

Xavier University of Louisiana

Resource Book for Staff Employees



Office of Human Resources

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I. INTRODUCTION

The contents of this handbook are presented as information for staff employees and supersede any previous handbooks. While this handbook correctly describes the current policies, procedures and benefits of Xavier University of Louisiana, (hereafter referred to as XULA), at the time of printing, the contents are not conditions of employment nor do they create any vested rights for XULA staff employees. XULA reserves the right, in its sole discretion, to modify, revoke, suspend, terminate, or change any or all such policies, procedures, or benefits, in whole or in part, at any time, with or without notice. Nothing contained in this handbook shall be construed as a contract for a specific term or duration between XULA and any one or all of its employees.

Any references to employees in this handbook are applicable to staff employees only.

If an employee has any questions regarding the contents of this handbook, he/she may discuss them with their supervisor or contact the Human Resources Department.

Letter from President Francis

I welcome you to the Xavier University family. Xavier has had a tradition of excellence in providing education and employment opportunities since its inception in 1925. It is only through the hiring of employees like you that Xavier is able to achieve the mission that was established by our foundress, Saint Katharine Drexel.

This Resource Book for Staff Employees is designed to acquaint you with the policies and procedures of the University. Knowledge of its contents will help you find satisfaction in your work and become a valuable addition to our unique institution. If you have questions that this resource book for staff employees does not answer, please contact your supervisor or the Department of Human Resources.

As a staff employee of Xavier University, you will be provided with opportunity to grow and develop in your chosen career. We encourage you to participate in the many educational, spiritual and sports activities that are afforded our employees.

I sincerely hope that your employment will be a rewarding and gratifying experience.

May God Bless You,

Dr. Norman C. Francis

President

History of Xavier University

There are 102 historically Black colleges and 253 Catholic colleges in the United States, yet only one is both Black and Catholic. That distinction belongs to Xavier University of Louisiana, which strives to combine the best attributes of both its faith and its culture. Located in New Orleans, the small liberal arts college dates back to 1915, when St. Katharine Drexel and the Sisters of the Blessed Sacrament founded the coeducational secondary school from which it evolved. St. Katharine, supported by the interest of a substantial inheritance from her father, banker-financier Francis Drexel, founded and staffed many institutions throughout the U.S. in an effort to help educate Native Americans and



Blacks. She was canonized by Pope John Paul II in October, 2000. Aware of the serious lack of Catholic-oriented education available to young Blacks in the South, St. Katharine came to New Orleans and established a high school on the site previously occupied by Southern University. A Normal School, offering one of the few career fields (teaching) open to Blacks at the time, was added two years later. In 1925 Xavier University became a reality when the College of Liberal Arts and Sciences was established. The first degrees were awarded three years later.

In 1927, a College of Pharmacy was opened. Recognizing the University's need for a separate identity and room to expand, St.

Katharine bought a tract of undeveloped land for a campus on the corner of Palmetto and Pine Streets in 1929. Construction of the U-shaped, gothic administration building (now a city landmark) was completed in 1933. Through the years, as needs dictated, the campus gradually filled out, with the addition of a library-- which now houses music-- in 1937, the gymnasium (1937), St. Michael's men's dormitory (1955), the Student Center (1962), St. Joseph's (1965) and Katharine Drexel (1969) women's dormitories, the House of Studies (1967), the College of Pharmacy (1970), the Norman C. Francis Academic/Science Complex (1988), the new Library/Resource Center and College of Pharmacy addition (1993), and Peter Claver women's dormitory (1994). Xavier South, a multi-story office building, was purchased in 1990. A new residence hall (the Living/Learning Center) and the science complex addition have both been added within the last two years. The Sisters remain a vital presence on campus today, providing much-needed staffing and some financial assistance, but today Xavier is governed by a bi-racial Board of Trustees. Xavier's president, Dr. Norman C. Francis, himself a Xavier graduate, is a nationally-recognized leader in higher education. Even with its special mission to serve the Black, Catholic community Xavier's doors have always been open to qualified students of any race or creed. In fact today, more than 50 percent of Xavier's students are of other religious affiliations, and close to 10 percent are of other races.

Recent years have seen a growing influx of out-of-state students, yet one-half of Xavier's 3,820 students are from the New Orleans area. The balance represents some 40 states and 20 foreign countries.

Since 1986, total undergraduate enrollment has nearly doubled.

St. Katharine Drexel

Francis Anthony and Hanna Langstroth Drexel gave birth to their second daughter Katharine, on November 26, 1858. Hannah Langstroth Drexel died December 30th of that year.

Call to Religious Life

In 1883 Katharine's mother, Emma Bouvier Drexel, developed cancer when she was twenty-one. Katharine helped nurse her mother for three years. After her mother's death, Katharine wrote for counsel to Bishop O'Connor in reference to her call to the religious life.

Bureau of Colored and Indian Missions

After the death of Mr. Drexel in 1885, Katharine, along with his sisters, visited Indian reservations where she became aware of the sufferings of the Indians first hand. She began to build schools, supply food and clothing, furnishings, and salaries for teachers on the reservations. She was also able to find priests to serve the spiritual needs of the people.

Katharine also became aware of the sufferings of the Black people of the south and the east. She financially supported missions throughout the country and abroad.

In 1886-87, known as the "All Three," the Drexel sisters toured Europe, with visits to a number of boys' training schools after which Elizabeth could pattern her St. Francis establishment.

The Sisters of the Blessed Sacrament

In late 1888, Bishop O'Connor approved of Katharine becoming a nun. He suggested she found her own congregation which would work exclusively among Indians and Blacks.

In 1889, she entered the Sisters of Mercy convent in Pittsburgh to prepare for her vows and prepare herself to start her own order of nuns to minister to African-Americans and Native Americans.

In late 1889, she received the religious habit and the name of Sister Mary Katharine. November 8, 1889, she took her first vows of poverty, chastity and obedience, as required by the convent. February 12, 1891, after her own formation as a nun, Katharine Mary became Sister M. Katharine and prepared to build a convent in Bensalem for her new order of nuns. Her Sisters of the Blessed Sacrament for Indians and Colored came into existence. The bulk of Katharine's funds would go into schools conducted by the Pennsylvania-based congregation. Katharine Drexel pronounced her vows as the first Sister of the Blessed Sacrament.

In 1892 they moved to St. Elizabeth's Convent in Cornwell Heights, Pennsylvania. For forty-four years, the burden of administration and guidance of her congregation was solely under her direction.

Xavier University

In 1915, Louisiana relocated a black college, Southern University, out of New Orleans. Katharine purchased the vacant campus and reopened the school as Xavier College (now Xavier University). The primary mission of the collect was to train lay teachers who would then staff schools for black children in rural Louisiana. Xavier was the first and only Catholic college for African Americans, and a pioneer in co-education.

Later Years

In 1935, Mother Katharine suffered a severe heart attack, and for the next twenty years lived in prayerful retirement. Her interest and love for the missions deepened, until her death on March 3, 1955, she died at the age of 97 at St. Elizabeth Convent.

During her lifetime, Katharine Drexel had distributed over \$20 million, where she established and directly supported nearly sixty schools and missions.

Beatified

November 18, 1988 was beatified and given the title Blessed by Pope John Paul II in St. Peter's Basilica in Rome.

Canonized

Blessed Katherine was canonized as Saint Katharine on October 1, 2000 in Rome.

Xavier University Mission Statement

Xavier University of Louisiana, founded by Saint Katharine Drexel and the Sisters of the Blessed Sacrament, is Catholic and historically Black. The ultimate purpose of the University is to contribute to the promotion of a more just and humane society by preparing its students to assume roles of leadership and service in a global society. This preparation takes place in a diverse learning and teaching environment that incorporates all relevant educational means, including research and community service.

II. ORGANIZATIONAL STRUCTURE OF XAVIER UNIVERSITY

The University Corporation

The Board of Trustees of Xavier University has the legal responsibility and authority to manage and direct the affairs of the Corporation (referred to generally as the University) and the control and disposal of its property and funds, and it has the power to carry out any other functions which are permitted by the charter of the Corporation, the constitution and the laws of the United States and the State of Louisiana.

Procedural and Historical Note

Operating under its founding charter from the State of Louisiana granted June 18, 1918, the University was governed for decades by the self-perpetuating Board of Directors comprised of five (5) Sisters of the Blessed Sacrament – the religious community’s Council General.

On July 6, 1966, the above Board of Directors of Xavier University of Louisiana (Council General) approved the Articles of Incorporation for a Louisiana corporation titled “Xavier University of Louisiana,” which provided for three new members who were not of the religious community. The new expanded corporation replaced the Council General.

On September 23, 1968, the new restructured Board of Directors of Xavier University of Louisiana established a Commission of Governance to study the present governance principles and structure. The Board approved, in principle, a document entitled “Relevance in Governance: Xavier’s Top Priority,” and charged the new Commission with the responsibility to make recommendations evaluating the principles outlined in the document and indicating any other pertinent developments in the area of governance relevant and adequate for Xavier’s commitments and objectives. This Commission had its first meeting on March 14, 1969.

The Board adopted the Commission’s recommendations which changed the composition of the governing body from a nine (9) member board consisting of six (6) religious, one bishop, and two (2) lay persons, to a twenty-seven (27) member board in which two-thirds (2/3) of the seats are occupied by lay persons. The original board operated as a subsidiary of the religious order. The new (current) board is completely independent, has full ownership of, total control over and ultimate responsibility for the University.

Membership of the Board

The members of the Corporation consist of no less than nine (9) and not more than twenty-seven (27) persons, which number includes one-third (1/3) representation from the Sisters of the Blessed Sacrament.

Duties of the Board of Trustees

- bearing full and complete legal responsibility for the University as a corporate enterprise,

- choosing a president for the University, who shall be directly responsible to the Board for the administration of the University,
- approving the educational policies of the University,
- investing and reinvesting all funds of the University, and generally controlling the financial administration of the University,
- authorizing and supervising the construction of new buildings, additions, and other matters pertaining to expenditures,
- examining and studying the business methods and management of the University, and,
- annually participating in the development of a comprehensive report upon all aspects of the University, physical, financial and education, by the President of the University.

The President of the University shall be an ex-officio member of the Board of Trustees.

General Administration

The President

All authority is vested in the Board of Trustees and is delegated according to their determination to the President and all other officials, councils and committees of the University.

Specific duties of the President of the University include:

- choosing such other officers of administration as shall be needed for the operation and control of the University and its constituency,
- acting as the chief executive of the University, charged with effecting its policies and regulations,
- exercising general supervision over the work of the administrative officers of the University, passing upon the satisfactoriness of services rendered and deciding upon the retention and dismissal of officers,
- appointing faculty members
- representing the University to its constituency, to the general public, and in educational and social circles,
- presiding at the regular meetings of the University Academic Assembly and calling such special meetings as may be deemed necessary,
- exercising superintendence over all departments of the University as the prosperity of the University demands,

Senior Vice President, Academic Affairs

The Senior Vice President, Academic Affairs is the chief academic officer, and as such shall be responsible for implementing academic policy and coordinating academic programs and activities.

The Senior Vice President reports to the President. Reporting to the Senior Vice President, Academic Affairs are: the Associate Vice President, Academic Affairs; Assistant Vice President, Scholarship Coordinator; the Dean of Arts and Sciences; the Dean of the College of Pharmacy; the

Dean of Freshmen Studies; the Dean of Admissions; the Director of the Center for the Advancement of Teaching; the Director of the Center for Undergraduate Research; the Registrar; the Director of the Center for International and Intercultural Programs; and the University Librarian.

It is the duty of the Senior Vice President to search for and to implement ways to affect a favorable climate for learning at the University. The Senior Vice President shall encourage and promote good teaching and scholarship by the faculty and encourage good scholarship by the students. He/she shall administer the curriculum, advise on the hiring of new faculty, who may be offered employment by the Office of the President, and advise on release of non-tenured faculty, whose employment may be terminated by the Office of the President. In the absence of the President, the Senior Vice President, Academic Affairs is the ranking officer of the University.

Specific duties of the Senior Vice President, Academic Affairs include:

- presiding at meetings of the University Academic Council;
- reviewing and approving curricula, courses, and methods of instruction in all the colleges and schools of the University;
- working with the President and deans to review academic programs and recruit faculty necessary to carry out these programs;
- serving as a member of the University Budget Committee and thereby exercising authority for approving budgets for academic programs;
- monitoring policies and procedures concerning admissions, registration, scheduling, and academic guidance of the students of the University;
- approving and monitoring academic scholarships within University budget guidelines;
- overseeing the operation of the University Library;
- serving as the Cognizant Officer to the Board of Trustees' Committee on Faculty and Academic Affairs;
- serving as Chairperson of the University Committee on Academic Standing;
- reviewing the recruitment, orientation, and development of the faculty and the evaluation of their performance;
- assuring proper University representation at meetings of academic associations; and,
- carrying out other responsibilities as delegated by the President.

Senior Vice President, Administration

The Senior Vice President, Administration is the chief administrative officer; and as such, shall be responsible for implementing major policies and procedures relating to administrative matters. The Senior Vice President, Administration reports to the President. Reporting to the Senior Vice President, Administration are: the Vice President, Fiscal Services; the Vice President, Facility Planning and Management; the Associate Vice President, Auxiliary; and Support Services; the Director of Human Resources; the Director of Student Financial Aid; the Internal Auditor; and the Environmental Health and Safety Officer.

The Senior Vice President, Administration aids the President administratively and shall free the President, in whatever ways the President shall see fit, from the exercise of duties connected with the operation of the University, thereby permitting the President greater freedom to function in concert with the Board of Trustees and with the larger community external to the University. The Senior Vice President, Administration will assist the President in bringing together its various resources and allocating them effectively to accomplish the University's goals.

Senior Vice President, Resources Development

The Senior Vice President, Resource Development is the designated officer responsible for revenue enhancement to the University from all major sources, specifically government and private entities. The Senior Vice President, Resource Development reports to the President and has primary responsibility for sponsored programs and governmental relationships. Reporting to the Senior Vice President, Resource Development are the Associate Vice President for Resource Development/Title III, Assistant Vice President for Resource Development, and the Director of Sponsored Programs.

Senior Vice President, Resource Development assists the President and other administrative and academic officers of the University, as well as their respective units, in developing plans for programs that require increased revenue, by identifying funding sources that might meet the revenue needs, and implementing strategic initiatives to obtain the needed revenue and finalizing arrangements to allow its receipt and use. The Senior Vice President, Resource Development is also responsible for coordinating proposals for Title III, Part B grants, and for administering Title III, Part B, grants.

Vice President, Institutional Advancement

The Vice President, Institutional Advancement reports to the President and is responsible for advancing the University's relations and resources. Institutional Advancement encompasses the Development Office, Strategic Initiatives, and the Public Affairs and Communications Office. Daily operations of these offices are directed respectively by the Associate Vice President, Development, the Associate Vice President, Strategic Initiatives, and the Associate Vice President, Public Affairs and Communications, who report to the Vice President, Institutional Advancement.

Vice President, Student Services

The Vice President for Student Services is the administrative officer directly responsible for the coordination and overall development of the non-academic areas of student life. Reporting to the Vice President, Student Services are: the Associate Vice President, Student Services, the Assistant Dean for Student Life, and the Directors of the Center of Student Leadership and Service, Health Services, Housing and Residential Life, Intramural Sports and Recreation, Counseling and Wellness, Career Services, Campus Police, Campus Ministry, Athletics, and the University Center.

Vice President, Fiscal Services

The Vice President for Fiscal Services is the chief financial officer, and as such shall be responsible for implementing major policies and procedures relating to financial matters of the University. The Vice President reports to the Senior Vice President, Administration and serves as support to the President and the Board of Trustees. The Vice President is directly responsible for managing the Office of Fiscal Services, and gives leadership and direction to Director of Accounting, Director of Operations, Director of Grants and Contracts, Director of External Audit, Financial Reporting and Loan Collections and the Bursar.

Vice President, Technology Administration

The Vice President, Technology Administration is responsible for developing, recommending, and implementing policies associated with the identification and integration of technology into the instructional and administrative functions of the University. The Vice President reports to the President for all matters related to technology implementation in the University.

Reporting to the Vice President, Technology Administration are the Associate Director, External Support, Associate Director, External Relations and Support and the Manger of Network and Telecommunications.

Vice President, Planning and Institutional Research

The Vice President, Planning and Institutional Research is responsible for coordinating the University's planning process, and overseeing the Office of Institutional Research. The Vice President, Planning and Institutional Research gives leadership and direction to the Director, Institutional Research and the Director of Institutional Effectiveness and Assessment.

Vice President, Facilities Planning and Management

The Vice President, Facilities Planning and Management reports to the Senior Vice President, Administration and oversees the administrative coordination of capital projects, the physical plant, and the central plant. Reporting to the Vice President, Facilities Planning and Management are the Director, Building Services and the Chief Engineer.

Academic Structure of the University

The academic body of the University consists of the Teaching Faculty, the Library Faculty, the Academic Administrators, and the Students. The academic body is broadly organized into colleges or schools, and departments or divisions.

The Colleges

A college or school is an administrative unit of the University consisting of the Dean, who is in charge of the Faculty of the college or school and of students registered therein. Xavier University is organized into the College of Arts and Sciences and the College of Pharmacy.

Departments/Divisions

A department/division is an academic unit of the University consisting of all those faculty members who are engaged instructional, administrative or research work in a given discipline under a departmental/division chair. Normally each undergraduate department/division is responsible for all instruction and research in its field. Hence departments/divisions may serve students registered in more than one school of the University.

Committees and Councils

The University will also conduct ongoing reviews of its academic and administrative units. On a cyclical basis, selected units will be reviewed for institutional effectiveness by the appropriate Planning Councils and Committee.

Admissions Committee

Chair:	Dean of Admissions.
Members:	Three elected faculty members, the Faculty Athletic Representative (NAIA Guidelines), four faculty members appointed by the Senior Vice President, Academic Affairs, and the Dean of Admissions.
Work load:	The committee reviews admission files throughout the year. The busiest season runs from November to April. Several meetings, usually in March, April and May, are held to discuss strategies to achieve a desired enrollment of new students.
Functions:	The committee evaluates records of applicants for admission to the University and recommends guidelines and policies regarding undergraduate admissions.

Athletic Committee

Chair:	Senior Vice President, Administration.
Members:	Eleven members. Three are elected faculty members, plus one who serves as the Academic Coordinator for the athletes, four administrators representing the following areas: Admissions, Financial Aid, Fiscal Services and Student Services, one staff person; and the Athletic Director; one male and one female student representing the Student Government Association.
Work load:	Bi-monthly meetings of approximately two hours; more often if the need arises. Length of service on this committee is three years.
Functions:	The committee oversees all the activities of the Athletic Department and makes recommendations to the President. Some of the specific responsibilities include the athletic budget, scheduling, hiring of staff and review of coaching performance.

Biohazard Safety Committee (modified August 2008)

Chair:	Jointly appointed by the Senior Vice President, Academic Affairs and the Senior Vice President, Resource Development; the chair must have expertise in research involving recombinant DNA molecules, organisms and/or viruses containing recombinant DNA molecules.
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Faculty/Staff Fringe Benefit Committee

Chair:	Appointed (from membership) by President.
Members:	Four faculty members elected for three-year terms; four staff members who are appointed for two year terms; the Director of Human Resources and the Associate Director of Human Resources for Benefits and Timekeeping.
Work load:	Seasonal and heavy at times.
Functions:	This committee regularly reviews the faculty/staff fringe benefit package and investigates the possibility of improvement and change.

Staff Grievance Committee

Chair:	Director of Human Resources
Members:	Five staff members including the Internal Auditor, Associate Vice President for Student Services, one staff employee from Facilities Planning and Management, and one staff employee from Academic Affairs. All members are appointed for an indefinite period. Members will be trained by legal counsel in conducting grievance hearings.
Work load:	As required to review an employee's grievance against a staff employee. The committee will also hear grievances against a staff employee by a faculty member or student of the university.
Functions:	The Staff Grievance Committee will be an impartial body that hears a grievance by a staff employee that alleges unresolved concerns, violations of university policies, misconduct, unfair or discriminatory practices or violation of federal employment laws. The committee will render a recommendation to the President or his designee who will make a final decision.

University Planning Council (a continuing committee)

The University Planning Council (UPC) will be chaired by the President of the University and membership will consist of:

- President
- Senior Vice President for Academic Affairs
- Senior Vice President for Administration
- Senior Vice President for Resource Development
- Vice President for Planning and Institutional Research
- Vice President for Institutional Advancement
- Vice President for Student Services
- Vice President for Technology Administration
- Vice President for Fiscal Services
- Vice President for Facilities Planning and Management
- Dean, College of Arts and Sciences
- Dean, College of Pharmacy
- Dean, freshman Studies
- Dean of Admissions

- Members of the Xavier faculty (3 CAS; 1 COP)
- Student Government Association President (or designee) and one other student designated by Student Government Association President
- Accreditation Liaison (if different from the members listed above)

The University President will select the faculty representatives for a two year term from among the elected members of the University Academic Council.

The UPC will have responsibility for reviewing the University mission and vision, for reviewing all information and reports developed to support the planning process, for setting the strategic focus for the University, for providing guidelines and strategy to the University Strategic Planning Committee; for reviewing goals, objectives and tasks developed during the strategic planning process and for reviewing and approving the strategic plan.

The UPC will periodically review progress in achieving the goals and objectives and tasks outlined in the strategic plan and make mid-course corrections if necessary. The UPC will set priorities among the strategic planning objectives and make recommendations to the University budget committee regarding resource allocation in support of strategic goals and objectives.

The UPC will also review the annual report on institutional effectiveness and assessment the annual report on learning outcomes assessment, the annual peer and competitor report in conjunction with its review of progress toward the strategic planning goals, objectives and tasks.

University Strategic Planning Committee (An Ad Hoc Committee)

A University Strategic Planning Committee (USPC) will be selected every five years to participate in the development of the University strategic plan. The USPC will be co-chaired by the Vice President for Planning and Institutional Research and a member selected by the committee.

The committee will include one member of the faculty selected by each academic department in the College of Arts and Sciences, one member of the faculty from each of the two divisions of the College of Pharmacy, one member selected from among the staff of each of the units of the University overseen by a Vice President as well as two student members selected by the Student Government Association.

Working under the guidance of the UPC, the USPC will facilitate the development of the University strategic plan by engaging and informing the University community, developing and recommending strategic goals and objectives, and reviewing and recommending the strategic plan for review and approval by the UPC.

Budget Committee

The Budget System

The University operates on an annual budget based on a fiscal year beginning on July 1st and ending June 30th. The budget is prepared prior to the beginning of the fiscal year through a planning

process coordinated by the University Budget Committee. The annual budget is approved by the Board of Trustees prior to the beginning of the fiscal year.

Role and Responsibility

All budget requests are submitted to the appropriate deans and vice presidents for review and recommendations to the University Budget Committee. It is the responsibility of the Budget Committee to review all budgets and to prepare, in the light of needs of the University and its projected income, a final comprehensive budget for presentation by the President, who must make the budget recommendation to the Board of Trustees.

The Budget Committee will recommend the allocation of resources for operational and capital needs based on the following planning documents:

- the annual review of process on the strategic plan goals and benchmarks;
- the annual review of outcomes assessment;
- the annual space and facilities needs survey;
- special needs identified at the unit and department level.

Committee Membership

The President is Chair of the Budget Committee:

- Senior Vice President, Academic Affairs
- Senior Vice President, Administration
- Vice President, Fiscal Services
- Vice President, Student Services
- Senior Vice President, Resource Development
- Vice President, Institutional Advancement
- Vice President, Planning and Institutional Research

III. STAFF EMPLOYMENT POLICY

Administration of Policies

The Director of Human Resources is responsible for the Administration of XULA Human Resources policies except as may be otherwise delegated.

At will Employment Policy

Xavier University adheres to the “At Will” employment policy. This policy states that all employees, regardless of status, have no guarantee of employment. Employees work at the discretion of XULA and may be separated from employment with or without cause at any time.

Advertisements for Position Openings

Information regarding position openings is available to current employees through electronic and printed job postings. Position openings may be advertised to the general public through print media, job fairs and the internet. XULA makes every effort to provide information regarding employment opportunities to organizations that assist minorities, women, individuals with disabilities and individuals who are not currently in the workforce.

Equal Employment Opportunity Policy

XULA is an Equal Opportunity/Employer. The objective of XULA’s employment practices is to recruit, hire, train, and promote into all job levels the most qualified applicants without regard to race, color, creed, religion, gender, national origin, age, disability or veteran’s status. All decisions regarding employment are based on an individual’s qualifications as they relate to a specific job vacancy.

All Human Resources actions regarding compensation, benefits, transfers, layoffs, recall, university sponsored training, education, tuition assistance, social and recreation programs are executed without regard to race, religion, color, creed, gender, national origin, age, disability or veteran’s status.

Job Applicants

1. Employment applications are accepted only when there is a job opening and must be completed by the applicant. Applications are supplemented by interviews and reference checks. Prior to an offer of employment, applicants must consent to a verification of references and fill out whatever forms are necessary to allow for such verification.
2. As a condition of employment, applicants for designated positions may be required to complete a software proficiency test, criminal history check, drug screen, verification of licenses and academic credentials. A list of these positions may be obtained from the Office of Human Resources.

3. Xavier University participates in the E-Verify Program, which electronically verifies with the Department of Homeland Security and Social Security Administration whether a person is legally eligible to work in the United States.
4. Position descriptions are provided to all new employees. Position descriptions describe the essential duties, responsibilities, knowledge, skills and abilities of the job. Position descriptions shall in no way be construed as a limitation on the authority of supervisory personnel to assign tasks that are appropriate to the employee's position.

New Employee Orientation and Development:

At the start of employment, new employees are required to attend a university orientation. Newly hired employees also receive orientation and training from his or her supervisor or the supervisor's designee. Additional training or employee development may be available for employees through various internal and external sources.

New Employee Evaluative Period

1. All newly hired employees are employed for an evaluative period of 90 days.
2. The evaluative period gives the supervisor an opportunity to provide direction and support to the employee and to evaluate the employee's job performance and behavior.
3. During the evaluative period, eligible full and part-time employees accrue sick and vacation leave; however, sick and vacation leave may not be used until the employee successfully completes their evaluation period.
4. Employees who separate from their employment prior to the end of their evaluative period will not be eligible to receive accrued vacation pay.
5. An employee's evaluative period may be extended for an additional thirty days with a written request of their supervisor and the approval of the Director of Human Resources.
6. At the end of an employee's evaluative period, the employee will receive a written evaluation review which will indicate whether the employee will attain regular status or will be separated from employment.

Transfer, Promotion or Reassignment within XULA

1. Employees who are transferred, promoted or reassigned shall retain all rights, benefits and accrued leave earned in their former position with XULA. An employee who is promoted is required to serve a three-month evaluation period. If the employee is unable to perform the duties and responsibilities of the new position, in a satisfactory manner, the employee may apply for his or her former position, if it is available, or other positions for which he or she is qualified. If there are no positions available for which the employee is qualified, then the employee will be separated from employment.
2. Employees are not eligible for promotion or transfer during the evaluation period.

Employment of Relatives

Xavier University believes in hiring the best employees based on their qualifications, however, XULA prohibits employees with supervisory responsibilities from supervising their relatives. A relative is defined as anyone who is related by blood, marriage, or legal adoption

Employee Job Classifications

1. EXEMPT EMPLOYEES

The Fair Labor Standards Act (as amended) defines exempt employees as employees whose positions are classified as bona fide executive, administrative, professional or information technology positions. Employees in this classification are exempt from being paid overtime. Contact Human Resources staff for further explanation of definitions.

2. NON-EXEMPT EMPLOYEES:

The Fair Labor Standards Act defines non-exempt employees as employees who are in positions that are required to be paid overtime for all hours worked over forty in a single workweek.

3. FULL-TIME EMPLOYEES:

Employees, who are scheduled to work 35 or more hours per week, on a continuous basis, are classified as full time.

4. REGULAR STATUS EMPLOYEES:

Employees who have successfully completed their evaluative period are classified as regular status employees.

5. PART-TIME EMPLOYEES (BENEFITS ELIGIBLE):

Part-time employees who are scheduled to work more than 20 hours but less than 35 hours are eligible for benefits.

6. PART-TIME EMPLOYEES (INELIGIBLE FOR BENEFITS):

Part-time employees who are scheduled to work less than 20 hours per week are not eligible for benefits.

7. EVALUATIVE PERIOD EMPLOYEES:

Employees are on a 90-day evaluative period, because they are newly hired or promoted.

8. SUBSTITUTE AND ON CALL EMPLOYEES:

Employees that are hired to work whenever a full time or part time employee is absent from work and the position is needed to be covered. Substitute and on call employees are not eligible for benefits including paid time off for holidays or paid leave.

9. TEMPORARY EMPLOYEES:

Temporary employees are employed for a specific short-term duration, usually not to exceed six months. Temporary employees are not eligible for benefits including paid time off for holidays or paid leave.

Employee Individual Development Review

Policy

The Supervisor will review the performance of new employees upon completion of their probationary period. Regular status employees will have their performance reviewed annually.

1. An Individual Development Review will be conducted for all employees in order to provide recognition of an individual's accomplishments and to establish goals for the coming year. The employee individual development review will document the employee's commitment to continuous improvement and institutional effectiveness. The process will also focus on areas of performance and behavior that needs improvement. The employee will be expected to self assess and comment on supervision received.
2. University Administrators will be reviewed annually using a process designed to assess their performance and effectiveness.
3. The Director of Human Resources will periodically update the listing of the University Administrators after consultation with the Vice Presidents and with the approval of the President.

Work Schedules

Work schedules are determined by the employee's supervisor to meet the needs of XULA and their department. Work schedules are subject to change and employees will be given proper notification whenever possible. Employees may be requested to work beyond their normal work schedule, or may be called in to work on their scheduled day off.

Attendance and Punctuality

XULA expects all employees to be at work on their scheduled workdays. Regular attendance includes reporting to work on time and continuing to work until the end of their scheduled workday. "On time" is defined as an employee being at his or her assignment or work location and ready to work at his or her scheduled starting time. Unsatisfactory attendance or tardiness may be cause for disciplinary action. In the event that an employee cannot report to work as scheduled, the employee must notify his or her supervisor at least one hour prior to their scheduled reporting time, or provide evidence of extenuating circumstances. In all cases of absences, the employee is required to provide his/her supervisor with a reason for the absence and, if applicable, the probable duration. If the duration of an absence is not readily determinable, the absent employee will be

required to call his/her supervisor daily to report the status of their absence. Proper recording of absences is required of all employees.

If an employee is absent due to illness or injury for more than three consecutive days, the employee must provide a notice from his/her physician stating that the employee may return to work and indicating whether the employee has any restrictions.

If the illness is for five or more consecutive days, and the employee is eligible for FMLA, XULA may designate the time off as Family and Medical Leave if the employee is eligible for FMLA.

Definitions:

1. Excessive absence(s): More than four unscheduled absences in a thirty-day period are considered excessive and may prompt disciplinary action.
2. Tardiness: More than four instances in a thirty-day period is considered excessive and may prompt disciplinary action.
3. Job abandonment: An employee who is absent from work for three or more consecutive days without notifying supervisory personnel is regarded as having abandoned his or her job unless the employee can provide acceptable, verifiable evidence of extenuating circumstances. Abandonment under this definition will be considered as a voluntary resignation from employment with XULA.

Employment File

The Human Resources Department maintains an employment file on each employee. The file will contain documents, forms and information relating to the employee's employment with XULA.

Only active XULA employees may review the contents of their employment file after making a request to the Director of Human Resources. Files are confidential and may be reviewed by the employee in the presence of the Director of Human Resources or the Director's designee. The employee may not remove anything from his/her file. Requests for copies of personal documents contained in the employee file must be approved by the Director of Human Resources.

Employment files will be retained according to government regulations. Employees may make a written request to the Director of Human Resources to have any information removed from their employment files that is deemed to be incorrect. A review will be conducted, and if it is determined, that the questionable information is incorrect, it will be removed; and if the information is correct, it will remain in the folder.

Reference Inquiries

XULA may furnish responses for employment verifications with the consent and release of XULA from any liability by current or former employees.

Employee Compensation

Recording Time Worked

Non-exempt staff employees are required to record their time worked by using an electronic timekeeping system. This timekeeping system allows employees to record their hours worked by using a telephone.

Exempt employee's actual compensation is determined by the salary, not the hours worked. Supervisors or designated timekeepers are able to make adjustments and record paid time off for holiday, vacation, sick, court or bereavement leave.

Non-Exempt Employee Pay

At the end of each pay period, the supervisor approves each time record, which is then electronically submitted to payroll for processing. Non-exempt employees are paid according to the time recorded in electronic timekeeping system. Non-exempt employees are paid bi-weekly and paydays occur every other Friday.

Exempt Employee Pay

The exempt staff employee's schedule that is listed in the timekeeping system shall be considered as their timecard. Exempt employees are paid on the last scheduled workday of each month. If the scheduled payday is on a holiday when financial institutions are closed, then the employee will be paid the last scheduled workday prior to the holiday. If a XULA-designated paid holiday occurs on a payday, and it is not a holiday for financial institutions, then the payday will not change.

Direct Pay

XULA requires all employees to be paid through direct deposit. If the employee does not have an account with a financial institution, the employee will be required to obtain a bank card through a financial institution approved by XULA for direct deposit.

Authorization for Deductions

Deductions will be made from each employee's wage/salary as required by law including taxes, garnishments and wage assignments. The employee must authorize any voluntary deductions by completing the appropriate forms authorizing the deductions and submitting them to the Human Resources Department. All changes to an employee's deductions must be authorized by the employee and submitted to the Human Resources Department.

Overtime Pay (Non-Exempt Employees)

If a non-exempt employee works more than 40 hours in a single workweek, the non-exempt employee will be paid at an overtime rate of 1½ times their normal hourly rate for the hours in excess of 40 hours in a single work week.

Overtime is computed when actual hours worked have exceeded 40 hours in a single workweek. Sick leave, annual leave, holidays (not worked), or any other leave will not be considered in the

computation of hours worked during a single workweek to determine overtime. ***Compensatory time off in lieu of payment of overtime is not permitted under the Fair Labor Standards Act unless the compensatory time is granted in the same workweek in which it is earned. Please consult with the Human Resources Department if you have any questions regarding overtime payments.***

A non-exempt employee is required to obtain prior authorization from his or her supervisor or the supervisor's designee prior to working overtime unless overtime is warranted to provide emergency coverage. Failure to obtain specific written authorization to work overtime may lead to disciplinary action.

Exempt employees are not eligible for overtime pay or compensatory time off.

Disaster Pay

An employee who is required to work, after the President or his designee, declares XULA closed because of a disaster will be paid their regular hourly rate of pay and time and one half for all hours worked under the emergency decree.

Wages/Salary Changes

Employees may receive wage or salary increases because of a promotion, job evaluation, special adjustments, increases mandated by a grant or increases approved by the Board of Trustees.

Employees are asked to check their pay statement to determine if the amount of their wage or salary increase is correct. If there is an error in the employee's pay, the employee should notify his/her supervisor and Human Resources. If the employee's check is less than the approved amount, the employee will receive a retroactive pay adjustment. If the employee's check is greater than the approved amount, the employee will be required to refund the difference between the correct amount and the incorrect amount.

Garnishments, Levies and Wage Assignment

XULA is obligated by law to comply with notices of garnishments, levies and wage assignments. The employee will be notified of receipt of a notice of garnishment, levies or wage assignment. XULA will start and end deductions according to the court order, levy or wage assignment.

Change in Information

An employee must notify the Human Resources Department of changes in his or her name, marital status, telephone numbers, address, bank account numbers for direct deposit purposes, beneficiaries, student status of dependent children, (when dependent child reaches the age limit for health, dental and vision coverage).

Supervisors must be notified of changes in an employee's contact information.

Work Schedules and Attire

1. Office hours, breaks and lunch periods are established according to the needs of the department and XULA.
2. A dress code for each department may be established and properly posted or disseminated. Failure to comply with department policies will result in corrective action.
3. Shorts are inappropriate for men and women during regular business hours, unless they are deemed appropriate for performing the employee's work (i.e. Bicycle Police Officers).

Mail Service

Mail boxes are provided for the faculty in the post office located in the University Center (first floor). Mail services are also provided on the first floor of the Xavier South Building.

Parking Areas

All campus parking lots require a permit, available from the Office of Campus Police. Lots are designated "Special Reserved Parking," "Faculty," "Staff" or "Student." After 5:00 p.m. all parking areas are open except those designated "Special Reserved Parking." For specific information concerning traffic regulations on campus, faculty and staff members should read the parking and traffic regulations bulletin issued at the beginning of the school year. For any other information, personnel should contact the Traffic Control Division of the University in the Office of Campus Police located at Carrollton Avenue and Drexel Drive. All cars driven to and from the campus and parked thereon must bear a University parking sticker. These are obtained from the Office of Campus Police or University cashier. (See bulletin mentioned above.) Failure to register and display this sticker may result in a parking fine.

Rehire

Individuals who are rehired by XULA will receive credit for time previously worked in determining service awards and benefits eligibility.

Separation from Employment

1. Resignation

XULA requires written advance notice of an employee's voluntary resignation. Exempt staff shall give notice as far in advance as possible, but not less than 30 days prior to the effective date of resignation. Non-exempt staff shall give no less than two weeks notice. XULA reserves the right to pay the employee in lieu of the notice period. The employee may not use sick leave during the notice period.

2. Layoff

Layoff is a separation from employment because of reorganization or expiration of a grant or contract. The President or his designee approves layoffs.

- A. The decision to lay off an employee will be guided by the following factors given in order of importance:
 - The skills, abilities and past job performance of the employee.
 - Length of employment.
- B. An employee whose wages/salary is paid from funds from a grant will be separated from employment if the grant expires and there are no funds to support their position.

Outstanding Debts Owed XULA upon Separation

Employees are responsible for paying all outstanding debts (travel advances, credit card purchases, overpayment of pay etc.) when they are due. If an employee separates from employment and owes XULA any money, the outstanding balance will be deducted from the employee's check. If the employee's check is not sufficient enough to pay the balance that is due XULA, the employee is to make arrangements for repayment of the debt. If the debt is not repaid according to the agreed schedule, XULA will exercise its right to recover the debt.

IV. GRIEVANCE PROCEDURE

Policy

It is the policy of XULA that all employees be treated fairly in all matters of their employment. XULA believes that most problems or concerns can be resolved at the supervisor level. If the problem or concern cannot be resolved at the supervisor, department chairperson or vice president's level, then the employee can make a written request to the Director of Human Resources to have their concerns heard by the Grievance Committee. The Director of Human Resources may decide on the grievance or refer the grievance to the Grievance Committee. The Grievance Committee is not available to employees during their initial evaluative period. If an employee, during their initial evaluative period has a problem or concern that cannot be resolved at the supervisor's level, the evaluative period employee may request a conference with the Director of Human Resources or the vice president for his/her area.

Procedures

1. If an employee believes that he or she has been treated unfairly or has an unresolved concern, then the employee should request a conference with his or her immediate supervisor. If the employee cannot resolve their concern or issue with their immediate supervisor, the employee should request a conference with the vice president for his or her department.
2. After the employee makes a good faith attempt to resolve the problem at the vice president's level and he or she is not satisfied with the response, the employee may submit a written request to the Director of Human Resources to have his or her concern or issue heard by the Grievance Committee. The written request must be sent to the Director of Human Resources within ten working days after receiving a response from the vice president. The written request should provide information on the concern or issue and the remedy the employee is seeking. Failure to file a grievance within the required time will result in the grievance not be reviewed.
3. The Director of Human Resources will review the grievance request and will determine if the request is appropriate or warrants a hearing by the Grievance Committee. If the Director of Human Resources determines that the employee's request is a grievable issue, the Director of Human Resources will convene a Grievance Committee hearing. A Grievance Committee hearing will be scheduled within ten working days after receiving the request for a hearing. If the Director of Human Resources determines that the employee's issues or concerns is not under the jurisdiction of the Grievance Committee, the Director of Human Resources notifies the employee in writing their grievance was denied.
4. The Grievance Committee will hear the employee's grievance, and submits a recommendation to the President or the President's designee for final approval.
5. The President or the President's designee will submit their decision to the Grievance Committee Chairperson.

6. The chairperson or the Grievance Committee notifies the employee of the outcome of the grievance hearing.

V. STAFF CONDUCT

Types of Corrective Action

Depending upon the nature and circumstances of an incident, discipline will normally be progressive; however, XULA reserves the right to employ any of the following corrective measures:

Verbal Counseling

If an employee's behavior or work performance is not acceptable, the supervisor is encouraged to counsel the employee of any problems or deficiencies. In any case where a supervisor verbally counsels an employee of such problems or deficiencies, the supervisor should document the occurrence of the counseling session, including the date of occurrence and what was discussed. A verbal counseling session is not necessary prior to taking other corrective actions including termination.

Written Counseling

A written counseling is a form of corrective supervisory feedback in response to a serious incident, unsatisfactory performance, misconduct, or violation of a policy or procedure. It may be given for a first time offense or as a result of a series of actions or omissions by an employee.

A written counseling shall be discussed in conference with the employee and shall also be documented in writing or by using an approved counseling form. The employee will be asked to sign the written counseling. **Signing a written counseling does not indicate that the employee agrees with the counseling, however it does indicate that the supervisor has discussed the problem with the employee and the employee has received a copy.**

Suspension without Pay

If after an employee receives a written counseling and the performance does not improve or there is no change in the employee's behavior, the supervisor may take the next step in the progressive discipline process by suspending the employee without pay for a maximum of five workdays.

Discharge

If after an employee receives a suspension without pay and the performance does not improve or there is no change in the employee's behavior, the supervisor may take the next step in the progressive discipline process by recommending discharge. The discharge must first be approved by the vice president for the employee's area and reviewed by the Director of Human Resources to ensure that all procedures have been followed.

There may be violations, which may cause the supervisor to recommend discharge without following the progressive discipline process.

Refer to section Reasons for Corrective-Actions Immediate Dismissal for examples of reasons for immediate dismissal.

Reasons for Corrective Actions

All of the actions under the following categories are considered unacceptable behaviors or performance. The groupings are illustrative and should not be considered either exclusive or limiting in achieving effective, efficient and equitable employment practices.

Attendance & Punctuality

1. Unauthorized absences from work for more than four occurrences in a thirty-day period.
2. More than four unauthorized late arrivals or early departures from work in a thirty-day period.
3. More than four instances of returning late from lunch or break in a thirty day period.

Behavior

1. Violation of XULA policies and procedures for staff employees, departmental operating rules or related directives.
2. Harassment, including gender, race, age, religion, national origin and disability.
3. Performing personal work during business hours.
4. Playing games or surfing the internet or using XULA computer for personal reasons during work hours.
5. Violation of safety rules.
6. Any act or conduct that is discriminatory in nature toward another person's race, creed, color, national origin, gender (including harassment), age, religious beliefs or political affiliations.
7. Violating XULA code of student conduct regarding behavior or actions involving students.
8. Leaving work area for personal reasons without permission.
9. Unauthorized use of university equipment or materials for personal use. This includes telephones, faxes, computers, vehicles, tools etc.
10. Making unauthorized solicitations during work hours and in work areas. (Example soliciting for Avon, meals, candy, Girl Scout cookies, or political candidates in work area).
11. Engaging in unethical conduct which violates the present standards of the community or morality.

Performance

1. Inefficiency, incompetence, or negligence in the performance of duties, including failure to perform assigned tasks or failure to discharge duties in a prompt, competent, and reasonable manner.
2. Refusal or inability to improve job performance in accordance with written or verbal direction.
3. Revocation or suspension of license where job duties require licensing. An employee is required to notify his/her supervisor in the event his/her license has been seized, suspended or revoked (e.g., an employee who is required to drive a vehicle and his/her driver's license is suspended or revoked).
4. Careless, negligent, or improper use of XULA property, equipment or funds, including unauthorized removal or use for personal purpose.

Immediate Dismissal

Immediate dismissal may be implemented for any of the following non-exclusive reasons:

1. Unauthorized release of confidential information or official records.
2. Leaving work area without being properly relieved (e.g. employees working in central plant, campus police or residential life).
3. Falsifying, removing or destroying records, reports or documents.
4. Theft.
5. Dishonesty about job related matters to supervisors, staff, faculty, or the public.
6. Deception in securing employment, for the employee or for someone else.
7. Possession or use of an illegal substance or alcohol while performing work for XULA.
8. Willful endangerment of staff, students, faculty, or the public.
9. Threatening an employee, student or visitor with harm or injury.
10. Failure to comply with a lawful request from a supervisor.
11. Viewing or electronically mailing pornographic or obscene materials on personal computers in the workplace or on XULA property.
12. Creating or sending a computer virus.

Preventing Violence in the Workplace

XULA believes that everyone should have a work environment that is free of fear, intimidation, threats, or violence. A person who is having a domestic or personal problem is encouraged to seek professional counseling. An employee may also seek counseling through XULA's Counseling Center, XULA's Campus Ministry, or the Employee Assistance Program.

1. If a supervisor or an employee believes that a staff, faculty or student's behavior is threatening or erratic, the behavior should be reported to the University Police.
2. All threats, written or verbal should be taken seriously and reported to the appropriate level of supervision, and University Police.

3. It is the policy of XULA to immediately terminate anyone who threatens (verbally, in writing or e-mail), strikes another person or who brings a weapon to the workplace. (except University Police Officers)
4. Please contact the Director of Human Resources, Counseling Center, or University Police if you have any questions regarding preventing workplace violence.

VI. WORKPLACE POLICIES

Drugs and Alcohol Abuse in the Workplace

Policy Statement

Illegal drugs and alcohol abuse are a threat to the physical and mental well being of individuals. The use of illegal drugs and the abuse of alcohol may contribute to workplace accidents.

XULA expressly prohibits the unlawful manufacture, distribution, dispensing, possession or use of illegal drugs or alcohol for non-medical reasons on XULA's premises. An individual under the influence of alcohol or illegal drugs is prohibited from being on XULA's premises. Further, the unauthorized use, possession, sale, dispensing, distribution of drugs away from XULA's premises and outside working hours will not be tolerated if it adversely affects in any way the employee's job performance, the employee's own or other's safety, XULA's reputation in the community or other University interests.

It is a condition of employment that each employee agrees to abide by this policy. In addition, it is also a condition of employment that each employee must notify XULA of any drug related conviction within five days of the date of any judgment or conviction.

Communication of Policy

As part of new-employee orientation, XULA will make new employees aware of XULA's policy on maintaining a Drug Free Workplace.

XULA will also make current employees aware of its policy of maintaining a Drug Free Workplace by providing them with information relating to drug and alcohol abuse and discussing drug and alcohol abuse at meetings.

Drug and Alcohol Testing

1. *Pre employment Drug and Alcohol Screening:*

XULA may utilize pre employment drug tests to prevent the hiring of individuals who use controlled substances, illegal drugs or who abuse alcohol. XULA will not hire an individual who tests positive for illegal drug use or alcohol abuse.

2. *Drug and or Alcohol Testing for Cause*

XULA will require any employee who is suspected of using or being under the influence of an illegal drug or alcohol to submit to testing to determine if the employee is abusing drugs or alcohol. An employee, who refuses to submit to a drug or alcohol test to determine if the employee is abusing drugs or alcohol, will be subject to immediate dismissal.

3. *Random Testing*

XULA has the right to require employees to submit to a random drug or alcohol test in order to determine if abuse is occurring in the workplace. If the results of a random drug test indicate an employee is using illegal drugs the employee will be discharged from employment without the right of appeal.

4. *Post Accident Drug or Alcohol Test*

Any employee, who suffers a serious injury, causes injury to another person, or damage to property will be required to take a post accident drug test to determine if drugs or alcohol use was a contributing factor to the accident. If the cause of the accident was due to the employee using illegal drugs or alcohol the employee will be discharged.

Possession or Sale of Drugs or Alcohol While on XULA'S Property or Engaged in XULA Business

It is grounds for immediate dismissal of any employee possessing illegal drugs, alcohol, or prescribed medication with the intent to sell them on XULA property, while engaged in the performance of XULA business.

Self-Identification of Drug or Alcohol Abuse by Employees

An employee who notifies XULA that he/she is addicted to drugs or alcohol, prior to testing positive or being requested to take a drug test, the employee will be able to avail his or herself of drug/alcohol counseling and or rehabilitation. XULA will allow employees to avail themselves of Sick Leave or Family and Medical Leave to receive counseling, treatment or to attend meetings for therapeutic purposes.

Reporting Drug or Alcohol Possession, Sale or Usage in the Workplace

It is the responsibility of all XULA employees to report the possession, use, sale or distribution of controlled substances, illegal drugs, or alcohol abuse by other XULA employees to appropriate XULA management. If an employee is aware of other XULA or contract employees engaged in the sale, distribution, or use of controlled substances, illegal drugs, or alcohol and fails to report it to appropriate supervisors, that employee will be subject to disciplinary action up to and including termination.

Use of Prescribed and Over-The-Counter Medication while in the Workplace

Prescribed medication may include any pharmaceutical product that is prescribed to the employee by a physician or dentist (and over the counter medication), which has been legally obtained, and being used for the purpose for which it was prescribed or manufactured. If a prescribed or over the counter medication prevents the employee from safely performing their duties (without endangering him/herself, co-worker, consumers, or the public), the employee must notify their supervisor. The supervisor may request that the employee obtain a release from his or her physician as to the duties the employee may be able to perform while taking prescribed medications or over the counter medicine.

Harassment Policy

It is the policy of XULA that harassment of any form is prohibited and will not be tolerated. Each supervisor and staff member has a responsibility to maintain a work environment that is free of any form of harassment.

1. A supervisor shall not threaten or insinuate, either explicitly or implicitly, that a staff member's refusal to submit to unwelcome sexual advances will adversely affect the staff member's employment status, work assignments, work schedule, performance evaluations, compensation, promotions, transfers, contracts, or offer of employment.
2. A supervisor or staff member shall not tell jokes, make fun of, belittle, be intolerant of, or make disparaging remarks about someone's race, religion, gender, national origin, color, age or disability.

Reporting Harassment

The victim of harassment should directly inform the harasser (supervisor, faculty member, co-worker, student, and contractor, anyone doing business with XULA or a representative of XULA) that the conduct is unwelcome and must stop. If the harasser is the immediate supervisor, the victim should report it to the next higher level of supervision or the Director of Human Resources.

Investigating Charges of Harassment

The Director of Human Resources or members of the grievance committee will investigate all allegations of harassment. All investigations into allegations of harassment will be conducted under strict procedures of confidentiality.

If XULA becomes aware of acts of harassment in the workplace, even though they have not been reported, the Director of Human Resources will initiate an investigation.

The U. S. Equal Employment Opportunity Commission (EEOC) recognizes that sexual harassment may be private and unacknowledged with no eyewitnesses; therefore the XULA investigators may make a finding in a harassment charge based solely on the credibility of the victim's allegations.

Retaliation is Forbidden

XULA forbids retaliatory actions against someone reports harassment, including but not limited to unfavorable work assignments, threats, disciplinary actions, unfavorable recommendations, demotions, reductions in compensation, or encouraging other staff members or supervisors to take retaliatory actions against the victim.

Violation of this Policy

A XULA employee who is found in violation of this policy will be subject to XULA's disciplinary process.

A staff member who knowingly and willfully files a false claim of harassment will also be subject to XULA's policy on corrective actions.

Types of Harassment

1. Sexual Harassment

A. Definition

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972. The EEOC defines sexual harassment as:

“Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment status, unreasonably interferes with an individual's performance or creates an intimidating, hostile work environment.”

B. Types of Sexual Harassment

- i. **Forms of sexual harassment *Quid pro quo*** (translated from Latin and means this for that) sexual harassment occur when employment decisions or expectations are based on a staff member's willingness to grant sexual favors. Examples of quid pro quo harassment are in exchange for favorable employment actions.
 - a. Demanding sexual favors in exchange for a promotion or raise.
 - b. Disciplining or firing an employee who ends a romantic relationship.
 - c. Willingness of a job applicant to grant a request for sex in exchange for an offer of employment.
- ii. **Hostile work environment sexual harassment** occurs when offensive verbal or nonverbal sexual behavior occurs in the workplace. Examples of hostile work environment sexual harassment are:
 - a. Telling sexually oriented jokes or teasing of a sexual nature.
 - b. Touching body parts.
 - c. Distributing or posting sexually suggestive pictures, posters, calendars, or cartoons.
 - d. Giving favorable treatment to an employee with whom a supervisor is sexually or romantically involved.
 - e. Making repeated requests for dates.

2. Harassment because of Race, Religion, National Origin, Color, Age, or Disability

Definition

- a. Harassment on the basis of race, religion, national origin or color is a violation of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972. Example: Using derogatory or negative words or phrases to describe someone's race, heritage or national origin.
- b. Harassment on the basis of age is a violation of the Age Discrimination Employment Act of 1967, as amended; the ADA prohibits discrimination in employment or benefits for anyone

- 40 years of age or older. Example: Making comments about someone's age or discriminating against someone because of their age.
- c. Harassment on the basis of disability is a violation of the Rehabilitation Act of 1973, as amended and Title I of The Americans with Disabilities Act of 1990 as amended. Example: Refusing to hire or promote someone because they have a disability or making a joke about someone's disability.
 - d. Harassment on the basis of disability is a violation of the Rehabilitation Act of 1973, as amended and Title I of The Americans and Disabilities Act of 1990 as amended. Both Rehabilitation Act and ADA prohibits discrimination against anyone with a disability or is perceived to have a disability.

Please contact the Director of Human Resources at 520-7537 if you have any questions or to file a complaint.

Safety Policy

It is the policy of XULA that all employees perform their duties and responsibilities in a safe manner. Supervisors are required to explain department's safety policies and ensure that all employees are in compliance with them. All employees are required to use appropriate safety devices and wear appropriate personal protective safety equipment while performing their work.

All employees are required:

- to comply with all XULA, Occupational Health and Safety Administration (OSHA), state and local safety codes and regulations.
- to notify their supervisor or the Environmental Health and Safety Office of unsafe working conditions.
- to immediately report a work related injury or illness to their immediate supervisor.
- to complete the designated forms as a record of his or her injury or work injury or illness as required by the Louisiana Department of Worker's Compensation and OSHA. Contact your immediate supervisor or the Insurance Coordinator for the appropriate forms to report a work related injury or illness.
- to contact the Student Health Services Office for first aid. If first aid is not sufficient or the injury or illness is serious or life threatening, then the employee will be sent to the appropriate clinic or hospital for treatment.
- to notify their supervisor when they will be absent from work because of a work related injury or illness.

If an employee has a question regarding a safety issue he/she may contact the Director of Environmental Health and Safety at 520-5257.

VII. STAFF EMPLOYEE BENEFITS

In recognition of the influence that employment benefits have on the economic and personal welfare of each employee, XULA strives to provide a beneficial, cost-effective employee benefits program. Employees should likewise recognize that the total cost of providing a benefit program is a significant supplement to their pay.

Benefits are of two types: mandatory benefits that are determined by law and discretionary benefits that are offered at the discretion of the XULA.

XULA reserves the right to design provisions, add, eliminate or modify discretionary benefit programs when it is deemed in the university's best interest. In most instances, there will be ample opportunity to provide employees with advance notice of changes.

Mandated Benefits

1. Social Security

Employees are required to contribute toward federal social security and Medicare benefits according to federal regulations. XULA also contributes towards an employee's social security benefits. Federal Law mandates the percentage that XULA and the employee contribute to Social Security and Medicare.

2. Worker's Compensation

XULA employees are covered by worker's compensation insurance while performing their duties and responsibilities. XULA pays the full premium costs for worker's compensation insurance. If an employee sustains a work-related injury or illness, the employee is eligible for workers compensation benefits including medical expenses. All work related injuries or illnesses, no matter how minor they may seem, must be reported immediately to the employee's supervisor. If the employee requires first aid, the supervisor must refer the employee to XULA'S Health Center. Employees who require medical treatment beyond first aid or when the Health Center is closed are requested to go to the designated hospital emergency room, or occupational health clinic.

If an injury or illness results in lost time from work, XULA worker's compensation insurance provider will start paying employee benefits at the level determined by state laws. Benefit payments do not start until the employee has been absent from work for seven consecutive calendar days, however an employee may use accrued sick leave if he or she will miss seven or less days from work. If the disability continues for six weeks or longer after the date of the original injury or illness, the employee will receive retroactive pay for the first seven days of injury or illness that he or she was not paid.

Specific questions about worker's compensation claims should be referred to the Director for Health Services and questions regarding payments for lost time should be referred to the Director of Human Resources.

3. Unemployment Insurance

Depending upon circumstances connected with leaving employment with XULA, an employee may be eligible for unemployment benefits. XULA pays 100% of the cost for this benefit.

Holidays

Regular full time and regular part time employees who are scheduled to work 20 or more hours per week are eligible for holiday pay.

1. XULA recognizes the following days as Paid Holidays

New Year's Day*	Independence Day*
Martin Luther King Birthday	Labor Day
Monday prior to Mardi Gras	Thanksgiving Day
Mardi Gras Day	Friday after Thanksgiving
Holy Thursday	Christmas Eve*
Good Friday	Christmas Day

*These are paid holidays only if they occur Monday through Friday. A published bulletin will be distributed to all departments which will indicate the paid holidays for each calendar year.

XULA reserves the right to change, add or delete paid holidays depending on the discretion of the university.

2. Holiday Pay

To be eligible for holiday pay, an employee must work his or her last regularly scheduled workday preceding the holiday and their first regularly scheduled workday following the holiday. An employee who works on a paid holiday will be paid for hours worked and holiday pay. For example an employee who works 7 hours per day will be paid 7 hours regular pay and 7 hours holiday pay. An employee who works 4 hours per day will be paid, 4 hours of regular pay and 4 hours of holiday pay.

Vacation Leave

Regular full time and eligible part-time employees who have completed their probationary period of service are eligible for vacation leave. Employees who are scheduled to work less than 20 hours in a workweek; pool, substitute, and temporary are not eligible for vacation leave.

Vacation Leave Accrual

Years of Service	7-hour day	8-hour day	Maximum Vacation Accrual
0-5 years	5.84 hours/month	6.67 hours/month	20 days
6-16	8.74 hours/month	10.00 hours/month	30 days
17	9.40 hours/month	10.80 hours/month	32 days
18	9.92 hours/month	11.33 hours/month	34 days
19	10.50 hours/month	12.00 hours/month	36 days

20	11.08 hours/month	12.66 hours/month	38 days
21 or more	11.66 hours/month	13.33 hours/month	40 days

A “Vacation Leave Request Form” must be completed and approved by the employee’s supervisor prior to taking vacation leave. Every consideration will be given to the employee’s preference for vacation dates; however, vacation leave will be granted only for periods during which the employee’s absence will not inconvenience the department and/or XULA.

Vacation leave should be used within the year following the period for which it has been earned. Employees may take a minimum of one hour of vacation leave.

An employee who reaches their maximum vacation accrual will no longer accrue vacation hours until their accrued vacation balance falls below their vacation balance.

Employees who separate from employment will be paid all unused accrued vacation.

Sick Leave

Regular full time and eligible part-time employees who have completed their evaluation period of service are eligible for sick leave. Employees who are scheduled to work less than 20 hours in a workweek, pool, substitute, and temporary are not eligible for sick leave.

Sick leave is defined as an absence from work due to an illness, an injury, or visits to a healthcare provider. Sick leave is a benefit for eligible staff employees, which provides income only during the employee’s personal illness or injury. The employee may also use sick leave to care for an ill or injured spouse, dependent child or parent.

Sick leave is accrued at the rate of 1 day per month not to exceed 90 days total (i.e. 8 hour work day earns 8 hours per month; 7 hour work day earns 7 hours per month, and 4 hour work day earns 4 hours per month). Sick leave starts accruing on the first calendar day of the month following the employee’s date of hire.

Paid sick leave is based on the employee’s regular rate of pay at the time of illness. Accrued sick leave is not considered as an earned wage and employees will not be paid for accrued sick leave upon separation of employment. Sick leave may not be taken after the employee has notified his or her supervisor of their intention to resign from their employment or while the employee is on a disciplinary suspension.

Employees must notify their immediate supervisor if he or she is unable to come to work because of an illness or injury. If an employee is unable to notify his or her supervisor because of their medical condition, the employee should ask a reliable person to notify their supervisor. If an employee fails to properly notify his or her supervisor of his or her absence, the employee will be subject to disciplinary action.

- **An employee who is absent for three consecutive days because of an illness or injury must have documentation from their physician that he or she is eligible to return to work.**
- **If the employee is absent for five consecutive days, XULA may designate the time off as Family and Medical Leave, if the employee is eligible for FMLA.**

Paid Vacation & Sick Leave Policy for Status Changes

1. New Hires: Vice Presidents, Associate Vice Presidents, Deans, and Associate Deans

Sick Leave is accrued at a rate of 8 hours per month with a maximum accumulation of 90 days. No payout upon separation from employment. Vice Presidents, Associate Vice Presidents, Deans, and Associate Deans will receive 20 days of vacation (160 hours). Vacation leave will accrue each month based on years of service with a maximum accrual of 40 days (320 hours).

2. Faculty Changing Status to Administrative Staff (Vice Presidents, Associate Vice Presidents, Deans, and Associate Deans)

Sick Leave will accrue at a rate of 8 hours per month with a maximum accumulation of 90 days. No payout upon separation from employment. Upon change to Administrative staff the employee will receive 20 days of vacation (160 hours). Vacation leave will accrue each month based on years of service with a maximum accrual of 40 days (320 hours).

3. Faculty Changing Status to Staff

Sick Leave will accrue at a rate of 8 hours per month with a maximum accrual of 90 days. No payout upon separation from employment. No option to carryover faculty sick leave. Vacation leave will accrue based on years of service with a maximum accrual of 40 days (320 hours). Faculty will receive 8 hours of vacation for every year of employment as a faculty to the accrual maximum.

4. Staff Changing Status to Faculty

All accrued Vacation will be paid to the employee prior to the effective date of the change from staff to faculty. As a faculty member, the employee will no longer be eligible to accrue vacation leave.

5. Staff Changing Status to Library Faculty

All accrued Vacation will be paid to the employee prior to the effective date of the change from staff to library faculty. As a library faculty member, the employee will no longer be eligible to accrue vacation leave. Upon change to library faculty the employee will receive 20 days of vacation (160 hours). Their vacation accrual will automatically reset each August 1st with 160 hours. No annual carryover.

Sick Leave will be based on faculty sick leave policy. No payout upon separation from employment. No option to carryover faculty sick leave.

Family and Medical Leave Policy

1. Policy

It is the policy of XULA, to grant up to 12 weeks of FMLA leave during any 12-month period to eligible full and part time staff for the birth of a child and to care for such child; for the placement of a child for adoption or foster care; to care for a spouse or an immediate family member with a serious health condition; when the staff employee is unable to work because of their own serious health condition or injury; and to care for a the spouse, son or daughter, parent or next of kin of a covered military service member with a serious injury or illness.

Once the leave period is concluded, XULA will reinstate the staff employee to the same or an equivalent job with equivalent benefits, pay and other terms or conditions of employment.

FMLA leave is unpaid leave and an employee must use accrued sick leave or vacation leave or a combination of the two to receive compensation while on FMLA leave.

2. Eligibility:

In order to qualify to take FMLA, the employee must meet length of employment conditions:

- a. Regular full-time and eligible part time employees must have worked for a minimum of 12 months or 52 weeks, and a minimum of 1250 hours during the twelve month period prior to the start of leave.
- b. If the FMLA leave is for the birth of a child or to care for a dependent child, and both the husband and wife are employed with XULA, the husband and wife are entitled to a combined total of 12 weeks of FMLA leave. Unmarried (domestic) partners or individuals who are not legally married are not covered by XULA's Family and Medical Leave policy.

3. Types of Leave Covered

In order to qualify for FMLA under this policy, the eligible employees must be taking the leave for one of the following reasons:

- a. The inability of the employee to perform the essential duties and responsibilities of his or her position because of a serious health condition.
- b. The birth and care of a newborn child.
- c. The adoption of a child or receiving a child for foster care.
- d. The care of a spouse, dependent child or parent with a serious health condition. (Parent is defined as mother, father or someone who functioned as a mother or father). In-laws are not covered by the FMLA leave and unmarried partners are excluded.
- e. In order to care for a service member with a serious illness or injury if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

- f. Because of a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty in the National Guard or Reserves (or has been notified of an impending call or order to active duty) in support of a contingency operation.

Note: The Family and Medical Leave Act has been amended to provide an eligible staff employee who is the spouse, son, daughter, parent, or the next of kin of a covered military service member with a serious illness or injury the ability to take up to 26 weeks of leave. The leave shall only be available during a single 12-month period.

4. Medical Need for Intermittent/Reduced Schedule Leave

The FMLA leave permits staff employees to take leave on an intermittently or on a reduced leave schedule under certain conditions. Intermittent leave may be taken for the birth of a child, (and to care for such child, and for the placement of a child for adoption or foster care). Leave for a serious health condition (either the staff employee's or family member) may be taken intermittently or on a reduced leave schedule when medically necessary.

Staff employees requiring intermittent leave or leave on a reduced leave schedule must attempt to schedule their leave so as not to disrupt XULA or their department's operations. In addition, XULA may assign a staff employee to an alternative work schedule with equivalent pay and benefits that better accommodate the staff employee's intermittent or reduced leave request. If the healthcare provider cannot accommodate the employee or their family member at a time that would not be disruptive to XULA or the staff employee's department, then the employee will be provided time off. The healthcare provider will be the final decision maker regarding an employee's appointment times and treatment.

5. Procedure for Requesting Leave

- a. When a staff employee plans to take leave under this policy, the employee must complete a FMLA Request Form and submit it to his or her supervisor at least 30 days prior to the starting date of the leave. If the reason for the staff employee's leave is a bonafide medical emergency then the staff employee or their designee must contact the employee's supervisor within two days of the occurrence.
- b. The employee's supervisor completes the employer section of the Certification of Health Care Provider for Employee's Serious Health Condition form and sends the approved leave request to the Director of Human Resources or his designee for final approval. The 30 days notice will not be required in the case of FMLA resulting from the faculty member being hospitalized because of a bona fide medical emergency.
- c. The staff employee must go to the Human Resources Department where the FMLA process, rights and responsibilities will be explained. The staff employee will be given the following forms that must be completed and returned to Human Resources before starting FMLA leave:
 - FMLA Leave Request Form
 - Certification of Healthcare Provider for Employees with a serious health condition
 - Notice of Eligibility and Rights & Responsibilities (FMLA)

- Designation Notice
- Certification of qualifying Exigency For Military Leave (If applicable)
- Certification for Serious Injury or Illness of Covered Service member for Military Leave (If applicable)

6. Certification of Serious Medical Condition

If a staff employee requests FMLA because of his or her own serious health condition, or the serious health condition of a spouse, dependent, child or parent, XULA will ask the staff employee to obtain certification of the serious health condition from a licensed physician. The staff employee must respond within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide a certification by a licensed physician will result in a denial of continuation of FMLA. Using the Medical Certification Form, which may be obtained from the Human Resources Department, can provide medical certification.

The FMLA permits XULA to ask for a second opinion. If it is necessary to resolve a conflict between the original certification and the second opinion, XULA and the employee will jointly select a third doctor and the opinion of that doctor will be considered final.

7. Employee Status & Benefits during Leave

While the employee is on FMLA, XULA will continue to pay its contributions toward the employee's insurance benefits as long as the employee continues to pay his or her share of the premiums.

XULA will not make contributions to the employee's retirement plan while the employee is on unpaid FMLA.

8. Use of Paid and Unpaid Leave

If a staff employee request FMLA and the staff employee has accrued paid sick or vacation leave, the staff employee must use paid leave first as part of the 12 weeks of leave and if the staff employee does not have enough accrued leave to cover the FMLA absence, the remaining time will be taken as unpaid leave.

9. Employee status after returning from Family and Medical Leave

An employee who take FMLA will be offered, upon return from leave, the same job or one which entails substantially equivalent skill, effort, responsibility, authority, equivalent status, pay, benefits and other employment terms, provided the leave (paid or unpaid) does not exceed 12 weeks. Upon return from FMLA, the employee will be restored to the same benefits as if he or she continued to work the entire time that he or she was on FMLA.

10. Returning from Family or Medical Leave

An employee who is on FMLA must give his or her department chairperson two weeks notice prior to returning from FMLA. If the staff employee is on FMLA because of his or her own serious health

condition, the employee must obtain a physician's letter authorizing the employee to return to work. The physician must also list any restrictions the staff employee may have or accommodations the staff employee may need in performing the essential functions of his or her position.

Health Insurance

A health insurance plan is available to all eligible full-time and part-time employees. Eligible employees may enroll themselves and their eligible dependents (legally married spouses and children up to age 24 if enrolled as a full time college student) in the healthcare plan at the beginning of their employment or during the "open enrollment" period. (An open enrollment period is a designated period when employees who did not enroll in a benefit plan during their first thirty days of employment may enroll themselves and any eligible dependents). Unmarried partners are not eligible for health insurance coverage. Health insurance coverage begins on the first day of the month following the employee's date of hire. Health insurance coverage terminates the last day of the month in which an employee is no longer employed with XULA or is no longer in a benefit eligible position. The plan document or the Director of Human Resources will determine the specific timelines for initial enrollment and open enrollment. Information about changes, cessation of enrollment, continuation of coverage after separation from employment and portability, will be found in the plan document. XULA determines the amount that it will contribute to the employee's health insurance premium. Eligible employees will be responsible for paying the difference between XULA's contribution and the actual premium cost.

For additional information on XULA health insurance plan contact the Human Resources Department.

HIPAA Notice of Privacy Practices

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

Xavier University's Pledge to You

This notice is intended to inform you of the privacy practices followed by the Xavier University of Louisiana Group Health Plan. It also explains the federal privacy rights afforded to you and the members of your family as plan participants covered under a group health plan.

As a plan sponsor, Xavier University of Louisiana often needs access to health information in order to perform plan administrator functions. We want to assure the plan participants, covered under our group health plan, that we comply with federal privacy laws and respect your right to privacy. We require all members of our workforce and third parties that are provided access to health information comply with the privacy practices outlined below.

Uses and Disclosures of Health Information

Health Care Operations

We use and disclose health information about you in order to perform plan administration functions such as quality assurance activities, resolution of internal grievances, and evaluating plan performance. For example, we review claims experience in order to understand participant utilization and to make plan design changes that are intended to control health care costs.

Payment

We may also use or disclose identifiable health information about you without your written authorization in order to determine eligibility for benefits, seek reimbursement from a third party, or coordinate benefits with another health plan under which you are covered. For example, a health care provider that provided treatment to you will provide us with your health information. We use that information in order to determine whether those services are eligible for payment under our group health plan.

Treatment

Although the law allows use and disclosure of your health information for purposes of treatment, as a plan sponsor we generally do not need to disclose your information for treatment purposes. Your physician or health care provider is required to provide you with an explanation of how they use and share your health information for purposes of treatment, payment, and health care operations.

As permitted or required by law

We may also use or disclose your health information without your written authorization for other reasons as permitted by law. We are permitted by law to share information, subject to certain requirements, in order to communicate information on health-related benefits or services that may be of interest to you, respond to a court order, or provide information to further public health activities (e.g. preventing the spread of disease) without your written authorization. We are also permitted to share health information during a corporate restructuring such as a merger, sale, or acquisition. We will also disclose health information about you when required by law, for example, in order to prevent serious harm to you or others.

Pursuant to your Authorization

When required by law, we will ask for your written authorization before using or disclosing your identifiable health information. If you choose to sign an authorization to disclose information, you can later revoke that authorization to cease any future uses or disclosures.

Individual Rights***Right to Inspect and Copy***

In most cases, you have a right to inspect and copy the health information we maintain about you. If you request copies, we will charge you \$0.05 (5 cents) for each page. Your request to inspect or review your health information must be submitted in writing to the person listed below.

Right to an Accounting of Disclosures

You have a right to receive a list of instances where we have disclosed health information about you for reasons other than treatment, payment, health care operations, or pursuant to your written authorization.

Right to Amend

If you believe that information within your records is incorrect or if important information is missing, you have a right to request that we correct the existing information or add the missing information.

Right to Request Restrictions

You may request in writing that we not use or disclose information for treatment, payment, or other administrative purposes except when specifically authorized by you, when required by law, or in emergency circumstances. We will consider your request, but are not legally obligated to agree to those restrictions.

Right to Request Confidential Communications

You have a right to receive confidential communications containing your health information. We are required to accommodate reasonable requests. For example, you may ask that we contact you at your place of employment or send communications regarding treatment to an alternate address.

Right to Receive a Paper Copy of this Notice

If you have agreed to accept this notice electronically, you also have a right to obtain a paper copy of this notice from us upon request. To obtain a paper copy of this notice, please contact the person listed below. We are required by law to protect the privacy of your information, provide this notice about information practices, and follow the information practices that are described in this notice.

We may change our policies at any time. Before we make a significant change in our policies, we will provide you with a revised copy of this notice. You can also request a copy of our notice at any time.

If you have any questions or complaints, please contact:

The Office of Human Resources, Benefits Administrator
Xavier University of Louisiana
1 Drexel Drive, Box 104
New Orleans, LA 70125
504-520-7537, awaddel1@xula.edu

Complaints

If you are concerned that we have violated your privacy rights, or you disagree with a decision we made about access to your records, you may contact the person listed above. You also may send a written complaint to the U.S. Department of Health and Human Services — Office of Civil Rights. The person listed above can provide you with the appropriate address upon request or you may visit www.hhs.gov/ocr for further information.

Life Insurance (Basic)

XULA provides basic life insurance to full and eligible part-time employees. This benefit is provided at no cost to employees. The amount of insurance is equivalent to one times the employee's annual salary. Please contact the Human Resources Department for specific information.

Long Term Disability

All full time regular employees who have completed one year of employment are eligible for long term disability benefits at no cost to the employee. Eligible full time employees who have a disabling illness or injury must complete a three-month waiting period before benefits become available to the employee. Please refer to the summary plan description or contact the Human Resources Department for specific information.

Life Insurance (Voluntary)

In addition to the basic life insurance plan, full time and eligible part-time employees may elect to participate in a voluntary life insurance plan. Specific information about voluntary life insurance is available from the Human Resources Department. This benefit is paid entirely by the employee through payroll deduction.

Dental Insurance (Voluntary)

Dental insurance is available to eligible full and part-time employees and their eligible dependents. Unmarried partners are not eligible for dental insurance coverage. Enrollment forms and summary plan description are available from the Human Resources Department.

Vision Insurance (Voluntary)

Vision insurance is available to eligible full and part-time employees and their eligible dependents. Unmarried partners are not eligible for vision insurance coverage. Enrollment forms and summary plan description are available from the Human Resources Department.

Cancer Insurance (Voluntary)

Employees may enroll in the cancer insurance program that would provide the employee and or eligible dependents specific payments or reimbursements according to the provisions of the selected plan.

This benefit is only available during open enrollment.

Cancer insurance is available to eligible full and part time employees.

Flexible Benefits Plan (Voluntary)

XULA'S Flexible Benefits Plan allows eligible employees to pay for their dependent childcare expenses, unpaid health, and dental insurance expenses for themselves and their eligible

dependents, with pre-tax dollars. Information about the Flexible Benefits Plan and enrollment forms are available from the Human Resources Department.

Credit Union (Voluntary)

Membership enrollment in the XULA Federal Credit Union is voluntary and is available for regular full and part-time employees and their eligible dependents. XULA Federal Credit Union is not a part of XULA but a separate legal entity that is either owned or operated by XULA. The employee should contact the XULA Federal Credit Union for specific information.

Travel

Travel for XULA business, not including travel to and from the employee's regular work location, when not provided by XULA shall be reimbursed at the approved rate. Out of town expenses must be approved in advance. Requests for reimbursement of travel expenses must be submitted within the time specified in order for the employee to be reimbursed under this policy. If an employee owes XULA money from a travel advance or a university credit card, the money is to be repaid according to the guidelines established by university policy. Employees must comply with university policies regarding completing travel expense documents and reimbursing the university for any monies owed. Failure to comply with these policies will result in the debt owed XULA being deducted from the employee's paycheck and the credit card being returned to XULA. XULA may also invoke corrective action if the employee fails to comply with the XULA travel policies.

Employees may contact Fiscal Services for additional information.

Educational Assistance Policy

The spouse and any unmarried dependent children, up to the age of 24, of eligible employees may attend undergraduate courses at XULA free of tuition during the fall and spring semesters (summer and enrichment courses are not included) as long as the employee retains his/her eligibility status. A spouse is defined as the employee's legally married husband or wife. Proof of marriage is required. Dependent children are defined as the employee's natural born children, adopted children, stepchildren or when the employee is the legal guardian of a dependent child. A waiver of one-third of graduate tuition is also available. The tuition waiver does not cover fees, books, etc. Spouses and dependent children will be required to file an application with the Office of Student Financial Aid to determine eligibility for financial aid. The Senior Vice President for Administration can waive this requirement.

All full time employees who have successfully completed their evaluation period are eligible to attend one course per semester tuition free in the undergraduate college (Arts and Sciences) with the approval of the immediate supervisor. The course can be taken during regular office hours; the subject must be related to present work or anticipated future assignments.

One-third tuition waiver for graduate school tuition is available to staff who pursue graduate courses.

Eligibility

Employees must have completed one year of employment before a spouse or a dependent child of a staff member can receive a tuition waiver.

Limitations

The spouse or dependent child must be admitted to XULA and must meet all academic and other tuition waiver requirements for a period not to exceed nine semesters. The same limitation of nine semesters applies to spouses or dependents enrolled in the College of Pharmacy, i.e., students will receive tuition waiver for a maximum of nine semesters (based on undergraduate CAS tuition) after which they will receive one-third tuition waiver for the P3 and P4 (5th and 6th) years in the College of Pharmacy.

To retain eligibility, the spouse or dependent child must maintain a minimum grade point average of 2.0. Students who are placed on academic probation will be allowed one additional semester on tuition waiver in order to meet eligibility requirements, after which they must be enrolled in the University at their own expense to improve their grade point average to the required level.

Bereavement Leave

Only regular full-time and eligible part-time employees may take bereavement leave.

A bereavement leave of up to three days without loss of pay shall be granted in event of death of spouse, parent, child, brother, sister, grandparent, or grandchild. An employee may request the use of vacation leave or leave without pay if additional time off is needed. Approval from the employee's supervisor is needed when granting vacation leave or leave without pay for bereavement purposes. Bereavement leave will not be granted in the event of the death of other relatives; however, the employee may request vacation leave.

Verification may be requested at the discretion of the supervisor. Bereavement leave will be paid only for regularly scheduled hours.

School or Day Care Conference and Activities

It is the policy of XULA to grant up to a total of 16 hours during any 12 month period for eligible full-time and eligible part-time employees to attend, observe, or participate in conferences or classroom activities related to the employee's dependent children; this period shall be from January 1 through December 31 in a calendar year. The leave may be paid leave (vacation leave), unpaid leave or a combination of paid and unpaid leave depending on whether the employee has accrued vacation leave at the time the request for leave is made.

In order to qualify to take School or Day Care Conference and Activity Leave the employee must have successfully completed their probationary period.

An employee must request School or Day Care Conference and Activities Leave five days prior to the date of leave. The supervisor has the authority to approve or deny the leave depending on the needs of the department.

Unpaid Leave of Absence

Leave extending beyond the maximum number of accrued vacation days may be granted to exempt and non-exempt employees. In special cases, inactive employment leave of absence may be granted for periods not to exceed one year. A request for an unpaid leave of absence must be approved by the supervisor and the vice present for the employee's area. Final approval by the President may be required before an unpaid leave of absence is taken.

During an unpaid leave of absence, the employee will be responsible for continuing their insurance benefits by making the appropriate premium payments. Arrangements for payment must be made in advance with the Human Resources Department. Failure to continue payments will result in benefits being cancelled. The maximum time off for an unpaid Leave of Absence is one year. An employee on an unpaid leave of absence is not guaranteed reemployment.

Court Leave

Leave may be authorized for an employee summoned to appear in court as a juror or as a witness. Any employee called for jury duty must notify his or her supervisor upon receipt of summons. The following procedures will also apply:

1. Before court leave will be granted, an employee must show his or her supervisor the order or subpoena, which requires his or her attendance in court.
2. Upon the completion of court leave, an employee must submit, to his or her supervisor, a certificate of attendance signed by an appropriate court official.
3. The employee serving as a juror or as a witness is expected to return to work if he or she is dismissed prior to 1:00 pm. Employees whose shifts start after 3:00 pm are expected to come to work unless he or she is called to serve on a jury.
4. The employee will be paid at his or her regular rate of pay for any time involved with court leave.

Military Leave

An employee who enlists for active military service or an employee who is a Reservist or in the National Guard and is required to serve on active military status will be placed on unpaid military leave for the duration of his or her active military duty. Upon compliance with any applicable laws or regulations, an employee may be returned to the employment of XULA upon discharge from active military duty. At that time, XULA will comply with applicable laws and regulations and may,

pursuant to such law, return the person to his or her former position or one that is similar in seniority, status and pay within two or three weeks after re-application. The employee will retain seniority for purposes of benefits upon his or her return to work. For details of procedures to be followed in seeking re-employment, employees should contact the Department of Human Resources.

An employee who is in the National Guard or Reserves and is required to serve an annual training period will be placed on military leave. During the military leave of absence, the employee will not receive compensation from XULA, unless the employee directs the Human Resources Department that he or she would like to use accrued vacation. During a military leave for training purposes XULA will continue to contribute towards the employee's benefits, however, the employee will be required to pay his or her portion during the military leave period. If the employee is contributing to the retirement plan, XULA will continue to make contributions on behalf of the employee.

The Following procedures will be used for requesting Military Leave

1. The employee who is requesting military leave is to present their military leave orders to their supervisor thirty (30) days prior to taking military leave unless there is a national or state emergency which requires immediate call up of the employee. A copy of the leave order is to be sent to the Human Resources Department for processing.
2. Staff employees in academic departments are to send a copy of their military leave order to the Dean of the College of Pharmacy or the Dean for the College of Arts and Sciences.

When an employee is discharged from active military service the employee is to notify his or her supervisor thirty days prior to returning to work.

VIII. GENERAL POLICIES AND PROCEDURES

Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act of 1974 (FERPA or the Buckley Amendment) is a United States federal law codified at 20 U.S.C. § 1232g, with implementing regulations in title 34, part 99 of the Code of Federal Regulations. The regulations provide that educational agencies and institutions that receive funding under a program administered by the U.S. Department of Education must provide students with access to their education records, an opportunity to seek to have the records amended, and some control over the disclosure of information from the records. With several exceptions, schools must have a student's consent prior to the disclosure of education records. Examples of situations affected by FERPA include school employees divulging information to someone other than the child's parents about a child's grades or behavior, and school work posted on a bulletin board with a grade.

This privacy policy also governs how state agencies transmit testing data to federal agencies.

The law allows students who apply to an educational institution such as graduate school permission to view recommendations submitted by others as part of the application. However, on standard application forms, students are given the option to waive this right.

FERPA specifically excludes employees of an educational institution if they are not students.

The act is also referred to as the Buckley Amendment, named for one of its proponents, Senator James L. Buckley of New York.

Conflict of Interest Policy and Disclosure Form

I. Purpose and Scope of the Policy

a. Purpose

The purpose of this policy is to avoid both actual and apparent conflicts of interest between Principal Investigator's (PIs) federally sponsored project obligations and private financial interests.

Federal regulations require institutions to have policies and procedures that ensure that PIs disclose any significant financial interests that may present an actual or potential conflict of interest in relation to federally sponsored projects. Such disclosure must be made prior to the submission of a proposal for funding or at the time a potential conflict develops during the conduct of a funded project.

b. Scope

This policy shall apply to all federally funded projects. As described below, the University may elect to apply the disclosure requirements of the Policy to certain University managed programs if those

programs so request, and if the Senior Vice President for Resource Development subsequently grants their requests.

Xavier University's Conflict of Interest Policy is consistent with Public Health Service Regulations, "Objectivity in Research," 42 CFR, Part 50.603; 45 CFR, Part 94.3; and National Science Foundation regulations, "Investigator Financial Disclosure Policy" as well as OMB Circular A-110, Subpart C – "Post Award Requirements and Procurement Standards." These federal regulations require the University to maintain appropriate written policy on conflict of interest disclosure as a condition for receiving federal grants.

II. Definitions

Designated University Official "(hereafter referred to as "Official") is the responsible administrative official with immediate supervisory authority over the PI. Normally, the Official will be the department chair. For administrative units in which there are no departments, or if the PI is a department chair, the Official will be the Dean. For Directors and Deans, the appropriate Senior Vice President will serve as the Designated University Official.

"Investigator" means the Principal Investigator and any other person at the University who is responsible for the design, conduct, and/or reporting of activities for the proposed or ongoing project. For the purposes of the requirements of the subpart relating to financial interests, "Investigator" includes the Investigator's spouse and children.

"Significant Financial Interests" (hereinafter referred as "Interests") means anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g. patents, copyrights, and royalties from such rights); and other related interests or activities of the Investigator that possibly could affect, or be perceived to affect, the result of the research or educational activities funded or proposed for funding. The Investigator's interests are related to a project, if the work to be performed under the project, or the results of such work, can be expected to have an impact on the Investigator's interests. Such relationships include project subcontracts, leases and purchases. The form used for the disclosure process is called the "Conflict of Interest Disclosure Form."

1. Inclusions – The following Interests and activities apply with respect to federally sponsored projects.
 - a. Income including salary, consulting payments, honoraria, reimbursement of expenses, royalty payments, dividends, or any other payments or considerations from a single business entity or their nonprofit affiliate entity exceeding \$10,000 per annum when aggregated for the Investigator, the Investigator's spouse and dependent children.
 - b. Equity in the form of stock, stock options, real estate, or any other investment of ownership representing more than a 5% interest for any one entity when aggregated for the Investigator, the Investigator's spouse and dependent children.

- c. A position as director, officer, partner, trustee, or member of board of directors of any business entity.
2. Exclusions
 - a. Income from seminars, lectures, or teaching engagements sponsored by public or non-profit entities.
 - b. Income from service on advisory committees or review panels for public or non-profit entities.
 - c. Salary, royalties, or other remuneration from a single business entity or any ownership interests in that entity is an applicant under the Small Business Innovation Research Program or Small Business Technology Transfer Program.
 - d. Stock holdings such as diversified or mutual funds where the Investigator is unaware of specific stocks held.

The Office of the Senior Vice President for Resource Development will review all issues related to this policy.

III. Disclosure Requirements

Investigators must fully disclose to the Office of the Senior Vice President for Resource Development all interests for each federal project at the time the proposal to fund the project is submitted. Disclosure must be made on the Proposal Clearance Form, indicating the possible conflict of interest. Likewise, Investigators must provide updates of such Interests on an annual basis and/or whenever they acquire new Interests.

IV. Review, Management or Elimination of Conflict of Interest

When an Investigator has Interests that would reasonably appear to be directly or significantly affecting the federally sponsored project, the Senior Vice President for Administration, based on recommendations from the Senior Vice President for Resource Development and Senior Vice President for Academic Affairs, may rule that the project may not proceed. In situations where reasonable doubt exists about the conflict of interest, certain conditions or restrictions may be imposed. These may include, but are not limited to:

- a. Public disclosure of Interests;
- b. Monitoring of the project by independent reviewers;
- c. Modification of the project or plan;
- d. Disqualification from participation in all or a portion of the project;
- e. Divestiture of Interests; and/or
- f. Severance of relationships that create actual or potential conflicts.

V. Appeal Process

An Investigator may appeal the decision made by the Senior Vice President for Administration. Such appeal should be brought before the University Research Committee whether the project involves research, education and/or program development. This Committee will review the conflict and make recommendations to the President to either accept the decision or suggest a modified plan.

VI. Sanctions

Failure to file a complete Conflict of Interest Disclosure Form for a federally sponsored project will be grounds for disciplinary action imposed by the Senior Vice President for Administration. In addition, failure to comply with requirements to file a complete and accurate disclosure may result in the termination of current awards and/or the Investigator becoming ineligible to receive future awards.

Administration of Policy

This policy will be administered in the Office of the Senior Vice President for Resource Development.

Xavier University of Louisiana Conflict of Interest Disclosure Form

Faculty/Staff Name: _____

Department/Unit: _____

College/Unit: _____

Agency to/by which proposal is being Submitted or Funded: _____

I am disclosing the following significant financial interests (see list below and check all that apply) attaching supporting documentation (in an envelope marked Confidential) that identifies the business enterprise or entity involved and the nature and amount of interest.

Significant financial interests are defined as interests valued at greater than \$10,000 or an equity ownership of more than 5% held by an Investigator and the Investigator's spouse or dependent children. See Conflict of Interest policy for exempt interests.

Salary or other payment for services (e.g., consulting fees or honoraria)

Equity interests (e.g., stocks, stock options, or ownership interests)

Intellectual property rights (e.g., patents, copyrights, and royalties from such rights)

Other significant financial interests of the Investigator that possibly could affect or be perceived to affect the results of the research or educational activities funded or proposed for funding.

At this time, I have no known conflicts of interest with this proposal.

I agree to: (1) Update this disclosure during the performance period of this award, either on an annual basis, or as new reportable, significant financial interests are obtained; and (2) Comply with any conditions or restrictions imposed by the University to manage, reduce, or eliminate actual or potential conflicts of interest or forfeit the award.

I have read and understand the university's conflict of interest policy and have made all financial disclosures required by it and will comply with any conditions or restrictions imposed by the institution to manage, reduce or eliminate actual or potential conflicts of interest.

Signature of Investigator _____ Date _____

Conflict of Interest Policy for Officers and Key Management

I. Purpose of Policy

Xavier University is a nonprofit, tax-exempt entity that receives charitable contributions from the public and grants from federal, state and local agencies. Maintenance of the University's tax-exempt status is important both for its continued financial stability and for the receipt of contributions, public support, gifts and grants. Therefore, the federal government, state, local, corporate and individual contributors view the operations of the University as a public trust, accountable to both governmental authorities and members of the public.

Among the University and its Board of Trustees (the Board), officers, and key management employees there exists a fiduciary duty, which carries with it a broad and unbending duty of responsibility. The Board of Trustees, officers, and key management employees and responsible for administering the affairs of the University honestly and prudently, and for exercising their positions shall exercise the utmost good faith in all transactions involved in their duties and they shall not use their positions with the University or knowledge gained for their personal services must be addressed on a basis that secures for the University full competitive advantages as to product, service, and price

II. Policy

This policy has been prepared to ensure that both actual and apparent conflicts of interest involving officers, key management employees as well as those employees annually designated by the Board who influence the actions of the University or the Board, or make commitments on their behalf are either avoided or properly disclosed. All personnel such as officers (President, Senior Vice-Presidents, Vice Presidents), all other persons who might be described as "key management personnel" including Deans, Associate Deans and Associate Vice-Presidents, Departmental Chairpersons and Directors and all who have proprietary information concerning the University are included within the scope of this policy. Such personnel are hereinafter described as designated employees.

III. Conflict of Interest

Although most conflicts of interest that arise maybe deemed inconsequential, it shall be the responsibility of each designated employee of the University to ensure that the Board of Trustees, the President and Senior Vice-President of Administrations (Senior Vice-President) is made aware of situations that involve personal, familial, or business relations that could be troublesome for the University. The following definitions are provided to assist designated employees in determining whether a conflict of interest exists.

A conflict of interest may arise in the relations of designated employees with any of the following third parties:

- Persons or entities supplying goods and services to the University.

- Persons or entities from which the University leases property and equipment.
- Persons or entities with whom the University is involved with or planning to be involved with in connection with the gift, purchase, or sale of real estate, securities, or other property.
- Persons or entities paying honoraria or royalties for products or for services delivered by the University for its agents or employees.
- Other nonprofit Organizations.
- Donors and others supporting the University.
- Agencies, organizations, and associations that affect the operations of the University.

A material conflicting interest may be defined as an interest may be defined as an interest, direct or indirect, between any person or entity previously identified and a designated employee, which might affect, or might reasonably be thought by others to affect, the judgment or conduct of a designated employee of the University. A conflict of interest might arise through:

IV. Direct Conflicts of Interest

- Owning stock or holding debt or other proprietary interests valued at more than \$10,000 in any third party involved with the University, except equity in a publicly traded company amounting to less than 5 percent ownership in the company.
- Holding office, serving on the Board of Directors, participating in management, or being otherwise employed (or formerly employed) by any third party involved with the University.
- Receiving remuneration for services with respect to individual transactions involving the University.
- Using the University's personnel, equipment, supplies, or goodwill for other than University-approved activities, programs, and purposes.
- Receiving personal gifts or loans from third parties involved with the University. (Receipt of any gift is disapproved except gifts of nominal value, which could not be refused without discourtesy. No personal gift of money should ever be accepted.)
- Obtaining an interest in real estate, securities, intellectual property or other property valued at \$10,000 or more that the University might consider buying or leasing.
- Expending staff time during the University's normal business hours for personal affairs or for other Universities/Organizations, civic or otherwise, to the detriment of work performance for the University.

V. Indirect Conflicts of Interest

As previously discussed, conflicting interest may be indirect. A designated employee will be considered to have an indirect interest in another entity or transaction if any of the following also have an interest:

- A family member of the designated employees. (Family member is defined for these purposes as all persons related by blood or marriage).
- An estate or trust of which the designated employee or member of their family is a beneficiary, personal representative, or trustee.

- A company of which a member of the family of the designated employee is an officer, director, or employee, or in which they have ownership or other proprietary interests.

VI. Other Conflicts of Interest

Designated employees shall not encourage or accept gifts, favors or gratuities, for themselves or family members, from any individuals or entity that to the designated employee's knowledge has, or seeks to have a business relationship with the University.

If a designated employee becomes aware of a business, investment or other potentially valuable opportunity that rightfully belongs to the University, and not to the designated employee individually or another entity with which the designated employee is affiliated, the designated employee shall bring the opportunity to the attention of the Board.

Designated employees may not use confidential information acquired as a result of service to the University for any purpose unrelated to the University's business, or provide such information to any third party, without the consent of the Board. Inappropriate use of University information, includes, but is not limited to, use or disclosure of information to engage, invest or otherwise participate in any business, project, venture or transaction other than through the University.

The areas of conflicting interest previously discussed and the relations in those areas which may give rise to conflict, as previously listed, are not exhaustive. Conceivably, conflicts might arise in other areas or through other relations. It is assumed that the designated employee will recognize such areas and relation by analogy.

The fact that one of the conflicting interests previously described exists does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances that it is necessarily adverse to the interests of the University. However, it is the policy of the Board of Trustees that the existence of any of the conflicting interest shall be disclosed before any transaction is consummated. It shall be the continuing responsibility of designated employees to scrutinize their transactions with outside business interest and relationships for potential conflicts and to immediately make such disclosures.

VII. Disclosure Procedure

All designated employees are required to indicate in the Certification Section of this policy and on the Annual Disclosure Form only those relationships that they maintain (or members of his or her family maintain) with organizations that do business with the University or otherwise could be construed to potentially affect their independent unbiased judgment in light of their decision-making authority or responsibility. In the event a designated employee is uncertain as to the appropriateness of listing a particular relationship, the Senior Vice-President should be consulted.

The Certification and the Annual Disclosure Form should be submitted to the Senior Vice President (or if he is the one with the conflict, then to the President), who shall bring these matters if material

to the attention of the President and subsequently the Board of Trustees Executive Committee (Executive Committee).

Prior to the Annual Disclosure, if a potential conflict of interest arises in a pending or proposed transaction or business arrangement involving the University, the designated employee shall promptly disclose to the Senior Vice-President the existence of the interest and other material information that the designated employee may have regarding the transaction or arrangement.

Annually, each designated employee shall sign and submit to the Senior Vice-President, an Annual Conflict of Interest Disclosure Form detailing all material financial interests, known to the designated employee, of the designated employee or a family member, in many outside entity with which the designated employee knows the University has or is considering a transaction or other business relationship, or affirming that the designated employee knows of no such interest. The Senior Vice-President should submit his/her Disclosure Form to the President.

VIII. Review of Conflict of Interest

The Senior Vice-President, or the President, as appropriate, shall review the designated employees' Certification and Annual Disclosure Statements to determine whether a material conflict of interest has been disclosed. If a material conflict of interest has been disclosed, the Senior Vice-President shall promptly submit to the Executive Committee the Certification and disclosure forms together with any additional information about the current or proposed transaction or business relationship that may give rise to a conflict of interest that the President/Senior Vice-President in consultation with the Executive Committee believes may be informative.

The Executive Committee shall review the matter and determine whether there is a conflict of interest. If the interests being reviewed involve either the President or Senior Vice-President, they shall not participate in or be present during the Executive Committees' consideration of the matter except as required by the Executive Committee may review such information as it deems pertinent, including posing questions to the interested designated employee involved. If the Executive Committee determines that there is a conflict of interest, it shall so advise the designated employee, who shall have an opportunity to address the matter with the Executive Committee.

If a conflict of interest determination is referred to the Board of Trustees, either following review by the Executive Committee or if disclosure is made in the first instance to the Board (for example, where a designated employee becomes aware of a possible conflict of interest during or just before a meeting of the Board), the Board shall decide whether a conflict of interest exists.

The Board may questions the designated employee and the designated employee shall have an opportunity to address to the Board whether there is a conflict. The designated employee shall leave the Board Meeting while the members of the Board determine, by majority vote, whether the interest gives rise to a conflict of interest. If it is determined that no conflict of interest exists, the designated employee shall be informed of the Board's decision by the Senior Vice-President.

Whenever the Executive Committee holds a meeting at which a designated employee's conflict of interest in a matter is disclosed, a determination regarding the existence of a conflict of interest is made, or a transaction or arrangement with respect to which a designated employee has a conflict of interest is considered, the Executive Committee's consideration of these issues shall be reflected in the minutes of the meetings.

IX. Actions Not Void or Voidable

No transaction or action undertaken by the University shall be void or voidable, or may be challenged as such by an outside party, by reason of having undertaken in violation of this policy or the principles set forth herein.

Certification Form

I have carefully read the foregoing Statement of Policy concerning Conflicts of Interest. In signing this certificate, I have considered not only the literal expression of the policy, but also its intents. I hereby certify that, except as hereinafter stated, I do not, to the best of my knowledge: (1) have any of the conflicting interest relations with any person or firm of the classes listed in Section III of the Conflict of Interest Policy; and (2) I have no interests conflicting with the interests of this University, or do I have any relationship that may appear conflicting.

THE EXCEPTIONS ARE

If any situation should arise in the future which I believe may involve me in a conflict of interest, I will promptly and fully disclose the circumstances to the Senior Vice President of Administration.

(Signature)

(Date)

Annual Conflict of Interest Disclosure Form

A conflict of interest may relate to you, your spouse, family members, business interests, and/or associates. Conflicts of interest may arise when one party has the ability to significantly influence the management or operating policies of the other, to the extent that one of the transacting parties might be prevented from fully pursuing the interests of Xavier University of Louisiana rather than his/her own separate interests.

Considering the period from _____ to date: _____

1. I (or a party related to me) hold, directly or indirectly, a position of financial interest in excess of \$10,000 in an outside concern from which the University secures goods of services.	_____	_____
2. I (or a related party of mine) Render directive, managerial, or consulting services to, or am an employee of an outside concern that does business with the University.	_____	_____
3. I have accepted gifts or other benefits from an outside concern that does, or is seeking to do, business with the University.	_____	_____
4. I have participated in management decisions concerning transactions that affect or benefit me, my family, or my personal financial interest (other than ordinary management decisions on employment matters such as compensation).	_____	_____
5. I (or a related party of mine) have been indebted to an Organization involved or planning to be involved with the University at some time during the above stated period. If so, please note the nature, date, terms and amount.	_____	_____
6. An organization involved or planning to be involved with the University has been indebted to me (or a related party of mine) at some time during the above stated period. If so, please note the nature, date, terms and amount.	_____	_____

*If you answered “YES” to any of these statements, please provide further explanation and information on the conflict of interest transactions, including the specific organizations that give rise to the conflict of interest

(Signature)

(Date)

Cooperating with an Internal Investigation

- a. Employees are expected to cooperate completely in any internal investigation conducted by XULA. This shall include investigations conducted of another employee while the employee is on administrative or disciplinary suspension or cooperation with the grievance committee or its representatives during grievance procedures. It shall also include investigations into any claims of discriminatory conduct, illegal conduct or other improper conduct of XULA employees or students. Failure of an employee to cooperate with any investigation as defined herein may result in corrective action or termination.
- b. Cooperating with an internal investigation also includes providing information that is requested by a government agency (e.g., EEOC, U. S. or State and local regulatory agencies etc.) or subpoenas issued by a court.

Unauthorized Sales, Solicitation and Distribution on XULA

Solicitation and Sales

Employees are prohibited from soliciting other employees or selling goods or services in work areas. Solicitations that are approved by the President or his designee for the benefit of XULA or community may be permitted. (i.e. United Negro College Fund, XULA fund drives and United Way).

Distribution Rules

Employees are not permitted to distribute printed materials of any kind in work areas without prior approval from the Vice President's Office for Student Services. XULA reserves the right to prohibit or remove any printed materials from bulletin boards at any time.

Non-Employee Rule

Sales, solicitation, distribution of goods or printed materials by non-employees on XULA's property is prohibited at all times.

Whistle Blower Policy

General

Xavier University of Louisiana requires officers, deans, departmental chairpersons, faculty and administrative staff to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the University, mandates honesty and integrity in fulfilling responsibilities and complying with all applicable laws and regulations.

Reporting Responsibility

It is the responsibility of all officers, deans, departmental chairpersons, faculty, administrative staff and vendors (complainant) to report ethics violations or suspected violations in accordance with this Whistleblower Policy.

No Retaliation

No complainant who in good faith reports an ethics violation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against a complainant who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable complainants to raise serious concerns within the University prior to seeking resolution outside the University.

Reporting Violations

The University has an open door policy and suggests that complainants share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if an employee is not comfortable speaking with their supervisor or not satisfied with their supervisor's response, they are encouraged to contact the Director of Human Resources. The Human Resources Director will review the complainant concerns and seek advice from the Senior Vice President of Administration and recommend appropriate action. Supervisors and managers are required to report suspected ethics violations to the University's Senior Vice President of Administration, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when a complainant is not satisfied or uncomfortable with following the University's open door policy, individuals should contact the University's Senior Vice President of Administration directly who shall be designated as the Compliance Officer.

Compliance Officer

The University's Senior Vice President of Administration is responsible for investigating and resolving all reported complaints and allegations concerning violations and at his discretion, shall advise the President and/or the audit committee. The Senior Vice President of Administration has direct access to the audit committee of the board of trustees and is required to report to the audit committee at least annually on compliance activity.

Accounting and Auditing Matters

The audit committee of the board of trustees shall address all reported concerns or complaints regarding accounting practices, internal controls or auditing. The Senior Vice President of Administration shall immediately notify the audit committee of any such complaint and work with the committee until the matter is resolved.

Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The Senior Vice President of Administration will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Document Retention and Destruction Policy

Purpose

Xavier University of Louisiana (The University) records policy should ensure that necessary records and documents are adequately protected and maintained and ensure that records that are no longer needed that are of no value are discarded at the proper time. In addition, it can aid employees in understanding their obligations in retaining electronic documents – including e-mail, Web files, text files, sound and movie files, PDF documents, and all Microsoft Office or other formatted files.

Policy

This Policy represents the criteria that should be utilized regarding the retention and disposal of records and electronic documents.

Administration

The Senior Vice-President for Administration (the Senior Vice-President) is the officer in charge of the administration of this Policy and the implementation of processes and procedures to ensure that the Record Retention Schedule is followed. The Senior Vice-President is also authorized to:

- Make modifications to the Record Retention Schedule from time to time to ensure that it is in compliance with local, state and federal laws and includes the appropriate document and record categories for the University;
- Monitor local, state and federal laws affecting record retention;
- Annually review the record retention and destruction program; and
- Monitor compliance with this Policy.

Suspension of Record Disposal in Event of Litigation or Claims

In the event Xavier University is served with any subpoena or request for documents or any employee becomes aware of a governmental investigation or audit concerning the University or the commencement of any litigation against or concerning the University, such employee shall inform the Senior Vice-President and any further disposal of documents shall be suspended until such time as the Senior Vice-President, with the advice of counsel, determines otherwise. The Senior Vice-President shall take such steps as necessary to promptly inform all staff of any suspension in the further disposal of documents.

Applicability

This Policy applies to all physical records generated in the course of Xavier University's operation, including both original documents and reproductions. It also applies to the electronic documents described previously.

Record Retention Schedule

The Record Retention Schedule is organized as follows:

- Accounting and Finance
- Contracts
- Corporate Records
- Electronic Documents
- Payroll Documents
- Personnel Records
- Property Records
- Tax Records
- Contribution Records

The following are the University's prescribed retention periods. These apply to both physical and electronic documents. If a physical copy of an electronic document is not retained, the means to "read" the electronic document must be retained.

Accounting and Finance

Record Type	Retention Period
Accounts Payable & Accounts Receivable ledgers and schedules	3 years
Annual Audit Reports and Financial Statements	Permanent
Annual Audit Records, including work papers and other documents that relate to the audit	7 years after completion of audit
Bank Statements, Reconciliations and Canceled Checks	3 years
Credit Card Numbers	Should not be retained any longer than

	immediate business needs and merchant account agreements dictate.
Employee Expense Reports	3 years
Grant records (after close)	3 years
Invoices and Purchase Orders	3 years
General Ledgers and Journal Entries	Permanent
Notes Receivable ledgers and schedules	7 years after final receipt
Investment records	7 years after sale of investment
Cash Records	7 years
Chart of Accounts	Permanently
Depreciation Schedule	Permanently

Contracts

Record Type	Retention Period
Contracts and Related Correspondence	7 years after expiration or termination (including any proposal that resulted in the Contract and all other supportive documentation)
Mortgage Notes and Leases	Permanently

Corporate Records

Record Type	Retention Period
Corporate Records (minute books, signed minutes of the Board and all committees, corporate seals, articles of incorporation, bylaws, annual corporate reports)	Permanent
Trademark registrations and Copyrights	Permanent
Licenses and Permits	Permanent
Correspondence (Legal)	Permanent
Patents	Permanent

Electronic Documents

- Electronic Mail: Not all e-mail messages are required to be retained, depending on the subject matter.
 - All e-mail messages from internal or external sources are to be deleted after 12 months.
 - Staff will strive to keep all but an insignificant minority of their e-mail related to business issues.
 - The University will archive e-mail for six months after the staff has deleted it, after which time the e-mail will be permanently deleted.
 - All University business-related e-mail should be downloaded to a service center or user directory on the server.

- Staff will not store or transfer University related e-mail on non-work-related computers except as necessary or appropriate for the University purposes.
 - Staff will take care not to send confidential/proprietary University information to outside sources.
 - Any e-mail staff deems vital to the performance of their job should be copied to the staff's H: drive folder, and printed and stored in the employee's workspace.
2. Electronic Documents: including Microsoft Office Suite and PDF files. Retention depends on the subject matter.
3. Web Page Files: Internet Cookies
- All workstations: Internet Explorer should be scheduled to delete Internet cookies once per month.

In certain cases a document will be maintained in both paper and electronic form. In such cases the official document will be the electronic document.

Payroll Documents

Record Type	Retention Period
Employee Deduction Authorizations	4 years after termination
Payroll Deductions	Termination + 7 years
W-2 and W-4 Forms	Termination + 7 years
Garnishments, Assignments, Attachments	Termination + 7 years
Payroll Registers (gross and net)	7 years
Time Cards/Sheets	3 years
Unclaimed Wage Records	6 years
Withholding Tax Statements	7 years

Employment Records

Record Type	Retention Period
Commissions/Bonuses/Incentives/Awards	7 years
EEO-I/EEO-2 - Employer Information Reports	2 years after superseded or filing (whichever is longer)
Employee Earnings Records	Separation + 7 years
Employee Handbooks	1 copy kept permanently
Employee Personnel Records (including individual attendance records, application forms, job or status change records, performance evaluations, termination papers, withholding information, garnishments, test results, training and qualification records)	6 years after separation
Employment Contracts – Individual	7 years after separation
Employment Records - All Non-Hired Applicants (including all applications and resumes - whether	2-4 years (4 years if file contains related correspondence)

solicited or unsolicited, results of post-offer, pre-employment any correspondence which might physicals, results of background investigations, if any, be construed as an offer)	
Job Descriptions	3 years after superseded
Personnel Count Records	3 years
Forms I-9	3 years after hiring, or 1 year after separation if later

Property Records

Record Type	Retention Period
Correspondence, Property Deeds, Assessments, Licenses, Rights of Way	Permanent
Property Insurance Policies	3 years after expiration
Inventories	7 years
Appraisals	Permanent

Tax Records

Record Type	Retention Period
Tax-Exemption Documents and Related Correspondence	Permanent
IRS Rulings	Permanent
Excise Tax Records	7 years
Payroll Tax Records	7 years
Tax Bills, Receipts, and Statements	7 years
Tax Returns-Income, Franchise, Property	Permanent
Tax Work paper Packages – Originals	7 years
Sales/Use Tax Records	7 years
Annual Information Returns - Federal and State	Permanent
IRS or other Government Audit Records	Permanent

Contribution Records

Record Type	Retention Period
Records of Contributions	7 years
Documents evidencing terms, conditions or restrictions on gifts	7 years after funds are expended

Xavier University of Louisiana Intellectual Property and Procedure

1. Overview

The mission of Xavier University of Louisiana is the promotion of a more just and humane society. To this end Xavier prepares its students to assume roles of leadership and service in a global society. This preparation takes place in a diverse learning and teaching environment that incorporates all relevant educational means, including research and community service. While the research of Xavier faculty members is not primarily focused on the production of intellectual property that is commercially viable, this sometimes occurs. When it does, it is important that the University have a policy and benefit society. Moreover, federal granting agencies typically require such written policies and procedures for intellectual property resulting from work supported through their grants. This document is intended to clarify ownership, control, and use of such Xavier faculty, employees, students and any others covered by this policy to disclose and protect intellectual and other property resulting from their research so that the benefits of that research may reach society at the earliest opportunity.. The definitions appearing in attached Appendix I are incorporated into and make a part of the policy.

2. Applicability

This policy applies to all University Employees and students. In addition to University Employees, but subject to Section 12 below, this policy also applies to any individual who:

- a. is supported by University facilities or staff, or by funds administered by the University; and/or
- b. is working at the University by virtue of a grant or a contract with an outside agency, whether government or private.

Upon prior written agreement with the University, this policy may also apply to individuals who do not fall into any of the above categories. (All those to whom this policy and procedure applies, as identified in this Section 2, are collectively referred to sometimes as “Applicable Individuals,” including without limitation Faculty, staff and students whether or not they are Employees of the University.).

3. Conditions of Employment, Enrollment and Support

This policy and procedure, as amended from time to time with the approval of the University Academic Assembly, shall become a part of the conditions of a. the employment of every Employee and b. the enrollment of every student, whether such Employee or student was employed or enrolled before or after its adoption. Moreover, as a condition of their impending or continuing employment with work at, enrollment at, or support by the University, all Applicable Individuals are required upon request to execute all lawful and appropriate patent applications, assignments and other documents as may be reasonably requested by the University so that it may implement, secure and protect the Intellectual Property to which it is entitled pursuant to this policy and procedure.

4. Ownership of Intellectual Property

- a. All Intellectual Property that is conceived or reduced to practice by any and all Applicable Individuals with the Course and Scope of their employment with, work at or support by the University, except for copyrights waived and released by the University pursuant to Section 7 below and subject always to Section 12 below, shall be the property of, and shall be assigned in writing to, the University.
- b. The Inventor shall cooperate and assist the University in all phases of securing, enforcing and commercializing the Invention, at no out-of-pocket expense to the Inventor.
- c. Inventions made by individuals on their own time and without the use of University resources shall belong to the Inventor, except as follows: if the subject matter of such Invention(s) is the same as or is directly related to subject matter on which the Applicable Individuals have worked at the University and/or with University support then such Invention shall belong and be assigned to the University regardless of whether such Invention is made by the Applicable Individuals on their own time or with the use of their own resources.
- d. In cases in which the University has an ownership interest in an Invention pursuant to Section 4 (a.) above and fails to notify the Inventor that the University wishes to retain the Intellectual Property within the period set forth in Section 11.1.2, the University's right shall be reassigned to the Inventor upon written request.
- e. Any questions of Intellectual Property ownership, inventor ship or revenue distribution, which are disputed and remain unresolved shall in the first instance be referred to, and considered by, the Senior Vice President for Resource Development. The Senior Vice President for Resource Development may seek advice of the University Intellectual Property Committee. If the dispute is not resolved thereby, it shall be referred to and considered by the President or the President's designee, whose decision shall be final.

5. Disclosure

All Applicable Individuals shall disclose to the University, in accordance with the procedure set out in Section 11.1 below, any and all of their Invention(s) of Intellectual Property in which the University may have a right or claim under this policy and procedure.

6. Waiver and Release of Ownership Rights

In cases in which the University declines to accept, abandons or reassigns to the Inventor(s) any rights of ownership in an Invention to which it would otherwise have rights under this policy and procedure, all rights revert to the Inventor(s) except that the University shall retain a paid-up, non-transferable right to use the Invention for teaching and research at the University. The University shall, in such case, execute all necessary documents for the waiver and release of ownership rights.

7. Copyrights

Books, Articles, Musical compositions and Fine arts: Pursuant to U.S. copyright law, if a work of authorship is prepared by an employee within the course of his/her employment, the employer is considered to be the author and copyright owner of that work in the absence of an agreement to

the contrary. Nevertheless, the University waives and releases, to their respective Inventors, the copyrights that the University would otherwise own in connection with articles, books, course materials, musical compositions, and fine arts (hereinafter referred to collectively as the “Particular Works”) written/created by Applicable Individuals except under circumstances in which (1) the Applicable Individual is specifically assigned and paid by the University to develop the Particular Work (as opposed to , for example, writing an article or an instructional manual as part of normal, ongoing faculty research or teaching duties); (2) the cost of publishing the Particular Work is specifically financed by the University; (3) the University is prohibited, by contract or by law, from waiving and/or releasing such copyrights; or (4) the Particular Work is fixed in a medium (e.g., a computer program) having a primarily functional or utilitarian purpose (such as the operation of an industrial or commercial process) rather than being primarily educational or informational. The University’s waiver and release of copyrights in and to Particular Works is subject to a paid-up, non-transferable right in favor of the University to use the Particular Works for teaching and research at the University. If there is any dispute as to whether an Invention is a Particular Work which is to be released or retained by the University, such dispute shall I the first instance be referred to, and considered by, the Senior Vice President for Resource Development. The Senior Vice President for Resource Development may seek advice of the University Intellectual Property Committee. If the dispute is not resolved thereby, it shall be referred to and considered by the President or the President’s designee, whose decision shall be final.

8. Tangible Research Materials

“Tangible Research Material” means tangible items that are created, produced, discovered or otherwise developed in the course of the University. Examples of Tangible Research Material include, but are not limited to, assay techniques, cell lines, compositions or procedures to make a formulation, and synthetic or biosynthetic chemicals for therapeutic or non-therapeutic uses.

All Tangible Research Materials shall (subject always to Section 12 below) be the property of the University. All such Tangible Research Materials shall be disclosed to the University in a manner analogous to the procedure described in Section 11.1 below.

9. Revenue Sharing

Revenue received by the University in the form of cash revenues and/or equity holdings which result from a license, sale or other commercialization of Intellectual Property which is owned by the University pursuant to Section 4 above, shall be distributed in such a manner as to encourage innovative technology development within, and technology transfer from, the University. The Cumulative Net Revenue (defined below) will be distributed by the Office of Resource Development in accordance with Table 1 below:

Cumulative Net Revenue	Inventor’s Personal Share	Inventor’s Research Share	Inventor’s Department Share	University Share
First \$100, 000	50%	0%	0%	50%
\$100, 000-500, 000	40%	5%	5%	50%
\$500,000-1,000,000	30%	10%	5%	55%

Over \$1,000,000	25%	10%	5%	60%
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Table 1. Distribution of Cumulative Net Revenue¹

¹The Cumulative Net Revenue from a particular Intellectual Property means Gross Revenue² proceeds from that Intellectual Property less Allowable Deductions³.

²The Gross Revenue from Intellectual Property means gross revenues, licensing fees or similar payments actually received from the sale, assignment, or licensing of the Intellectual Property concerned.

³Allowable Deductions comprise: (1) all direct expenditures made for the purpose of protecting the concerned Intellectual Property, including without limitation attorney fees incurred in patenting, licensing, and/or enforcing rights to the Intellectual Property; and (2) 10% of the remaining Gross Revenue from Intellectual Property, after deduction of (1), above, for the support of the Office of Resource Development.

Joint Inventors shall share the percentage of net revenue allocated to the Inventor pursuant to Table 1 above. The University will assume that all Inventors contributed equally to the development of the

Intellectual Property, and should therefore share equally the net revenue allocated to the Inventor pursuant to Table 1 above, unless the Inventors request a different allocation. To be effective, such a request must be signed by all Inventors and be submitted to the Office of Resource Development. Any individual hired or retained for the purpose of producing an Intellectual Property shall not be entitled to a distribution of net revenue with respect to the concerned Intellectual Property.

The Inventor’s Research Share shall be dedicated to the Inventor’s own research needs, unrestricted as to use. If the Intellectual Property is created jointly by Inventors within the same college or department of the University but different laboratories, the Inventor’s Research Share shall be distributed equally among all the Inventors, unless the Inventors request a different allocation. To be effective, such a request must be signed by all Inventors and be submitted to the Office of Resource Development. If the Intellectual Property is created jointly by individuals employed at different colleges or departments of the University, then besides distributing the Inventor’s Research Share among Inventors as described equally among the different colleges or departments, unless the Inventors request a difference allocation. To be effective, such a request must be signed by all Inventors and be submitted to the Office of Resource Developments.

10. Licensing Policy

It is the general policy of the University to encourage the development and marketing of Intellectual Property resulting from University research so as to reach a public usefulness and benefit. It is recognized that furtherance of such policy may require various forms of agreements including agreements to sell and the granting of exclusive licenses. The University, in appropriate circumstances with due consideration to the prospective parties and when consistent with law

applicable to federally supported research, may license Intellectual Property on an exclusive basis for a reasonable period and may sell or otherwise commercialize Intellectual Property.

11. Procedure and Administration of Policy

The Senior Vice President for Resource Development or his/her designee(s), as appropriate, shall be responsible for the implementation and administration of this policy. This office shall develop, disseminate and implement policies and procedures relating to Intellectual Property. In addition, this office, coordinates the process of seeking appropriate protection of Intellectual Property, and assist faculty and staff in this regard. During the process, the office shall reasonably consider the interests of the individual Inventor of Intellectual Property, and take reasonable steps to involve the Inventor in the process.

11.1 Disclosure Procedures

11.1.1 All Applicable Individuals shall report promptly (within 30 days of conception or create) to the University's Office of Resource Development any Invention that is subject to the obligation of disclosure as set forth in Section 5 above. This disclosure shall be made using

11.1.2 Xavier University Confidential Disclosure Form. If additional information is required, the Office of Resource Development shall notify the individual Inventor, and shall specify the type of information it requires. Upon the receipt of sufficient information, or upon the expiration of ninety (90) days from the date of an inquiry as to sufficiency by the Inventor to which there has been no response by the Office of Resource Development, whichever is earlier, the disclosure shall be deemed complete.

11.1.3 The Office of Resource Development shall notify the individual Inventor whether it wishes to retain the Intellectual Property in the disclosure or whether the University is obliged or voluntarily wishes to waive and release its ownership rights. Such notification may be demanded by the individual Inventor at any time after the University's receipt of a complete disclosure, and if so demanded, shall be given within a period of ninety (90) days after making of the demand, or within a period of six months from complete disclosure to the University, whichever period is longer.

11.1.4 If and after the University notifies the Inventor(s) that the University intends to file a patent application for the Invention, the Inventor(s) will cooperate reasonably with the University to try to avoid publication or use of the Invention in a manner which would compromise its patentability.

11.2. Procedures for the Protection, Development and Exploitation of Intellectual Property

The University shall, with respect to Intellectual Property owned and retained by it, take all reasonably appropriate measures to protect the property and exploit or otherwise develop it, and shall, upon reasonable request provide the individual Inventor with a written report describing the measures it has taken. In the event that the University decides subsequently not to take such

measures, and to abandon the property, it shall notify the individual Inventor promptly of its decision.

11.3 Resolution of Disputes

Any dispute arising under this policy, involving the University and/or any Applicable Individual, shall in the first instance be referred to and considered by the Senior Vice President for Resource Development, after consultation and with the concurrence of the following: (a) the Senior Vice President for Academic Affairs, for such disputes involving Faculty or students – when appropriate and necessary, the Senior Vice President for Academic Affairs will consult with the Vice President for Student Services; and (b) for such disputes involving staff, either the Senior Vice President for Administration or the Senior Vice President for Academic Affairs, depending upon and in accordance with where that staff member is located in the University’s organizational structure. The Senior Vice President for Resource Development may seek advice of the University Intellectual Property Committee. If the dispute is not resolved thereby, it shall be referred to and considered by the President or the President’s designee whose decision shall be final.

12. Agreement with Outside Agency

This policy shall not affect, in any way, any provisions in any grant, or sponsored research and/or publication agreement between an outside agency (government or public) and the University.

Appendix: Definitions

Invention: Invention refers to a creation of Intellectual Property.

Inventor: Inventor refers to person(s) who make(s) a creative input to the conception and/or creation of Intellectual Property, pursuant to and consistent with the applicable patent and/or copyright laws of the United States.

Intellectual Property: Intellectual property refers to creations of the mind, including without limitation the following: utilitarian ideas, concepts, know-how and trade secrets, whether or not patentable; trademarks, symbols, names, images, and designs which may be used in commerce; literary and artistic works such as novels, poems, plays, films, musical works, drawings, paintings, photographs and sculptures; architectural designs; and other works of authorship which may be subject to Copyright such as computer software.

Patent: Patent refers to a right granted to anyone who invents or discovers any new and useful process, machine, article of manufacture, or composition of matter, or any new and useful improvement thereof, as set forth in 35 U.S.C. § 1 et seq. and other corresponding laws of other countries.

Copyright: Copyright refers to the exclusive legal rights set forth in U.S. copyright law under 17 U.S.C. § 106, including without limitation the right to reproduce, publish, sell, and distribute the work of authorship.

License: License refers to a contract which awards to a party other than the owner(s) of the Intellectual Property the right to make, use, or sell the Intellectual Property. Licenses may be awarded on an exclusive or non-exclusive basis and may provide for payment or fees.

Tangible Research Material: Tangible Research Material refers to all tangible items that are created, produced, discovered or otherwise developed in the course of research carried on at, by, or with the support of the University.

Employee: Employee refers to all full time and part time employees of Xavier University, whether faculty members, staff or students.

Faculty: Faculty refers to all full time, part time, adjunct, voluntary and emeritus members of Xavier University of Louisiana Faculty Handbook.

Student: Student refers to all full time and part time students enrolled in a course at Xavier University of Louisiana.

University: University refers to Xavier University of Louisiana

Gross revenue: Gross revenue refers to revenue, licensing fees, or similar payments actually received from the sale, assignment, or licensing of the Intellectual Property conceived.

Allowable deductions: Allowable deductions refer to (1) all direct expenditures made for the purpose of protecting the concerned Intellectual Property and (2) 10% of the remaining Gross Revenue from Intellectual Property, after deduction of (1) above, for the support of the Office of Resources Development.

Course and scope of employment: Activities of an employee that are in furtherance of duties that are owed to an employer and where the employer is, or could be, exercising some control, directly or indirectly, over the activities of the employee.

Applicable Individuals: Applicable Individuals refers to all those to whom this policy and procedure applies, as identified in Section 2 above.

Network Use Policy

I. Preamble

This policy governs the use of network resources at Xavier University of Louisiana. It is the responsibility of anyone who uses these resources to read and understand the policy. The Governance Committee for information Technology will review this policy annually.

II. Rights, Privileges, and Responsibilities

Academic and intellectual freedoms are cherished rights, as is freedom of expression; these rights apply to the use of University network resources. Access to these resources is a privilege that carries certain responsibilities and duties. These duties and responsibilities derive from the fact that

all computers, hardware, software, and institutionally generated operational information stored on computers and any network resources are and remain the property of Xavier University of Louisiana. Ethical and legal uses of these resources are a responsibility for every user.

A. Access to Resources

All administrative employees, faculty, staff and students of Xavier University of Louisiana as well as authorized groups and individuals shall be granted access to the University's network resources so long as such access and use is in accord with this policy.

B. Privacy & Confidentiality

Xavier University of Louisiana respects the privacy of its users and the confidentiality of their work, but there are important exceptions to this general principle. Xavier University of Louisiana makes no guarantee of privacy or confidentiality against the world at large. It is the responsibility of the user to take appropriate steps to insure his or her privacy.

C. Censorship

Free expression of ideas is central to the academic process. While Xavier University of Louisiana does not ordinarily engage in censorship of the expressions of an individual, the University reserves the right to censor the expressions of any users of any network or computer facilities of the University to the extent that the University believes that such expression violates any laws or policies of the University.

D. Innovation & Creativity

Members of the University community are encouraged to make innovative and creative use of information technologies in support of education, research and community service.

E. Security & Passwords

Users shall not disclose information (such as a password) or engage in activity that compromises the security of the network. Users are responsible for choosing a secure password for their accounts on the network.

F. Legal Use

Users of University information technology resources must comply with federal and state laws. Examples of illegal use include, but are not limited to: A user violating copyright through the download of copyrighted materials such as music, video, and other works. A user engaged in harassment of individuals or groups.

G. Ethical Use

Information technology resources must be used in accordance with the high ethical standards of Xavier University of Louisiana. Faculty members are to refer to the Faculty Handbook. Students are to refer to the Student Handbook, in particular, the section entitled "Code of Conduct." The staff members are to refer to the Staff Handbook.

H. Commercial Use

Users are not to use University resources to sell or solicit sales for any goods, services, or products except by written permission of the President of the University or the President's designee.

I. Sanctions

Violations of this policy will be dealt with seriously. Violators will be subject to the normal disciplinary codes and procedures of the University, i.e., students will be subject to applicable student discipline, faculty will be subject to applicable faculty discipline, and staff will be subject to applicable staff discipline. Any such discipline may include in the case of students expulsion from the university or in the case of faculty and staff termination of employment. Any users, including students, faculty, and staff, provided University network access who violate this policy face loss of the privilege of access to the network resources at Xavier University of Louisiana. Appeals to any disciplinary action shall be in accord with the disciplinary policies as outlined in the student, faculty, or staff handbook as appropriate. Neither students, nor faculty, nor staff shall be allowed legal counsel at such appeals.

III. Web Policies

A. Browsing the World Wide Web

There is no specific University rule that prevents users from viewing any page anywhere on the World Wide Web. However, users browsing the Web are still subject to all the constraints of legal and ethical uses.

B. Publishing on the University's Web Servers

All faculty, students and staff at Xavier University of Louisiana are entitled to publish unofficial pages on the University's website. There are two varieties of unofficial pages, Personal page and instructional pages. Personal pages are authored by an individual and pertain to matters of personal interest. Instructional pages are designed by an individual to support teaching, learning, or research activities. Both varieties of unofficial pages are the intellectual property of the individual who created them.

C. Disclaimer

The content included in an unofficial Web page is the responsibility of the user. As such, the use of the University seal, logos or other official emblems on unofficial pages is forbidden. So that it is clear to those viewing the unofficial pages that the University does not sponsor the content, such pages must contain a link to the standard disclaimer located at <http://webusers.edu/disclaimer.html>.

D. Advertisement

Paid advertisements are not allowed on unofficial pages except by permission of the President of the University or the President' designee.

E. Server Space

Disk space quotas for unofficial pages are 15 megabytes for students and 50 megabytes for faculty and staff. Users who require more disk space can submit an email request for additional disk space to the appropriate Vice President.

F. CGI Access

Users are permitted to run common gateway interface applications from their account.

IV. E-Mail Policies

Electronic mail is an important resource for academic and administrative communications. Its use is encouraged. However, users take full legal responsibility for all email that they send.

A. Server Space

The disk space quota for email accounts is 50 megabytes for all users. For the good of the University, certain users will be constrained by this disk space quota. Users who require more disk space can submit an email request for additional disk space to the appropriate Vice President.

B. Bulk E-mail

In general, email to all University accounts should be done sparingly and for serious reason. Examples include, but are not limited to, notification of an impending network service outage or the notification of an event that would cause the University to temporarily suspend operations.

Approved on October 23, 2003 by the Governance Committee for Information Technology. The official copy is in the Office of the President. The official copy of this document supersedes any public display of the document that is not consistent with the official copy.

Procedures for Distributing and Receiving University Owned Property

I. Policy

These procedures described the process Senior Vice Presidents, Vice Presidents, Associate Vice Presidents, Deans, Associate Deans, Department or Division Chairpersons or administrative Directors, hereafter referred to as supervisor, are required to follow when requesting, issuing or receiving University owned property from faculty or staff, hereafter referred to as an employee.

It is the responsibility of the supervisor to notify Human Resources immediately, whenever an employee notifies him or her that he or she is resigning or when the supervisor is terminating the employee. It is also the responsibility of Human Resources to notify the Office for Technology Administration and Fiscal Services whenever an employee is separating from employment.

The supervisor must originate the request that authorizes a faculty or staff employee to receive University owned property (e.g. laptop, computer, cell phone, office keys, etc.) that will enable the employee to effectively perform their duties and responsibilities. The request must be submitted to the appropriate person or department.

II. Process for Requesting a new Laptop (Authorized by OTA)

This process applies to requests for new laptop computers only. Please note that current faculty or staff members are already assigned a University laptop will remain part of the University 3-year lease rollover for as long as they remain active employees. Due to budget constraints, the inventory is very low. Hence, it is highly recommended that the Vice President's Office for Academic Affairs and all administrative staff departments provide all computer requests, especially laptops, to the Office of Technology Administration, hereafter referred to as OTA, as early as possible. For new faculty members, this should be done no later than August 1 and January 1 of each year to ensure that computers will be available. All employees who are assigned a University laptop are required to sign a Faculty/Staff Laptop Agreement Form. A Senior Vice President of Technology Administration will inform the requestor as to the disposition of the request.

- A. Laptop is available: The laptop will be made available within two (2) working days. OTA staff will contact the employee as to when the laptop will be delivered.
- B. Laptop is not available: If the budget is available to purchase a laptop, an order will be placed. The laptop should be available in two (2) weeks. If the budget is not available to purchase a laptop, the request will be added to the next lease order. In the meantime, the employee will be provided with a desktop computer.
- C. Failure to return the cellular telephone or peripherals in proper working condition may result in a charge to the employee to cover the cost of the cell phone and any peripherals.

D. If the equipment is not returned, or is returned in a non working condition, OTA will inform HR via e-mail of the following:

- The market value of the equipment
- An assessment as to whether or not the damage was due to normal wear or misuse
- An assessment will be made as to whether or not the employee should be charged for damage to the equipment.

III. Process for Requesting a Long Distance PIN

To request a long distance pin, a supervisor must send an e-mail request to the Vice President for Technology Administration who will open a helpdesk ticket to create a PIN which will be issued within one business day.

Process for Deactivating a Long Distance PIN

It is the responsibility of the supervisor to inform HR in a timely manner of any employee who is separating from the employment with the University. HR must inform all appropriate departments, including OTA of any terminations.

OTA will deactivate the employee's long distance PIN immediately upon notification that the employee has separated from employment. PIN numbers may be deactivated for the following reasons;

1. Separation from employment (voluntary or involuntary)
2. No longer needed, such as campaign drives by Institutional Advancement

IV. Process for Requesting a Xavier issued American Express Card

Employees who travel extensively are encouraged to request and use a Xavier University issued American Express Card.

- A. The employee's supervisor submits an e-mail to the Senior Vice President for Administration requesting that an employee be issued an American Express Corporate credit card.
- B. The request is reviewed and if approved, the request will be sent to American Express which will issue the credit card.
- C. The employee will be notified by the Office of the Senior Vice President for Administration when the employee can pick up the card.
- D. The employee signs a receipt that he or she has received the card.
- E. The University American Express credit card is to be used only for University related travel expenses and the employee pays all charged expenses after he or she has submitted an approved travel expense report for reimbursement.

Xavier University of Louisiana Faculty/Staff Laptop Agreement Form

Date: _____

Faculty/Staff Name: _____

Department: _____ Extention: _____

Laptop Make & Model Number: _____

Laptop Serial Number: _____

UNIVERSITY LAPTOP POLICY/PROCEDURE

- University-owned laptops are configured by the Information Technology Center (ITC) staff to work with the Xavier network and to run the University's standard software suite*. Employees are not allowed to change the laptop's system configuration without written authorization from the Office of Information Technology (OTA). Employees should consult with the Helpdesk staff of the Information Technology Center prior to adding or changing any supplementary software on the laptops to ensure compatibility with the standard software and hardware configurations. The OTA/ITC may be authorized to scan laptops for violations where probable cause exists.
- Before taking custody of the University property, a university employee must sign for the laptop using the Xavier University Faculty/Staff Laptop Agreement Form and thereby accept responsibility for the laptop's care and safe return to the University.
- In the event that a laptop computer is stolen, the employee is required to make a report to the Campus Police (on campus) or local law enforcement authority (off campus) and provide a copy of that report to ITC.
- Upon termination of employment with the University, the employee must return the laptop in the same condition in which they signed for it (normal usage, wear and tear excepted.)
- If repairs to a laptop computer are necessary, the computer must be returned to ITC.
- If a Dean, Director or Supervisor determined that the employee negligent is the cause for damage destruction or loss of a University-owned laptop, the University may hold that employee financially responsible for the repair replacement of the laptop.

By signing below, the employee acknowledges their understanding of and agree to comply with the above state policies and procedures.

Employee's Signature: _____ Date: _____

*Standard Software Suite is comprised of the Microsoft Office Suite, Acrobat Reader, Banner 2000 and Symantec Antivirus software.

Xavier University of Louisiana Cellular Telephone Agreement Form

EMPLOYEE NAME _____

DEPARTMENT: _____ OFFICE PHONE: _____

CELL PHONE: _____ CELL PHONE MODEL: _____

UNIVERSITY CELL PHONE POLICY:

This cell phone is being provided to you for use in conducting Xavier University business. It is the property of the University and must be returned to the University in proper working order if your employment is terminated or if your supervisor deems that you no longer require the use of a university cell phone. The conditions under which you are provided a university cell phone are as follows:

- You are assigned 450 shared minutes per month. These minutes can be used during peak hours which are 7:00 AM – 9:00 PM, Monday through Friday. There may be times when the business needs of the University require that you exceed 450 minutes of monthly peak usage. In such incidents, you should notify your supervisor in writing. If you go over your allotted minutes and it was not due to University business, you may be requested to pay the excel charges.
- Your phone may be equipped with the Push-to-Talk. Push-to-Talk usage is unlimited. Push-to-Talk allows you to page others who have this feature at any time on Xavier’s National Account and talk without using any portion of your shared minutes. Blackberries do not have Push-to-Talk.
- Xavier’s National Plan allows for free nights and weekends. Nights begin at 9:00 PM and end at 6:00 AM. Weekends begin at 9:00 PM Friday and end at 6:00 AM Monday. These hours apply to the current time zone that you are in when placing or receiving a call which may not always be the Central Standard Time (CST) time zone. Please note that holidays are not free unless they fall on a weekend.
- If your phone is lost or stolen, you must immediately call Verizon Customer Service at 800-922-7452 and have incoming calls, outgoing calls, and Push-to-Talk disabled. You must also report the phone lost or stolen to the Office of Technology Administration at 504-520-7452 as soon as possible.
- If your phone needs repair you must first take the phone to a Verizon Service Center for repair. If the phone cannot be repaired, contact the Office of Technology Administration at 504-520-7452 and a replacement phone will be provided to you. You can also contact the Office of Technology Administration if you need assistance in locating a Verizon Service Center.
- Text messaging is not included in Xavier’s calling plan. Any text messaging charges must be reimbursed to the university.
- Your phone has the camera feature attached, however, if used you will be held responsible for paying the texting fees that apply. Xavier University will not pay photo sharing fees.

Employee Signature

Date

Instructions for Completing the Faculty/Staff University Property Inventory Control

Purpose of the Faculty/Staff University Property/Distribution Form

The purpose of Faculty/Staff University Property Distribution/Return from is to have a record of all Xavier University property that is issued to an employee upon hire or transferring into their department. This form is also intended to be used to retrieve Xavier's assets when an employee separates from employment.

Completion of Form

- A. Employee Information: The supervisor records the employee's name, university identification number, name of department and their name in the identification section of the form.
- B. Item Issued Description: A simple description of the item that is issued is described. In this space, (i.e. HP laptop computer, front door keys, American Express Credit Card, uniform shirt, etc.) If the property that is issued is not new, describe the condition of the property.
- C. ID/Serial Number: If the property has an identification number or serial number, it is recorded in this space.
- D. Date Issued: Record the date that the property was issued to the employee.
- E. Signature of Employee: The employee's signature attests that he/she has received the property that was issued to him or her.
- F. Distribution of Forms: One copy of the form is retained in the employee's department, a second copy is given to the employee, and a third copy is submitted to HR where it is placed in the employee's employment file.
- G. Date Returned: When the employee separates from the university or returns the property for replacement or it is no longer needed, the date the property was returned is recorded in this space. If the returned property is in "poor" or unusable condition, then that information is to be included by the supervisor.
- H. Signature of Person Receiving the Issued Property: The person who is responsible for receiving the issued University Property signs their name in this space indicating that he or she received the University Property from the employee.
- I. Return Property: The property that is returned is either to be retained by the supervisor (i.e. keys) or it is to be returned to the appropriate department that issued the property (i.e. OTA).

The supervisor may use an additional form to record property issued to an employee if there are not enough spaces on a single form.

Xavier University of Louisiana Faculty/Staff Inventory Control Form

NAME OF EMPLOYEE _____ ID _____

DEPARTMENT _____

SUPERVISOR* _____

Property Issued to Employee**	ID/Serial Number	Date Issued	Signature of Employee	Date Returned	Signature of Person Receiving Property

Your signature indicates that the employee has returned property to you or does not owe the university any money due to unpaid expenses.

SUPERVISOR: _____ DATE: _____

OTA: _____ DATE: _____

FISCAL SERVICES: _____ DATE: _____

HUMAN RESOURCES: _____ DATE: _____

Distribution of copies: One copy is retained in the department, one copy is sent to human

*Supervisor refers to Senior Vice President, Vice President, Associate Vice President, Dean, Associate Dean, Division or Department Chairperson or Administrative Director.

**Use additional forms if needed

Appendix A: Listing of University Administration and Their Key Reports

Senior Vice President for Administration

- Vice President for Fiscal Services
- Vice President for Facilities Planning and Management
- Associate Vice President for Auxiliary and Support Services
- Director of Human Resources
- Director of Student Financial Aid
- Director of Internal Audit
- Director of Environmental Health and Safety

Senior Vice President for Academic Affairs

- Associate Vice President for Academic Affairs
- Dean of the College of Arts and Sciences
- Dean of College of Pharmacy
- Dean of Freshman Studies
- Dean of Admissions
- Registrar
- Director of the Center for the Advancement of Teaching
- Director of the Center for Intercultural and International Programs
- Assistant Vice President for Academic Affairs
- University Librarian
- Director of the Institute of Black Catholic Studies

Senior Vice President for Resource Development

- Associate Vice President of Sponsored Programs/Title III
- Assistant Vice President for Resource Development
- Director of Sponsored Programs

Vice President for Fiscal Services

- Director of Accounting
- Director of External Reporting and Audits
- Director of Operations
- Director of Grants and Contracts
- Bursar

Vice President for Institutional Advancement

- Associate Vice President for University and Media Relations
- Associate Vice President for Development
- Assistant Vice President for Campaigns
- Director of Advancement Services
- Director of University Events
- Director of Alumni Relations

Vice President for Student Services

- Associate Vice President for Student Services
- Director of Athletics
- Director of Campus Ministry
- Chief of University Police
- Director of Career Services
- Director of Student Counseling
- Director of Health Services
- Director of the Center for Leadership and Services
- Director of Campus Recreational Sports
- Director of Housing and Residential Life
- Director of the University Center
- Assistant Dean of Student Life
- Director of Student Activities

Vice President for Technology Administration

- Director of External Operations
- Director of Internal Operations
- Associate Director for Network Systems

Vice President for Planning and Institutional Research

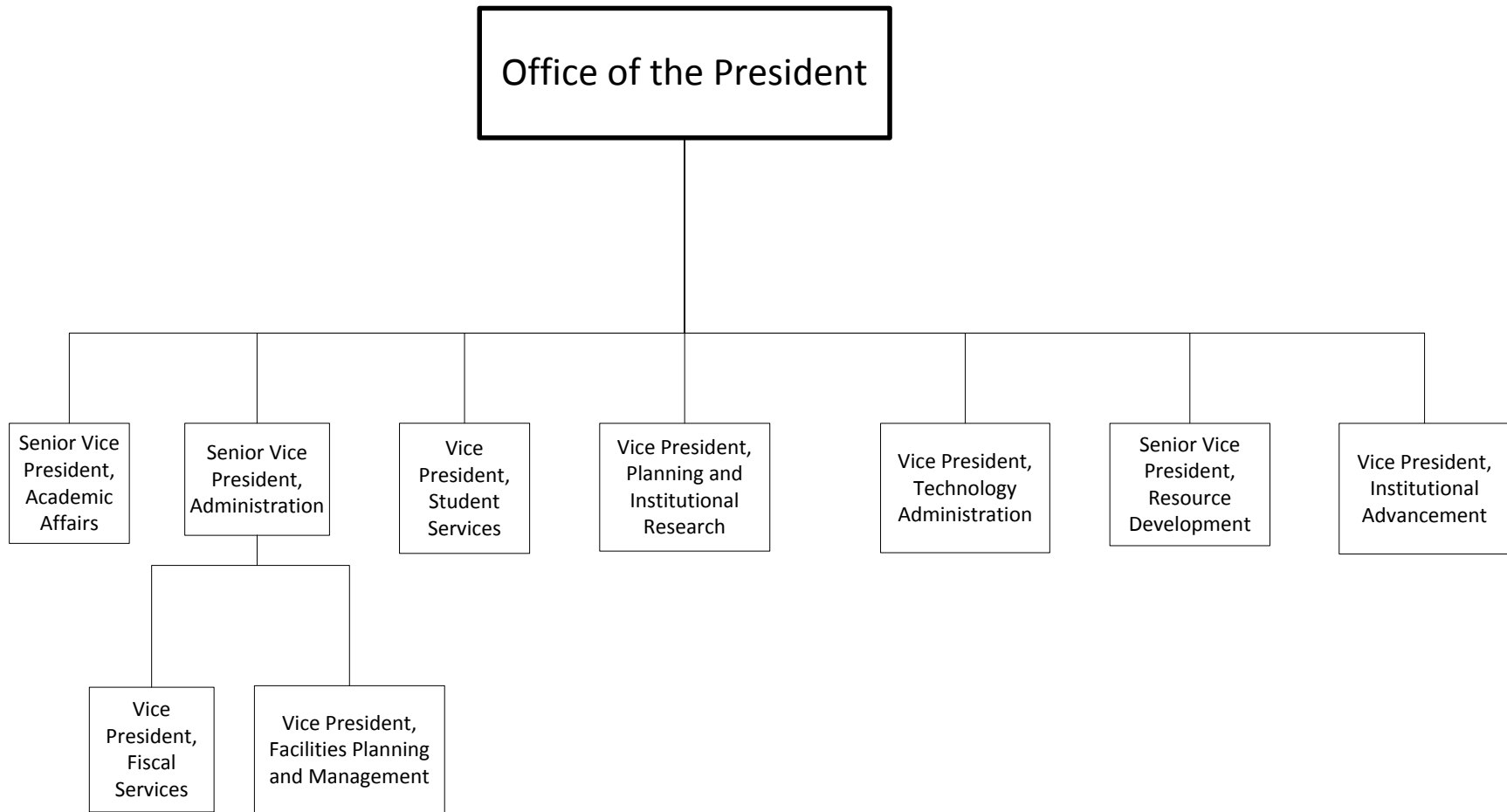
- Director of Institutional Research
- Director of Institutional Effectiveness and Assessment

Vice President for Facilities Planning and Management

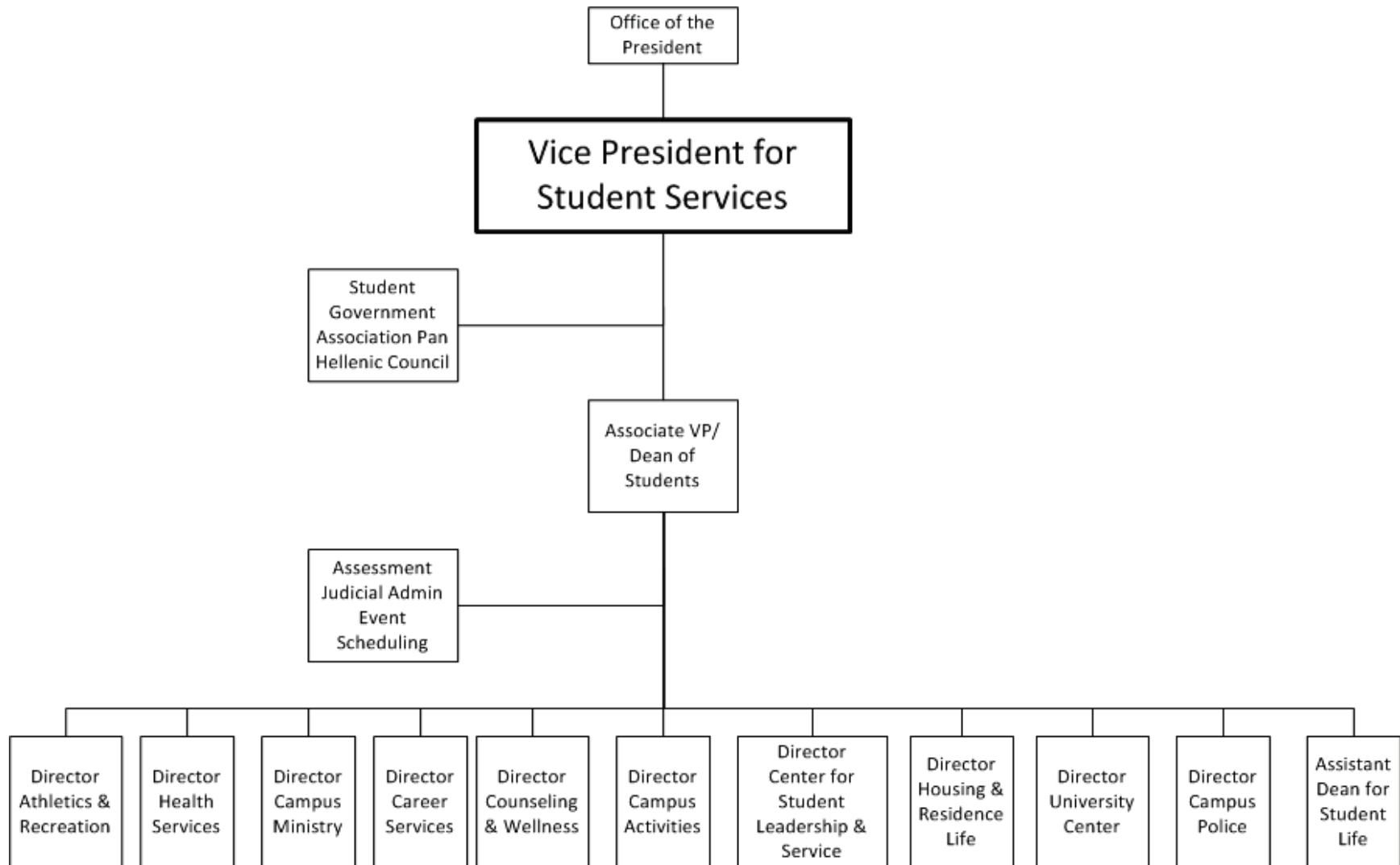
- Building Services Director
- Chief Engineer

Appendix B: Organization Charts

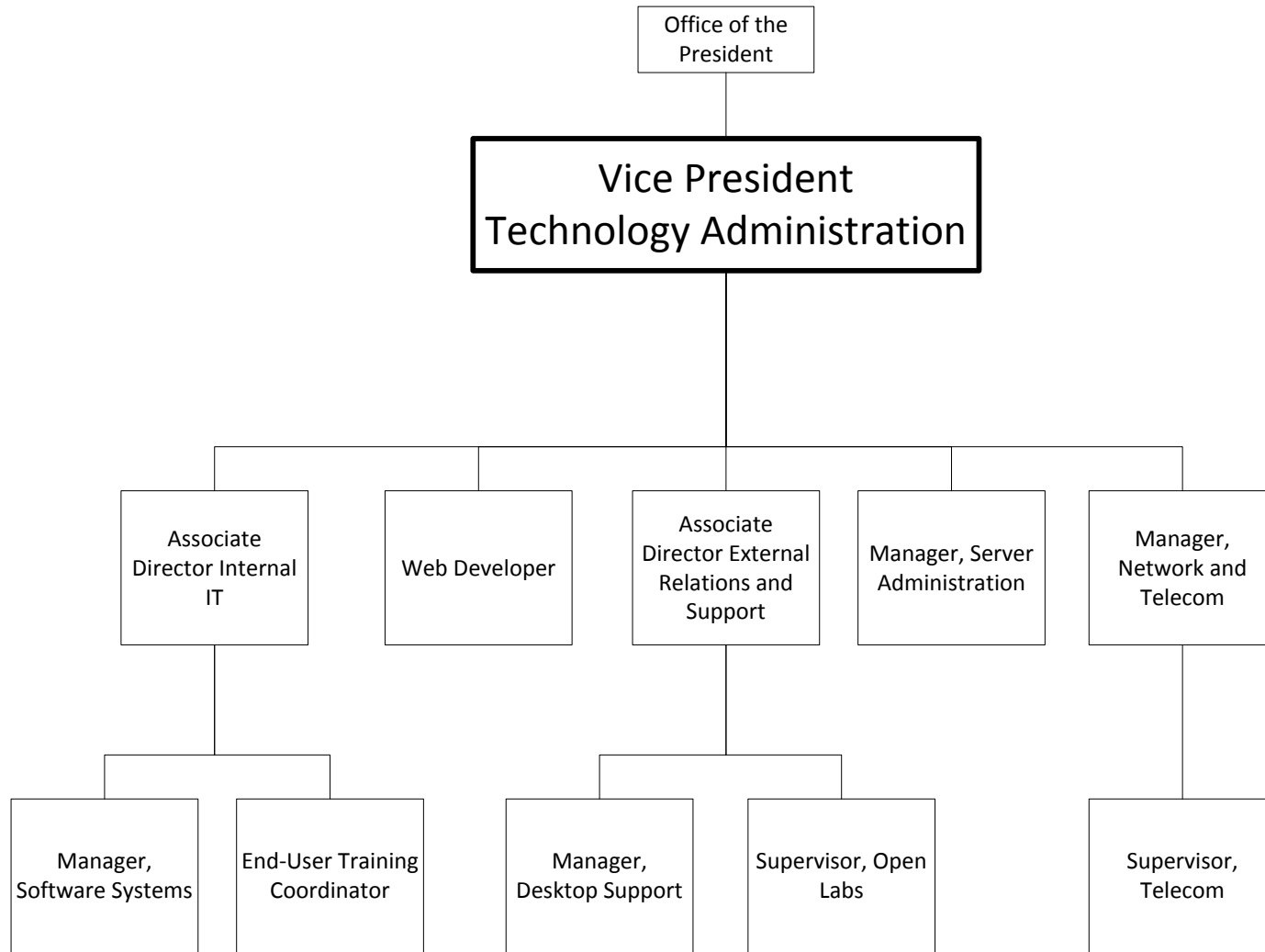
Office of the President



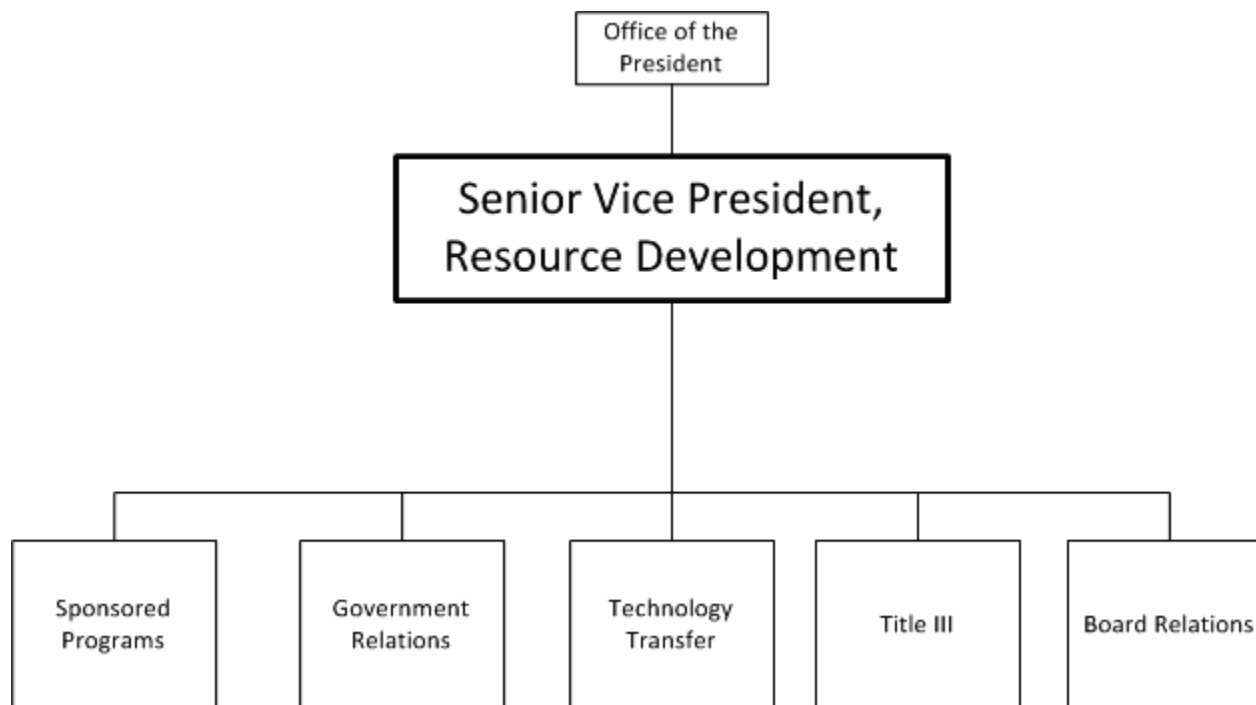
Office of Student Services



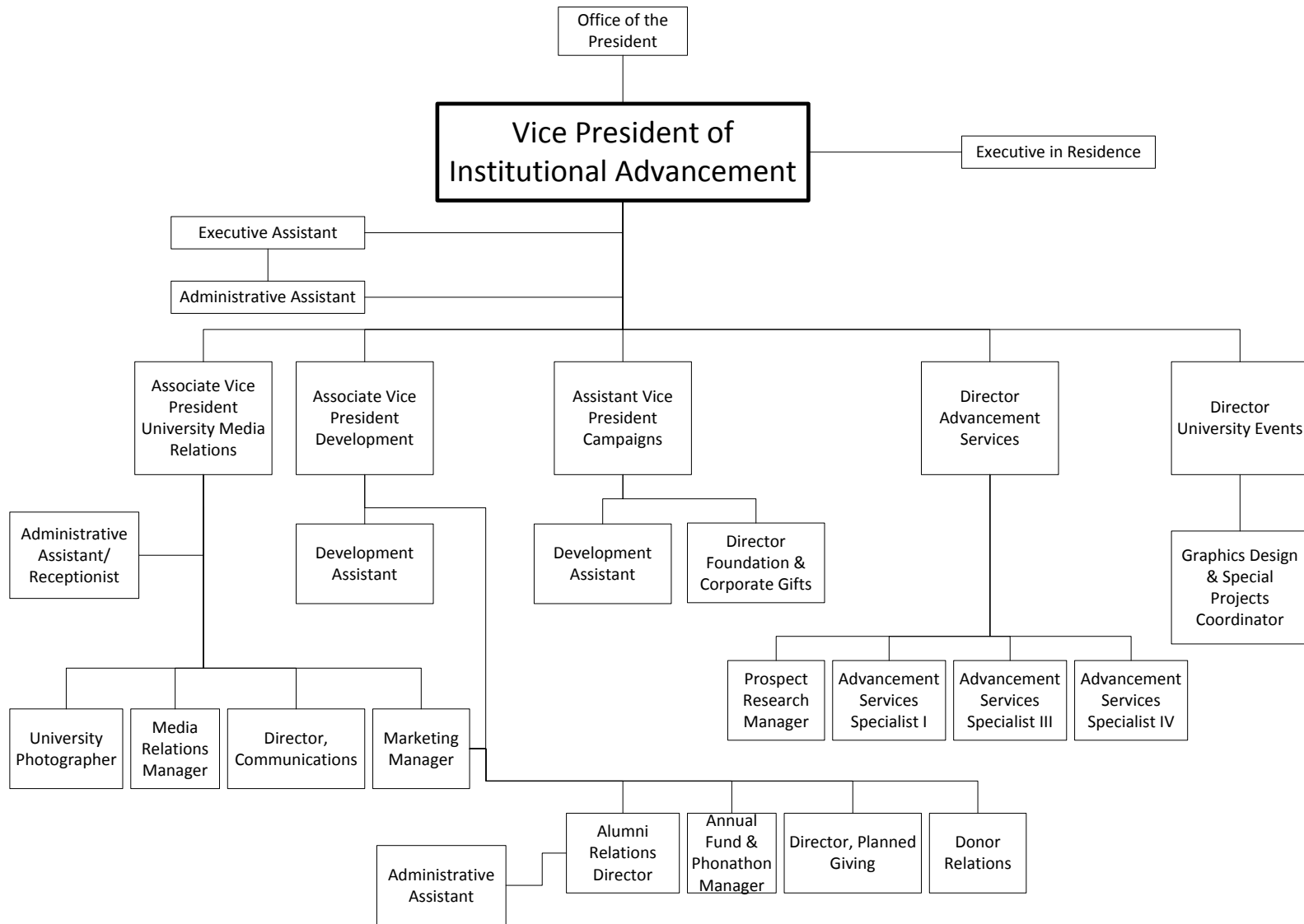
Office of Technology Administration



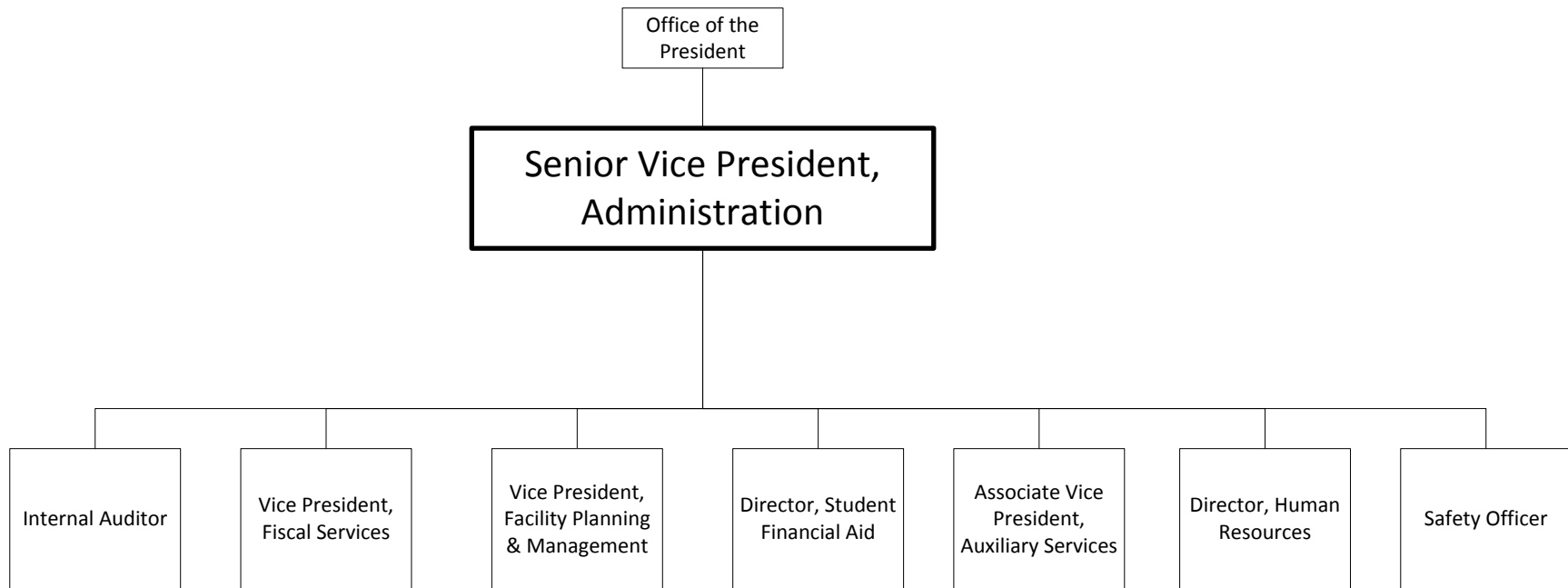
Office of Resource Development



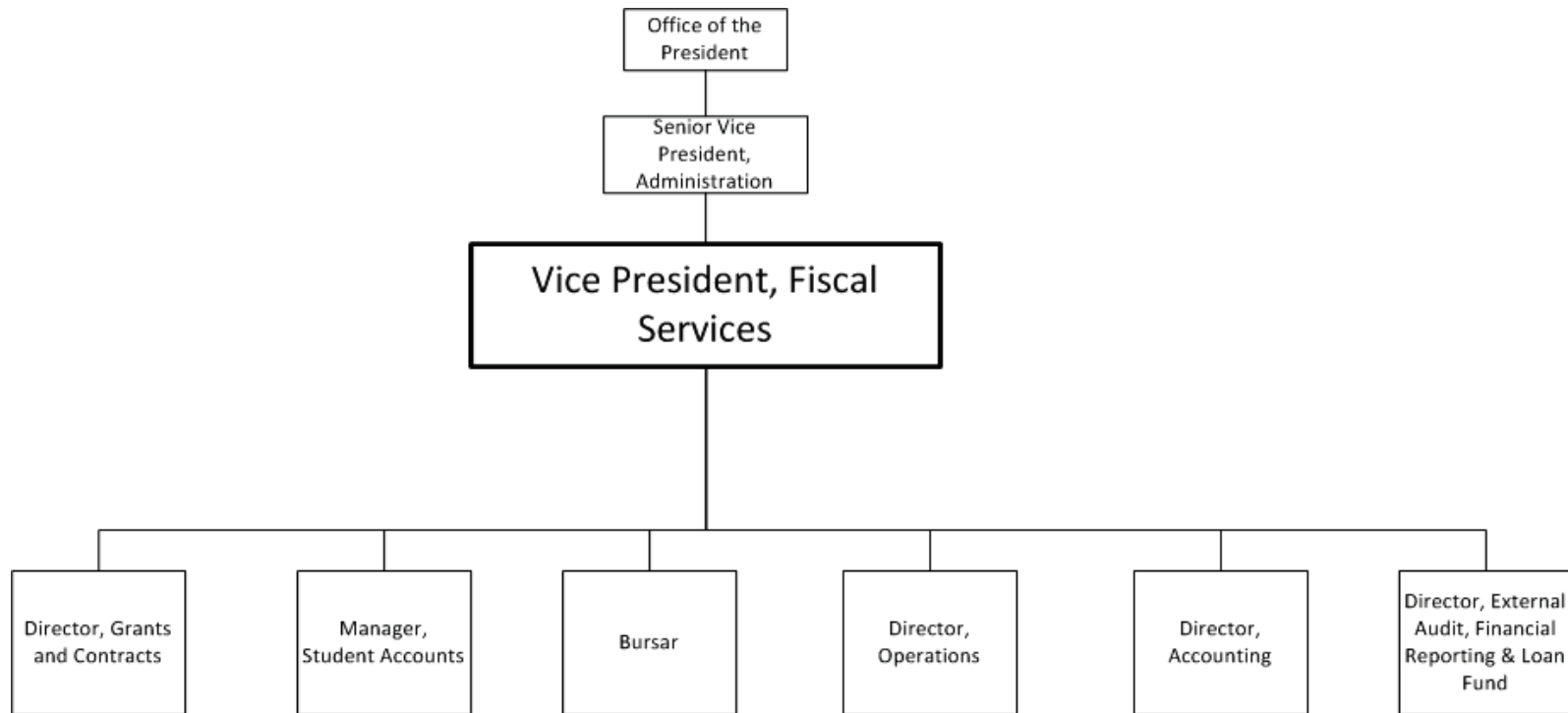
Office of Institutional Advancement



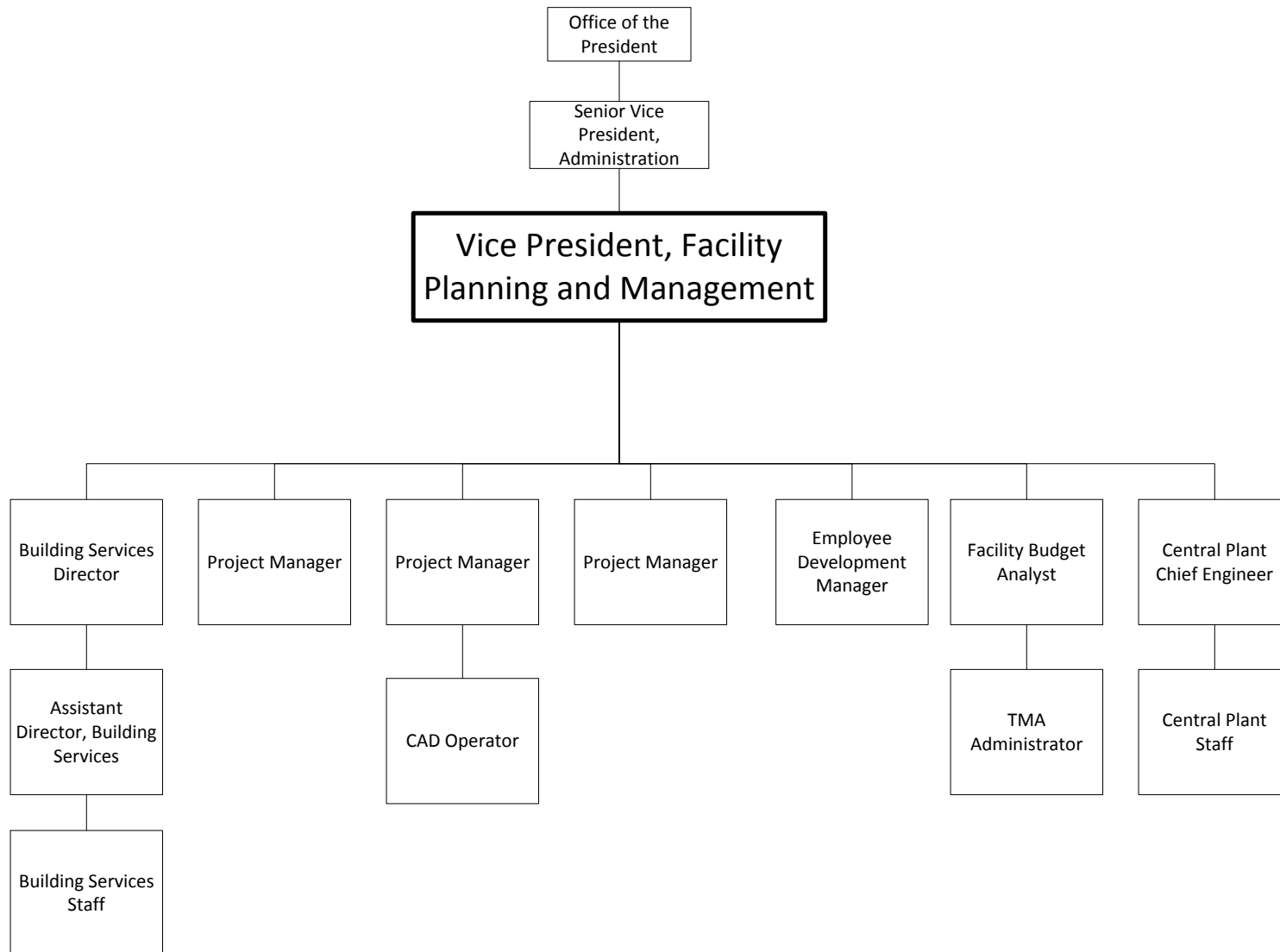
Office of Senior Vice President for Administration



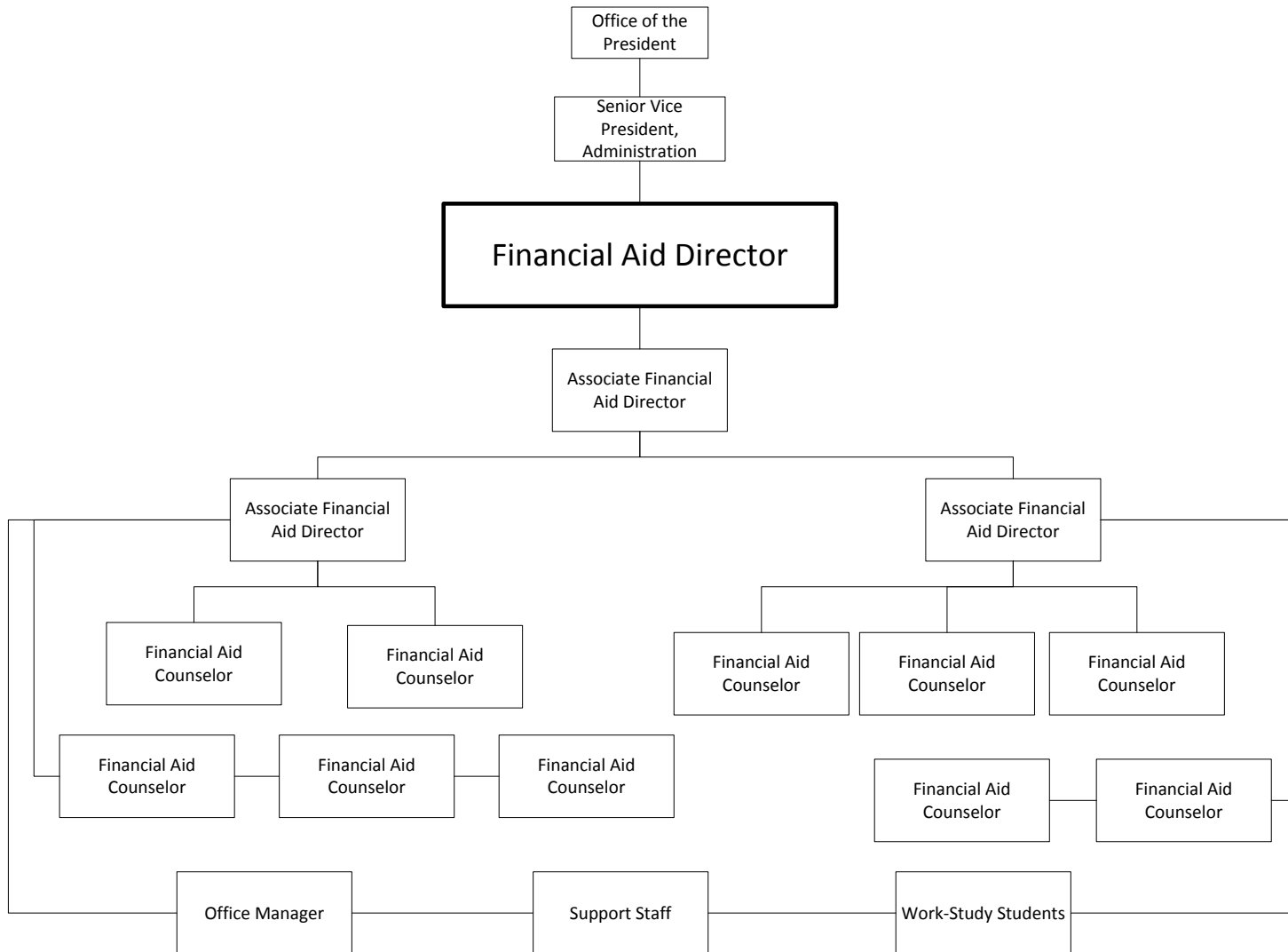
Office of Fiscal Services



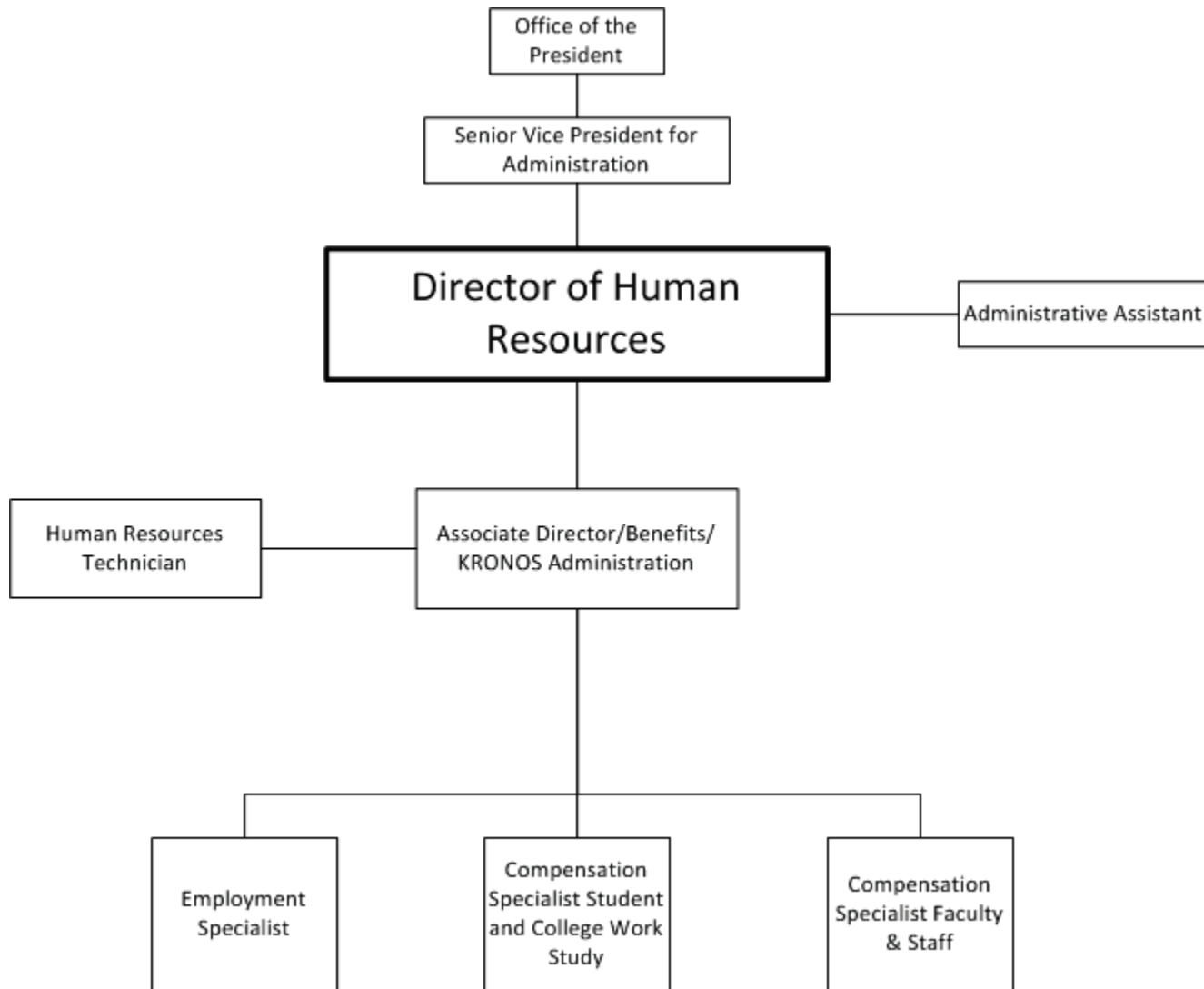
Office of Facility Planning & Management



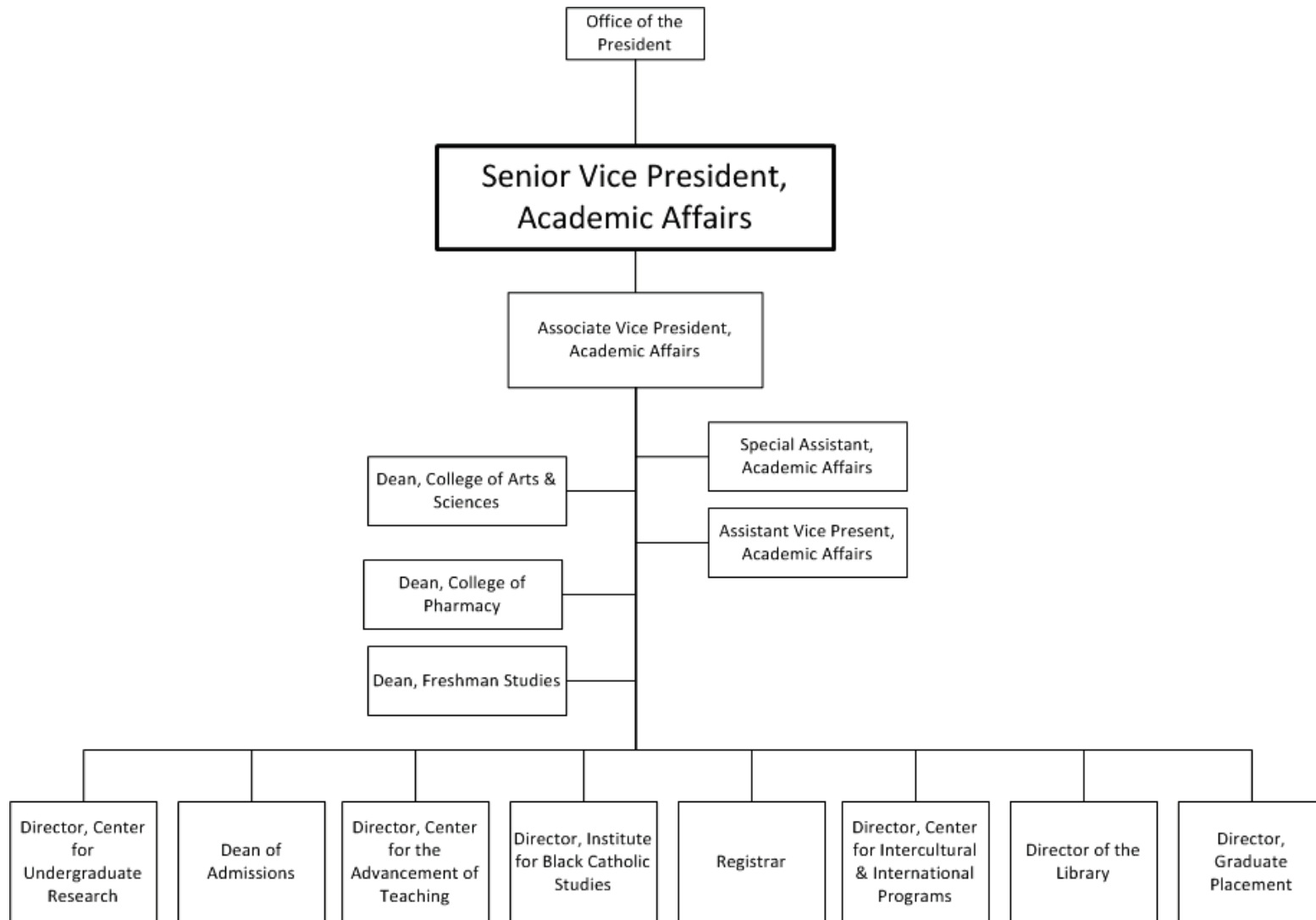
Office of Student Financial Aid



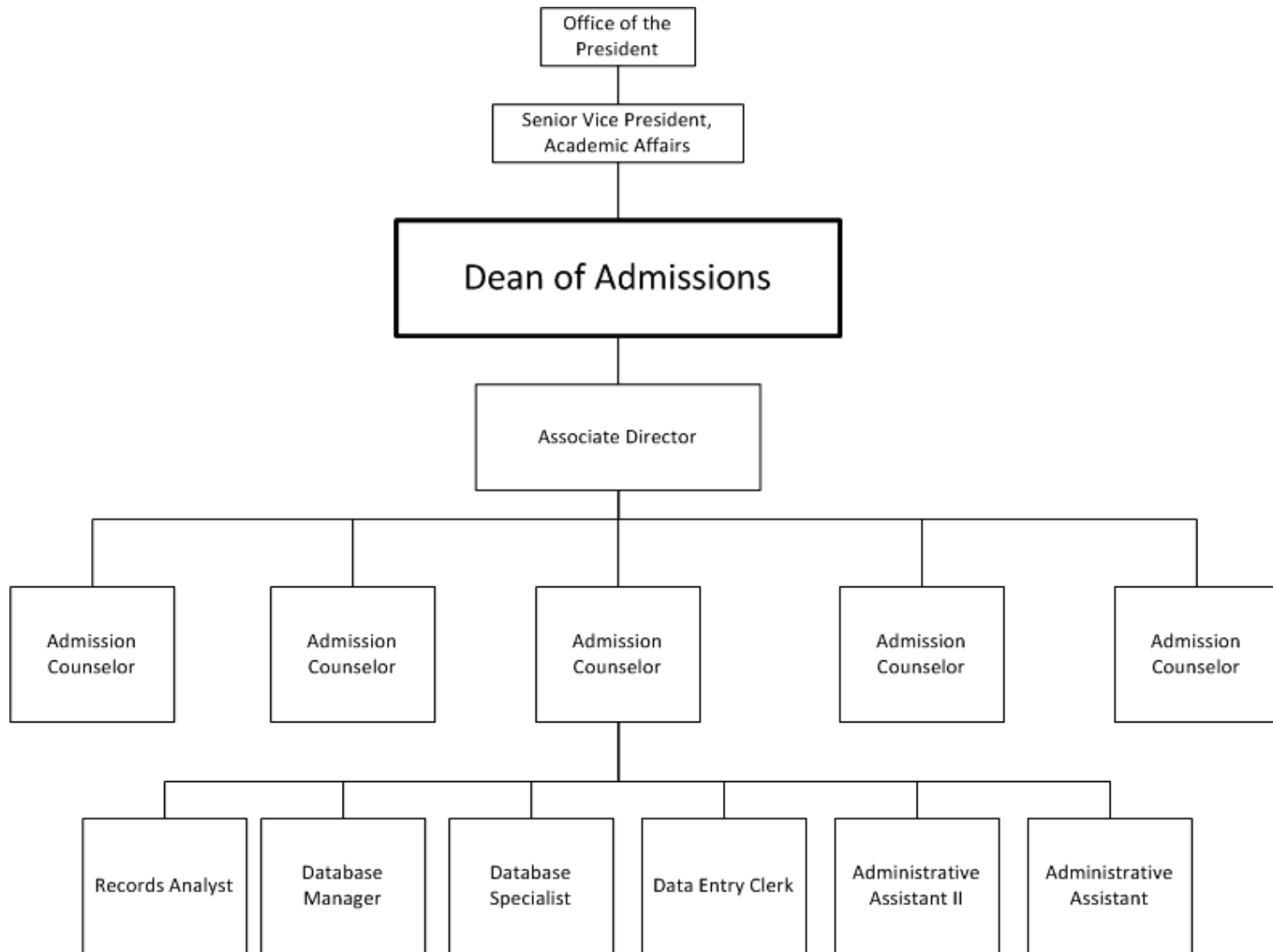
Office of Human Resources



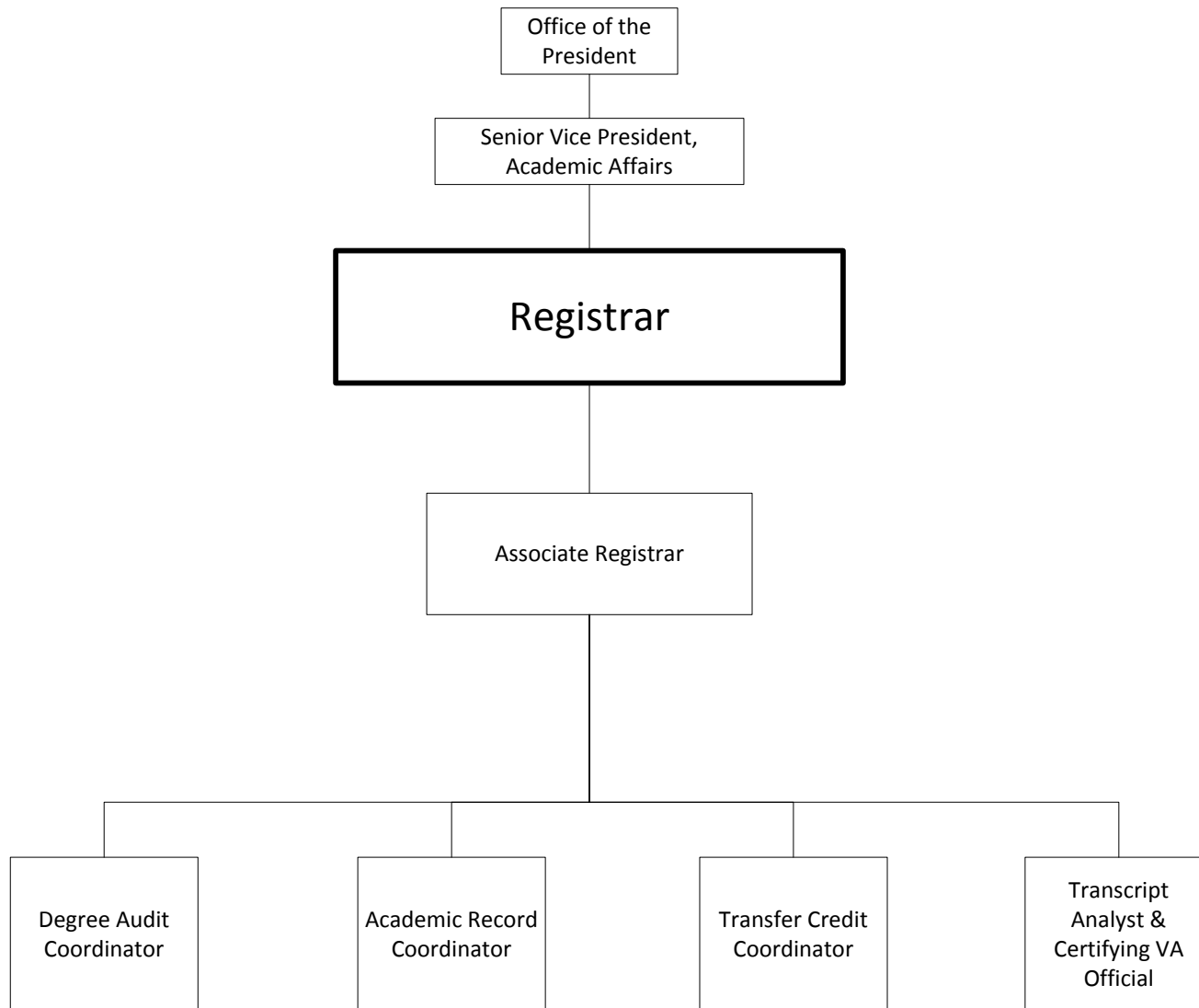
Office of Academic Affairs



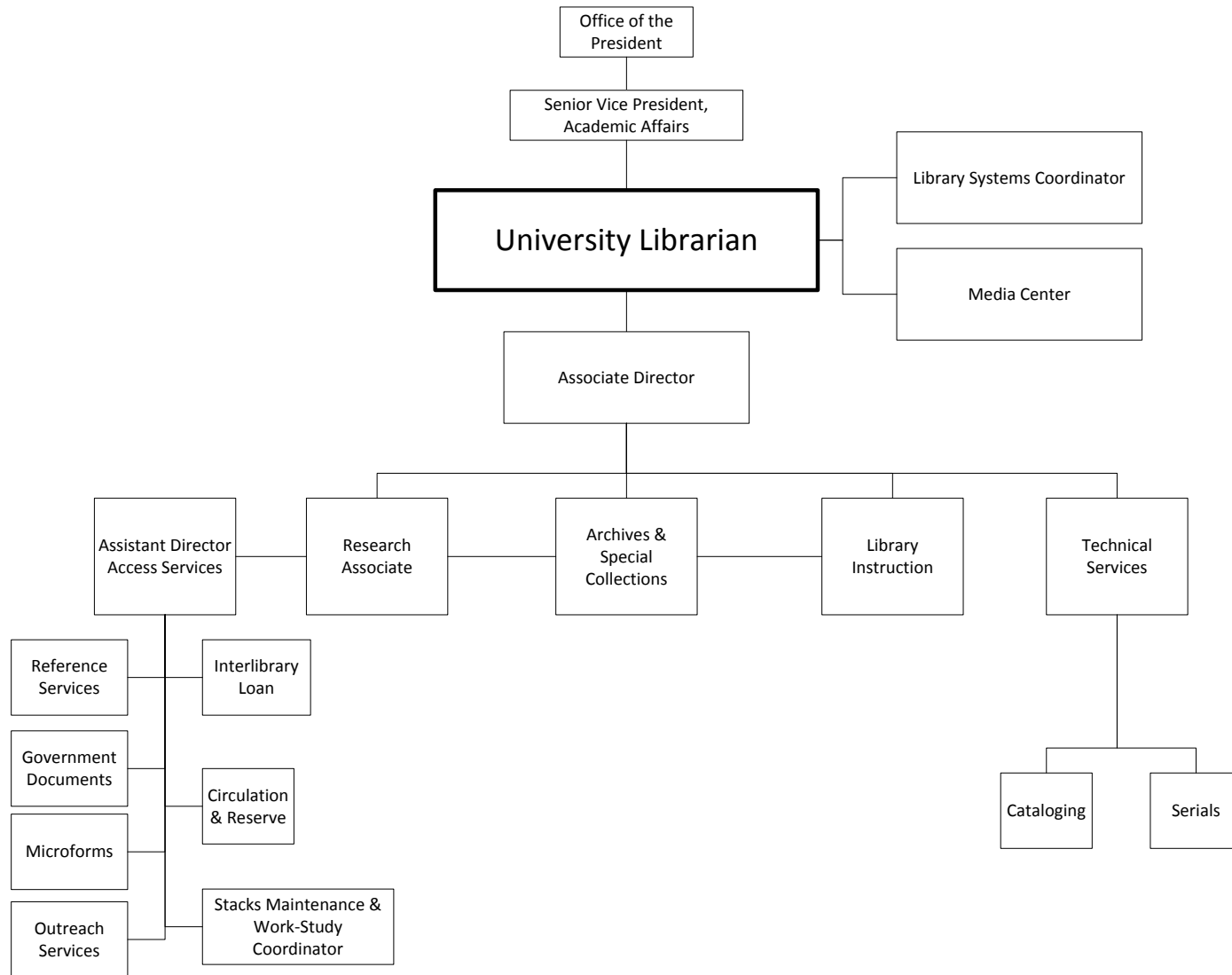
Office of Admissions



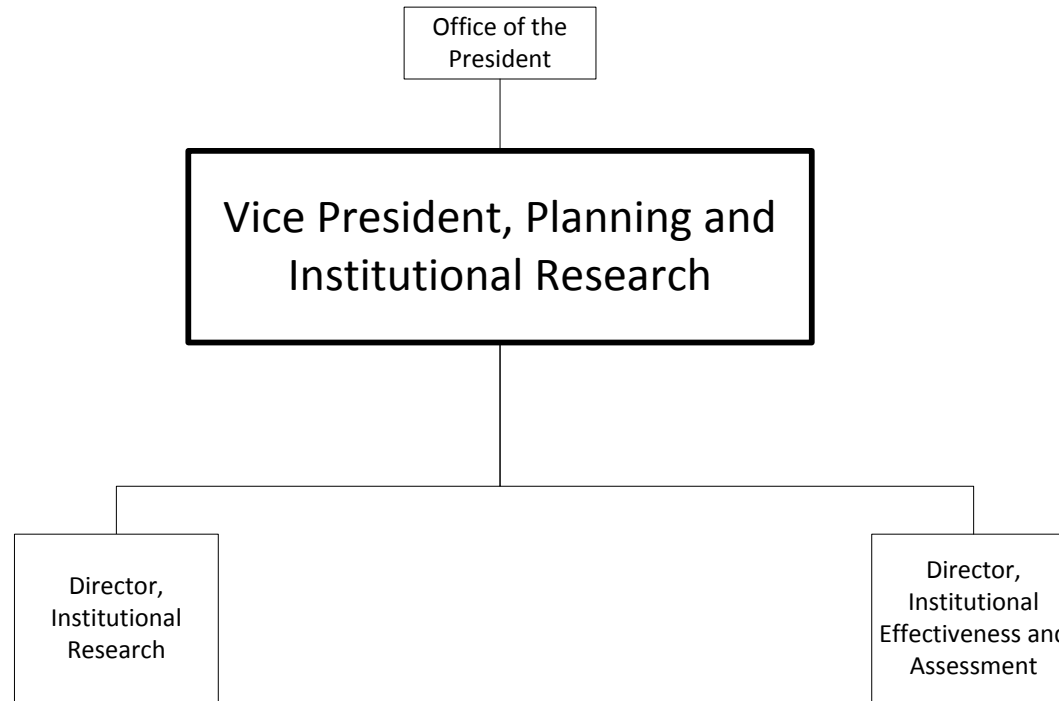
Office of the Registrar



University Main Library



Office of Planning and Institutional Research



Notes

Acknowledgement

The contents of this handbook are presented as a matter of information only, and supersede any previous handbooks. While they correctly describe the current policies, procedures, and benefits of Xavier University of Louisiana (hereafter referred to XULA) they are not conditions of employment nor do they create any vested rights for XULA employees. XULA reserves the right, in its sole discretion, to modify, revoke, suspend, terminate, or change any or all such policies, procedures, or benefits, in whole or in part, at any time, with or without notice. Nothing contained in this handbook shall be construed as a contract for a specific term or duration between XULA and any one or all of its employees. You have been hired by XULA, and just as you may voluntarily leave at any time your employment may be terminated at any time with or without cause. To insure that your understanding of this subject is as complete as possible, please do not hesitate to discuss with your supervisor or Director of Human Resources any questions you may have regarding policies and procedures.

Please acknowledge your receipt and understanding of policies and procedures contained in this Employee Handbook by signing your name below and affixing the date that it was signed.

Signature of Employee

Date

Printed Name of Employee

Last Revised: August 21, 2009