for a condition that will likely result in a period of incapacity of more than 3 consecutive calendar days in the absence of medical intervention or treatment

5.3.5 Qualifying Exigency

A “qualifying exigency” referenced in number (4) of the Basic FMLA and Active Duty Leave section above refers to the following circumstances:

- Short-term deployment: to address issues arising when the notification of a call or order to active duty is seven (7) days or fewer
- Military events and related activities: to attend official military events or family assistance programs or briefings
- Childcare and school activities: for qualifying childcare and school related reasons for a child, legal ward or stepchild of a covered military member
- Financial and legal arrangements: to make or update financial or legal affairs to address the absence of a covered military member
- Counseling: to attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or child, legal ward, or stepchild of the covered military member
- Rest and recuperation: to spend up to five (5) days for each period in which a covered military member is on a short-term rest leave period during a period of deployment
- Post-deployment activities: to attend official ceremonies or programs sponsored by the military for up to 90 days after a covered military member’s active duty terminates or to address issues arising from the death of a covered military member while on active duty
- Additional activities: for other events where the College and the employee agree on the time and duration of the leave

5.3.6 FMLA limits when spouses work together

Eligible employees who are spouses are limited to a combined total of 12 weeks of leave during any 12-month period, if the leave is taken (1) for birth of a child; (2) for placement and care of a child; or (3) to care for a parent (but not “parent-in-law”) with a serious health condition. Where the spouses both have used a portion of the 12-week entitlement

for one of the above purposes, each are entitled to the difference between the amount he or she has taken individually and 12 weeks to care for a child with a serious health condition or to treat their own serious health condition.

5.3.7 Notice of need for FMLA Leave

If the leave is foreseeable (e.g., birth or placement, planned medical care, leave due to active duty of immediate family member), the employee must provide at least 30 days advance notice to their immediate supervisor, who will advise the Office of Human Resources. If circumstances prevent providing the 30 days advance notice, then the employee should provide as much notice as possible (ordinarily the same or next business day). If an employee fails to give the required notice for foreseeable leave with no reasonable excuse, the employee may be denied the taking of the leave until the employee provides adequate notice of the need for the leave. Employees must make every reasonable effort to schedule medical treatments so as not to disrupt the ongoing operations of the department.

5.3.8 Intermittent FMLA Leave

Intermittent leave also may be available depending upon an employee's serious health condition or an employee's immediate family member's serious health condition. Intermittent or reduced schedule leave for the birth or placement of a child for adoption or foster care may only be taken with approval from Human Resources. Military Caregiver Leave may be taken intermittently or on a reduced leave schedule when medically necessary. Employees taking intermittent leave must follow the College's standard call-in procedures absent unusual circumstance. Employees must specify if the reason for the call-in is related to an FMLA intermittent leave as opposed to a non-FMLA illness. The employee must, however, make a reasonable effort to schedule medical treatment so as not to disrupt unduly College operations. Further, if the need for leave is foreseeable based on planned medical treatment, the employer reserves the right to transfer the affected employee temporarily to an alternate position with equivalent pay and benefits for which the employee is qualified, if the transfer better accommodates the requested leave.

5.3.9 Documentation supporting FMLA leave

Your reason for the leave must be covered under FMLA and you must provide a completed FMLA Certification Form supporting the need for the leave for any event other than birth of a child. Human Resources will provide employees with the appropriate form to certify a serious health condition. A request for reasonable documentation of family relationship verifying the legitimacy of FMLA Leave may also be required. The employee will have 15

days in which to return a completed Certification form following receipt of the form from the College. If the employee fails to provide timely certification after being required to do so, the employee may be denied the taking of the leave under FMLA. If the Certification form is incomplete or insufficient, an employee will be given written notification of the information needed and will have seven days after receiving such written notice to provide the necessary information. If the form is complete but unclear the College reserves the right to have Human Resources contact the health care provider with the employee's permission and release. If there is reason to doubt the validity of the medical certification, a second opinion, at the expense of the College, related to the health condition may be required. If the original certification and second opinion differ, a third opinion, at the expense of the College, may be required. The opinion of the third health care provider, which the College and employee jointly select, will be the final and binding decision.

A request for Active Duty Leave must be supported by the Certification of Qualifying Exigency for Military Family Leave form as well as appropriate documentation, including the covered military member's active duty orders. A request for military Caregiver leave must be supported by the Certification for Serious Injury or Illness of Covered Service member form as well as any necessary supporting documentation.

5.3.10 Recertification

Under certain circumstances as provided by the law, including (but not limited to) situations in which the need or nature of the approved leave changes, the College may, in its sole discretion, require recertification of your serious health condition. The Company may also request recertification every year in which FMLA Leave is taken for any serious health condition that lasts longer than one year. In these situations you will have 15 days in which to provide, at your expense, a completed recertification form.

5.3.11 Substitution of paid leave

Employees are required to substitute and exhaust sick pay and vacation pay for leave requested. Such substituted paid time will run concurrently with, and be applied against, the 12 week maximum. Use of sick and vacation time will follow the established rules for each benefit. For birth of a child sick leave may only be used for the period of disability associated with the birth with the remainder of FMLA using other types of paid time off. Employees do not continue to accrue time off while off leave. Holidays falling during an entire week of FMLA leave will be counted towards FMLA leave. For a partial week of leave the holiday will not count as FMLA leave. After paid leave finishes running the remainder of the leave will be unpaid. If an employee takes paid sick leave for a condition that progresses into a serious health condition the College may designate all or some

portion of related leave taken under this policy as FMLA, to the extent that the earlier leave meets the necessary qualifications.

5.3.12 Benefits under FMLA leave

During the 12 week maximum leave period, coverage under group health, dental, and voluntary life insurance plans, if any, will be maintained at the level and under the conditions coverage would have been provided had leave not been taken. Employees will be required to continue to pay their portion of any applicable premiums as if they had not taken leave and failure to do so may result in loss of coverage pursuant to the law. See Human Resources to make payment arrangements. If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the College will require the employee to reimburse the College the amount it paid for the employee's health insurance premium during the leave period.

5.3.13 Return to Work

As a condition of returning to work from a leave granted pursuant to (3) above, the employee must timely present a certification from his/her health care provider that the employee is able to perform the essential functions of his or her position. Restoration will be denied until the certification is presented. An employee returning from leave under this Policy, who has complied with its terms, generally will be restored to the same (or equivalent) position the employee held prior to leave. A returning employee does not, however, have a greater right to restoration or other benefits than if the employee had been continuously employed during the leave period. Employees are to notify their supervisor and/or Human Resources of their intent to return to work at least two weeks prior to the anticipated date of return.

5.4 **Holidays**

Full time staff may observe all holidays designated for the College by the President. The College observes the following holidays:

New Year's Day	Labor Day
Martin Luther King Day	Thanksgiving Day (3)
Memorial Day	Christmas Eve & Week following
July 4 th	

Holidays are paid to full time benefits eligible employees who have paid time off before and after the holiday and who are regularly scheduled to work on that holiday.

5.4.1 Floating Holidays

Full-time benefits eligible employees (1.0 FTE) receive three floating holidays per year. Benefits eligible employees working less than 1.0 FTE will be eligible for two floating holidays per year. For employees commencing employment mid-year, the number of days will be awarded as follows. A benefits eligible employees working less than 1.0 FTE will receive the amount listed below reduced by one.

Before April 1 st ---		3 days
Before July 1 st	---	2 days
Before October 1 st	---	1 day

No pay for unused floating holidays will be granted and unused days are forfeited at year end. Floating holidays scheduled in lieu of notice will be unpaid.

5.5 **Absences Due to Illness and Family Emergencies/Sick Time**

The College's sick leave benefit is intended to offer employees paid time off to deal with minor, short-term illnesses as well as allow employees to bank enough leave to cover a short-term disability. The College will not discriminate or retaliate against employees for taking Family and Medical Leave or having a protected disability. However, attendance is a factor in job performance.

5.5.1 Reporting an Absence due to Illness and/or Family Emergencies

It is each employee's responsibility to report the circumstances of his/her absence including probable duration of sick leave. Some absences due to illness or family emergency may fall outside the scope of this policy. Some absences may also be covered under the provisions of the Family and Medical Leave Act (see FMLA). Employees may always consult Human Resources for a private discussion of the need or use of sick leave under this policy.

5.5.2 Staff

If a staff employee must be absent from work, he/she must notify his/her supervisor or designated representative, as soon as possible prior to the time scheduled to start work. The employee must make a reasonable effort to speak with the department supervisor even if a voicemail message is left.

5.5.3 Accrual of Sick Leave

Full-time, benefits eligible employees accrue one day of possible sick leave for each month of employment at the College (nine days per year for academic-year employees; 12 days per year for calendar-year). Employees who are full-time benefits eligible but work less than 1.0 FTE will have sick accruals prorated. These days will continue to accrue up to a maximum of three months (66 working days) Maximum accrual will be prorated for less than 1.0 FTE.

Sick days accrue only while actively at work and do not accrue during any leave of absence period (except in circumstances of intermittent FMLA), paid or unpaid. Unused, accrued sick leave is not paid on separation from the College.

5.5.4 Appropriate uses of Sick Leave

Since one of the purposes of the leave policy is to ensure employees bank time in order to have protection against loss of income due to a prolonged illness there are limitations on when sick leave may be used.

- Employees should make every effort to schedule medical appointments to limit work disruption.
- An eligible employee may use sick leave in the event of a short-term, less-serious or common illness. Examples of events include seasonal colds and other minor ailments where an employee does not need care beyond a single office visit and/or treatment such as a prescription. This type of event would typically only prohibit an employee from working one or two days and are likely not FMLA events. Employees with a condition that is contagious should stay home.
- Sick leave may also be used for employee illnesses or injuries that are more serious, longer-term. These events may involve hospital stays, multiple treatments, etc. and often exceed three days. In this way, the College's sick leave policy acts as short-term disability coverage. The type of illness or injury may qualify for FMLA leave. Should an employee exhaust his/her sick leave he/she must use vacation time to cover the absence.

- To respect each employee's own commitment to family responsibilities, up to a maximum of three (3) accrued sick days per calendar year may be used for the care of an immediate family member who is ill. Immediate family member is defined as child, spouse, domestic partner or parent. Time used for this purpose is deducted from the employee's sick leave bank. Care for family may qualify as FMLA leave.

Employees may never use more sick leave than they have earned. Questions regarding events eligible for sick time may be directed to the director, human resources.

5.5.5 Tracking Sick Leave

Official records are maintained by payroll and may also be maintained by each division/department/office. The amount of sick leave remaining, equals days accrued minus sick days taken.

For staff non-exempt employees, sick time taken shall be entered in the timekeeping system and will be recorded in the minimum amount tracked by payroll. Supervisors are encouraged to work with employees who schedule medical appointments toward the beginning or end of their shift. If an employee misses only an hour or two due to an appointment they may, with supervisor's permission, make that time up during their regular workweek. In no circumstances will this cause unapproved overtime. Sick time plus an employee's hours worked during the week cannot exceed their regularly scheduled number of hours.

Exempt employees shall complete submit absences using the proper system, only for full or half day absences, as soon as possible but no later than the third day after their return to work.

If an employee is not available to complete the time record, the supervisor will submit the sick time for the employee (See policy on time cards/records).

5.5.6 Medical Certification

A physician's statement verifying the illness or injury may be required after three consecutive day's absence and/or for any absence occurrences in excess of five per year. It may also be required at the discretion of the department chair or supervisor. Some events covered under this policy also qualify for FMLA leave and are subject to the policy on medication certification for FMLA.

5.5.7 Integration with Worker's Compensation

The sick leave benefit may be authorized to pay a portion of time off due to illness or injury that is or will be covered by the College's Worker's Compensation benefit provided the injured party was not under the influence of alcohol or drugs at the time of injury and/or did not violate safety policy or procedures.

5.6 Other Leave Policies

5.6.1 Funeral Leave

In the event of death of a spouse, domestic partner, child, parent or sibling, three working days up to and including the day of the funeral may be allowed. The day of the funeral may be granted in the case of the death of other close relatives. Funeral leave does not extend beyond the date of the funeral except when used to attend a memorial service.

5.6.2 Jury Duty

Employees called for jury duty are to notify the department/division or office supervisor. Employees who serve on juries will receive their regular salary for days spent as a juror if they endorse the jury-service voucher to the College.

5.6.3 Court Appearances

If court appearances are required for personal reasons or for a violation of the law, absence from the College will be deducted for such days missed as accrued vacation or unpaid leave of absence. In a case where an employee is subpoenaed to appear as a witness in a case involving the College, the absence will not be counted against vacation time nor will salary be reduced.

5.6.4 Military Leave

St. Louis College of Pharmacy provides a leave of absence for its employees to serve in the Armed Forces in accordance with the Uniformed Services Employment and Re-employment Rights Act (USERRA), and applicable state law. St. Louis College of Pharmacy will not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment to an individual on the basis of his or her membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

St. Louis College of Pharmacy will offer re-employment opportunities to employees who voluntarily or involuntarily leave employment positions to undertake military service. The employee will be provided the opportunity to be re-employed in the same position previously held or, in some instances, a similar position, and will re-instate the employee's benefits following qualified military leave if the following conditions are met:

- The employee provides acceptable written or verbal notice of pending military service to the employee's supervisor or the Human Resources, unless military necessity prevents the giving of notice or notice is otherwise impossible or unreasonable.
- The employee returns to work or applies for reemployment in a timely manner after conclusion of service and provides adequate documentation showing eligibility to return to work:
 - For Military Service of 30 days or fewer - the employee must report back to work within 48 hours after the employee returns home from the place of military service. If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible.
 - For Military service of more than 30 up to 180 days - the employee must contact Human Resources within 14 days after military service is completed. If the former position is no longer available, the College will provide assistance with re-employment opportunities.
 - For Military service of more than 180 days - the employee must contact Human Resources for assistance with re-employment opportunities no later than 90 days after Military Service is completed.
- Failure to follow these guidelines for reporting to duty in a timely manner following military service may result in loss of eligibility for re-hire.
- The employee may perform military service for a cumulative period of up to five (5) years and retain reemployment rights with the employer. The five-year period includes only the time the employee spends actually performing military service.
- The employee's separation from military service was under honorable conditions.
- The College may not be able to reemploy a person if its circumstances have changed so as to make such reemployment impossible or unreasonable.
- The reporting or application deadlines will be extended up to two years for employees who are hospitalized or recovering from a service-connected illness or injury. This period can be extended to accommodate circumstances beyond an employee's control. The College will make reasonable efforts to accommodate an employee's disability so that the employee can be reemployed consistent with the requirements under the USERRA unless such accommodation will cause undue hardship.

5.6.5 Benefits Coordination

Employees may request to use accrued vacation during military leave, but are not required to do so.

Employees who qualify under this policy will accumulate seniority for the period of their military service and will retain previously accumulated benefits, subject to rules and regulations that might be imposed in those plans underwritten by insurance companies.

For the first 31 days of leave, the employee must pay the employee contribution cost of health care insurance premiums; employees performing military service of 31 days or more must pay the employee and employer contribution costs of health care insurance premiums (up to 102% of costs); and coverage under the College program will be available for up to 24 months from the date military leave began, or the day after the date on which the employee fails to apply for or return to a position of employment.

If the employee resumes employment with the College following military leave, the employee will be eligible for any general increases in pay, or any approved benefits that occur during their absence.

An employee who is performing military service may elect to make employee contributions or elective deferrals to the University's retirement plan, to the extent allowed by law, while on leave or upon reemployment. The employee is entitled to the same benefits as other employees while on leave, including any retirement match. A reemployed employee can make additional contributions to make up contributions missed during leave.

5.6.6 Leave without pay

An employee may apply for and be granted leave without pay for a prolonged period but may not exceed six months in any rolling backward 12-month period. Any unpaid leave taken as Family and Medical Leave shall be subtracted from the six months of leave without pay allowable in the period. Leave without pay is intended to be taken in full-day increments. Job availability upon return is dependent upon the position involved and the leave arrangements (subject to the requirements of the Family and Medical Leave Act). Leave without pay may be granted under the following conditions:

- When such leave is for prolonged illness or injury extending beyond accumulated vacation or sick leave. Family and Medical Leave will count toward the six-month leave without pay.
- When an employee will attend a college, university, or other school for the purpose of training in subjects relating to a job where there will be benefits to both the employee and the College.
- Because of seasonal fluctuations in the work schedules at the College.
- Under special circumstances, an employee may be granted leave without pay for a specific purpose other than those listed above with approval.

Leave without pay is not granted when the employee has paid vacation, sick leave, or other time off available to be used, except under those circumstances listed above.

Employees on leave without pay will not accrue sick time or vacation, will not be eligible for insurance coverage or College benefits, nor will they be paid for a holiday that occurs during the period that they are on leave without pay.

All leave without pay requires approval from the appropriate dean for faculty and the appropriate President's Staff person and Human Resources for staff.

5.6.7 Summer absences for academic year faculty and staff

Academic year employees will have their insurance coverage (employee medical and dental, vision, life/AD&D, long-term care and long-term disability coverage), continued during the summer months at regular contribution levels when they are otherwise not at work but are committed to return to work the next academic year (for example, faculty have a contract for the next academic year).

5.6.8 Voting leave

If an employee is eligible to vote in any local, state, or national election in the State of Missouri, the employee will normally be able to vote before or after work. If an employee does not have three successive hours when he/she is not scheduled to work between the opening and closing of the polls on Election Day, the employee will be excused from work with pay for up to three consecutive hours between the time of opening and the time of closing the polls for the purpose of voting. If the employee plans to take time off for voting, arrangements must be made with the supervisor prior to election day, and the College may specify any three hours between the time of opening and closing of the polls (such as the beginning or end of the workday) during which the employee may be absent to vote.

5.7 **Vacation**

- Full-time benefits eligible employees accrue vacation time while working at a rate determined by their status (faculty or staff).
- Vacation accruals may be banked, but do have a carryover limit allowing a limited amount of time to carry over each fiscal year. Accrued time beyond the carryover maximum is lost.
- Accrued vacation time (to a limit) is paid out upon separation provided the employee provided sufficient notice.
- Vacation time does not accrue while an employee is on a leave of absence (except in circumstances of intermittent FMLA). Employees may not have a negative vacation balance.
- Vacation requests should be made on the appropriate form/system and must be approved by the employee's supervisor prior to being taken. Vacation time must be

taken at times that do not conflict with critical work projects, peak times, class or clerkship activities and must be approved in advance by the division director or department chair.

- Should a holiday occur during a vacation period, it will be counted as a holiday, not a vacation day.
- Employees who leave at the end of the calendar year will be deemed terminated as of December 23th (or last day the College is open for the year), and no pay will be due for the holiday break to the separating employee.
- Employees may not use vacation time in lieu of proper notice of their intent to separate employment and may not use vacation beyond their last actual day of work.
- Vacation may be taken half-day increments.

5.7.1 Vacation Accrual- Staff

Unless otherwise authorized, all regular full-time, benefits eligible staff employees working 37.5 hours a week (1.0 FTE) accrue vacation as follows:

<u>Years of Service</u>	<u>Work Days of Vacation</u>	<u>Accrual rate</u>
0 years to 4 years	10	.84 days a month
5 years to 10 years	15	1.25 days a month
10 years and up	20	1.67 days a month

A benefits eligible staff-person working less than 1.0 FTE will have the number of vacation days reduced proportionately.

An employee who reaches the next level of accrual in a fiscal year will start accruing at that rate July 1 of that fiscal year.

Example 1:

Employee hired in August 1990 and reaches the five-year employment anniversary in August 1995. The employee begins vacation accrual at the 15-day rate July 1, 1995.

Example 2:

Employee hired in May 1990 and reaches the five-year employment anniversary in May 1995. Employee begins vacation accrual at the 15-day rate commencing July 1, 1994 for the full year--July 1, 1994 to June 30, 1995.

5.7.2 Vacation Limits - Staff

A full-time benefits eligible staff member may carryover up to a maximum of 20 days of vacation time July 1. This total is proportionately reduced for benefits eligible staff working less than 1.0 FTE.

Employees who resign, with at least two weeks of notice, and have at least one year of service, may receive accrued vacation pay for up to a maximum of 20 days. Employees who terminate without notice or involuntarily shall not be entitled to vacation pay.

Staff employees shall schedule their vacation with their supervisor. Vacation scheduled will be based on seniority, subject to restrictions based on individual department needs as approved by the supervisor---except, that it is not intended that senior employees monopolize preferred vacation time. Therefore, when a conflict for preferred vacation time requires a decision based on seniority, the senior person shall not be awarded the preferred time in two-consecutive years.

For hourly staff vacation may not be used to fill in hours not worked to make a pay period whole. Vacation cannot cause an employee to be paid more than his or her regularly scheduled number of hours.

6 Employee Benefits

The following pages describe the various employee benefits available to eligible employees of St. Louis College of Pharmacy. These summaries are subject to the terms of the documents and contracts governing these benefits, they are subject to change. Therefore, the College reserves the right to effect such changes, at which time suitable announcements will be made. The best source of accurate information regarding current benefits is the Office of Human Resources. All employee benefits apply to eligible staff and faculty.

6.1 Employee Benefit Booklets

Information published in the benefit plan booklets and other plan documents supersedes the information in this handbook. Booklets describing benefits on all employee benefit programs in further detail may be obtained from the director of human resources.

6.2 Group Health, Dental and Vision Insurance Plans

All active, non-temporary, full-time employees working at least 30 hours a week are eligible to participate in the College's health, dental and vision insurance programs on the first of the month following the hire date or immediately if hired on the first of the month. The College pays 90% of the monthly employee premium for those employees with individual coverage. In addition, the College will pay 65% of dependent premium, if any. The monthly premium is shared equally for Dental Insurance. Vision insurance is voluntary, and the employee is responsible for 100% of the premium, if elected.

6.3 Eligibility and Late Enrollment

Application to health and dental plans should be made on eligibility date or within 31 days of a "qualifying event" under the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Common examples of "Qualifying events" under HIPAA include:

- Loss of coverage due to lay-off, termination or reduction of hours of spouse/eligible domestic partner under the plan
- Divorce or legal separation
- Change in family status (birth, adoption)

A "Special Enrollee" requesting enrollment due to a qualifying event must have initially declined coverage because he/she had other coverage.

6.4 COBRA continuation coverage

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA) the College offers continuation of group health and dental insurance coverage to certain employees and their dependents who upon occurrence of a “qualifying event” lose coverage.

“Qualifying events” under COBRA include:

- Termination of employment (other than for gross misconduct)
- Reduction of hours of employment
- Death of the employee
- Divorce or legal separation
- A dependent child reaching the maximum age for coverage
- Entitlement to Medicare by reason of retirement or disability

Detailed information is available in the Office of Human Resources.

6.5 Group Life Insurance Plan, Accidental Death and Dismemberment and Supplemental Life

All active, non-temporary, full-time employees working more than 30 hours a week are eligible to participate in the Group Life Insurance Plan on the first of the month following the hire date or immediately if hired on the first of the month.

Basic Life Insurance/Accidental Death and Dismemberment coverage on each participant is provided in an amount equal to one times annual base salary (to the nearest \$1,000) at no cost. The benefit is reduced over age 65.

In addition, there is voluntary Supplemental Life Insurance coverage available in increments of one to five times annual salary. The cost of this insurance is based on age. Supplemental Accidental Death and Dismemberment (individual and family coverage) can be purchased so that any supplemental life benefit may be doubled in the event that the participant dies in an accident and provides coverage for loss of a limb.

Application forms for enrollment are available from the Office of Human Resources. If an employee fails to enroll at the time he or she first becomes eligible to participate, the employee may be required to furnish evidence of insurability satisfactory to the insurance company in order to enroll at a later date.

6.6 Flexible Benefits Plan

The College has established a Cafeteria Plan/Flexible Spending Plan which will allow participants to pay certain expenses before federal, state, and social security taxes are deducted. New employees may elect to participate on the first of the month following hire

date. Elections are made based on the plan year so an employee hired during the plan year must make elections according to the number of pay periods remaining in the plan year.

Using pre-tax dollars for these expenses vs. post-tax dollars may mean more take home pay for each participant. Section 125 of the Internal Revenue Code of 1986, as amended, allows this procedure, which is often referred to as a Flex-Plan. The College's plan allows the following expenses to be paid out of pre-tax dollars:

1. Group Medical, Dental, and Vision Insurance Premiums
2. Non-reimbursed medical expenses
3. Dependent care expenses

This is a voluntary plan established to provide tax savings. In order to take advantage of the College's cafeteria plan, an annual commitment is required by each participant. All contributions must be used by the participant during the plan year or they will be forfeited. Participants have 90 days after the plan year-end to submit reimbursable expenses to the plan administrator. A limited amount of funds may be rolled over from plan year to plan year. Please refer to the plan document for more specific information including plan year. Elections to participate may NOT be changed until the open enrollment period, unless a change in family status occurs. A "change in family status" is defined as marriage, divorce, death of spouse or child, birth or adoption of child.

Contact the director, human resources for additional information concerning enrollment and participation.

6.7 Long Term Disability Benefits Insurance Plan

All active, non-temporary, full-time employees working at least 30 hours a week (except temporary employees) are eligible to participate in the Group Long-Term Disability Benefits Insurance Plan as of the first day of the month following completion of three months of service. This benefit is provided to all faculty and staff at no cost. LTD provides 60% of pay for disabilities which require absence from work of 90 days or longer. The benefit is reduced over age 65.

6.8 Long Term Care Insurance

All active, non-temporary, full-time employees working at least 30 hours a week are eligible to participate in the group long-term care benefits plan. This includes a college-paid long-term care benefit. This benefit is paid out, after a 90-day elimination period,

when a person is unable to perform certain basic life functions and incurring costs. Benefits cover in-home care and long term care facilities.

6.9 Travel Accident and Medical Insurance

A group travel accident policy paid for by the College covers all full-time, non-temporary, employees working at least 30 hours a week who are on the regular payroll while traveling off College property on the business of the College. A maximum benefit of \$300,000 is provided for loss of life. These benefits are in addition to any benefits provided under the College's Group Life Insurance. Employees are also eligible for a \$500,000 travel medical policy to pay for medical care when traveling internationally.

6.10 Worker's Compensation

All employees of the College (paid faculty, staff, and student workers) are covered by Worker's Compensation. Worker's Compensation provides medical coverage for work-related injuries and illnesses and in some instances lost time. Benefits may be reduced if an employee is injured while under the influence of alcohol or drugs. Medical care is coordinated to get an injured employee healed to allow them to return to work. Employees have a right to report a work-related injury or illness; STLCOP can't discriminate or retaliate against a person for reporting an injury or illness. All accidental injuries or illnesses that arise in the course of employment must be reported immediately to your supervisor and a report filed. The Office of Human Resources will coordinate and select medical treatment for injured employees.

6.11 Retirement Plan

The College Board of Trustees established the Defined Contribution Retirement Plan for employees of the College to provide a measure of income security for employees after retirement. Employees may make pre-tax retirement contributions and reduce taxes.

Contributions are invested in a variety of mutual funds or annuities offering diverse investment options in equities and non-equities across a spectrum of categories. Earnings are reinvested and credited to the employee's account. Management and administrative fees are taken automatically from the employee's account.

All eligible employees can participate in the Defined Contribution Retirement Plan on the first day of the month following employment. The College match will occur upon completion of one year of service at the College as defined in the plan document. Employees who are hired directly from another school of higher education are eligible for the match the first day of the month following the date of employment.

Employees must make a minimum contribution as determined by the formula below to receive the match. Salary deferrals above that minimum amount do not receive an additional match. The calculated annual rate of participant contribution is evenly contributed each pay period as a dollar amount with a corresponding dollar match from the college. The College's discretionary matching contributions are determined as follows:

Retirement Plan Calculation		
	By the Participant	By the Institution
Factor for 1st \$15,000 of Salary	1%	
Factor for next \$10,000 of Salary	3%	
Factor for salary over \$25,000	5%	
Total Annual Salary	2-5%	8%

Vesting under the plan is immediate. Employee salary deferral money may be done after age 59 ½, termination, retirement or disability. Employees are allowed to take a loan or hardship withdrawal from salary deferrals. Employer match money may only be withdrawn after retirement, termination or disability. For more specific details, please refer to the Summary Plan Description (SPD) and enrollment materials available from the Director of Human Resources. The IRS discrimination requirements may require a periodic adjustment in the above contribution levels.

6.12 College Tuition Reimbursement

The following policy regarding the reimbursement of educational tuition expenses (excludes books and fees) for College personnel (faculty and staff) has been established by the College.

The College will reimburse full-time, benefits eligible personnel, employed at least 6 months, for educational expenses providing the following criteria are met:

1. Must be credit courses at an accredited college/university.
2. Courses taken must be job related and approved by the immediate supervisor, the division director or department chair/supervisor and the Director, Human Resources prior to enrollment.

3. Enrollment and course load must not conflict with an employee's ability to complete their work. Any schedule adjustments must be approved by the appropriate supervisor and President's Staff person.
4. Reimbursement is limited to six (6) credit hours per semester/trimester/session at a tuition rate up to and no greater than that of University of Missouri – St. Louis. The college will reimburse a total of 12 credit hours per fiscal year. Should calendar year reimbursement amounts exceed taxable limits the reimbursement will be recorded as taxable income. Employees are welcome to take more than 12 credit hours in a calendar or fiscal year, provided there is no enrollment or course load conflict and it is approved, but there will be no reimbursement beyond the 12-credit-hour limit.
5. Reimbursement may be requested after satisfactory completion of the course with at least a "C". Grades and a tuition receipt must be submitted along with the request for reimbursement. The College will reimburse the employee for research credit hours taken to complete a doctoral dissertation, up to the minimum number of hours required for that research by the doctoral-granting institution.

Personnel are also eligible to enroll at no tuition cost in courses taught at the College on a space available basis and with the instructor's approval. The limit of six (6) credit hours per semester and prior approval of the division director or department chair/supervisor also applies.

Employees receiving tuition reimbursement are expected to continue employment with the College for at least one year. Should an employee leave before completing a year of service following reimbursement, tuition received for the previous semester must be repaid to the College. The College may withhold any money due from final pay.

6.13 Tuition for Dependents at STLCOP

The College has adopted a policy of full tuition remission benefit for dependent children of College staff and faculty. To be eligible the faculty or staff member must have at least five years of continuous full-time service. Similar privileges may be extended in the event of death or permanent disability of an eligible full-time faculty or staff member prior to the time their children are of College age.

The College will allow for up to three undergraduate academic years to be covered at full tuition per eligible child. Up to four academic years of graduate school may be covered at full cost as well, but this benefit is taxable. Tuition remission does not include room and board, book costs or any fees.

In order to be eligible the following conditions apply. The child:

- Must meet the following definition of dependent:
 1. He/she is your biological child, adopted child or stepchild
 2. Lives with you for more than one-half of the year
 3. Has not attained age 19 as of the close of the year or has not attained age 24 as of the close of the year if the child was a full-time student for at least five months of the year (Note: These age limits do not apply in the case of a child who is permanently and totally disabled)
 4. Does not provide over one-half of *his or her own* support for the year
- Must matriculate at the College prior to reaching his/her 23rd birthday
- Must meet the admission requirements of the College
- Must be claimed on the employee's current Federal Income Tax Return
- Must be seeking his/her first degree
- Must complete the course of study in the prescribed length of time

Dependent children receiving tuition remission may be eligible for institutional merit-based scholarships. Remission of tuition benefits and institutional scholarships are not available retroactively or for summer classes. This program is offered subject to space being available in each class.

This policy is not intended to imply or state the taxable status of benefits covered by the Policy. Benefits under this policy are taxable to the employee only to the extent directed by the Internal Revenue Code which may be amended from time to time.

6.14 Council of Independent Colleges Tuition Exchange Program (CIC-TEP)

St. Louis College of Pharmacy participates in the Council of Independent Colleges Tuition Exchange Program ("CIC-TEP") tuition exchange program. Eligible dependents may apply for full-tuition remission at any number of eligible institutions; currently over 400 participate.

To be eligible to participate in the CIC-TEP you generally must be a full-time faculty or staff employee and a parent to a qualified dependent child. The employee must also meet three years of service eligibility.

CIC-TEP tuition remission awards are limited to a maximum of eight semesters of continuous undergraduate enrollment (or 4 semesters of graduate enrollment for some CIC schools) or until completion of the degree, whichever comes first. The importing institution selects the awardees.

CIC-TEP tuition remission may be awarded for full and part-time undergraduate and graduate programs. CIC host institutions determine whether part-time, graduate, and study

abroad students are eligible. Human Resources serves as CIC-TEP liaison and maintains a full policy outlining details of the eligibility requirements and admissions process.

The CIC-TEP tuition remission covers full tuition. CIC-TEP award recipients are responsible for all other expenses such as room and board, books, fees, etc.

Eligible employees may submit the CIC-TEP application and supporting application form to HR by November 20 the year preceding the desired academic award date. The employee's dependents still must go through each institutions individual admissions process.

Awards may be renewable, but new forms must be completed each year.

This policy is not intended to imply or state the taxable status of benefits covered by the Policy. Benefits under this policy are taxable to the employee only to the extent directed by the Internal Revenue Code which may be amended from time to time.

6.15 Employee Assistance Plan

STLCOP offers a prepaid Employee Assistance Plan (EAP) that is available to all full-time, benefits eligible faculty, staff and their dependents at no charge. The EAP offers short-term counseling and assistance for a variety of problems. In instances where long-term counseling is needed, the EAP will work with the employee to identify sources covered under the medical plan, when applicable. At times, supervisors may refer employees who seem to be experiencing some performance issues to the EAP in an effort to help. For more information, contact H&H Health Associates at 314-845-8302 or Human Resources.